



Department of Political Sciences

Degree Program in International Relations

Chair of Chinese Studies

China's Assertiveness in the *Interregnum*

An Analysis of Territorial Disputes in the South and East China Sea

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LIST OF ABBREVIATIONS

ADIZ	Air Defense Identification Zone
AGI	Intelligence Collection Ship
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
AWACS	Airborne Warning and Control Systems
CCP	Chinese Communist Party
DFA	Department of Foreign Affairs
DoC	Declaration on the Code of Conduct
EEZ	Exclusive Economic Zone
EU	European Union
G-20	The Group of Twenty
GDP	Gross Domestic Production
IR	International Relations
ITLOS	International Tribunal for the Law of the Sea
MDT	Mutual Defense Treaty
MFA	Ministry of Foreign Affairs
NPC	National People's Congress

PLA	People's Liberation Army
PLAAF	People's Liberation Army Air Force
PRC	People's Republic of China
ROC	Republic of China
SCS	South China Sea
SSRFAB	Sea Region Fisheries Administration Bureau
TAC	Treaty of Amity and Cooperation
UNCLOS	United Nations Convention on the Law of the Sea
UN	United Nations
USCAR	United States Civil Administration of the <i>Ryukyu</i> Islands
USNS	United States Naval Ship

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INTRODUCTION

The South China Sea is an essential maritime crossroad for trade, and more than 22 per cent of global trade passes through this area. Moreover, the East China Sea is the main shipping route from the South China Sea to Japanese and North Pacific ports. For all these reasons, this area's freedom of navigation and stability must be safeguarded. Nevertheless, The China Sea also has high marine life productivity and petroleum and natural gas deposits. Therefore, these resources have led to disputes between the bordering countries over controlling small islands and archipelagos, ultimately bolstering natural resources' exploitation capacity.

However, in recent decades, maritime disputes in the South China Sea and the East China Sea have become central issues in international relations in the Asia-Pacific region. China's increasingly assertive strategy has raised concerns among regional actors and the international community, generating extensive academic debate on the nature and implications of its actions. By analysing the following research question: "How do China's strategic and diplomatic actions in the East and South China Sea reflect its broader geopolitical objectives?" the dissertation aims to analyse the new Chinese assertive behaviour adopted in territorial disputes in which China is involved. In particular, this work aims to contribute to the ongoing debate on Chinese assertiveness by claiming that the *rationale* behind it goes beyond the mere idea of land reclamation. The hypothesis is that the fragmentation of the international system – defined as an *Interregnum* characterized by the absence of a single leading power – and China's rise as an economic and military superpower internationally and, above all, in this specific region – the Indo-Pacific area – fuelled the growing nationalism within the Chinese borders and

the growing assertiveness in China's international relations which is aimed at reinforcing its international role and reshaping the rules governing the game. Therefore, considering the ongoing disputes in the South and East China Seas as a matter of natural resources may be simplistic.

This thesis draws upon a broad body of literature that analyses Asia-Pacific international relations, realist theories of international relations, and China's foreign policy to contextualise China's maritime disputes. One significant body of research focuses on China's maritime expansion, with scholars such as Taylor Fravel and Bonnie Glaser highlighting the shift from a delaying strategy to a more assertive posture. These studies emphasise the role of domestic nationalism and public opinion in shaping China's policies. A second body of research examines the role of the United States in the region, particularly in relation to the "Pivot to Asia" strategy launched under the Obama administration and continued under Trump and Biden. Scholars such as Michael Yahuda and Oriana Mastro analyse how the U.S. has moved from a neutral stance to active involvement in countering China's ambitions and reinforcing alliances with Japan, the Philippines, and other Southeast Asian nations. Lastly, another key area of research explores coercive diplomacy, analysing how China employs economic, diplomatic, and military tools to pressure weaker states. In fact, the Scarborough Shoal case study demonstrates how Beijing leverages maritime superiority and economic influence to gain control over contested areas without resorting to full-scale conflict. Finally, international law plays a crucial role in interpreting these disputes, particularly regarding applying the United Nations Convention on the Law of the Sea (UNCLOS). The 2016 arbitral ruling serves as a significant legal precedent, but China's refusal to comply raises critical

questions about the efficacy of international law in regulating conflicts involving great powers.

Moreover, the study adopts a state-centric approach, situating China's policies within a realist and neorealist framework of international relations. It assumes that China, as a state actor, primarily seeks to ensure national security, domestic stability, and strategic autonomy, leveraging control over maritime resources and trade routes as instruments of power projection. Furthermore, this framework is also adopted to describe the assertiveness in the two case studies - the Scarborough Shoal standoff and the *Diaoyu/Senkaku* Islands dispute – which are at the heart of this dissertation. However, international relations theories also have other frameworks of interpretation. Rather than by confrontation, according to liberalism and the liberal approach, states can cooperate to resolve disputes since international relations and the economy are intertwined enough to reduce the likelihood of war. It also emphasises the role of international organisations as forums to cooperate and to deter conflicts. For instance, the Philippines' behaviour in the Scarborough dispute against China can be framed in this theory. While Realism and Liberalism dominate the IR theories mainstream, Constructivism, Marxism, Feminism, Postcolonialism, and Green Theory offer alternative perspectives highlighting identity, economics, gender, colonial history, and the environment. However, a comparative analysis of these approaches goes beyond the scope of this dissertation, which is framed under the realist doctrine.

To this end, it examines how China gradually shifted from a delaying strategy, characterised by diplomatic ambiguity and strategic patience, to a more assertive and, at times, coercive approach, particularly from 2008-2010 onward. The first chapter

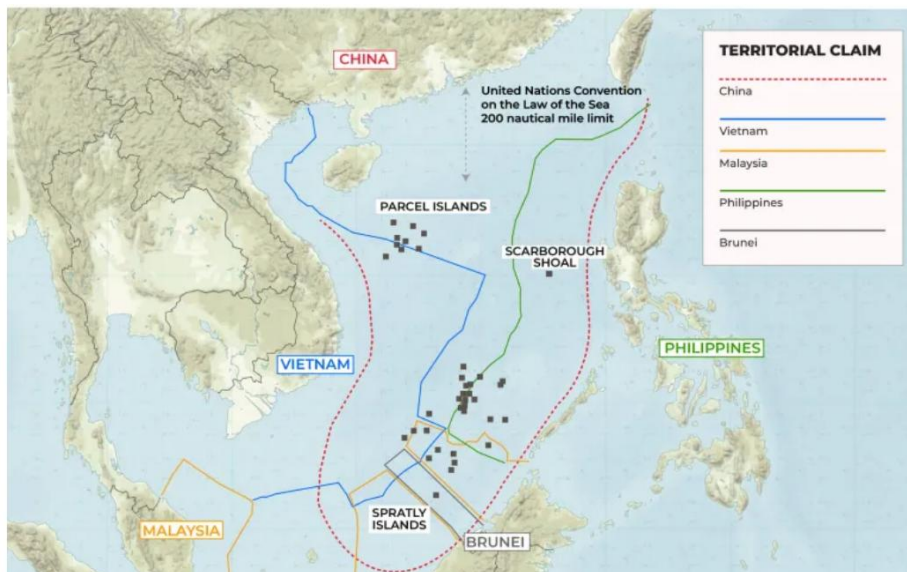
contextualises this transformation by examining states' main strategies in managing territorial disputes and analysing China's behaviour in maritime conflicts. Special attention is given to the evolution of China's claims over the Paracel and Spratly Islands and the increasing militarisation of the region. Additionally, the chapter introduces the role of the United States as a balancing power in the Indo-Pacific, highlighting the growing competition between Washington and Beijing for regional influence. The second chapter focuses on the China-Philippines standoff over the Scarborough Shoal, using it as a case study to understand better China's coercive diplomacy and use of force in maritime disputes. This case is particularly significant as it led to the 2016 arbitral ruling, which declared China's claims within the "nine-dash line" unlawful. However, China's outright rejection of the ruling raises questions about the effectiveness of international law in managing such conflicts and the ability of regional actors to counterbalance China's growing influence. The third chapter expands the analysis to the East China Sea dispute between China and Japan over the *Senkaku/Diaoyu Islands*, focusing on the 2010 crisis as a case study. The chapter examines how China has used economic pressure and diplomatic coercion to shape Japan's policies, leveraging the territorial dispute as part of a broader geopolitical contest. Indeed, once again, the role of the United States is crucial, as its mutual defence treaty with Japan serves as a deterrent against further Chinese encroachments. Finally, the conclusion reflects on how these disputes are not merely territorial conflicts but testing grounds for U.S.-China strategic competition. While China seeks to consolidate maritime dominance as part of a broader power projection strategy, the U.S. and its regional allies attempt to preserve freedom of navigation and regional stability, ensuring security for states vulnerable to Chinese pressure. The outcome of these

disputes will significantly impact regional security and the configuration of the global order in the 21st century.

CHAPTER 1

CHINA'S MARITIME ASSERTIVE BEHAVIOUR IN THE SOUTH CHINA SEA AND THE EAST CHINA SEA

Figure 1. The South China Sea Dispute.



Source: Asia Maritime Transparency Initiative, CSIS, 2023.

1.1 A state-centric approach

The territorial conflict involving the South China Sea's islands, reefs, and maritime zones has emerged as one of the most prominent international maritime disputes in recent years. The dispute is very complex and involves the overlapping claims of seven governments (Brunei, Indonesia, Malaysia, the Philippines, the People's Republic of China, the Republic of China and Vietnam) to territorial sovereignty and maritime rights in a geographical area which represents an essential maritime crossroad for trade (more than 22% of the global trade passes through this area). Moreover, it includes the main shipping routes connecting South Asia with Northeast Asia and North Pacific ports

(mainly located in Canada and the US). Furthermore, the South China Sea also has high marine life productivity and petroleum and natural gas deposits. Hence, because of this area's strategic importance, since 1949,¹ China has asserted expansive claims in the South China Sea, particularly over two groups of islands (the Paracel and Spratly Islands) and maritime rights over related waters.

To answer the Research question "How do China's strategic and diplomatic actions in the South and East China Sea reflect its broader geopolitical objectives?" this chapter will analyse China's maritime behaviour in the two mentioned areas.

In territorial disputes, states generally have three primary strategies for managing their claims. The first involves cooperation characterised by the absence of threats or force and may include proposals to transfer control of disputed areas or renounce claims to existing territories. Alternatively, a state might adopt an escalation strategy, employing coercive diplomacy to secure advantageous outcomes in negotiations or resorting to force to seize contested territories². Lastly, a delaying strategy can be utilised, wherein a state preserves its claim over a disputed area through public declarations without making concessions or resorting to force³.

This approach focuses on upholding existing claims within the dispute or participating in negotiations while refusing to compromise. States frequently choose to delay because alternatives usually come with a higher price. Cooperation can be politically costly, as making concessions on national sovereignty or territory often entails

¹ Taylor Fravel, "China's Strategy in the South China Sea," *Contemporary Southeast Asia* 33, no. 3 (December 2011): 292–319, <https://www.jstor.org/stable/41446232>.

² Paul K Huth, "Standing Your Ground", (University of Michigan Press, 2009).

³ Taylor Fravel, "Strong Borders, Secure Nation Cooperation and Conflict in China's Territorial Disputes", (Princeton University Press, 2008).

significant domestic backlash, potentially leading to social unrest or fostering an international perception of weakness. Similarly, escalation carries substantial risks, including the unpredictability of escalating hostilities, the potential for domestic political repercussions in the event of military failure, and the considerable human and material costs of conflict.

Consequently, from the perspective of national leaders, opting for a delaying strategy in territorial disputes is frequently more advantageous than making concessions or risking unsuccessful attempts to secure disputed territories through force. Furthermore, adopting a delaying strategy can offer distinct advantages, as it provides a state with additional time to enhance its military positioning or secure continued support from crucial domestic constituencies. This approach is particularly beneficial for states that control the majority of contested territories, as the passage of time tends to solidify a status quo in their favour.

However, under specific circumstances, strategies of cooperation or escalation may become more appealing than delay. Understanding why and when a state transitions from a delaying approach to adopting one of these alternatives requires identifying the factors that raise the relative cost of maintaining a claim compared to pursuing other strategies. To address this, the theories discussed below employ a state-centric perspective initially developed by Stephen Krasner and subsequently refined by different scholars (Thomas J. Christensen, Scott Cooper, David A Lake). A state-centric framework views the state as a unified actor distinct from the society it governs. The state's primary objective is to maximise its autonomy to ensure survival in the international arena and maintain stability within its borders. To achieve these goals, states must navigate various

challenges, including external threats such as power struggles or territorial disputes with other nations and internal risks such as coups, revolts, revolutions, secessionist movements, or the breakdown of law and order.

These challenges undermine the state's authority and control within its territory. From this perspective, national leaders develop and execute policies to promote the state's overall interests rather than pursuing personal power or private gains. The state's survival is prioritised above individual concerns, as a leader's capacity for personal benefit depends fundamentally on the state's continued existence. In foreign policy, therefore, the executive branch and national leaders act as representatives of the state, making decisions that reflect its broader interests. Although societal interest groups, elite factions, bureaucratic institutions, and the personal interests of political leaders can influence and shape foreign policy decisions, a state-centric perspective is efficient for analysing territorial disputes. Territorial disputes, being conflicts between nations over the control and ownership of land, inherently touch upon the fundamental interests of states: national sovereignty and territorial integrity. Unlike other policy domains, these interests stem directly from the imperatives of survival and self-preservation, which depend on a state's exclusive control over its territory.

Adopting a state-centric approach, which views the state as an autonomous actor operating in international and domestic arenas, highlights the diverse factors that can drive states toward cooperation or escalation in territorial disputes. As states pursue survival in the global sphere and stability within their borders, foreign policy can be leveraged to address domestic challenges. In contrast, domestic policy can support the state's international objectives. This perspective avoids restricting explanations of state

behaviour to either domestic or global factors, instead considering how challenges at both levels influence decision-making. Although the state remains the primary unit of analysis, its internal dynamics are not disregarded but recognised as integral to the decisions national leaders make on behalf of the state.

Furthermore, emphasising the state's domestic interests alongside its foreign ones allows for a more comprehensive understanding of the sources and scope of state power in international relations. Scholars within classical and neoclassical realist traditions have long acknowledged the significance of domestic aspects of state power⁴, such as what Hans Morgenthau termed “the quality of government” and “national morale”⁵, in addition to conventional metrics like military and economic capabilities. While the influence of these internal dimensions on state power has only recently gained more attention in international relations, a state-centric approach provides a framework for integrating these nuanced elements and assessing their impact on foreign policy.

1.2 Evolution of the Chinese Strategy in the South China Sea

China's foreign policy in the South China Sea hasn't follow a linear line during the years which goes from its foundation to the first decades of the 2000. On the contrary, the evolution of China's strategy in the South China Sea reflects a complex interplay of historical claims, geopolitical ambitions, and shifting regional dynamics. In fact, China's approach has transitioned from a largely declaratory stance to a more assertive, multifaceted strategy incorporating legal, economic, diplomatic, and military dimensions.

⁴ Colin Elman and Miriam Fendius Elman, “Progress in International Relations Theory: Appraising the Field”, (Cambridge, Mas: Mit Press, 2003).

⁵ Hans J Morgenthau, “Politics among Nations; the Struggle for Power and Peace” (New York: Knopf, 1967), pp. 110–148.

This transformation, driven by both domestic imperatives – such as nationalism and resource security – and external pressures, will be discussed in this section.

Figure 2. Map of the South China Sea, with the nine-dashed line highlighted in green.



Source: U.S. Central Intelligence Agency, 1988.

1.2.1 Chinese strategy from 1947-1996

Since founding the People's Republic of China (PRC), Beijing has predominantly adopted a delaying strategy to address its territorial claims in the South China Sea. Initially drawn by the Republic of China (ROC) in 1947 (and publicly released the following year titled the “Location Map of the South China Sea”, the “nine-dashed line” (*jiudianxian*) or “U-shaped boundary line” was adopted by the People’s Republic of

China and has appeared on its maps since 1949⁶. This line covers most of the South China Sea. However, the two governments have not clarified the specific nature of the international legal claim it represents⁷. Yet, the line asserts China's sovereignty over the archipelagos and their 'adjacent' and 'relevant' waters. Yet it lacks a clear definition of its geographical scope or the maritime rights it grants, sparking significant debate. Some scholars, such as Li Jinming⁸ and Zhao Lihai⁹, see the line as an “islands attribution line”,¹⁰ which restricts claims to the disputed islands, features, and nearby waters, consistent with the prevailing international legal norms of the time. Conversely, others, including Fu Kuen-Chen¹¹ and Huang Wei¹², argue that the line represents a “historic right”¹³ water zone, granting exclusive rights to economic exploitation, scientific research, environmental protection, and the development of artificial islands and installations across the waters encompassed by the U-shaped line, based on historical Chinese dominance. The PRC's deliberate ambiguity regarding the line's meaning significantly contributes to the ongoing dispute. A meaningful resolution remained unattainable as long as the exact nature of the PRC's claims remained undefined. This ambiguity fostered the delaying approach adopted by the Chinese government, and only in 2009 China claimed that China had historic rights over the South China Sea.

⁶ Taylor Fravel, “China’s Strategy in the South China Sea,” *Contemporary Southeast Asia* 33, no. 3 (December 2011): 292–319, <https://www.jstor.org/stable/41446232>.

⁷ *Ibidem*.

⁸ Jin-ming, Li. “An Overview of Reviews on the Legal Status of the U-shaped Line in the South China Sea.” *Southeast Asian Affairs* (2011): 54-80.

⁹ Zhao Lihai, “A Study of the Issue of Maritime Law,” Beijing: Beijing Daxue Chubanshe, 1996.

¹⁰ Chris P. C. Chung, “Drawing the U-Shaped Line: China’s Claim in the South China Sea, 1946–1974,” *Modern China* 42, no. 1 (2016): 38–72, <https://www.jstor.org/stable/24575879>.

¹¹ Fu Kuen-chen, “Legal Status of the South [China] Sea”, Taipei: 123 Information Co. Ltd, 1995.

¹² Huang Wei, “Discussing the historical rights of “other waters” within the U-shaped line”, *J. of Ocean Univ. of China* 3, (2011): 36-40.

¹³ Chris P. C. Chung, “Drawing the U-Shaped Line: China’s Claim in the South China Sea, 1946–1974,” *Modern China* 42, no. 1 (2016): 38–72, <https://www.jstor.org/stable/24575879>, p. 39.

However, shortly after the PRC's establishment, China began asserting its presence in the region, occupying Woody (*Yongxing*) Island, part of the Amphitrite Group in the western archipelago of the Paracel Islands, in 1950. The foundation of this territorial claim can be traced to a statement issued by Premier *Zhou Enlai* in August 1951 during the Allied peace treaty negotiations with Japan, in which he asserted China's sovereignty over the Paracel and Spratly Islands¹⁴. In September 1958, China reinforced its claims to these islands by asserting territorial waters rights during the Jinmen crisis. In its declaration, the then-government stated that:

The breadth of the territorial sea of the People's Republic of China shall be twelve nautical miles. This provision applies to all territories of the People's Republic of China, including the Chinese mainland and its coastal islands, as well as Taiwan and its surrounding islands, the Penghu Islands and all other islands belonging to China which are separated from the mainland and its coastal islands by the high seas.

(Declaration on China's Territorial Sea, 1958)

Hence, the declaration of 1958 applies the straight baseline principle to the Tungsha (Pratas), Hsisha Islands (Paracels), the Chungsha (Macclesfield Bank) and the Nansha (Spratly Islands) but underlines how the South Chinese Sea Islands are separated from the Chinese mainland by a belt of high sea. In 1959, the Hainan District set up an administrative office on Yong Xing Island to oversee the affairs of the Xisha, Zhongsha, and Nansha Islands. This office was later transferred to Guangdong Province in 1969¹⁵.

¹⁴ Zhou Enlai Waijiao Wenxuan [Zhou Enlai's Selected Works on Diplomacy] (Beijing: Zhongyang wenxian chubanshe, 1990), p. 40.

¹⁵ Zhiguo Gao and Bing Bing Jia, "The Nine-Dash Line in the South China Sea: History, Status, and Implications," *The American Journal of International Law* 107, no. 1 (January 2013): 98–124.

Nevertheless, in the following years, the situation escalated, and it is widely acknowledged¹⁶ that tensions in the South China Sea began to surface in the late 1960s, coinciding with the recognition of the area's potential reserves of oil and natural gas. The geopolitical dynamics in the region underwent significant changes in the early 1970s. In July 1971, the Philippines claimed sovereignty over the Kalayaan Island Group. Subsequently, in January 1974, China reclaimed the Xisha Islands following a brief but decisive conflict with the Republic of Vietnam (South Vietnam), which had previously asserted its territorial claim over more than ten islands and islets within the Nansha Islands.

Since the mid-1970s, official Chinese government statements have consistently employed similar language to assert sovereignty over the South China Sea. These claims are typically expressed as: “China has indisputable sovereignty over the Spratly Islands (or South China Sea islands) and adjacent waters”¹⁷. As international maritime law evolved, China began formalising its claims to naval rights through domestic legislation. This process aligned its legal framework with the provisions of the UN Convention on the Law of the Sea in 1992, the National People’s Congress (NPC) enacted the Law on the Territorial Sea and the Contiguous Zone of the People’s Republic of China, reaffirming the 1958 declaration while incorporating more specific language. Following this, China delineated baselines for its territorial waters in 1996.

¹⁶ *Ibidem*.

¹⁷ Tylor Fravel, “China’s Strategy in the South China Sea,” *Contemporary Southeast Asia* 33, no. 3 (December 2011): 292–319, <https://www.jstor.org/stable/41446232>, p 294.

1.2.2 Chinese Delaying Strategy from 1996 – 2008

Following its ratification of UNCLOS in 1996, the competition to assert and enforce maritime rights has become a defining aspect of disputes in the South China Sea. Within this context, China has continued adopting a strategy of delaying final settlement while bolstering its maritime rights claims. This approach focuses on enhancing its ability to exercise jurisdiction over disputed waters and deterring other claimant states from consolidating their positions. A key objective for China is to prevent unilateral development activities, such as hydrocarbon exploration, that exclude its participation while ensuring its involvement in any development projects that do take place. Additionally, China seeks to maintain a position of strength in future negotiations concerning the region.

China has employed diplomatic tools in various ways as part of its delaying approach. First, it consistently asserts its openness to negotiations, referencing Foreign Minister Qian Qichen's 1995 statement that "all disputes should be resolved by peaceful means based on the provisions of international law, including the 1982 UN Convention on the Law of the Sea."¹⁸ However, China insists on bilateral negotiations with individual claimants rather than multilateral discussions. This stance aligns with its delaying strategy, as China knows other claimants are hesitant to agree to such terms. By projecting a willingness to negotiate while avoiding actual substantive talks, China effectively defers the resolution of the disputes, allowing it more time to consolidate its claims. Under international law, states must actively maintain their claims, particularly when others

¹⁸ *Ivi*, p. 300.

contest them¹⁹. Hence, this consistent response reinforces China's position and ensures its claims remain legally valid when facing challenges.

Moreover, another significant aspect of China's strategy has been the intensification of efforts to exercise jurisdiction over its claimed maritime territories, primarily through the activities of civil maritime law enforcement agencies, primarily through the South Sea Region Fisheries Administration Bureau (SSRFAB), a division of the Bureau of Fisheries Administration under the Ministry of Agriculture. In addition to regulating China's fishing industry, the SSRFAB had a unique mandate: the waters surrounding the Spratly Islands management. To do so, in 1994, law enforcement patrols were displaced in the Spratly Islands region, and SSRFAB's personnel were permanently stationed on Mischief Reef after its occupation by China. In addition to enforcing jurisdiction over China's claimed waters, fisheries administration vessels also protect Chinese fishermen in encounters with ships from other states.

Similarly, to maintain control over commercial activities in the South China Sea, the Chinese government has used the former Marine Surveillance Force (now part of the China Coast Guard) to challenge and disrupt hydrocarbon exploration operations carried out by Vietnam and the Philippines.

Lastly, in 1998, the NPC passed the Law on the Exclusive Economic Zone (EEZ) and the Continental Shelf of the People's Republic of China, which extended claims to additional maritime rights beyond those established in 1992. Although the 1998 EEZ law did not explicitly reference the Paracel or Spratly Islands, when read in conjunction with the 1992 territorial sea law, it provides a foundation for China's broader maritime claims

¹⁹ *Ibidem*.

in the South China Sea. Despite these developments, the precise extent of China's claims to maritime rights and jurisdiction in the South China Sea remains unclear.

1.2.3 China's new assertive approach from 2008 onwards

Nevertheless, China's somehow constant delaying approach in 2008 has shifted to a more assertive one²⁰. This shift is related to four new developments. In particular, the Chinese perception of a change in the balance of power to its advantage, the broadening of its national interests to include the adjacent maritime seas, the enhancement of its military capabilities to defend its claims more effectively, and the rise of nationalist sentiments, not only in the government officials but also in the Chinese population.

In Chinese government papers, 2008 has been defined as an “extraordinary year”²¹. During that year, China faced and recovered from a catastrophic earthquake centred in Wenchuan County, Sichuan Province; successfully organised the 29th Olympic Games and Paralympic Games in Beijing; and celebrated the 30th anniversary of its reform and opening-up policies. Moreover, the Chinese government underlined how the Chinese economy has emerged as a key component of the global economic system and how China's development cannot occur in isolation from the rest of the world, highlighting that global prosperity and stability are closely linked to China's role and contributions²². However, they began to perceive a faster-than-anticipated decline in the United States triggered by the US subprime mortgage crisis and a corresponding rise in China's global influence. Inevitably, this led to economic and world multi-polarization.

²⁰ Michael Yahuda, “China's New Assertiveness in the South China Sea,” *Journal of Contemporary China* 22, no. 81 (May 2013): 446–59, <https://doi.org/10.1080/10670564.2012.748964>.

²¹ China's National Defense in 2008, Information Office of the State Council of the People's Republic of China, January 2009, Beijing.

²² *Ibidem*.

This apparent shift in the balance of power favouring China was also highlighted during China's 11th Ambassadorial Conference held in July 2009. Jointly organised by the Ministry of Foreign Affairs (MFA) and the Foreign Affairs Office (under the CCP Central Committee), the Conference emphasised the importance of the brand-new "Four strengths" – more influential power in politics, more competitiveness in the economic field, more affinity in its image and more appealing force in morality"²³ – which translates in strengthening China's soft power while also revising Deng Xiaoping's well-known principle of maintaining a low profile by placing greater weight on his directive to achieve tangible results. In essence, the conference advocated for a more proactive, if not more assertive, foreign policy approach, which until then was considered mainly passive²⁴. Furthermore, during the conference, then-Chinese President Hu Jintao suggested that a new multipolar international system is being shaped despite it has not arrived yet.

Although in 2003, when the U.S. invaded Iraq, the American GDP was approximately eight times larger than China's, less than a decade later, this gap had narrowed to less than three times²⁵. At the same time, while the United States grappled with economic instability and political gridlock in the aftermath of the global financial crisis, China managed the situation effectively. Consequently, the Western world had to face and find an answer to the BRICS emerging economies guided by China. Inevitably, The G-20 has increasingly taken on the role of the primary forum for addressing challenges within the global economy, gradually supplanting the G-7/8 in its effectiveness

²³ Bonnie S. Glaser & Benjamin Dooley, "China's 11th Ambassadorial Conference Signals Continuity and Change in Foreign Policy", (China Brief Volume: 9 Issue: 22, 2009).

²⁴ Li Mingjiang, "Soft Power in Chinese Discourse: Popularity, Parameter, and Prospect," Chinese Journal of International Politics, 2008.

²⁵ Michael Yahuda, "China's New Assertiveness in the South China Sea," Journal of Contemporary China 22, no. 81 (May 2013): 446–59, <https://doi.org/10.1080/10670564.2012.748964>.

and fostering a more multipolar world – in line with the Chinese government's interest in reforming international institutions to bolster the global economy and grant China a more prominent role within these frameworks²⁶. Nevertheless, multilateralism and multilateral diplomacy are not the key objectives of the Chinese foreign policy. Multilateral diplomacy remains behind the relations with the major powers, its neighbours and developing countries²⁷.

Another sign of the American weakness perceived by China was the 2009 Obama's visit to China, in which he requested Chinese support to address global challenges²⁸. However, by adopting a suspecting behaviour, China decided to position itself against the American requests, obstructing them at the UN Conference on Climate Change held in December 2009 and firmly opposing the American proposal to sell arms to Taiwan.

Moreover, since this year, China has increasingly sought to reinterpret traditional understandings of international maritime law to align them with its strategic and national interests. For instance, Chinese vessels engaged in aggressive manoeuvres to intimidate American surveillance ships operating within China's Exclusive Economic Zone but outside its territorial waters, claiming that these operations violated Chinese sovereignty. However, this stance lacked support from the United Nations Convention on the Law of

²⁶ Bonnie S. Glaser & Benjamin Dooley, "China's 11th Ambassadorial Conference Signals Continuity and Change in Foreign Policy", (China Brief Volume: 9 Issue: 22, 2009).

²⁷ *Ibidem*.

²⁸ Michael Yahuda, "China's New Assertiveness in the South China Sea," *Journal of Contemporary China* 22, no. 81 (May 2013): 446–59, <https://doi.org/10.1080/10670564.2012.748964>.

the Sea, to which China is a signatory without having reserved its position on this issue, as well as from established customary international law.²⁹

Consistent with the strategy adopted at the end of 2009, the following year, by claiming that Chinese national security was under threat, China strongly opposed a Joint American and South Korean naval exercise in the Yellow Sea, which was organised in response to North Korea's military threats against the South.³⁰ Despite the operation being held in international waters, China perceived it as an American attempt - the attempt of a declining power - to stall its rise. Similarly, China assertively challenged Japanese claims over *Okitorori's* EEZ, although these claims followed the same logic China used to defend itself in the South China Sea³¹.

Strictly connected with the change in the Chinese perception of the international powers' balance is its exigence of emerging as a global and regional player. Thus, it expanded its national interests over the traditional defence of its territories. Being one of the leading exporters worldwide in 2009³², the Chinese government developed the consciousness of protecting its trade routes to avoid any possible interruptions which may deter its economy. Due to this new awareness, China broadened its maritime interests far over the concerns related to Taiwan and a potential American intervention. Controlling the adjacent seas (especially the South China Sea) became a priority to defend the Chinese supply chain needed for its economy's prosperity. However, broadening national interests is not a prelude to clashes with neighbours or the expansion of territorial or maritime

²⁹ Jerome A. Cohen and Jon M. VanDyke, "Limits of tolerance", South China Morning Post, (7/12/10).

³⁰ "Why China opposes US-South Korea military exercise in the Yellow Sea", People's Daily, (16 July 2010).

³¹ Peter J. Brown, "China all at sea over Japan island row", Asia Times Online, (4 March 2010).

³² Michael Yahuda, "China's New Assertiveness in the South China Sea," Journal of Contemporary China 22, no. 81 (May 2013): 446-59, <https://doi.org/10.1080/10670564.2012.748964>.

sovereignty claims. China is still asserting the allegations made in 1949, 1958 and during the UNCLOS ratification in 1996 – which were already discussed before – yet adding the control of adjacent seas without justifying the basis of these claims.³³ As stated by the then Foreign Ministry Spokesperson Hong Lei during the Regular Press Conference “China enjoys indisputable sovereignty over the Nansha Islands and their adjacent waters. It is illegal for any country or company to engage in oil and gas exploration activities in waters under China's jurisdiction without the permission of the Chinese Government”³⁴. Hence, another issue that adds complexity to these claims is the Chinese’s ambiguity and unclarity of its reclamations and the meaning of the space covered by the Chinese jurisdiction.

Another reason that backed the Chinese behavioural shift was the modernisation of its military power. The January 2009 Chinese white paper “China’s National Defense in 2008” highlighted a process of reform and development of the People’s Liberation Army (PLA), speeding up a process of “informatisation” of the military forces and of capabilities building, which made China more able to defend its claims vs other claimants or to respond to what it perceives as provocations. Moreover, “China’s defence budget is at least three times as high as that of all ten ASEAN countries together”³⁵. This military superiority is also shown by unnecessarily large naval exercises and military simulations conducted by China in 2009/2010 in the South China Sea to display its strength and maybe intimidate its neighbours. The surge in military demonstrations in the South China Sea coincided with the May 2009 deadline established by the UN Commission on the

³³ *Ibidem*.

³⁴ Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on February 28, 2012.

³⁵ Michael Yahuda, “China’s New Assertiveness in the South China Sea,” *Journal of Contemporary China* 22, no. 81 (May 2013): 446–59, <https://doi.org/10.1080/10670564.2012.748964>.

Limits of the Continental Shelf to submit claims regarding extended continental shelves beyond the standard 200-mile limit of Exclusive Economic Zones. In compliance with this deadline, Malaysia and Vietnam submitted a joint claim, which China contested. From China's perspective, the joint claims constituted a breach of Article 5 of the 2002 Declaration on the Code of Conduct (DoC³⁶), which emphasises the commitment to refrain from activities that might intensify tensions. In response to the submissions by Malaysia and Vietnam, China submitted a verbal note to the United Nations, attaching its 'U-shaped Line' map. There China asserts that its sovereignty claims over the four island groups in the South China Sea—the Pratas Islands, the Paracel Islands, the Macclesfield Bank, and the Spratly Islands—are based on historical rights³⁷ as the first nation to discover, name, and exercise continuous use of these territories for over two centuries.

Lastly, the rise of nationalism in Chinese society, sponsored by national leaders, is strictly connected to military empowerment and national achievements. As stated before, 2008 was an extraordinary year for Chinese public opinion. The international balance of powers was mutating in China's favour; the Beijing Olympics Game was the triumph of Chinese sports diplomacy. Nevertheless, the year was also marked by significant unrest, including the Tibetan riots in March and widespread protests in Western cities against the Olympic torch relay. China's leadership in Tibet responded by accusing the Dalai Lama of inciting the unrest, branding him as a 'wolf in monk's robes, with the heart of a beast.' Meanwhile, the Chinese press, operating under the directives of

³⁶ The DoC (2002), established as a consensus between China and the Association of Southeast Asian Nations, played a crucial role in fostering a seven-year period of relative stability among the claimants in the South China Sea.

³⁷ J. Zhang, "China's growing assertiveness in the South China Sea A Strategic Shift?", National Security College 2013.

the Party's Propaganda Department, criticised what they perceived as biased coverage by Western media. French leaders, particularly, drew Beijing's criticism after the French president met with the Dalai Lama. Adding to the controversy, a Chinese woman who sought to mediate between pro-Chinese and pro-Tibetan groups faced harsh backlash in Chinese media, where she was labelled as a traitor.³⁸ The events inevitably became fuel for Chinese nationalism, the anti-western propaganda, and the Chinese government's suspicion against the Western world.

1.3 US in the South China Sea

The United States first publicly addressed disputes in the South China Sea in response to China's occupation of Mischief Reef in late 1994. Concerned about regional stability, the United States issued a policy statement in May 1995 through the State Department. This statement articulated five key arguments (peaceful Resolution of disputes, Peace and stability in the region, freedom of navigation, neutrality over the question of sovereignty, respect of maritime norms, especially UNCLOS³⁹) which governed the initial U.S. Policy on Spratly Islands and South China Sea.

However, 2008/2009 was a turning point not only concerning China's assertiveness in the SCS but also the US position. On March 8, 2009, the United States Naval Ship ("USNS") Impeccable (T-AGOS23) and five vessels from the People's Republic of China were involved in an incident in the South China Sea, approximately seventy-five miles off the Chinese coast (the Impeccable incident). The following day, March 9, 2009, U.S. media outlets reported an official statement from the Department of

³⁸ William A. Callaghan, "China the Pessimist Nation", (Oxford: Oxford University Press, 2010).

³⁹ Daily Press Briefing, U.S. Department of State, (May 10, 1995).

Defense released by the Pentagon. This statement began with a summary of the incident: "On March 8, 2009, five Chinese vessels shadowed and engaged in aggressive manoeuvres in dangerous proximity to the USNS Impeccable. This appeared to be a coordinated effort to harass the U.S. ocean surveillance ship conducting routine operations in international waters"⁴⁰.

Furthermore, the statement provided additional factual details regarding the incident:

The Chinese vessels surrounded USNS Impeccable, two closing to within 50 feet, waving Chinese flags and telling Impeccable to leave the area. Because the vessels' intentions were unknown, Impeccable sprayed its fire hoses at one of the vessels to protect itself. The Chinese crewmembers disrobed to their underwear and continued closing within 25 feet.

USNS Impeccable's master used bridge-to-bridge radio circuits to inform the Chinese ships in a friendly manner that it was leaving the area and requested a safe path to navigate. A short time later, two PRC vessels stopped directly ahead of USNS Impeccable, forcing Impeccable to conduct an emergency "all stop" to avoid collision. They dropped pieces of wood in the water directly in front of Impeccable's path.⁴¹

Moreover, the official U.S. statement addressed additional incidents (4th - 7th March) that had taken place in the days leading up to the event, stating:

On March 4, a Chinese Bureau of Fisheries Patrol vessel used a high-intensity spotlight to illuminate the entire length of the ocean surveillance ship USNS Victorious several times, including its bridge crew. USNS Victorious conducted lawful military operations in the Yellow Sea, about 125 nautical miles from China's coast. The Chinese ship then crossed Victorious' bow at a range of about 1400 yards in darkness without notice or warning. The following day, a Chinese Y-12 maritime surveillance aircraft conducted 12 fly-bys of Victorious at an altitude of about 400 feet and a range of 500 yards.

⁴⁰ RAW DATA: Pentagon Statement on Chinese Incident With U.S. Navy, <https://www.foxnews.com/politics/raw-data-pentagon-statement-on-chinese-incident-with-u-s-navy>.

⁴¹ *Ibidem*.

On March 5, without notice or warning, a Chinese frigate approached USNS Impeccable and proceeded to cross its bow at a range of approximately 100 yards. This was followed less than two hours later by a Chinese Y-12 aircraft conducting 11 fly-bys of Impeccable at an altitude of 600 feet and a range from 100-300 feet. The frigate then crossed Impeccable's bow yet again, this time at a range of approximately 400-500 yards without rendering courtesy or notice of her intentions.

On March 7, a PRC intelligence collection ship (AGI) challenged USNS Impeccable over bridge-to-bridge radio, calling her operations illegal and directing Impeccable to leave the area or "suffer the consequences."⁴²

After having identified the Chinese vessels involved in the incident ("the Chinese ships involved in the March 8 incident included a Chinese Navy intelligence collection ship, a Bureau of Maritime Fisheries Patrol Vessel, a State Oceanographic Administration patrol vessel, and two small Chinese-flagged trawlers."⁴³), the Pentagon analysed the issue from a legal perspective:

Coastal states do not have a right under international law to regulate foreign military activities in the EEZ. The unprofessional manoeuvres by Chinese vessels violated the requirement under international law to operate with due regard for the rights and safety of other lawful ocean users. We expect Chinese ships to act responsibly and refrain from provocative activities that could lead to miscalculation or a collision at sea, endangering vessels and the lives of U.S. and Chinese mariners.⁴⁴

Nevertheless, the People's Republic of China did not initially release an official statement regarding the incident. Instead, it responded reactively during a press conference held two days later following the release of the U.S. statements. On March 10, 2009, Ma Zhaoxu, the Chinese Ministry of Foreign Affairs spokesperson, addressed the matter during a routine press briefing in Beijing. During this conference, he denied the American position and explained the government's point of view:

⁴² *Ibidem.*

⁴³ *Ibidem.*

⁴⁴ *Ibidem.*

The claims by the US are flatly inaccurate and unacceptable to China. On the issue of foreign ships engaging in activities in China's exclusive economic zone, the UN Convention on the Law of the Sea, Law of the People's Republic of China on the Exclusive Economic Zone and the Continental Shelf, and Regulations of the People's Republic of China on the Management of Foreign-Related Marine Scientific Research all have clear stipulations. The Chinese government has always handled such activities strictly according to the above regulations. Engaging in activities in China's exclusive economic zone in the South China Sea without China's permission, US Navy surveillance ship Impeccable broke relevant international law and Chinese laws and regulations. China has lodged solemn representations to the US. We urge the US to take adequate measures to prevent similar incidents from occurring in the future.⁴⁵

In addition, Ma Zhaoxu remarked that:

I've clearly stated that the US ship engaged in activities in China's exclusive economic zone without China's permission and broke international law as well as Chinese laws and regulations. We have requested that the US take adequate measures to prevent similar incidents from occurring in the future.⁴⁶

And concluded by claiming an American breach of the "UN Convention on the Law of the Sea, Law of the People's Republic of China on the Exclusive Economic Zone and the Continental Shelf, and Regulations of the People's Republic of China on the Management of Foreign-related Marine Scientific Research"⁴⁷ – international and Chinese national law. Assessing which of the two conflicting perspectives is consistent with international law is beyond the purpose of this dissertation. However, this incident not only influenced the Chinese and the American foreign policies in the South China Sea but also deteriorated the US-China relations⁴⁸.

⁴⁵Foreign Ministry Spokesperson Ma Zhaoxu's Regular Press Conference on March 10, 2009 http://se.china-embassy.gov.cn/eng/fyrth/200903/t20090311_2878625.htm.

⁴⁶ *Ibidem*.

⁴⁷ *Ibidem*.

⁴⁸ Tylor Fravel, "U.S. Policy towards the Disputes in the South China Sea since 1995," Ssrn.com, March 2014, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2469832.

In fact, on July 23, 2009, Hillary Clinton, then US Secretary of State, signed the Treaty of Amity and Cooperation (TAC) during the Sixteenth ASEAN Regional Forum (ARF). This marked a pivotal moment in the United States' strategic 'Pivot to Asia,' signalling the beginning of a renewed focus on Southeast Asia under the Obama administration. The objective was to strengthen the US presence and engagement in the region. The United States' stance on the South China Sea (SCS) was clarified a year later when Clinton attended the Seventeenth ARF in Hanoi, Vietnam. During the forum, she unequivocally stated that the United States has a national interest in ensuring freedom of navigation in the South China Sea – in response to the escalation of tensions between China and the other claimants after 2007. All claimants, particularly China, intensified their efforts to assert sovereignty over disputed areas in the South China Sea. In some instances, these efforts involved actions aimed at reinforcing or defending their claims, ultimately exacerbating regional tensions. Notably, between 2006 and 2008, China warned foreign oil companies, including several American firms, discouraging them from investing in offshore exploration projects within Vietnam's claimed maritime zones. As discussed in the previous section, the tensions culminated in the 2009 Chinese note verbale.

Until mid-2012, U.S. policy regarding disputes in the South China Sea remained relatively consistent. The U.S. maintained its focus on key principles such as freedom of navigation, peaceful conflict resolution, and the prevention of coercion. It also emphasised the value of dialogue among claimants and strongly supported the ongoing development of a code of conduct for the region. In 2012, U.S. policy underwent a slight shift, prompted by a confrontation between China and the Philippines over Scarborough Shoal. This dispute led to an unprecedented failure by ASEAN to release a joint statement

in its forty-five-year history. The standoff began in April 2012 when the Philippine Navy sought to detain Chinese fishermen operating within the lagoon of the shoal. By the end of May, the United States had mediated an agreement for the mutual withdrawal of forces. However, China disregarded the deal in June and reoccupied the area after Philippine vessels withdrew. During an ASEAN ministerial meeting in July, the Philippines attempted to include Scarborough Shoal in the joint statement. Still, China influenced Cambodia, the then-ASEAN chair, to reject the proposal. This resulted in the omission of a joint declaration altogether.⁴⁹

Tensions in the region escalated further in the spring and summer of 2012 due to other actions attributed to China. In June, China elevated the administrative status of certain islands in the South China Sea by establishing Sansha City, a prefectural-level administrative unit headquartered on Woody Island in the Paracels. This change included the symbolic establishment of a new PLA garrison. Simultaneously, Vietnam introduced a national maritime law asserting its sovereignty over the Paracel and Spratly Islands and conducted its first aerial patrols over the Spratlys using advanced Su-27 aircraft.⁵⁰

In response to these developments, particularly China's actions, the United States revised its approach. In August 2012, the U.S. issued a new policy statement on the South China Sea, delivered by a State Department spokesperson rather than the Secretary of State. This statement reaffirmed the U.S. commitment to regional peace and stability and highlighted the growing tensions. Notably, unlike previous statements, it explicitly criticised China, referencing its activities at Scarborough Shoal and the creation of Sansha

⁴⁹ Guy De Launey, "Has Chinese power driven Asean nations apart?" BBC News, July 19, 2012, <https://www.bbc.com/news/world-asia-18897855>.

⁵⁰ Taylor Fravel, "U.S. Policy towards the Disputes in the South China Sea since 1995," Ssrn.com, March 2014, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2469832.

City. This highlighted a more active U.S. engagement in the dispute and possibly aligning against China. Despite this, the statement reiterated long-standing elements of U.S. policy, such as advocating for a code of conduct, clarifying territorial claims, and peaceful dispute resolution.⁵¹

1.4 China's maritime assertiveness in the East China Sea

The analysis of territorial claims and relative economic rights asserted by China cannot be limited to the South China Sea. A similar situation creates tensions between China and Japan in the East China Sea. The disputes in the East China Sea revolve around the territorial sovereignty of the *Diaoyu* (using the Chinese name) and *Senkaku* (using the Japanese) Islands, as well as the fisheries and hydrocarbon resources located in the surrounding waters and beneath the seabed. The contested islands are located approximately 105 miles northeast of Taiwan, in an area described by Chinese fishermen as “where the water turns black.”⁵² This region marks the convergence of the Eurasian continental shelf and the Okinawa Trough. Unlike the low-lying coral atolls that characterise many of the disputes in the South China Sea, the *Diaoyu/Senkaku* Islands emerge prominently as peaks of an underwater mountain range. Covering an area of 2.7 square miles, the islands are home to diverse wildlife, including several bird species, feral goats, and rare mole species. However, they have remained uninhabited since the failure of a Japanese fish cannery in the 1940s. Following World War II, the islands were intermittently used by U.S. forces for bombing exercises before administrative control was handed over to Japan in 1972 as part of the Okinawa Reversion Agreement.

⁵¹ *Ibidem*.

⁵² Andrew Chubb, “The East China Sea Dispute: China’s and Japan’s Assertiveness from Mao to Xi,” Asia Society, 2024, <https://asiasociety.org/policy-institute/east-china-sea-dispute-chinas-and-japans-assertiveness-mao-xi>.

Nevertheless, this transfer occurred without formally declaring sovereignty over the islands.

Historically, the waters surrounding the Diaoyu/Senkaku Islands have served as vital fishing grounds for communities in northern Taiwan, the Ryukyu Islands, and mainland China. The name "*Diaoyu*," or "*Tiaoyutai*" in Taiwanese, translated to "Fishing Islands", clearly reflects the bond between the community and the sea life. Although this region is highly contested, fishery resources have not been a significant source of conflict. On the contrary, China adopted a cooperative approach to this issue. In 1997, China and Japan reached a collaborative agreement that allowed mutual access to fishing areas and established a joint management framework. Similarly, a parallel agreement between Taiwan and Japan was finalised in 2013, further regulating fishing activities in the contested waters. The agreements tackle three essential aspects. First, they emphasise recognising each nation's exclusive rights to manage fishery resources and regulate fishing activities within its Exclusive Economic Zone. Second, they lay out broad principles to facilitate reciprocal access for fishing operations within each other's EEZs. Finally, the agreements establish a collaborative framework for the joint management of shared fishery resources.⁵³

Besides that, the dispute gained significant attention following preliminary surveys conducted under United Nations sponsorship in 1968, which suggested the presence of substantial oil and gas reserves beneath the East China Sea. This discovery prompted the People's Republic of China and the Republic of China to assert sovereignty

⁵³ Aaron L, "Managing the Resources of the China Seas: China's Bilateral Fisheries Agreements with Japan, South Korea, and Vietnam - the Asia-Pacific Journal: Japan Focus," The Asia-Pacific Journal: Japan Focus, June 10, 2005, <https://apjpf.org/david-rosenberg/1789/article>.

over the islands. Both governments argued that the islands (along with Taiwan and *Penghu*) had been ceded to Japan as war spoils under the Treaty of Shimonoseki in 1895 and should have been returned to China following World War II. Although the territorial dispute has hindered comprehensive resource exploration across much of the area, China has established oil and gas drilling platforms in waters further north. These installations have introduced an additional layer of contention, as Japan claims they exploit resources from deposits that extend across the median line delineating Japan's exclusive economic zone, potentially extracting resources from the Japanese side.

Before 2010, the *Senkaku/Diaoyu* Islands held a relatively marginal position in the broader context of Sino-Japanese relations. Nevertheless, in 2010, tensions escalated dramatically after a PRC fishing vessel collided with a Japanese Coast Guard ship, leading to a diplomatic standoff during which China temporarily restricted vital rare earth exports to Japan. Further strain occurred in 2012 when Japan's decision to nationalise three islands provoked a significant response from China, which began deploying maritime law enforcement vessels into the territorial waters under Japanese administration. Public opinion in Japan regarding China deteriorated sharply following violent nationalist protests in China over the islands during August and September 2012, with the impact on bilateral relations persisting long after.

Moreover, since the late 2010s, the islands have gained heightened importance as symbols and central points in domestic political debates and arenas of competitive interaction. The rising prominence of the islands as a domestic political issue is deeply tied to their symbolic resonance, which, in turn, has been amplified by the attention of

politicians, activists, and other stakeholders, whether driven by genuine belief or strategic motives.

1.4.1 The real value of the Senkaku islands

Indeed, the islands have a strategic and economic value.⁵⁴ Nevertheless, these values are insufficient to justify the Chinese (and Japanese) assertiveness in the area. The islands hold significant strategic importance due to their potential role in facilitating military operations. Control over these islands could enable the Chinese military to penetrate the first island chain, a geographic barrier between mainland China and the Pacific Ocean. Conversely, if Japanese forces were to maintain control over them, they could obstruct such advancements by China. This first island chain extends from the Korean Peninsula, moving southward through the Japanese Ryukyu Islands, Taiwan, and further to the Philippines. Notably, the *Senkaku/Diaoyu* Islands are situated within this chain, northeast of Taiwan along the western boundary of the Okinawa Trough. Although the *Senkaku/Diaoyu* Islands are geographically closer to the first island chain than to the Chinese mainland, they remain at least 60 miles (100 kilometres) away from any feature within the chain. As a result, even if the People's Republic of China were to gain control of the islands, its naval forces would still face the challenge of traversing a significant distance to breach Japanese-held segments of the chain. This would necessitate passage through several strategic chokepoints, most notably the Miyako Strait, between the Japanese islands of Okinawa and Miyako. These islands are heavily fortified with

⁵⁴ Todd Hall, "More Significance than Value: Explaining Developments in the Sino-Japanese Contest over the Senkaku/Diaoyu Islands", Texas National Security Review, September 3, 2019, <https://tnsr.org/2019/09/more-significance-than-value-explaining-developments-in-the-sino-japanese-contest-over-the-senkaku-diaoyu-islands/>.

advanced Japanese military assets⁵⁵, including mobile surface-to-ship missile systems that cover the strait's entry and a submarine sound surveillance system extending along the Ryukyu archipelago. Similarly, Japan does not require control over the Senkaku/Diaoyu Islands to effectively hinder the Chinese navy's movement through its first island chain segment. Furthermore, another weak argument for the strategic value of the islands emphasises their potential to host strategically significant assets, such as radar installations or missile systems – closer to China or Japan, respectively. However, this advantage would likely be minimal. The most significant island, *Uotsuri/Diaoyu*, has a surface area of approximately 3.6 square kilometres⁵⁶. Consequently, the islands lack sufficient space for concealing assets or creating redundancies. In a conflict scenario, installations on the islands would present easily identifiable targets, unlikely to endure beyond an initial assault.

Furthermore, the islands' isolation poses logistical challenges and resupplying them under combat conditions would be highly complex. Additionally, the strategic utility of radar installations on the islands could be replicated by placing such systems on nearby ships or employing airborne assets like AWACS (Airborne Warning and Control Systems), which can collect information from greater distances. Ship-mounted and airborne systems offer mobility and benefit from altitude in the case of airborne platforms, enabling a more extensive radar horizon.

Regarding the economic value, a key consideration is the potential entitlement to a 200-nautical-mile exclusive economic zone, which is presumed to be granted to the state

⁵⁵ Desmond Ball & Richard Tanter, "Tools of Owatsumi: Japan's Ocean Surveillance and Coastal Defence Capabilities", (Canberra: Australian National University Press, 2015).

⁵⁶ The Senkaku Islands: Location, Area, and Other Geographical Data, https://www.spf.org/islandstudies/info_library/senkaku-islands-02-geography--02_geo001.html.

holding sovereign rights over these islands under the provisions of the United Nations Convention on the Law of the Sea. As mentioned, this entitlement is mainly seen as valuable due to the 1969 UN Economic Commission for Asia and the Far East report, which underlines that prolific oil reserves may be in this area⁵⁷. However, since 1970, no exploratory drilling has been conducted due to the disputed status of the area, leaving the existence of oil and gas reserves unverified. Moreover, overfishing in this area reduced the fishing stock, and with transportation costs, fishing in the island's zone is not so appealing anymore⁵⁸.

Due to the weakness of both strategic and economic reasons backing this dispute, the assertiveness reasons may be found elsewhere. From a behavioural standpoint, before 2010, China and Japan adopted a delaying strategy regarding the conflict at stake.⁵⁹ Nevertheless, after 2010, the islands' intrinsic significance increased, modifying thus the behaviour of the two countries' policymakers. Firstly, the islands have an intangible symbolic meaning. They fuelled the "history problem"⁶⁰ – a Sino-Japanese series of controversies over historical events played on the rhetorics' realm. Hence, the islands have come to represent more than just a repository of historical disputes, frustrations, and grievances, embodying a more profound symbolic significance. These developments occurred within the broader context of Sino-Japanese relations, where China was

⁵⁷ James Manicom & Bridging, "Troubled Waters: China, Japan, and Maritime Order in the East China Sea", (Washington, DC: Georgetown University Press, 2014).

⁵⁸ Todd Hall, "More Significance than Value: Explaining Developments in the Sino-Japanese Contest over the Senkaku/Diaoyu Island", Texas National Security Review, September 3, 2019, <https://tnsr.org/2019/09/more-significance-than-value-explaining-developments-in-the-sino-japanese-contest-over-the-senkaku-diaoyu-islands/>.

⁵⁹ Taylor Fravel, "Strong Borders, Secure Nation Cooperation and Conflict in China's Territorial Disputes", (Princeton University Press, 2008).

⁶⁰ Karl Gustafsson, "The 'History Problem' in Sino-Japanese Relations: What's the Problem?", 2016.

increasingly perceived, in both nations, as surpassing Japan in political, economic, and military influence⁶¹.

In fact, in 2010, China's gross domestic product overtook Japan's, making it the second-largest economy globally, behind only the United States. This shift amplified concerns within Japan regarding how a more assertive China might act—potentially resorting to coercion, disregarding established norms, and utilising its growing military and economic power to assert its interests both within the region and on the global stage⁶². On the contrary, the Chinese perspective is based on the axiom that great powers should receive more respect⁶³, which, according to Chinese eyes, Japan is not giving. Thus, the islands represent a test of strength between the two countries. Yanigasawa Kyoji, former assistant chief cabinet secretary for national security, did not define it “as a struggle over economic interests” or as “something that would affect the military balance” but merely as an honour issue –a nationalistic symbol⁶⁴, underlining hence, the real value of the Senkaku Islands dispute.

⁶¹ Giulio Pugliese & Aurelio Insisa, “Sino-Japanese Power Politics”, (Springer, 2016).

⁶² Shogo Suzuki, “The Rise of the Chinese ‘Other’ in Japan’s Construction of Identity: Is China a Focal Point of Japanese Nationalism?”, *The Pacific Review* 28, no. 1 (November 6, 2014): 95–116, <https://doi.org/10.1080/09512748.2014.970049>.doi:10.1080/09512748.2014.970049.

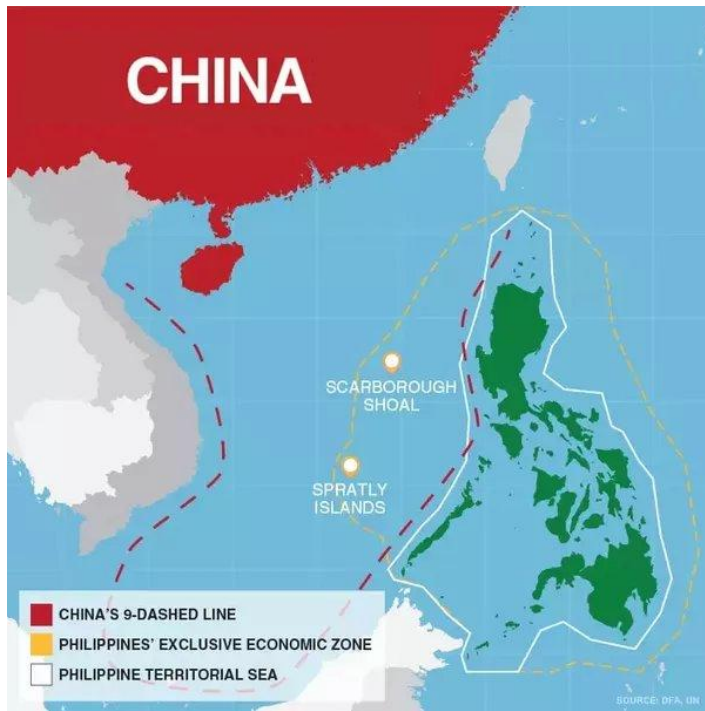
⁶³ Peter Hays Gries, “China’s New Nationalism: Pride, Politics, and Diplomacy”, (Berkeley: University Of California Press, 2004). <http://www.jstor.org/stable/10.1525/j.ctt1pq06f>.

⁶⁴ Todd Hall, “More Significance than Value: Explaining Developments in the Sino-Japanese Contest over the Senkaku/Diaoyu Islands”, *Texas National Security Review*, September 3, 2019, <https://tnsr.org/2019/09/more-significance-than-value-explaining-developments-in-the-sino-japanese-contest-over-the-senkaku-diaoyu-islands/>.

CHAPTER 2

CHINA V. THE PHILIPPINES IN THE SOUTH CHINA SEA

Figure 3. The Scarborough Shoal within the Philippine's Exclusive Economic Zone.



Source: United Nations, 2023.

2.1 The Scarborough Shoal Standoff: A Case Study Analysis

After analysing Chinese behaviour in the South China Sea, the *rationale* behind its assertiveness has been discussed. However, it is still insufficient to answer the dissertation's research question fully. Hence, using the China vs. Philippines clash, the Scarborough Shoal standoff as a case study, this chapter will focus on this specific dispute to answer the research question: "How do China's strategic and diplomatic actions in the South and East China Sea reflect its broader geopolitical objectives?"

The Scarborough Shoal – named *Bajo de Masinloc* or *Panatang* Shoal by the Philippines and *Huangyan* Island by the Chinese - has been a contentious issue between the two nations since 1997. This atoll is the largest in the South China Sea, situated approximately 220 kilometres off the coast of Zambales, a province on *Luzon* Island in the Philippines. Despite its geographical significance, Scarborough Shoal remained relatively obscure until the United Nations Convention on the Law of the Sea was implemented in 1994. The shoal falls within the Philippines' Exclusive Economic Zone. However, China asserts sovereignty over it, claiming historical ties dating back to the Yuan dynasty (1271–1368)⁶⁵.

According to Chinese authorities, *Huangyan* Island is part of the broader *Zhongsha Qundao* archipelago, which consists primarily of submerged features, such as Macclesfield Bank, in the northern South China Sea. The dispute carries substantial geopolitical and economic implications. The few emergent rocks at Scarborough Shoal constitute the only above-sea-level portions of *Zhongsha Qundao*. If China were to relinquish its claim over these rocks, it would not only forfeit access to the region's fisheries and potential polymetallic nodule deposits but also undermine its broader territorial claims over *Zhongsha Qundao* and, consequently, the broader South China Sea. The tensions surrounding the shoal escalated between 2010 – 2012, coherently with the Chinese behavioural shift highlighted in the previous chapter.

In fact, on April 8, 2012, a Philippine surveillance plane spotted 8 Chinese fishing vessels anchored in the shoal's waters⁶⁶. Two days later, the Philippine Navy's

⁶⁵ François-Xavier Bonnet, "Geopolitics of Scarborough Shoal," 2012.

⁶⁶ *Ibidem*.

warship BRP *Gregorio del Pilar* attempted to apprehend these vessels accused of illegal poaching within Scarborough Shoal. However, the operation was disrupted by the prompt arrival of two Chinese maritime surveillance ships, leading to the most intense standoff between the two nations since 1997. To de-escalate tensions, the BRP *Gregorio del Pilar* was withdrawn and replaced by two civilian vessels from the Philippine Coast Guard and the Bureau of Fisheries and Aquatic Resources.

Despite the Filipino strategy to de-escalate the situation and to de-militarize the area, China reacted in line with its assertive behaviour and a foreign policy governed by power politics. According to the latter, military strength ultimately emerges as the paramount arbiter of international disputes⁶⁷. Notwithstanding diplomatic negotiations and other peaceful approaches which may initially be pursued, the capacity to exert force and, therefore, the difference in military capabilities primarily determines the outcome of conflicts⁶⁸. Even without direct threats or active military engagement, power politics still necessitates leveraging military strength as a tool of influence. Hence, by signalling its military superiority and willingness to employ force, if necessary, a state, in this specific case China, seeks to shape the behaviour of its adversaries, the Philippines. In fact, rather than responding to Manila's initiative with a corresponding gesture, Beijing strengthened its presence in the shoal by dispatching its most advanced fishery patrol vessel, the *Yuzheng-310*, to support its vessels. China's strategic deployments indicate a significant extension of its operational presence in the South China Sea, demonstrating its ability to safeguard its fishing vessels through direct physical protection. Furthermore, to assert its

⁶⁷ David Kinsella, Bruce Russett, and Harvey Starr, "World Politics: The Menu for Choice", (Cengage Learning, 2012).

⁶⁸ David Sobek, *The Causes of War* (Cambridge: Polity, 2008).

claims and to fuel the Chinese nationalistic propaganda, Xinhua News Agency (the official PRC news agency), by quoting the Chinese foreign ministry, claimed that the Philippines violated Chinese sovereignty in the South China Sea and warned them to stop complicating the situation⁶⁹.

However, During the standoff, the Chinese Embassy in Manila confirmed that both nations were engaged in prolonged and complex negotiations. The embassy reaffirmed Beijing's position that Scarborough Shoal was an inseparable part of Chinese territory and cautioned Manila against actions that could cause irreparable harm to bilateral relations or destabilise the South China Sea⁷⁰. Despite that, on April 16, the Philippines and the United States proceeded with their annual *Balikatan* (Shoulder-to-Shoulder) military exercise along Palawan's coastline. This operation encompassed strategic simulations, humanitarian assistance training, disaster response operations, and an amphibious assault exercise involving twelve rubber boats in Ulugan Bay, designed to replicate a real-world port and base recovery scenario. Nevertheless, Chinese analysts swiftly interpreted the exercises as a direct reaction to the maritime stalemate. Therefore, they advocated for a display of military force by the People's Liberation Army in the South China Sea, suggesting it should be conducted near Manila to exert pressure⁷¹. However, Philippine officials downplayed these concerns, emphasising that the *Balikatan* exercises had been scheduled well before the ongoing territorial dispute at Scarborough Shoal.

⁶⁹ Renato De Castro, "The Philippines Confronts China in the South China Sea: Power Politics vs. Liberalism-Legalism", *Asian Perspective* 39, no. 1 (2015): 71–100.

⁷⁰ *Ibidem*.

⁷¹ Robert Sutter and Chin-hao Huang. "China-Southeast Asia Relations: Hu Visits Cambodia as South China Sea Simmers.", *Comparative Connections*, vol. 14, no. 1 (May 2012): pp. 69-80.

On April 25, a spokesperson for the Philippine Department of Foreign Affairs (DFA) reiterated Manila's proposal to bring the dispute before the International Tribunal for the Law of the Sea (ITLOS). He justified the Philippines' insistence on a multilateral resolution, arguing that it was crucial for ensuring freedom of navigation and uninterrupted trade in the South China Sea, an issue of critical importance for the Philippines and other regional and global stakeholders. In response, the Chinese Embassy remained largely silent, repeating its long-standing position that the dispute should be resolved exclusively through bilateral diplomatic negotiations⁷². By the end of April, both governments acknowledged that their negotiations had reached an impasse. The Chinese Embassy accused Manila of distorting the facts surrounding the standoff, urging the Philippines to cease its activities and withdraw from the contested area while reiterating China's claim of sovereign rights over the entirety of the South China Sea. Beijing further referenced historical Chinese documents, asserting that *Huangyan Island* had been recognised as part of Chinese territory since ancient times. In contrast, the Philippine government condemned what it perceived as China's increasingly assertive approach to territorial disputes, particularly with other claimant states such as the Philippines. It countered China's unilateral assertions by stressing that the responsibility for resolving tensions in the South China Sea rested with all parties involved, not just one. Manila further challenged Beijing to participate in legal arbitration through ITLOS, underscoring the need for a rules-based resolution to the maritime dispute.

Nevertheless, the confrontation had escalated significantly by May, with at least 80 Chinese fishing boats operating in and around the shoal. The situation remained

⁷² Renato De Castro, "The Philippines Confronts China in the South China Sea: Power Politics vs. Liberalism-Legalism", *Asian Perspective* 39, no. 1 (2015): 71–100.

unresolved until July, when an approaching typhoon compelled Philippine vessels to withdraw, effectively allowing China to take control of the area. Although Chinese fishing boats departed in August, Chinese vessels installed a chain barrier across the shoal's entrance to restrict Philippine access while deploying additional patrol ships to safeguard Chinese fishing fleets operating deep within the Philippines' Exclusive Economic Zone.

Moreover, in October 2012, to seek a diplomatic resolution, the then-Chinese Vice Foreign Minister Fu Ying travelled to Manila amid heightened tensions between Beijing and Tokyo over the Senkaku Islands dispute. The diplomatic engagement between China and the Philippines was perceived as a strategic manoeuvre to overcome the Scarborough Shoal stalemate from escalating into a broader military conflict. However, rather than fostering a mutually acceptable resolution, Fu reportedly cautioned Manila against appealing to the United Nations, raising the dispute in international forums, aligning with external actors like the United States, or making any public statements about the negotiations⁷³. Effectively, this approach sought to pressure the Philippines into tacitly accepting China's de facto occupation of Scarborough Shoal. Despite these diplomatic overtures, Philippine officials remained firm in rejecting China's unilateral assertion of control. Nevertheless, by October 2012, Chinese civilian ships continued to patrol the disputed waters, solidifying Beijing's de facto control over Scarborough Shoal.

However, Filipino behaviour shifted the following year. In fact, in January 2013, Manila responded to Beijing's coercive diplomacy by formally filing a case against China at the Arbitral Tribunal under the United Nations Convention on the Law of the Sea. The

⁷³ *Ibidem*.

Philippines' legal submission requested a determination of its maritime entitlements within the Spratly Islands, Scarborough Shoal, Mischief Reef, and other land features located within its 200-nautical-mile EEZ. Notably, the Philippine statement of claim clarified that it was not challenging sovereignty over the disputed features but instead sought a ruling on the validity of China's maritime claims based on the nine-dash line. It also called for clarification on whether Scarborough Shoal and other submerged reefs should be classified as islands or rocks under Article 121(par. 3) of UNCLOS. Furthermore, Manila requested the tribunal to affirm its entitlement to a 12-nautical-mile territorial sea, a 200-nautical-mile EEZ, and a continental shelf while recognising China's actions as a violation of the Philippines' right to exploit marine resources within its maritime jurisdiction.

Unsurprisingly, China rejected the arbitration process and refused to participate in legal proceedings. On February 20, 2013, the Chinese ambassador in Manila returned the notice of arbitration to the Philippine Department of Foreign Affairs, while in Beijing, a spokesperson for the Chinese Foreign Ministry dismissed the Philippines' claims. Beijing also accused Manila of violating the non-binding Declaration on the Conduct of Parties in the South China Sea by unilaterally seeking external mediation⁷⁴. In addition, in April 2013, a Chinese foreign ministry official visiting Manila warned about the potential repercussions of continuing with the arbitration case⁷⁵.

Moreover, between September and October, Chinese President Xi Jinping and Premier Li Keqiang conducted high-profile diplomatic visits to Indonesia, Malaysia,

⁷⁴ Simone Orendain, "Philippines to Forge Ahead with Sea Dispute Arbitration", Voice of America (Voice of America (VOA News), February 21, 2013).

⁷⁵ Robert Sutter and Chin-hao Huang. "China-Southeast Asia Relations: Hu Visits Cambodia as South China Sea Simmers", *Comparative Connections*, vol. 14, no. 1 (May 2012): pp. 69-80.

Brunei, Thailand, and Vietnam, signalling Beijing's commitment to fostering regional ties. Nevertheless, the Philippines was deliberately excluded from this diplomatic outreach. Further worsening the Sino-Filipino relations, in January 2014, the provincial government of *Hainan* enacted new regulations requiring foreign vessels to obtain China's permission before engaging in fishing activities across most of the South China Sea⁷⁶. While this policy primarily targeted Vietnam and the Philippines – both of which contest Beijing's maritime claims in the South China Sea – the broader implications of such legislation reinforced China's assertive approach to the territorial disputes in this region.

To trace the Chinese assertive behaviour adopted throughout the standoff, China employed a multifaceted strategy to pressure the Philippine government to comply. Apart from displacing military vessels patrolling the area, another key element of this approach was using national media and online platforms to propagate narratives suggesting possible military action against the Philippines. Additionally, China implemented economic retaliatory measures, including imposing stricter regulations on Philippine banana imports and restricting Chinese tourism to the country. On the diplomatic front, Beijing leveraged its influence over Cambodia - then the chair of the Association of Southeast Asian Nations (ASEAN) - to obstruct the issuance of a joint communiqué after the ASEAN Foreign Ministers' Meeting in Phnom Penh on July 16, 2012. This marked a historic moment, as it was the first time in ASEAN's 45-year history that the organisation failed to produce an official communiqué, mainly due to disagreements over the Scarborough Shoal dispute.

⁷⁶ *Ibidem*.

2.2 The strategic relevance of Scarborough Shoal

Scarborough Shoal holds significant strategic importance for China, as it is a cornerstone of its claim over the *Zhongsha Qundao* and, by extension, the maritime features encompassed within the contentious U-shaped line. This archipelago comprises several submerged formations, including Macclesfield Bank, Truro Shoal, Saint Esprit Shoal, and Dreyer Shoal, with Scarborough Shoal being the only feature that emerges above the waterline⁷⁷. Unlike the other formations, which remain submerged even at low tide, Scarborough Shoal provides a tangible geographical basis for China's assertion of sovereignty over the archipelago. Chinese policymakers recognise that without control over Scarborough Shoal, the legitimacy of their broader territorial claim over the *Zhongsha Qundao* would be severely undermined. If China were to lose control of Scarborough Shoal, the archipelago could either be partitioned among the Exclusive Economic Zones of neighbouring states or designated as part of the high seas, thereby weakening Beijing's justification for its expansive claims in the South China Sea under the U-shaped line framework. Hence, to reinforce its sovereignty claims, China has consistently referred to Scarborough Shoal as an island (*Huangyan Island*).

Under Article 121 of the United Nations Convention on the Law of the Sea, an island is defined as a "naturally formed area of land, surrounded by water, which is above water at high tide"⁷⁸. Therefore, if recognised as an island, Scarborough Shoal would enable China to establish territorial baselines from which it could claim a 12-nautical-

⁷⁷ Hydrographic Department, Ministry of Defence [Great Britain], "China Sea Pilot Volume 1. The West Side of the China Sea from Tanjong Lompat on the Eastern Side of Peninsular Malaysia to Zhelang Yan in China; Kepulauan Anambas, Hainan Dao, and the Islands and Banks Bordering the Main Route from Singapore Strait to Hong Kong", 1987.

⁷⁸ UNCLOS, Part 8, Regime of Islands, Article 121, Regime of Islands.

mile territorial sea, a 24-nautical-mile contiguous zone, a 200-nautical-mile EEZ, and a continental shelf. Such a designation would significantly extend China's maritime jurisdiction, granting it disproportionate control over a vast area of the South China Sea.

However, the classification of Scarborough Shoal as an island under UNCLOS remains highly questionable. Visual evidence, including photographic documentation, indicates that the shoal consists of only a few rocky outcrops that remain above sea level during high tide. According to Article 121(par. 3) of UNCLOS, rocks that "cannot sustain human habitation or economic life of their own"⁷⁹ do not qualify as islands capable of generating extensive maritime entitlements. In this regard, Scarborough Shoal appears to meet the criteria for classification as a rock rather than an island.

The seasonal presence of Filipino and Chinese fishermen, who reside on their boats rather than on the shoal itself, further underscores the fact that the feature lacks the capacity to support permanent habitation or independent economic activity without external logistical support from the mainland. This highly contentious classification of Scarborough Shoal as an island remains a key factor behind China's steadfast refusal to submit the dispute to international adjudication. Consequently, Beijing consistently favours bilateral negotiations with the Philippines, as such an approach allows it to avoid legal scrutiny under international law while maintaining strategic leverage in diplomatic engagements.

⁷⁹ *Ibidem*.

2.2.1 The Philippines' stakes in the Scarborough Shoal

The stakes for the Philippines in the Scarborough Shoal dispute are equally significant, particularly from an economic, strategic, and geopolitical perspective. The shoal's rich fishing grounds are a crucial resource for fishermen from *Zambales*, *Pangasinan*, and *Bataan* provinces. Given the depletion of coastal fisheries in these areas, hundreds of local fishermen rely almost entirely on the shoal for their livelihoods. Travelling for approximately 12 hours, they can reach the area to harvest substantial quantities of fish, such as jacks, mackerels and lobsters. Beyond its immediate economic value, Scarborough Shoal is also of interest due to the discovery of polymetallic nodule deposits in the surrounding seabed at depths exceeding 3,000 meters. However, no gas or oil exploration has yet been conducted in the vicinity.

At a broader level, China's territorial claims potentially threaten the Philippines' control over the Exclusive Economic Zone extending along the western coast of Luzon. This concern is compounded by strong nationalist sentiments among the Filipino public and the recognition among policymakers that the Philippines plays a crucial role in countering China's expansive claims in the South China Sea. The strategic significance of Scarborough Shoal is further amplified by historical experiences, particularly the occupation of Mischief Reef in the Spratly Islands by Chinese forces in 1995. Despite being part of the Philippines' EEZ, the reef was gradually developed into a fortified naval base with an advanced communications system. A similar transformation of Scarborough Shoal could pose an even more significant security challenge, given its proximity to *Luzon* and its potential role in intelligence and surveillance operations along key maritime routes, including those between Singapore, Hong Kong, and Manila. Such a development

could be disguised as an initiative to provide shelter for Chinese fishermen, mirroring the justification used in the case of Mischief Reef.

Accelerated in 2009 following the Philippines' submission of the limits of its extended continental shelf to the United Nations Convention on the Law of the Sea, Filipino policymakers have taken the position that Scarborough Shoal should be classified as a low-tide elevation with some rocks remaining above sea level at high tide, rather than as an island. According to Article 13 of UNCLOS, a low-tide elevation is a "naturally formed area of land which is surrounded by and above water at low tide but submerged at high tide"⁸⁰. The Philippines argues that, as the shoal lies within its EEZ and outside the territorial sea of any mainland, it would not be entitled to a territorial sea of its own under Article 13(par. 2). In this interpretation, only a few emergent rocks might generate a limited maritime entitlement of up to 12 nautical miles (or 24 nautical miles if a contiguous zone is considered). At the same time, the surrounding waters would unequivocally fall under Philippine jurisdiction.

By distinguishing between maritime entitlements and territorial sovereignty over the shoal's rocks, the Philippines has shifted the focus away from land ownership disputes and toward protecting its maritime rights. This legal framing may create an avenue for potential arbitration by the International Tribunal for the Law of the Sea, which, while not competent to rule on land sovereignty, can provide an opinion on whether Scarborough Shoal qualifies as a low-tide elevation with rocks or as an island. Should ITLOS determine that the shoal consists primarily of rocks that remain above water at high tide, it would be fully enclosed within the Philippines' EEZ, thereby undermining

⁸⁰ UNCLOS, Part 2, Territorial sea and contiguous zone, Section 2, Limits of the territorial sea, Article 13.

China's broader claim over the *Zhongsha Qundao*. Instead of a legally recognised archipelago, it would be reduced to a collection of scattered rocks, submerged banks, and reefs that do not meet the criteria for generating extensive maritime zones. Given the potential consequences of such a ruling, it is unsurprising that China has employed various measures to deter the Philippines from pursuing arbitration, including diplomatic pressure, economic coercion, and displays of military assertiveness.

2.3 The lack of a crisis management framework

The standoff at Scarborough Shoal underscores not only the assertive behaviour adopted by China but also the necessity of a structured crisis management framework for all parties involved, along with an effective communication mechanism to mitigate tensions⁸¹. In the absence of these elements, conflicts are more likely to intensify. The decision by high-ranking officials in the Philippines to publicly disclose the situation in its early stages appeared to hinder China's willingness to de-escalate. Had the matter been addressed within lower levels of the Philippine governmental hierarchy, it might have been contained before evolving into a full-fledged crisis. The prolonged nature of the standoff ultimately required U.S. mediation, especially after the ASEAN silence due to the different interests among its members. While four member states – Brunei, Malaysia, the Philippines, and Vietnam – assert territorial claims in the region, others, including Cambodia, Laos, Myanmar, and Thailand, maintain strong economic and financial ties with China and are reluctant to antagonise Beijing⁸². These divergent national interests became particularly pronounced in 2012 when Cambodia assumed the ASEAN

⁸¹ Oriana Mastro, "Encounters And Escalation in the Indo-Pacific perspectives on China's military and implications for Regional Security", 2024.

⁸² François-Xavier Bonnet, "Geopolitics of Scarborough Shoal", 2012.

chairmanship. Leveraging its leadership role, Cambodia consistently obstructed efforts to issue official ASEAN statements addressing the Scarborough Shoal standoff or the broader South China Sea dispute. The longstanding ASEAN principles of decision-making by consensus and neutrality in territorial disputes – which have served as the organisation's foundational pillars since its establishment – appear to be in danger due to Chinese pressure.

ASEAN's prolonged silence and indecisiveness regarding the South China Sea disputes have generated significant frustration, particularly among claimant states such as the Philippines and Vietnam. This discontent, therefore, has contributed to their deepening strategic ties with the United States as a counterbalance to China's increasing assertiveness in the region. The situation became particularly pressing in the context of both the U.S. foreign policy shift from the Middle East to the Asia-Pacific and the escalating tensions surrounding Scarborough Shoal. Within the Philippines, government officials, national media, and public discourse engaged in debates over the potential invocation of the 1951 Mutual Defense Treaty (MDT) between the Philippines and the US in the event of heightened hostilities with China. The issue gained further sensitivity as Chinese state-controlled media allowed the circulation of statements and rumours concerning potential military preparations, prompting then-Secretary of Foreign Affairs Albert del Rosario to clarify the treaty's implications.

Yet, Washington's official stance on the South China Sea is aligned with ASEAN's principles, emphasising neutrality and advocating for a peaceful resolution in accordance with international law and the preservation of freedom of navigation. However, this declared neutrality is tempered by U.S. treaty commitments. In fact, the 1951 MDT

provides for U.S. intervention in three scenarios⁸³: (1) an armed attack on Philippine or U.S. metropolitan territory, (2) an attack on Philippine or U.S. island territories in the Pacific Ocean, (3) an attack on the armed forces, public vessels, or aircraft of either nation within the Pacific Ocean, under article 4 of the 1951 Treaty. Hence, the MDT acts as a potential strategic deterrent against Chinese aggression, reinforcing a functional ambiguity regarding Washington's possible response.

However, several legal and geopolitical considerations emerge when applying the MDT to Scarborough Shoal. As a matter of fact, the 2009 Philippine Baselines Law does not classify the shoal as part of the country's metropolitan territory. Furthermore, if the term “Pacific Ocean” under the MDT is interpreted to encompass the South China Sea, Scarborough Shoal could arguably fall under the “island territories” category, making it a potential point of contention within the treaty's framework. Additionally, any attack on Philippine public vessels patrolling the shoal could trigger discussions on invoking the MDT, further increasing the stakes of the dispute.

In conclusion, the potential for U.S. entanglement in this bilateral conflict remains a significant concern. Recognising this risk, Beijing has deliberately limited its deployment to civilian vessels affiliated with the Bureau of Fisheries and the State Oceanographic Administration. However, during the early stages of the 2012 Scarborough Shoal standoff, the Philippines initially deployed a warship to enforce national fishery laws – a move perceived by China as provocative. Reports from the Philippine Coast Guard also highlighted instances of risky manoeuvres by Chinese

⁸³ Mutual Defense Treaty between the Republic of the Philippines and the United States of America, August 30, 1951.

vessels, which engaged in high-speed movements dangerously close to Filipino ships and the reef, raising the possibility of unintended collisions that could have escalated the crisis further. Such precarious maritime encounters underscore the urgent need for a formal Regional Code of Conduct aimed at mitigating risks of conflict escalation and the inadvertent involvement of external actors. In addition, it is crucial to note that invoking the MDT does not automatically lead to U.S. military intervention⁸⁴. Instead, the treaty mandates consultations between both parties to determine an appropriate course of action, which could range from maintaining the status quo to diplomatic measures or, in extreme cases, an armed response. However, analysts⁸⁵ remain sceptical about Washington's willingness to jeopardise broader U.S.-China relations over Scarborough Shoal. Additionally, any potential U.S. military engagement in the South China Sea would hinge on its ability to access Philippine military installations, particularly those in Luzon, and on the feasibility of pre-positioning forces in the region. Indeed, this issue remains a contentious point within Philippine domestic politics, as nationalist groups could withdraw their government's backing if heightened security cooperation necessitates an increased and visible U.S. military presence in the country.

2.4 The 2016 arbitration

Throughout 2012, the Philippines contested the Chinese assertive claims in the South China Sea based on its historical rights by claiming they were incompatible with

⁸⁴ Walter Lohman, "Scarborough Shoal and Safeguarding American Interests", The Heritage Foundation, 2012.

⁸⁵ Renato De Castro, "Future Challenges in the U.S-Philippines Alliance", Asia Pacific Bulletin, n°168, June 26, 2012.

the 1982 Convention on the Law of the Sea⁸⁶. However, after one year of stalemate during which Beijing diplomatically, militarily and economically outmatched Manila, on the 22nd of January 2013, the Philippines initiated an arbitration under Annex VII of the UNCLOS for a declaratory judgment on the issue. Hence, the Arbitral Tribunal was established under Annex VII of UNCLOS, in line with Article 287(3), which designates this procedure as the default mechanism. Its primary task was to evaluate the claims put forward by the Philippines. Nevertheless, China declined to participate in the proceedings, citing its prior 2006 declaration, which explicitly exempts such disputes from the Convention's mandatory dispute resolution framework. As a result, the Tribunal first had to determine whether it had jurisdiction over the case. It subsequently ruled that it did hold jurisdiction over certain aspects of the Philippines' claims while deferring judgment on others, linking them to the substantive merits of the case.

The Philippines sought a declaratory ruling on three interconnected issues. First, it challenged China's claims over rights and obligations concerning the waters, seabed, and maritime features of the South China Sea, arguing that these claims – particularly those based on historic rights and represented by the nine-dash line – were invalid as they conflicted with the provisions of the Convention. According to the Philippines, the dispute with China should be exclusively governed by the Convention. Second, the Philippines requested a determination on the legal classification of specific maritime features under the Convention, seeking clarity on whether certain contested features – claimed by both parties – should be categorised as islands, rocks, low-tide elevations, or submerged banks,

⁸⁶ Sreenivasa Rao Pemmaraju, "The South China Sea Arbitration (the Philippines v. China): Assessment of the Award on Jurisdiction and Admissibility", *Chinese Journal of International Law* 15, no. 2 (June 20, 2016): 265–307.

and what maritime entitlements they could generate. This argument mainly focused on Scarborough Shoal and eight specific features within the Spratly Islands. The broader aim of this claim was to challenge China's assertion of sovereignty over these features and its use of them as a basis for its maritime entitlements. Third, the Philippines sought a declaration that China had violated the Convention by obstructing its sovereign rights and freedoms, as well as through construction and fishing activities that had caused environmental damage to the marine ecosystem.

Between 2013 and 2016, China actively sought to undermine both the Philippines' case and the legitimacy of the arbitration process, consistently reaffirming its stance that it would 'neither accept nor participate' in the proceedings. In the months preceding the tribunal's ruling, Beijing intensified its diplomatic efforts, launching a concerted campaign to garner international support for its position. By mid-June, Chinese officials claimed that approximately 60 countries had endorsed their stance; however, only 10 nations made explicit public statements. Additionally, the Chinese government and affiliated entities engaged in extensive international media outreach to reinforce its narrative. This included the publication of advertisements and editorials in prominent foreign newspapers such as *The Washington Post* and *San Francisco Chronicle* in the United States, *The Telegraph* in the United Kingdom, and *The Age* in Australia, all of which articulated Beijing's perspective on arbitration⁸⁷.

The Permanent Court of Arbitration issued a comprehensive 479-page ruling that overwhelmingly favoured the Philippines' position, declaring multiple aspects of China's

⁸⁷ Caitlin Campbell and Nargiza Salidjanova, "South China Sea Arbitration Ruling: What Happened and What's Next?" (U.S.-China Economic and Security Review Commission, July 12, 2016).

claims in the South China Sea to be unlawful⁸⁸. In particular, the Tribunal's findings included four key takeaways. (1) China's assertion of historic rights and resource entitlements within the nine-dash line lacks any legal foundation. (2) None of the land features claimed by China in the Spratly Islands qualify as islands capable of generating a 200-nautical-mile exclusive economic zone. (3) China infringed upon the Philippines' sovereign rights by obstructing its oil exploration activities, restricting access to Philippine fishing vessels, failing to prevent Chinese fishing operations in disputed waters, and engaging in land reclamation in areas where the Philippines holds exclusive rights to resource exploration and exploitation. (4) China violated its environmental protection obligations under UNCLOS by causing significant damage to coral reef ecosystems through large-scale land reclamation and the harvesting of endangered marine species. Furthermore, as a signatory to UNCLOS, China must legally comply with the tribunal's ruling. However, the question of how the decision might be enforced remains unresolved. In response, the Philippines and other stakeholders may explore various legal avenues to hold China accountable should it fail to adhere to the ruling or, alternatively, seek diplomatic negotiations to address the dispute.

China's initial response to the tribunal's ruling consisted of two official statements. The first, issued by the government, adopted a measured tone, reaffirming China's "territorial sovereignty and maritime rights" in the South China Sea and expressing a commitment to resolving disputes peacefully⁸⁹. Notably, this statement

⁸⁸ Permanent Court of Arbitration. "Press Release. the South China Sea Arbitration (the Republic of the Philippines v. the People's Republic of China)" 2016.

⁸⁹ Government of the People's Republic of China, Statement of the Government of the People's Republic of China on China's Territorial Sovereignty and Maritime Rights and Interests in the South China Sea, July 12, 2016.

avoided any direct mention of the Philippines or the arbitration process. In contrast, the Ministry of Foreign Affairs released a far more assertive statement, categorically rejecting the ruling as “null and void” and asserting that it carried no binding legal effect⁹⁰. Concurrently, Chinese state-affiliated media launched an extensive campaign, publishing numerous articles that strongly denounced the tribunal’s decision.

2.5 Potential Chinese Responses to the Tribunal’s Ruling

The extent to which the ruling will influence China’s behaviour, either in the short or long term, remains uncertain. However, it is reasonable to assume that Beijing will maintain the stance it has upheld since 2013, namely, refusing to recognise the tribunal’s authority and declining to comply with its decision. Nevertheless, Beijing may adopt one or more of the following possible responses.

Increased Military and Paramilitary Presence in Disputed Waters. China may seek to assert its claims in the South China Sea by increasing the presence of the People’s Liberation Army, the China Coast Guard, or its maritime militia. This could involve intensified patrols, military exercises, or even direct harassment of Philippine and other regional vessels—an approach China has frequently employed in recent years. Additionally, the PLA might escalate tensions by deploying advanced military assets, such as fighter jets, to the Spratly Islands, despite Beijing’s previous assurances that it would not militarise the region⁹¹.

⁹⁰ China’s Ministry of Foreign Affairs, Statement of the Ministry of Foreign Affairs of the People’s Republic of China on the Award of 12 July 2016 of the Arbitral Tribunal in the South China Sea Arbitration Established at the Request of the Republic of the Philippines, July 12, 2016.

⁹¹ Greg Poling and Andrew Shearer, “The South China Sea Arbitration: Anticipating Next Moves and Countermoves”, June 20, 2016, <https://www.youtube.com/live/6pNnIMkTimU?si=CV3fYm9UzAUcer95>.

Expansion of Commercial Exploration in Contested Areas. China could also intensify efforts to explore and extract hydrocarbons and other resources within its claimed waters. Previous actions, such as the deployment of an oil rig near the Paracel Islands—an area also claimed by Vietnam—demonstrate its willingness to escalate tensions despite regional opposition. Reports indicate that China has approved the development of a mobile deep-sea platform designed to facilitate mineral exploration in the South China Sea, signalling potential future activities in disputed maritime zones⁹².

Economic Pressure on the Philippines. Beijing may resort to economic measures, including trade restrictions or sanctions, to exert pressure on the Philippines. A precedent for such tactics was established in 2012 during the Scarborough Reef crisis when China imposed limitations on Philippine banana imports and restricted Chinese tourism to the country. Similar economic actions could be used as leverage in response to the arbitration ruling⁹³.

Potential Land Reclamation at Scarborough Reef. Although China has thus far refrained from large-scale land reclamation at Scarborough Reef—likely due to U.S. diplomatic pressure—Beijing may now perceive such development as a means of reinforcing its physical presence in contested waters. While the tribunal ruled that Scarborough Reef qualifies as a rock rather than an island or low-tide elevation, it did not determine sovereignty over the feature. Moreover, the ruling did not explicitly deem Chinese fishing activities in the area unlawful, a factor China could use to justify future

⁹² “China Is Planning a Massive Sea Lab 10,000 Feet Underwater.”, Bloomberg, June 7, 2016. <https://www.bloomberg.com/news/articles/2016-06-07/china-pushes-plan-for-oceanic-space-station-in-south-china-sea>.

⁹³ Andrew Higgins, “In Philippines, Banana Growers Feel Effect of South China Sea Dispute”, The Washington Post, June 11, 2012, https://www.washingtonpost.com/world/asia_pacific/in-philippines-banana-growers-feel-effect-of-south-china-sea-dispute/2012/06/10/gJQA47WVTV_story.html.

land reclamation, ostensibly to support fishing operations. If Scarborough Reef were to be developed like other reclaimed features in the Spratly Islands, China could significantly bolster its military presence in the South China Sea. This expansion would effectively establish a strategic triangle linking the Paracel Islands, the Spratly Islands, and Scarborough Reef, creating a military and civilian infrastructure network within the contested region.

Establishment of an Air Defense Identification Zone (ADIZ). Following the establishment of an Air Defense Identification Zone in the East China Sea in 2013, several Chinese officials have hinted at the possibility of declaring a similar zone in the South China Sea. Although the PLA's current operational capacity to enforce such a zone remains uncertain, China may proceed with its establishment for geopolitical rather than practical reasons. An ADIZ in the region would serve primarily as a symbolic assertion of sovereignty, reinforcing Beijing's rejection of the arbitration ruling. However, effective enforcement of an ADIZ would require a robust intelligence, surveillance, and reconnaissance network alongside advanced radar systems and military aircraft deployed on China's artificial islands. Implementing such a zone could lead to increased aerial confrontations between Chinese and foreign aircraft, complicate air traffic management in an already congested airspace, and expand China's intelligence-gathering capabilities on U.S. and allied military activities. Additionally, many of the assets required for ADIZ enforcement could have broader military applications, potentially escalating regional tensions⁹⁴.

⁹⁴ Yoji Koda, "Japan's Perceptions of and Interests in the South China Sea", *Asia Policy*, no. 21 (2016): 29–35, <https://www.jstor.org/stable/24905086>.

Withdrawal from UNCLOS. In recent years, Chinese officials and state-affiliated media have argued that Beijing's position on the South China Sea is consistent with international law, while portraying the arbitral tribunal's proceedings as exceeding the jurisdiction of UNCLOS. In the lead-up to the ruling, reports suggested that Chinese diplomats had raised the possibility of withdrawing from UNCLOS if the decision was unfavourable to Beijing⁹⁵. However, such a move would likely undermine China's strategic interests rather than advance them, as it could further isolate the country diplomatically and weaken its legal standing in future maritime disputes.

Apart from which response China will adopt in the future, the Chinese rejection of the tribunal's ruling in the immediate aftermath is likely to escalate regional tensions and further strain Beijing's relations with neighbouring states, the United States, the European Union, and other nations that openly support the decision.

2.6 The new U.S. foreign policy on the South China Sea

The U.S. policy on the South China Sea has remained essentially unchanged since its initial articulation in 1995 and continues to uphold the same fundamental principles. These principles are based on the *U.S. Policy on Spratly Islands and South China Sea*, announced by the Department of State on May 1995. In particular:

- (1) "Oppose the use or threat of force to resolve competing claims.
- (2) Intensify diplomatic efforts to resolve the competing claims, taking into account the interests of all parties, and contribute to peace and prosperity in the region.
- (3) "Maintain freedom of navigation by all ships and aircraft in the South China Sea".
- (4) "Take no position on the legal merits of the competing claims to sovereignty over the various features in the South China Sea but view with serious concern any

⁹⁵ Caitlin Campbell and Nargiza Salidjanova, "South China Sea Arbitration Ruling: What Happened and What's Next?", (U.S.-China Economic and Security Review Commission, July 12, 2016).

maritime claim or restriction on maritime activity in the South China Sea that is inconsistent with international law, including UNCLOS⁹⁶”.

Nevertheless, in reaction to China's ongoing assertive actions in the South China Sea, U.S. Secretary of State Michael Pompeo declared on July 13, 2020, that the United States was reinforcing its stance on the region. This policy shift aimed to unequivocally communicate to Beijing that its extensive claims over offshore resources across much of the SCS were “completely unlawful”⁹⁷, as was its coercive strategy to assert control over them. Hence, the revised policy aims to reinforce the mentioned principles by including the preservation of regional peace and stability, the protection of freedom of navigation in accordance with international law, the assurance of unhindered commercial activity, and the rejection of any efforts to resolve disputes through coercion or force. Additionally, this policy shift underscores the growing challenge posed by China to the rules-based international order, an unprecedented threat⁹⁸.

Moreover, the updated policy brings the U.S. stance in line with the tribunal's rulings on China's maritime claims. As clarified by the U.S. then-Secretary of State, the People's Republic of China cannot legally assert maritime claims against the Philippines in areas that the arbitral tribunal has determined fall within the Philippines' EEZ or continental shelf⁹⁹. Furthermore, he emphasised that the United States would support countries worldwide that recognise China's violations of their legitimate territorial and

⁹⁶ Office of the Staff Judge Advocate, “U.S. Policy on the South China Sea”, International Law Studies, 2021, <https://digital-commons.usnwc.edu/ils/vol97/iss1/12/>.

⁹⁷ Press Statement, Michael R. Pompeo, U.S. Secretary of State, U.S. Position on Maritime Claims in the South China Sea, (July 13, 2020).

⁹⁸ *Ibidem*.

⁹⁹ Press Statement, Michael R. Pompeo, U.S. Secretary of State, U.S. Position on Maritime Claims in the South China Sea, (July 13, 2020).

maritime claims and would employ all available diplomatic and legal mechanisms to assist affected nations¹⁰⁰.

Coherently with the previous U.S. Administration, the Biden one has maintained pressure on China to adhere to the rules-based maritime order and align its activities in the South China Sea with the legal framework established by the United Nations Convention on the Law of the Sea, defining against the law every Chinese action against it¹⁰¹. Nevertheless, noteworthy is the Statement by Department of State Spokesperson Ned Prince on the Situation in the South China Sea (November 19, 2021), in which he affirmed:

“The United States stands with our Philippine allies in upholding the rules-based international maritime order and reaffirms that an armed attack on Philippine public vessels in the South China Sea would invoke U.S. mutual defence commitments under Article IV of the 1951 U.S. Philippines Mutual Defense Treaty”¹⁰²

reiterating the U.S. role as a safeguard to prevent any military escalation in the South China Sea.

¹⁰⁰ Office of the Staff Judge Advocate, “U.S. Policy on the South China Sea”, International Law Studies, 2021, <https://digital-commons.usnwc.edu/ils/vol97/iss1/12/>.

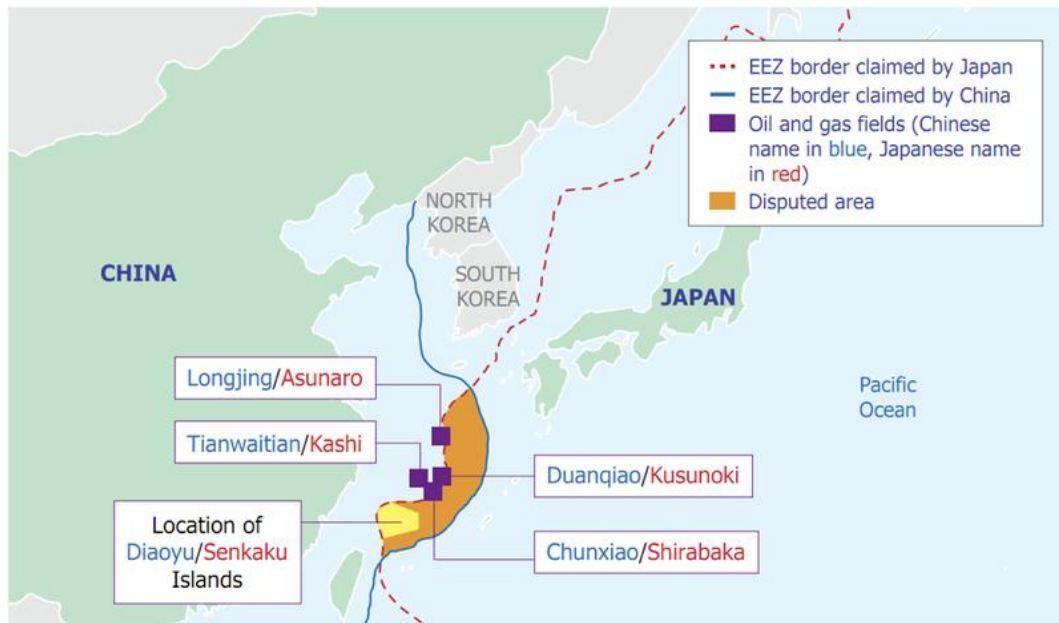
¹⁰¹ Raul Pete Pedrozo, “Does the Revised U.S. South China Sea Policy Go Far Enough?”, U.S. Naval War College Digital Commons, 2022, <https://digital-commons.usnwc.edu/ils/vol99/iss1/4/>.

¹⁰² Ned Prince, “On the Situation in the South China Sea”, U.S. Embassy & Consulates in China, November 19, 2021, <https://china.usembassy-china.org.cn/on-the-situation-in-the-south-china-sea/>.

CHAPTER 3

CHINA V. JAPAN IN THE EAST CHINA SEA

Figure 4. Map of the *Senkaku/Diaoyu* Islands dispute.



Source: The Asian Pacific Journal, 2012.

3.1 Sino-Japanese relations

A study on the situation in the South China Sea partially answers the research question. Hence, to complete the analysis of “How do China’s strategic and diplomatic actions in the South and East China Sea reflect its broader geopolitical objectives?” this chapter will take the 2010 Sino-Japanese crisis over the *Diaoyu/Senkaku* Islands as a case study to reach the scope of the dissertation. Prior to that, it is essential to trace back the contemporary history of Sino-Japanese relations to highlight the puzzling complexity which inevitably shapes the Chinese actions in the East China Sea and the rising nationalism in the two countries.

3.1.1 Sino-Japanese economic relations

The development of commercial ties between Japan and the People's Republic of China was marked by gradual progress and significant obstacles. From the unofficial trade agreement signed in June 1952 to the establishment of formal diplomatic relations in September 1972, trade figures reflected the broader political volatility that characterised Sino-Japanese interactions. In fact, during this period, Japan's "Two-China policy" was inherently a product of political compromise. Efforts to strengthen ties with the PRC encountered strong domestic and international resistance, particularly from the Taiwan lobby within Japan and U.S. policymakers. However, following Japan's restoration of sovereignty in 1952, several politicians began advocating for closer engagement with Beijing, seeing it as an inevitable historical shift and an opportunity to assert Japan's foreign policy autonomy¹⁰³. By the 1960s, this pro-Beijing faction had gained additional backing from key figures in the business community, particularly industrial leaders who had substantial economic interests in fostering relations with China. Given the absence of a clear political consensus, the Japanese Liberal Democratic Party ultimately adopted a pragmatic approach, officially separating economic and political considerations in its dealings with Beijing. The Memorandum on Japan-China Overall Trade (1962) was signed in this context.

Similarly, China's policy towards Japan during this time was inconsistent and strategically calculated. At times, Beijing actively encouraged trade, recognising its economic necessity and potential as a political instrument within Japan. Yet, on other occasions, commercial relations were either severely restricted or made conditional upon

¹⁰³ Herbert J Ellison, "Japan and the Pacific Quadrille", (Routledge, 2019).

political developments—as demonstrated by the trade principles introduced by Premier Zhou Enlai in 1970, which placed significant constraints on commercial exchanges. The Sino-Soviet split and the upheaval of the Cultural Revolution further influenced Beijing’s stance towards Japan, leading to unpredictable shifts in trade policy. Moreover, within the Chinese leadership, there was no unified strategy regarding Japan. Some factions saw economic engagement to pull Japan away from the U.S., while others viewed Tokyo as nothing more than an ally of American imperialism. This internal division contributed to fluctuating and often strained trade relations between the two nations during this period¹⁰⁴.

Despite the normalisation of diplomatic ties in 1972, unitedly with the end of the “Two-China Policy” and the following six-year period leading to the 1978 Treaty of Peace and Friendship, which might suggest that commerce had ceased to serve overtly political functions, the interconnected nature of global economics and diplomacy suggests otherwise. Trade and politics cannot be entirely disentangled in an era of economic interdependence, geopolitical competition, and shifting power dynamics. As both China and Japan have become more confident on the international stage, the subtleties of economic diplomacy have evolved accordingly. At the same time, however, the relationship between monetary policy and foreign affairs has grown increasingly multifaceted and intertwined.

Rather than being deliberately linked, economic and political factors in Sino-Japanese relations have become inherently intertwined, shaping each other in complex and often unpredictable ways.

¹⁰⁴ Laura Newby, “Sino-Japanese Relations”, (Routledge, 2018).

3.1.2 Sino-Japanese political relations

China's ongoing modernisation efforts continue to depend heavily on Japanese economic support, particularly in areas such as technology transfer, capital investment, and workforce training. However, this relationship is far from inviolable. By early 1987, Chinese media and scholarly publications had begun cautiously emphasising that political considerations should precede economic cooperation in shaping Sino-Japanese relations¹⁰⁵. This stance was formally reiterated at the fifth Sino-Japanese ministerial conference in Beijing that June when then-Premier Zhao Ziyang directly addressed Japanese officials, claiming:

Political problems are more serious and more sensitive than economic issues. Any Japanese friends who think that we will refrain from saying what should be said about political problems in order to resolve economic issues are making a big mistake. We are talking about principles.¹⁰⁶

Thus, he warned against any assumption that China would compromise on political principles in exchange for economic gains, stressing that fundamental values could not be negotiated. As the perception of Sino-Japanese economic complementarity diminishes, China's leadership is increasingly intent on demonstrating that economic reliance does not equate to political subordination.

Furthermore, the complex historical relationship between China and Japan, shaped by centuries of cooperation and conflict, has imbued their interactions with rooted emotional and psychological dimensions. While China once played a central role in shaping Japan's cultural and intellectual foundations, the twentieth century saw a

¹⁰⁵ Laura Newby, "Sino-Japanese Relations", (Routledge, 2018).

¹⁰⁶ Sun Pinghua, "Reflecting on 15 years of normalization in Sino-Japanese relations", *Riben Wenti* (Japanese Affairs), No. 5, 1987, p. 7.

dramatic shift in power dynamics. China suffered under Japanese imperial expansion. This period, marked by territorial losses, political subjugation, and widespread human suffering, left a profound impact on Sino-Japanese relations. As a result, their contemporary diplomatic and economic engagements remain coloured by historical memory, often oscillating between feelings of superiority and inferiority, national pride and lingering humiliation, and lastly, assertiveness and caution.

By the late nineteenth century, following China's defeat in the First Sino-Japanese War (1894-1895), revolutionary movements emerged in China, and many modernisers looked to Japan as a model for reform. However, they failed to anticipate the trajectory of Japanese expansionism, which would come to dominate Sino-Japanese relations from 1895 to 1945 through imperial conquest and colonisation. When China eventually restored political stability, it did so through a revolutionary upheaval that dismantled its traditional social order, leading to a stark ideological, cultural, and political divide between the two nations. Japan's postwar economic success only reinforced this estrangement, further deepening their historical and political disconnect. Although China has sought to reconnect with aspects of its historical civilization in recent years, the notion of shared cultural identity has been so profoundly reshaped that it no longer serves as a significant unifying factor in Sino-Japanese relations.

In this context, the Japanese textbook controversy, which re-emerged in July 1986, was the latest development in a long-standing historical dispute that had begun in 1982. That year, a Japanese media report claimed that official history textbooks had replaced the term "invasion" with "advance" in descriptions of Japan's actions in China, sparking

outrage¹⁰⁷. Nevertheless, subsequent investigations revealed that no such edits had been made, and the story had already been widely circulated in Chinese media and soon spread to South Korea, the Philippines, and other East Asian nations. The Japanese Minister of Education, Ogawa Heiji, initially dismissed the claims, but further revelations suggested that past modifications had, in fact, taken place, including efforts to downplay the Nanjing Massacre by omitting specific casualty figures. Throughout August 1982, Chinese newspapers and academic journals intensified their criticism of what was perceived as an attempt to distort historical facts. Many articles accused Japanese conservatives of seeking to revise history to revive nationalist sentiments, while others directly condemned the Ministry of Education, which was responsible for textbook approvals.

By early September 1982, as tensions escalated further, the Japanese government announced that it would address the issue despite its initial insistence that no substantial alterations had been made. Thus, when Japan introduced a new set of history textbooks in 1984, China and South Korea again expressed dissatisfaction, reigniting the debate.

Prime Minister Nakasone's 1985 visit to the Yasukuni Shrine, where Japan's wartime leaders are commemorated, further inflamed tensions. Initially, Nakasone had reluctantly pursued the visit following internal political debates, but the intense backlash from China and South Korea forced him to reconsider. By 1986, he opted not to repeat the visit, reinforcing the perception that Japan's foreign policy was increasingly shaped by external pressure.

¹⁰⁷ Yayamo Taro, "The newspapers conduct a mad rhapsody over the textbook issue", *Journal of Japanese Studies*, Vol. 9, No. 2, 1983.

Japanese relations with Taiwan is another political issue that fuels tension between the two countries. According to the Sino-Japanese Joint Communiqué and other pertinent agreements, official diplomatic relations between Japan and Taiwan are restricted, with interactions limited to non-governmental and regional exchanges. However, Taiwan represents a politically, strategically, and emotionally charged issue with significant implications. The island's fifty-year period under Japanese colonial rule (1895–1945) has further contributed to China's wariness regarding Japan's engagement with Taiwan. Although Beijing has periodically expressed concerns over Tokyo's ties with Taipei over the past fifteen years, it has generally done so in a restrained manner, aiming to prevent escalation. Nevertheless, since 1985 Chinese authorities have adopted a more critical stance, voicing more substantial objections to Japan's interactions with Taiwan, which is one of the latter leading trading partners.

3.2 The 2010 *Diaoyou/Senkaku* Islands incident

On the morning of September 7, 2010, a patrol vessel from the Japanese Coast Guard encountered a Chinese fishing trawler, the *Minjinyu* 5179, operating approximately 12 kilometres northwest of the disputed *Diaoyou/Senkaku Islands*. Japanese authorities instructed the vessel to leave the contested waters, but instead of complying, the trawler collided with the patrol ship *Yonakuni*. When the Coast Guard attempted to halt the boat for inspection, its captain, Zhan Qixiong, refused to cooperate. A subsequent pursuit ensued, during which the *Minjinyu* 5179 struck another Japanese patrol boat, the *Mizuki*, before being intercepted and boarded by Japanese officials. The captain and 14 crew members were subsequently taken into custody and transported to *Ishigaki* Island, where they were formally arrested the following day on charges of obstructing the duties of

public officials and illegal fishing¹⁰⁸. That evening, Saiki Akitaka, then Director-General of the Asian and Oceanic Affairs Bureau within Japan's Ministry of Foreign Affairs, formally protested with China's Ambassador to Japan, Cheng Yonghua. The following day, the Maritime Safety Agency's Ishigaki office pressed charges against Zhan, transferring him to the Ishigaki branch of the Naha District Public Prosecutor's Office. His detention was extended the day after his transfer.

In response to these developments, the Chinese government issued a series of protests and strongly worded statements. Between September 8 and 19, Beijing summoned Japan's ambassador to China, Niwa Uichiro, on six occasions. Notably, on September 12, State Councillor Dai Bingguo called for an urgent meeting at 2 a.m., demanding the detained trawler's immediate release while reaffirming China's longstanding historical claim over the disputed waters. Meanwhile, the Japanese government maintained that it was addressing the situation strictly within the framework of its domestic legal system. Tokyo reiterated its established stance that the Senkaku Islands constitute an "inherent part of Japan's territory" (*waga kuni koyū no ryōdo de aru*), that the nation exercises "effective administrative control" (*yūkō ni shihai shite iru*), and that no territorial dispute requiring resolution exists (*kaiketsu subeki ryōyūken no mondai wa sonzai shite inai*)¹⁰⁹.

The Chinese trawler and its crew were released on September 13, yet the captain's detention was extended on September 19 for an additional ten days. However, before the

¹⁰⁸ Linus Hagström, "Power Shift' in East Asia? A Critical Reappraisal of Narratives on the Diaoyu/Senkaku Islands Incident in 2010", *The Chinese Journal of International Politics* 5, no. 3, (August 26, 2012): 267–97.

¹⁰⁹ Ministry of Foreign Affairs of Japan, "Senkaku shoto shuhen ryokainai ni okeru wagakuni junshikan to Chugoku ryosen to no sesshoku jian", Statement by the Press Secretary, September 25, 2010.

full term had elapsed, Zhan was released on September 24, 2010, five days ahead of schedule, after considering the potential impact on Japanese citizens and the future of Japan-China relations to continue the investigation while keeping the captain in custody.

Following Zhan's release, Beijing issued a formal demand for an apology and compensation from Japan, arguing that the captain's detention had been unlawful. Tokyo, however, dismissed these demands outright, characterising them as "baseless and entirely unacceptable" (*konkyo ga Naku, mattaku ukeirerarenai*)¹¹⁰. Moreover, on September 27, Japan responded by filing a counterclaim for damages incurred by its patrol vessels, with the estimated repair costs amounting to ¥14.29 million.

However, on September 7, Japanese coastguards recorded footage of the incident, prompting calls from numerous public figures and opinion leaders in Japan for the government to release the video as evidence that the Chinese trawler was responsible for the collision. However, the Japanese government refused by claiming that the footage could serve as critical evidence in a potential legal case¹¹¹. Despite that, on November 1, a select group of Diet members from both the ruling and opposition parties were permitted to view a brief recording excerpt.

Nevertheless, just three days later, a significantly longer segment of the footage was leaked online, later confirmed to be the work of a Japanese coastguard officer. The video was uploaded to YouTube, and Japanese authorities verified its authenticity. The released footage reinforced the perception among the Japanese public and international observers that the Chinese trawler had deliberately rammed the Japanese coastguard

¹¹⁰ Ministry of Foreign Affairs of Japan, "The Collision Incident between Our Country's Patrol Vessels and a Chinese Fishing Boat".

¹¹¹ *Ibidem*.

vessels¹¹². However, Beijing strongly rejected this interpretation. Chinese Ministry of Foreign Affairs spokesman Ma Zhaoxu accused Japan of unlawfully interfering with the Chinese fishing boat, stating that Japanese patrol vessels had "harassed, pursued, intercepted, and surrounded"¹¹³ the trawler—actions he described as illegal and a violation of China's territorial sovereignty and the legitimate rights of Chinese fishermen.

Moreover, in response to the incident, Beijing halted intergovernmental negotiations on key issues, including coal trade, joint natural gas exploration in the East China Sea, and aviation rights. Additionally, restrictions were imposed on Chinese tourism to Japan, and multiple official and unofficial Sino-Japanese exchanges were either suspended or cancelled. While some of these measures were explicitly framed as diplomatic protests by Chinese authorities, others were interpreted as such by Tokyo and the media. For instance, a scheduled mid-September visit to Japan by Li Jianguo, Vice-Chairman of the Standing Committee of the National People's Congress, was abruptly cancelled, with officials citing various reasons.

Similarly, Beijing rescinded an invitation for 1,000 Japanese children to visit the Shanghai World Expo, justifying the decision by stating that the prevailing bilateral tensions made it inappropriate to proceed with the exchange¹¹⁴. Further signalling diplomatic strain, Chinese Premier Wen Jiabao refused to meet with Japanese Prime

¹¹² Satoshi Sae, "The Senkaku Islands Incident and Japan-China Relations", East Asia Forum, October 25, 2010.

¹¹³ Ministry of Foreign Affairs of China, "Foreign Ministry Spokesperson Ma Zhaoxu's Remarks", September 20, 2010.

¹¹⁴ Linus Hagström, "Power Shift' in East Asia? A Critical Reappraisal of Narratives on the Diaoyu/Senkaku Islands Incident in 2010", *The Chinese Journal of International Politics* 5, no. 3 (August 26, 2012): 267–97.

Minister Kan Naoto during a UN development conference in New York on September 22 and after the ASEAN+3 meeting in Hanoi, one month later.

3.3 Debate on the Incident

Scholarly analyses of the September 7, 2010, incident near the Diaoyu/Senkaku Islands and its aftermath have approached the event from various angles. However, many of these interpretations converge on a common theme: the episode is widely framed as an emblematic case of a broader narrative of power shift in East Asia, characterised by the Chinese rise and the Japanese decline¹¹⁵. This perspective remained prevalent in academic and media discussions in the weeks and months following the incident, even reinforced after the leaked video footage in early November.

In fact, major international media outlets were quick to establish this framing. In a series of reports published on September 19, The New York Times correspondents in Japan and China depicted the dispute as a test of strength between an ascendant China and an economically stagnating Japan. They characterised the standoff as a struggle between a falling economic giant and an asserting rising force ready to get its place in the sun in Asia. Similar interpretations emerged in subsequent analyses, often emphasising a "shifting power balance"¹¹⁶ in the region.

Academic commentators around the world echoed this perspective in various forms. Yves Tiberghien, for instance, described the dispute as a relic of traditional sovereignty conflicts persisting in an era of globalisation, ultimately reflecting a shifting

¹¹⁵ *Ibidem*.

¹¹⁶ Martin Fackler and Ian Johnson, "Japan Retreats with Release of Chinese Boat Captain", The New York Times, September 24, 2010, <https://www.nytimes.com/2010/09/25/world/asia/25chinajapan.html>.

balance of power between China and Japan¹¹⁷. Similarly, Richard C. Bush III also argued that the confrontation highlighted this trend, affirming that China is increasing its power in Asia¹¹⁸. Likewise, Iinuma Yoshisuke suggested that the episode indicated the potential for a fundamental transformation in Sino-Japanese relations, a pattern largely stable since diplomatic normalisation in 1972¹¹⁹.

Other scholars and commentators further underscored the geopolitical implications of the event. Jaeho Hwang interpreted the standoff as evidence that "China was able to display a dominant position over Japanese politics and economy." An editorial in *The Washington Post* similarly framed the incident under the headline "Rising Power," reinforcing that China's growing assertiveness reshaped regional dynamics. Soeya Yoshihide, reflecting on the broader implications, contended that the key lesson from the dispute was that "the rise of China and its increasingly assertive diplomacy are casting a shadow over the horizon of a new international order."

Nevertheless, others interpreted the event as a Japanese meltdown, as a failure of Japan's diplomacy, which fell under pressure from China. Similar perspectives were echoed in the Japanese media, not only right-wing tabloids, which suggested that the decision to release Zhan had not been made by prosecutors but rather by Prime Minister Kan or members of his Cabinet. Therefore, it indicates political weakness and a lack of accountability, arguing that it was unrealistic to suggest that prosecutors alone possessed

¹¹⁷ Yves Tiberghien, "Disputed Islands Crisis Between Japan and China: Power Shift and Institutional Failure", *Asia Pacific Memo*, No. 24 (2010).

¹¹⁸ Richard C Bush, "The Perils of Proximity: China-Japan Security Relations", (Washington: Brookings Inst. Press, 2010), <https://muse.jhu.edu/book/29137>.

¹¹⁹ Yoshisuke Iinuma, "Tip of the Iceberg: Senkakus Reflect Bigger Change in Sino-Japan Ties", *The Oriental Economist*, Vol. 78, No. 11 (2010).

the authority to determine an outcome with such significant implications for Japan's diplomatic standing¹²⁰.

However, by arresting and detaining Zhan, Japanese authorities took an unprecedented step that arguably contravened the political dimensions of the mutual understandings underpinning the 1997 Japan-China Fishery Agreement. Under the framework of this agreement, regulatory jurisdiction over fisheries-related activities in the waters surrounding the disputed islands was to be determined by the flag state—in this case, the People's Republic of China – rather than the coastal state.

Additionally, Japan's actions may have also violated an implicit understanding that had been in place since 2004, wherein Tokyo reportedly agreed to refrain from making arrests in the area, while Beijing, in turn, pledged to prevent activist incursions into the islands. While the reasons behind Japan's departure from this informal arrangement fall beyond the scope of this discussion, it is likely that this deviation—an approach markedly different from previous responses—contributed to both the scale and severity of China's diplomatic protests.

As previously discussed, the perception of Japanese weakness or defeat in this episode was primarily tied to the circumstances surrounding the captain's release. Given that considering political or diplomatic implications was arguably beyond their jurisdiction, such reasoning raised suspicions of political interference. However, one could also argue that had government officials openly intervened in the release; it would have undermined Japan's claim that the case was handled strictly by domestic law. Thus,

¹²⁰ Hitoshi Tanaka, "The Senkaku Islands and Japan-China Relations," East Asia Forum, March 18, 2013, <https://eastasiaforum.org/2013/03/19/the-senkaku-islands-and-japan-china-relations/>.

such interference could have been construed as a tacit recognition that the *Senkaku* Islands dispute carries an international political dimension, thereby distinguishing them from other territories under the Japanese administration where domestic law applies unambiguously. As Peter Ennis has suggested, Zhan's arrest and detention reinforced Japan's effective administrative control over the islands¹²¹.

Moreover, the subsequent deployment of Chinese fishery surveillance vessels in contested waters does not necessarily indicate a more aggressive stance by Beijing or reflect a failure on Japan's part to maintain control over its claimed territory. An alternative interpretation is that Chinese authorities were intensifying their oversight of domestic fishing activities to prevent a recurrence of similar incidents¹²².

3.4 An analysis of Chinese strategy in the dispute

The perception of China as a rising threat and the "declinist" perspective, which interprets China's rapid economic growth as a factor diminishing Japan's status as an economic superpower, have significantly influenced strategic debates within Japan. This narrative has contributed to growing concerns about confronting an allegedly militarily expansionist China. From the standpoint of power-transition theory, the evolution of Sino-Japanese relations appears to be an inevitable outcome of China's ascent¹²³. However, Japan's defensive measures in response to China's rise may be interpreted by Beijing as offensive, thereby exacerbating tensions. This phenomenon aligns with the concept of a security dilemma, wherein defensive actions are misperceived as threats, leading to

¹²¹ Linus Hagström, "'Power Shift' in East Asia? A Critical Reappraisal of Narratives on the Diaoyu/Senkaku Islands Incident in 2010," *The Chinese Journal of International Politics* 5, no. 3 (August 26, 2012): 267–97.

¹²² *Ibidem*.

¹²³ Monika Chansoria, "China, Japan, and Senkaku Islands", (Routledge, 2018).

escalating distrust between rival states in an uncertain and anarchic international system¹²⁴. Under such conditions, states may take precautionary steps to safeguard their security, which, in turn, are perceived by their adversaries as aggressive posturing, further intensifying hostilities.

In fact, China has strategically employed coercive actions concerning its territorial disputes with Japan, particularly regarding the Senkaku Islands, leveraging two key foreign policy tools: issue linkage and coercive diplomacy. Many Japanese security analysts describe Beijing's approach as deception diplomacy, arguing that China is merely biding its time until its military modernisation reaches a more advanced stage. Issue linkage occurs when a state deliberately connects separate foreign policy concerns, asserting that resolving one dispute depends on addressing another. Coercive diplomacy, conversely, involves compelling an opposing state to alter its stance through explicit threats or the implied use of force. The effectiveness of coercive diplomacy lies in the credibility and severity of the punitive measures that accompany a demand, making compliance appear to be the less costly option for the targeted state. By employing both strategies simultaneously, China has sought to use territorial disputes as leverage in broader negotiations, pressuring Japan to reconsider its positions on issues such as economic aid, the Japan-U.S. security alliance, or potential troop deployments.

Moreover, China has capitalised on the protracted nature of its territorial disputes with Japan, using them as a bargaining tool to influence Tokyo's policies on unrelated matters that might otherwise remain beyond its direct influence. Through coercive

¹²⁴ John G Ikenberry and Michael Mastanduno, "International Relations Theory and the Asia-Pacific", (New York: Columbia University Press, 2003).

diplomacy, a state seeks to pressure an adversary into ceasing an action it has undertaken. Unlike conventional military strategies, coercive diplomacy is fundamentally a political tool that employs threats severe enough to demonstrate resolve and achieve specific objectives. The primary goal is to convey to the opponent a perception that the anticipated costs of persisting in its course of action outweigh the benefits. In the context of territorial disputes, coercive diplomacy is often used to dissuade the adversary from continuing certain activities related to contested regions. Therefore, issue linkage, as a strategic manoeuvre, enables states to tie territorial claims to other, initially unrelated, diplomatic or economic concerns. By doing so, a state may exploit its relative strength in one area to gain concessions in another where it holds weaker leverage. In some cases, powerful states employ issue linkage to extend their influence across multiple domains, while in other instances, weaker states use this strategy to curb a stronger adversary's dominance. China, for instance, possesses limited economic leverage in influencing Japan's policies regarding aid and investment. However, it compensates for this limitation by wielding military threats as a form of bargaining power. By intertwining military coercion with economic negotiations, Beijing seeks to exert influence over Japan's economic decisions that it might otherwise struggle to impact directly.

In diplomatic negotiations, leveraging an issue positively—often referred to as the carrot approach—involves offering incentives in one policy area in exchange for concessions in another. Conversely, negative leverage—commonly known as the stick approach—relies on the threat of punitive actions to achieve the desired outcome. A contemporary example of this dynamic can be observed in the ongoing development of natural gas resources in the East China Sea. While the currently accessible reserves represent only a fraction of the region's anticipated oil and gas deposits, full-scale

exploitation remains contingent upon the resolution of territorial disputes. China insists that its Exclusive Economic Zone extends to the continental shelf, whereas Japan maintains that the boundary should be drawn at the median line between the two states. The resolution of this dispute holds significant implications not only for resource extraction but also for fishing rights and broader maritime jurisdiction. Given the strategic and economic stakes involved, it is likely that China will continue to assert its territorial claims, ensuring that the issue remains a key point of contention in Sino-Japanese relations.

In addition to their material value, the *Diaoyu/Senkaku* Islands carry a significant symbolic weight, particularly in relation to nationalism and national identity. This symbolic dimension plays a crucial role in shaping the strategic approaches adopted by the two states. Throughout the 1990s, Japan's largely non-interventionist stance on the territorial dispute contributed to a weakening of its sovereignty claims, effectively allowing China to consolidate its own position regarding the contested islands. By refraining from active measures to reinforce its sovereignty, Tokyo inadvertently created an opportunity for Beijing to strengthen its claims and bolster its geopolitical standing in the region¹²⁵.

The contest over sovereignty dates back to 1978, when a Japanese right-wing nationalist group constructed a lighthouse on one of the disputed islands, an act that was partially revisited in the 1980s through restoration efforts. By the mid-1990s, the issue had escalated further when Japan's Maritime Self-Defence Forces (MSDF) indicated their intent to approve the construction of an additional lighthouse on the Senkaku Islands. The

¹²⁵ Monika Chansoria, "China, Japan, and Senkaku Islands", (Routledge, 2018).

situation reached a critical juncture in 1996 when the Japan Youth Federation (JYF), a nationalist organization, erected a five-meter-high aluminium lighthouse on *Kitakojima*, a privately owned island within the contested archipelago. Following this, the JYF formally petitioned the MSDF to grant the official recognition of the lighthouse as a sovereign Japanese structure.

Nevertheless, China, perceiving these developments as an assertion of Japanese territorial control, responded with heightened military vigilance. According to reports the disputed islands were placed under close surveillance by more than ten naval vessels from the People's Republic of China. Additionally, the People's Liberation Army Air Force (PLAAF) dispatched multiple aircraft over the region, signalling Beijing's firm stance on the matter. These events illustrate how even relatively small-scale territorial assertions—such as the construction of lighthouses—can serve as flashpoints for broader geopolitical tensions, particularly when they intersect with nationalistic sentiments and contested sovereignty claims.

When a state asserts sovereignty over a specific territory, a fundamental consideration is whether this assertion aligns with existing precedent or constitutes a departure from the established status quo in the sovereignty dispute. If the assertion remains consistent with the prevailing sovereignty framework, it does not alter the existing territorial status, thereby eliminating the necessity for significant diplomatic opposition. The principal objective of a state in such disputes is either to solidify or acquire sovereignty over the contested territory. This is achieved through both the tangible exercise of authority over the land and the securing of international recognition for its claim. A critical aspect of this process involves obstructing the opposing state from

asserting similar control. From a constructivist perspective, states engaged in such disputes strive to reinforce or enhance their standing within the sovereignty status quo by actively demonstrating sovereignty over the contested islands and adjacent waters while simultaneously preventing rival claims from gaining traction¹²⁶.

Furthermore, sovereignty is composed of two fundamental dimensions: “recognition”, which grants legitimacy, and “authority”, which refers to the actual capacity to exercise control over a territory or to prevent another state from doing so. These two elements are crucial to the very existence of sovereignty. Additionally, “territoriality” is an essential component. As Thomson explains, sovereignty is defined by the mutual recognition among states of exclusive authority over a clearly demarcated space¹²⁷. The interplay between recognition and authority not only forms the foundation of modern sovereignty but also serves as a cornerstone of the sovereignty game framework—an analytical perspective that highlights the central role of territoriality in disputes over land. In situations where arbitration is absent, sovereignty is established through the legal principle of effective control. However, viewing sovereignty solely through the lens of escalation and de-escalation oversimplifies the intricate nature of territorial conflicts. While Japan currently exercises effective control over the disputed islands, the question remains as to whether China could attempt to challenge this status through the use of force.

In the absence of sovereignty, statehood itself would lack a foundation in social recognition. There would be no shared understanding that a state possesses inherent rights

¹²⁶ Paul O’Shea, “Sovereignty and the Senkaku/Diaoyu Territorial Dispute”, EIJIS Working Paper Series (Stockholm School of Economics, The European Institute of Japanese Studies, September 18, 2012), <https://ideas.repec.org/p/hhs/eijswp/0240.html>.

¹²⁷ Monika Chansoria, “China, Japan, and Senkaku Islands”, (Routledge, 2018).

over its existence, its territorial boundaries, and its population—an idea famously articulated by the political philosopher Thomas Hobbes¹²⁸. Hobbes contended that sovereignty can be identified in two primary ways: either through a social contract in which a governing body is granted authority, or through the possession of three essential attributes—military control, fiscal power, and the regulation of religious doctrine. Expanding on this perspective, Janice Thomson defines sovereignty as the acknowledgment—both domestically and internationally—that a state holds exclusive authority to enforce its will within its territorial boundaries. While recognition legitimises sovereignty, this legitimacy, in turn, ensures that other states will affirm and uphold the sovereign actions of the recognised state¹²⁹. However, Thomson also acknowledges the inherent complexity of sovereignty. While it is, in theory, contingent on external recognition, in practice, states may still assert and exercise sovereign control even in the absence of such acknowledgement.

3.5 U.S. foreign policy in the East China Sea

Following the catastrophic Battle of *Okinawa* and Japan's surrender at the end of World War II, the United States assumed administrative control over the *Ryukyu* Islands, encompassing *Okinawa*, *Yaeyama*, *Amami*, *Miyako*, and the *Senkaku* Islands. Nevertheless, the geopolitical landscape of East Asia shifted significantly after the Communist victory in the Chinese Civil War in 1949 and the outbreak of the Korean War in 1950, prompting the United States to establish the *Ryukyu* archipelago as a strategic

¹²⁸ Alexander Wendt, "Anarchy is what States Make of it: The Social Construction of Power Politics", *International Organization*, Vol. 46, No. 2, 1992, pp. 391-425.

¹²⁹ Janice E. Thomson, "State Sovereignty in International Relations: Bridging the Gap between Theory and Empirical Research", *International Studies Quarterly* 39, no. 2 (June 1995): 213-33, <https://www.jstor.org/stable/2600847>.

bulwark against Communist expansion. In 1951, Japan and 49 other nations signed the Treaty of San Francisco, formally concluding the state of war with Japan. Article 3 of this treaty delineated the status of the *Ryukyu* Islands, acknowledging U.S. administrative authority over them while omitting explicit mention of the *Senkaku* Islands – fostering the strategic ambiguity of this area. Moreover, Article 3 affirmed Japan’s “residual sovereignty” over the Ryukyu Islands, implying that while the United States exercised administrative, legislative, and jurisdictional control, ultimate sovereignty remained with Japan. This notion of residual sovereignty was reaffirmed on multiple occasions throughout the period of U.S. governance over the Ryukyu’s. Although the Treaty of San Francisco did not directly reference the Senkaku Islands, the U.S. military utilised them as a live-fire training site throughout its administration of the Ryukyus, a practice that continued until 1978. Additionally, the U.S. government provided financial compensation to a Japanese family descended from settlers who had historically inhabited the islands.

By the late 1960s, tensions arose as fishing vessels and activists from Taiwan and Hong Kong increasingly entered the waters surrounding the Senkaku Islands. In response, the United States Civil Administration of the *Ryukyu* Islands (USCAR) imposed entry restrictions, barring access to non-residents of the *Ryukyu* Islands. Many observers interpreted these measures as evidence that the *Senkaku* Islands were under U.S. jurisdiction¹³⁰. During negotiations concerning the return of *Okinawa* to Japan, the status of the Senkaku Islands emerged as a contentious issue. Japanese Prime Minister Eisaku Satō sought explicit assurance that Article 5 of the U.S.-Japan Security Treaty would

¹³⁰ Paul J Smith, “The Senkaku/Diaoyu Island Controversy: A Crisis Postponed,” U.S. Naval War College Digital Commons, 2018, <https://digital-commons.usnwc.edu/nwc-review/vol66/iss2/5/>.

apply to the Senkaku Islands in case of a foreign incursion, particularly from China. As the negotiations unfolded, the U.S. Department of Defence formally acknowledged the *Senkaku* Islands as part of the *Ryukyu* chain under USCAR governance¹³¹. The Okinawa Reversion Treaty, which facilitated the return of Okinawa to Japan in 1972, did not address China's territorial claims over the Senkaku Islands.

However, following *Okinawa's* reversion to Japanese control, U.S. policy toward the territorial dispute shifted. The Nixon administration adopted a more neutral stance, coinciding with its diplomatic rapprochement with China in 1972. Seeking to avoid entanglement in Sino-Japanese territorial conflicts, the United States attempted to project an image of its military presence in *Okinawa* as non-threatening to China¹³². This policy of neutrality persisted from the 1970s through the early 2000s. Nonetheless, the U.S. reaffirmed on multiple occasions that the Senkaku Islands fell within the scope of Article 5 of the U.S.-Japan Security Treaty. In 1996, following Japan's ratification of the United Nations Convention on the Law of the Sea, Tokyo established an Exclusive Economic Zone surrounding the *Senkaku* Islands, exacerbating tensions with China. While U.S. Ambassador to Japan Walter F. Mondale initially expressed uncertainty regarding the application of the security treaty to the Senkakus, escalating regional tensions prompted Secretary of Defence William Perry to affirm that Article 5 did indeed extend to the islands¹³³.

¹³¹ Robert D. Eldridge, *The Origins of U.S. Policy in the East China Sea Islands Dispute : Okinawa's Reversion and the Senkaku Islands* (Abingdon: Taylor and Francis, 2014).

¹³² Benjamin Tracy, "Trouble on the Rocks: US Policy in East China Sea and South China Sea Disputes", *Issues & Insights* Vol. 22, WP4, (March 2022).

¹³³ Kim Tongfi, "US Alliance Obligations in the Disputes in the East and South China Seas: Issues of Applicability and Interpretations", *Peace Research Institute Frankfurt*, 2016.

Furthermore, under the Obama administration's "Pivot to Asia" policy, the United States adopted a more proactive approach to security matters in East Asia. In 2010, Secretary of State Hillary Clinton reiterated Washington's commitment to Japan's defence, explicitly including the Senkaku Islands. This position was reaffirmed in 2012 when the U.S. Department of State confirmed that Article 5 applied to the islands¹³⁴. That same year, the Japanese government formally acquired the Senkaku Islands from private owners, an action that provoked strong opposition from both China and Taiwan. In response, China unilaterally declared an Air Defence Identification Zone over the region in 2013, which was followed by a United States statement opposing any attempts by Beijing to undermine Japan's administrative control over the islands.

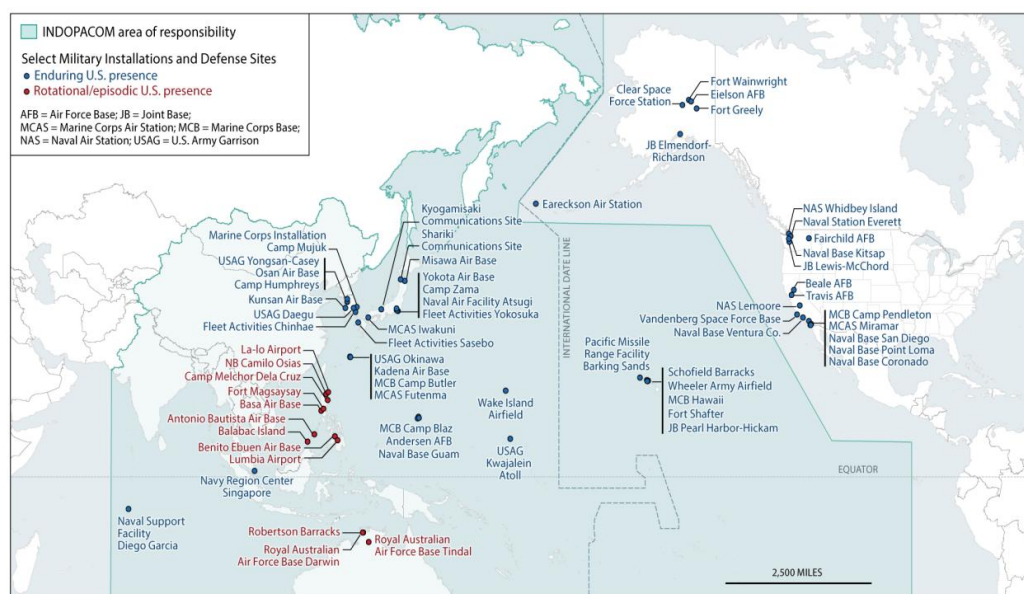
Lastly, during the Trump administration, the U.S.'s posture toward China became more assertive. President Donald Trump confirmed that Article 5 extended to the Senkaku Islands, a position reiterated by Secretary of State Rex Tillerson and Mike Pompeo. Amid China's growing naval capabilities in the East China Sea, the U.S. and Japan strengthened their security cooperation, increasing joint military exercises and reaffirming their security commitments. In 2021, China enacted the Maritime Safety Act, granting its coast guard expanded authority to patrol the East China Sea, an action perceived as an effort to challenge Japan's control over the Senkaku Islands. Concurrently, Chinese naval operations intensified in the *Miyako* Strait, a strategically vital passage linking the East China Sea and the Pacific Ocean.

In conclusion, in response to China's increasing maritime assertiveness, the Biden administration reaffirmed its commitment to the U.S.-Japan Security Treaty. Secretary of

¹³⁴ *Ibidem*.

Defence Lloyd Austin explicitly claimed that Article 5 applied to the Senkaku Islands¹³⁵, underscoring Washington’s continued support for Japan. Meanwhile, Chinese and Russian naval forces conducted joint drills in October 2021, sailing provocatively through the *Tsugaru* Strait, which separates Japan’s *Honshu* and *Hokkaido* islands. Simultaneously, the Chinese Coast Guard escalated its patrols near the Senkaku Islands. At the same time, U.S. and Japanese forces conducted joint air drills in Okinawa Prefecture, highlighting the ongoing geopolitical contestation in the region.

Figure 5. U.S. Defence Sites in the Indo-Pacific



Source: CRS graphic based on analysis of DOD information, including the “FY2022 Base Structure Report,” installation and unit web pages, and related documentation, 2023.

¹³⁵ Benjamin Tracy, “Trouble on the Rocks: US Policy in East China Sea and South China Sea Disputes”, Issues & Insights Vol. 22, WP4, (March 2022).

CONCLUSIONS

This dissertation has examined China's strategic and diplomatic behaviour in the South and East China Seas, assessing how its assertive maritime actions align with China's broader geopolitical objectives, stressing the attention on the Chinese desire to be not only a great power in Asia but also worldwide – in a fragmented multipolar world. In particular, the first chapter discussed the approach utilised to study Chinese behaviour within territorial disputes, namely the state-centric approach. It is part of a broader realist and neo-realist theory of international relations, which considers states to be the main actors in the international system. Ultimately, the State's primary goal is to maximise its autonomy to ensure survival in the global arena and maintain stability within its borders. Through this lens, contemporary China's strategy in the South China Sea has been depicted. Moreover, a shift in Chinese behaviour into a more assertive one has been traced back to 2009/2010; years characterised not only by critical junctures in the international economic and political system but also by military and political reforms in China. In fact, the analysis highlights that China's maritime policy has transitioned from a delaying strategy—marked by ambiguity and strategic patience—to an assertive and, at times, coercive approach. This shift, which became particularly evident after 2008, is linked to multiple factors: China's growing economic and military capabilities, its perception of a changing global power balance, and the increasing salience of nationalist narratives in domestic politics. In addition, the first chapter presented the ongoing territorial disputes in which China is involved, focusing on the *rationale* behind Chinese assertiveness and presenting the U.S.'s role in the Indo-Pacific as a bulwark against China's expansive claims.

In the second chapter, the Scarborough Shoal Dispute between China and the Philippines has been used as a case study to deepen the analysis of China's territorial claims and assess their degree of assertiveness. In line with the Chinese behavioural shift mentioned before, the standoff broke out in 2012. However, once the dispute has been described, the chapter focussed on the geo-strategical relevance of the islands at stake, which goes beyond a mere interest in expanding the state's territorial boundaries. Nevertheless, the lack of effective crisis management mechanisms united with the adoption of different strategies to resolve the dispute – a Chinese assertive approach vs a Filipino liberal and institution-based approach – led to a three-year arbitration, *The South China Sea Arbitration*, which had the final award issued on the 12th of July 2016. Nevertheless, China decided to disregard it since the final award denies any Chinese historical claims inside the “nine-dash line”. Hence, some considerations should be made, considering that it has implications not only for international law but also for the stability of the South China Sea.

While China's initial response to the ruling may be noteworthy, its long-term impact will be far more significant. Should China persist in disregarding the tribunal's decision, it would set a precedent suggesting that compliance with international law is merely optional. Such a development would weaken the legitimacy of international maritime law as a framework for ensuring the lawful, stable, and peaceful use of the seas. Moreover, one of the most profound consequences of China's reaction is that it directly challenges the United States' longstanding commitment to maintaining regional stability through a rules-based order in the Asia-Pacific. Considering China's increasingly assertive and risk-tolerant behaviour in recent years, it is evident that the reputational consequences of noncompliance with international law have not been sufficient to deter

its strategic ambitions. Hence, considering the ruling, it is now more crucial than ever for the United States, ASEAN members, and other like-minded nations to publicly reaffirm their commitment to upholding international law to preserve regional stability. A key test will be whether ASEAN can present a unified stance supporting the ruling, as China has historically capitalised on internal divisions within the bloc to prevent collective opposition to its actions in the South China Sea. Furthermore, Taiwan, which maintains maritime claims in the South China Sea similar to those of mainland China, also rejected the ruling but for different reasons. Taipei objected to the tribunal's designation of Taiwan as the "Taiwan Authority of China," arguing that this terminology undermines its sovereignty. Furthermore, Taiwan asserted that the ruling is not binding upon it, given that it was excluded from the proceedings. Taipei's particular point of contention was the tribunal's classification of *Itu Aba* (known in Taiwan as Taiping Island) as a mere rock rather than an island. *Itu Aba* is the most significant land feature in the Spratly Islands, and some analysts had previously speculated that it might meet the criteria for being designated as an island. Before the ruling, Taiwan had taken constructive steps to clarify its maritime claims in accordance with UNCLOS and had initiated diplomatic efforts to reduce tensions and enhance cooperation with other claimants. With the tribunal's invalidation of the nine-dash line, Taiwan now has an opportunity to refine its position further. Regardless of China's stance – and the Taiwanese one – on the tribunal's ruling, the decision could have broader implications for other claimants in the region, particularly Vietnam. Encouraged by the precedent set in the case, Vietnam and other nations with competing maritime claims may be more inclined to initiate their own legal challenges against China. In fact, such actions could help provide greater legal clarity on the various disputes in the South China Sea while simultaneously increasing diplomatic and legal

pressure on Beijing to adhere to international norms, pushing China towards the adoption of less assertive behaviours.

However, the 2016 award's analysis evoked a discussion on the U.S. foreign policy in the South China Sea, given the uncertainty of China's willingness to abide by international law and the U.S. interests in the Indo-Pacific.

Lastly, to complete the research question's analysis, the third chapter examined a similar case study in the East China Sea, the 2010 *Senkaku/Diaoyu* Island controversy between China and Japan. Before a *per se* discussion of the dispute, the chapter has reconstructed the contemporary Sino-Japanese relations, focusing on their economic, political and strategic aspects necessary to fully illustrate the strategy adopted by the two claimants in the dispute and, above all, the actual value of the *Senkaku/Diaoyu* Islands. In fact, it is a tug-of-war pivoting on nationalistic propaganda, an unlosable challenge for the Chinese government, carried on by any terms – economic, rhetoric, political and military terms – against the State, which has been perceived as the aggressor for centuries. Once again, due to military alliances, the U.S. foreign policy in the East China Sea has been highlighted as a counterbalance to China's maritime expansion.

Ultimately, the South and East China Sea disputes serve as critical case studies in the evolving global order, where rising powers seek to redefine the norms of international engagement, and established powers attempt to uphold the *status quo*. These maritime disputes are central to the broader U.S.-China strategic rivalry. While Beijing views control over these maritime zones as vital to its national security and regional influence, Washington perceives them as testing grounds for the rules-based international order.

Consequently, the outcome of this contest will shape the Indo-Pacific's strategic landscape in the coming decades, as well as China's relations with its global partners.

Moreover, China's assertiveness has prompted strategic recalibrations among regional actors. Japan, the Philippines, Vietnam, and other claimant states have sought closer security cooperation with the United States and its allies, reinforcing the Indo-Pacific security architecture. However, these alliances must balance deterrence with diplomatic engagement to avoid unintended escalation. Whether these conflicts lead to greater cooperation or increased confrontation will depend on the ability of the international and regional actors to navigate the complex interplay of history, strategy, and diplomacy in the new multipolar *Interregnum*.

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