

An Analysis of Successes and Failures of the South China Sea Dispute Management

M.A.N.P. Goonathilake¹

Abstract

Southeast Asia is home to a range of complex territorial disputes, but the most intractable and combustible is the South China Sea dispute. Root causes and recent developments of South China Sea dispute seem to be quite complicated. Nonetheless, the level of engagement in the disputes differs from state to state. The main objective of this study is to evaluate the root causes of the conflict; to investigate possible conflict prevention mechanisms; while assessing its successes and failures. The Content analysis method will be used to achieve the said objective empirically by using secondary data based on a review of existing literature on the issue. In doing so, two schools of thoughts i.e. Defensive realist approach and Liberalist- institutionalism have been used. For the convenience of the study, ASEAN's potential role in South China Sea dispute resolution and the implementation of UNCLOS have been scrupulously investigated. The findings of the study illustrate that dispute is still ongoing since there are no recognized maritime boundaries. It also argues that a security dilemma applies in the region. Despite China's claims of absolute sovereignty over the islands in the South China Sea, it appears that China's neighbors are refusing to back down. The ASEAN Way has always served as mechanism for conflict prevention – not conflict resolution, and China's involvement with ASEAN may help to curb the risk of violence. Findings further suggest that, while UNCLOS is unable to settle the dispute directly, if the countries brought their territorial claims more in line with the convention, there would be a stronger basis of understanding between them. It would also create more opportunities for meaningful negotiation and concessions between them. While international law's enforcement mechanisms are likely useless in the region, if a united ASEAN positioned itself as a staunch defender of international law against a bully, China would face much greater international pressure to abandon its excessive claims and play by the same rules as everyone else.

Keywords: South China Sea, contentious, overlapping, claimants, interests

¹ BA (Special) International Studies, University of Kelaniya
grafnish@gmail.com

