

CHAPTER II

VIETNAM'S STANCE IN THE SOUTH CHINA SEA DISPUTE

From what we can understand in the first chapter of this analysis, The South China Sea is a territory that is being disputed by many countries within the region. It is safe to conclude that this dispute is caused by the conflicting interests of the states involved regarding each of their own sovereignty and other political and economic importance. From that understanding, we can evaluate that this specific body of water is highly beneficial for the many states within the region. This chapter intends to give a more in depth understanding of the three driving subjects that can be found within this analysis, namely the South China Sea dispute, Vietnam's history with the region, and the Bốn Không policy itself.

2.1 The South China Sea Dispute

The waters in The South China Sea feature surroundings that serve sea activities well. Compared to other maritime parts in the world, The South China Sea has no obstacles that can be compared with The Italian Peninsula and no island that blocks the movement of ships that can be compared with The Cuba-Hispaniola-Puerto Rico line funnels. This facilitates a free passage for shipping goods while also allowing naval forces to govern the area (Holmes, 2014: 40). Although it presents not much of a challenge for the transportation of human activities, it can be found that not many people live within this sea. This situation was mainly reinforced by the fact that the region was swamped back-to-back with many historical claims and disputes such as China's old claim dating back to the Han Dynasty and the current dispute that involved Malaysia, China, Philippines, Brunei, and Vietnam. Aside from the political quarrel, the vacancy of the region can also be explained from its distance to any claimant states in the region where logistics would prove to be costly if were to be done.

Throughout the waters there are only a few tiny islands, atolls, and reefs that can be found, the most famous of which are The Spratly Islands in the south and The Paracel Islands to the north. These two islands gave plausible geographic positions that might pull the interests of the states within the region, but they do not grant any other advantages. Many of the islands are uninhabited, and for those who are inhabited are usually supplied continuously by states with food and other essentials (Holmes, 2014: 40). These islands that are being supplied continuously usually have a certain purpose to solidify a state's claim in the region, and can be established as a military base or any other military installments with a specific political purpose.

Although the islands do not present such significance apart from its strategic location, the sea itself remained as one of the world's most important territories as it is highly influential towards the surrounding state's regional security, economics, and strategic maneuvers. Based on The United Nations Conference on Trade and Development, seventy percent of the eighty percent of global trade is transported by sea, and within that number sixty percent of the seventy percent that is previously mentioned, passes through Asia (UNCTAD, 2015). Within Asia's waters, The South China Sea is carrying an estimated one-third of its global shipping where the passage is considered to be vital for big states in the continent such as China, Taiwan, Japan, and South Korea (Schrag, 2017). This explains the continuous supplyings that were done by the claimant states on the territories that they habited, the route that this region holds has a very significant impact towards the economy in the region.

While globalism is at its peak, the importance of the sea's route for shipping goods, people, and energy remains (Storey, 2009: 36-38). And as the world's center of gravity has dynamically moved from the West to Asia, we can see through the urgency of the situation and the growing interests within this disputed area, that The South China Sea has captivated the attention of two world superpowers namely The United States and China (Marsetio, Amarulla Octavian, Rudiyanto, Gibson, et al, 2017: 111-

113). It should not be hard to prove that these two states are also directly involved within the ongoing dispute such as China with their nine-dash line claim and The US with their Navy in the region. From this explanation, it is safe to conclude that the situation in the South China Sea remains to be noteworthy towards IR's geopolitical realm in Asia.

If we trace the history of The South China Sea, we can see that the chronicles of the dispute within this region came all the way from the latter end of world war 2. Since 1945, The United States has patrolled the waters of The South China Sea. This conduct was done to safeguard the state's interest in the post-world war two era and has projected the amount of naval and air power that The Americans have. However, China's rise to power significantly affected the situation and transformed The South China Sea to become a contested geopolitical territory between the two superpowers and other states in the surrounding area (Mitchell, 2016: 14). In the same year when the Americans were patrolling the waters of The South China Sea, The Republic of China (ROC) conquered The Island of Taiwan from the Japanese by utilizing an allied agreement in 1943 that was made in Cairo. This was done with the aim of conquering Japanese installations in The Paracels and Spratlys. Fast forward to 1947, the government of the ROC created a map of The South China Sea with a U-shaped line surrounding the waters in the region. This map was then called the eleven-dash line.

The eleven-dash line map was built on the preferences of European cartography but it was not appropriated with European maritime rules. However when the then-newly established People's Republic of China (PRC) defeated the ROC in mainland China, The ROC withdrew its troops from the Paracels and Spratlys back to Taiwan as a countermeasure towards any possibilities of a PRC invasion. At this time, the PRC was not in the position to claim the islands from the ROC (Tonnesson, 2021: 35-36). Although they did not assert any firm claims on the Spratlys and Paracels, they did carry on with the eleven-dash line that the ROC established. In 1949, the PRC made

the eleven-dash line to become a part of China's official map and in 1953 they updated the claim by discarding two of the dashes that were originally claimed by the ROC with the purpose of warming up their ties with the DRV, thus giving some of their claims to the Vietnamese. The two dashes that were removed was the line between the Hainan Island and the Vietnamese coast located within the Beibu Gulf (Hongbin & Ullah, 2022: 72).

To settle the ownership of Japan's former South China Sea territories in World War 2, a conference was conducted at San Francisco in 1951. In this conference, not many of the potentially legitimate prospective owners of the islands such as The ROC, The PRC, and The DRV (Ho Chi Minh's Democratic Republic of Vietnam) were present at the event with only the French-dominated State of Vietnam taking part. At the end of the conference, Japan surrendered its islands in The South China Sea to China. However, they did not specify which China that they meant. The Paracels and the Spratlys however were given to The French-occupied Vietnam which later would become South Vietnam (Tonnesson, 2021: 36).

Five years after this conference was held, a new actor appeared in the scene, in 1956 a mariner and businessman that goes by the name Tomas Cloma proclaimed the islands that encompasses most of the Spratlys. Even though he is a Filipino national, he proclaimed the islands as his own and the map of the islands that he proclaimed were published later on. The map was of the same type that the French intended to publish twenty six years ago and had been used by the ROC in 1948 while utilizing the concept of their U-shaped line claim (Doyo, 2015). Tomas named the islands as "Freedomland" or *Kalaya'an* in Filipino. When considering the terms of law that was current at that time, the islands that he claimed were *res nullius* or "did not belong to any state", therefore his claims are adequate to be asserted since there were no states that have permanently occupied the islands since 1950. Nevertheless, his claims led to diplomatic protests by France, The New Republic of Vietnam (South Vietnam), PRC,

ROC., and The DRV (Tonnesson, 2021: 36). Cloma's claims to the islands would later be transferred to the government of The Philippines in 1974 (Doyo, 2015).

When entering the 1960s, the dispute over the islands in The South China Sea became a forgettable topic since the war in Vietnam bought every attention in the world. In the 1970s however, the situation in the region returned to its previous dramatic form. After Ferdinand Marcos officially claimed the Kalaya'ans as a part of the Philippines, he ordered the military to occupy the territory. After the PLA defeated the South Vietnamese forces in the western paracels in March 1974, The US did not protest because at this time The US seeks to have good relations with Communist China in order to align them against The USSR (Tonnesson, 2021: 36).

After losing the Paracels, South Vietnam followed the example that The Philippines did and started sending their military to occupy the remaining Spratly islands that they still claim. After South Vietnam fell in 1975, their claims were transferred to North Vietnam which later would become The Socialist Republic of Vietnam (SRV). Four years after this occurrence, Malaysia joined in the scramble for claims in The South China Sea where they claimed and occupied a number of territories (Tonnesson, 2021: 37). By the end of the decade, virtually any kind of naturally formed island within the Spratlys had been occupied by a state or another.

The 1970s and the 1980s later became the two decades where Vietnam's role in The South China Sea became significant. This chapter however would be explained subsequently in the next sub-chapter. After the Cold War ended, the situation in The South China Sea was later colored by peace and cooperation. In 1991, Vietnam normalized their ties with China (Holley, 1991) and spent their time in the 90s negotiating a land border treaty. And in 2002, China and ASEAN signed a Declaration on the Conduct of Parties (DOC) with the purpose of "resolving the territorial and jurisdictional disputes without utilizing the use of threats or force". These peaceful occurrences became the dominant trend in the 1990s and 2000s for the major claimant

states that are relevant to the country in the topic at hand, but it does not mean that these two decades are free from such incidents. There were some incidents but not as significant as the ones that happened between the years of the 1970s (Tonnesson, 2021: 37-38).

a. China and The South China Sea in The 21st Century

For China, the 2000s was marked as a grand time for them to make such major legal moves. As a response towards Malaysia and Vietnam's joint application to define the southern and northern part of the sea, China posited two *notes verbale* towards the UN Secretary-General in May of 2009 refuting their submissions while also connecting their nine-dash line with the region (United Nations, 2009a). While entering the 2010s, China faced another diplomatic challenge where The Philippines imposed a diplomatic note for the UN specifically targeting China's claim that their nine-dash was not to be tied with any international law, including the UNCLOS (United Nations, 2011). As a result of this many quarrels, China made an official clarification as a response where they also laid down a four-layered claim, affirming their intentions in the region. Of the four claims, the first stated that China has sovereignty over islands of the region, the second and third basically stated that China has maritime entitlements that was fostered by the land features in the region, and the fourth stated that China has historical rights in the region (Zhu & Li, 2021: 172-173). Ultimately, the two decades marked a time when China was busy settling diplomatic protests and refutes that were given by the states surrounding the region where at the end China remained adamant towards their claim, although without sorting towards the use of military force that was as frontal as in the cold war.

b. The US and The South China Sea in The 21st Century

Although not included as one of the claimant states, it is important to add that the Americans also played a major role in the dispute within this region as they are the key in balancing the political situation of the region for they are the adequate competitor that can challenge the enormity of China. For the Americans, the region is viewed as critically strategic towards its interest and influence in the geopolitical realm and also considered that free passage in the region and a resolution to claims accepted by all parties were a part of their “national interests” (Kurlantzick, 2011). Realizing how significant the region is, they have been very adamant on challenging China’s nine-dash line claim by asserting the The Freedom of Navigation Operations (The Associated Press, 2023). The Freedom of Navigation Operations (FONOPs) is a lawful principle of the sea which states that ships flying the flag of any sovereign country shall not be interfered with by any states, apart from the rules that have been provided in the international law (Dupuy & Vignes, 1991: 836). Aside from emphasizing the principle, they are also enforcing it by sending their warships to the disputed waters in 2020 (Beech, 2020). These are all done while also engaging in both multilateral and bilateral agreements with the Southeast Asian claimants (Li & Atmakuri, 2021: 460). From these actions, it can be comprehended that the Americans are involving themselves militarily and politically through the FONOPs, where in the process they are also supporting the other claimant states in rejecting China’s claim while also establishing multilateral and bilateral agreements with them.

c. Philippines and The South China Sea in The 21st Century

For the Philippines, the 2000s and 2010s are colored in a back-to-back diplomatic quarrel with the states in the region. This is a result of the geographical positioning of the state and the significant maritime interests in the region. The joint application that was previously mentioned and submitted by Vietnam and Malaysia in 2009 raised controversy in The Philippines where they claimed that the submissions

were without strong elaborations and thus cannot be officialized (McDorman, 2021: 97). In 2016, The Philippines fought China in an arbitration ruling for China's huge territorial claim that was based on their nine-dash line in the Permanent Court of Arbitration in the Netherlands. This legal battle ended in a victory for The Philippines where China's claims were deemed invalid (The Diplomat, 2016). For The Philippines, one of their biggest territories of concern were the Kalayaan. To be clear, this territory gave a significant influence on how The Philippines made such diplomatic moves towards the dispute, as an example, The Philippines asserted to China that the Kalayaan are an integral part of the Philippines and could not be taken away through China's previous 2009 *notes verbale* (United Nations, 2009b). This persistence also prevailed towards how The Philippines responded Malaysia's 2019 Partial Submission towards UN's Commission on the Limits of the Continental Shelf (CLCS), where they refuted Malaysia's claim over the Kalayaan (McDorman, 2021: 97). From these understanding, we can conclude that The Philippines' role in the region is as active as it is. We can see how adamant they are towards their own claims and ultimately illustrates how significant their interests are in the region as a maritime state.

d. Malaysia and The South China Sea in The 21st Century

For Malaysia, the 2000s and 2010s can be simplified as similar as the situation with The Philippines where their movements in the region are as blunt as The Philippines's. According to their statements in their Foreign Affairs website, Malaysia's claim in the South China Sea remains consistent and unchanged as they are being firmly committed towards protecting their sovereignty as depicted through their 1979 map while also appropriating themselves with the 1982 UNCLOS (Ministry of Foreign Affairs Malaysia, 2023). We can see that this statement is in accordance with their actions in 2009 where both Malaysia and Vietnam submitted joint submissions towards the UN's CLCS and in 2019 where Malaysia submitted their own partial submissions. Although being adamant, Malaysia prefers a cooperative method rather

than conflict. Similar to Vietnam, Malaysia also emphasizes their efforts to maintain the peace, stability and trade in the region. This can be seen through the diplomatic engagement that they have done with Brunei where they settled the ownership of the offshore territories in the region through letters of exchange (Ministry of Foreign Affairs Malaysia, 2009). This method also applies to how they react towards China's assertiveness. Malaysia is very concerned towards China's occupation and militarisation of the territories in the region, but they are perplexed with the situation that they themselves have with the Chinese. For Malaysia, as threatening as China is, they put their economic interests with China as more significant to consider than the claims that China made (Hamzah, 2021: 188). Hence, they termed this effort back as an effort to keep the peace, stability, and trade in the region as they have stated in their official ministry of foreign affairs website.

e. Brunei and The South China Sea in The 21st Century

For Brunei, their role in the region in this period can be rated as not as significant as China, Philippines, Vietnam, nor Malaysia as their claims are only towards the two islets (reefs) and the ocean area surrounding the Spratlys (Valencia et al., 1997: 38-39). In 2009, Brunei's dispute on the sovereignty of the offshore territory in the region with Malaysia was settled through a letter of exchange where both parties came to an agreement to formally acknowledge each other's claim in the region (Hamzah, 2021: 186). Also within this year, Brunei signed a production sharing agreement with Malaysia where later in 2011 both parties started a joint drilling operation off the coast of Brunei (US Energy Information Administration, 2019). Later in 2013, Brunei and China signed a corporate agreement between the Chinese National Offshore Oil Corporation and Brunei's National Petroleum Company Sendirian Berhad that would later be planned to expand towards the construction of an oil refinery and a petrochemical project on an island located in Brunei Bay (Chang, 2021: 272). Through this development of economic ties with China, Brunei can be seen as a silent claimant

within the region as their economic interests are closely tied with China and heavily relies on the region's oil reserves (Putra, 2024a). As a conclusion, Brunei does not meddle so much with the quarrel in the region as it would compromise their economy.

2.2 Vietnam and The South China Sea Dispute

As it was explained in the previous sub-chapter, the history of Vietnam and The South China Sea dispute goes a long way back to its time when the French were still occupying Vietnam. There shall be no doubt that the French took a very influential role in impacting today's Vietnam's claims in The South China Sea. Their attendance in the 1951 Peace Treaty between Japan and The Allies that was set to settle the ownership of Japan's former territories, ultimately gave French-Vietnam many territories in The South China Sea such as the Paracels and the Spratlys. Later, the downfall of South Vietnam marked the date when the ownership of these islands were transferred to the current Vietnam that we know today, The Socialist Republic of Vietnam.

Although the south was defeated and the country finally reunited, Vietnam still had a very rough start in its birth. In its early days, Vietnam aimed to pursue a consistent policy with two concrete objectives: defense of national security and development of the national economy, both of which relied on their policy of moving through the seas. The two objectives would later be tried to fulfill through Vietnam's improvement of conforming Vietnam's national legislation with international law through the advancement of peaceful maritime disputes, befriending all the states in the world, and a sustainable development in the maritime sector (Thao, 2021: 228). In the third UN Conference on the Law of the Sea that was held in 1977, Vietnam established its exclusive economic zone and continental shelf through the Declaration on Vietnam's maritime zones (United Nations, 2009b)

This peaceful goal however, would be contested a few years later in 1978 when Vietnam invaded Cambodia to end the hostile Khmer Rouge that was threatening

Vietnam's interests. This led to a Chinese counter-invasion to Vietnam as they condemned Vietnam's invasion of Cambodia. As a result of this quarrel, the relationship between Vietnam and China was virtually decimated. In the first half of the 80s, Vietnam strengthened its position in the South China Sea with the help of the Soviet Navy. In this current period as well, Vietnam published the Government Declaration on the baselines to determine their territorial sea in 1982 and attempted to normalize their relations with Cambodia with the signing of a joint marine exploitation agreement (Thao, 2021: 228-229). As time went by the relationship between Vietnam and the Soviets flourished, however this would change when Gorbachev took charge of the Soviet Union. When the Soviet's influence in the region was withdrawn, Vietnam engaged in many serious peace talks. Vietnam returned its troops from Cambodia and started to normalize its ties with China (Tonnesson, 2021: 37). Although Vietnam went through a war, in the end Vietnam reverted its policy to its original vision, developing Vietnam through peaceful means. However, this did not mean that Vietnam tolerated China's past actions as a whole at this period of time and remained cautious.

With its head back to its previous peaceful mindset, Vietnam ratified the UNCLOS in June 1994. This reflected Vietnam's intention to build an equal and equitable legal order for the seas with the aim to encourage marine development and cooperation. The ratification also validated Vietnam's sovereignty over its own waters and territorial sea, sovereign rights, jurisdiction over their EEZ and the continental shelf, with UNCLOS and principles of international law as its framework (Thao, 2021: 228)

Vietnam's compliance with UNCLOS ultimately illustrated their very peaceful intentions to create a favorable international environment. After Vietnam introduced their *Doi Moi* policy to address their national production difficulties, supply-demand imbalances, troubles in distribution and circulation, inflation, and debt issues (Le, 2022), Vietnam's ambition was "to be friends with all countries in the world" which

was realized through their compliance with international agreements. There have been many times when Vietnam advocates for peaceful settlements of maritime disputes in accordance with UNCLOS (Pike, 1992). This would later establish Vietnam's behavioral traits towards the issues in the South China Sea which consequently resulted in various agreements made with states across the region.

In 1992 Vietnam concluded a joint marine exploitation agreement with Malaysia on the overlapping continental shelves in Thailand Gulf, in 1997 Vietnam concluded a maritime delimitation with Thailand, which also was done to China over the Tonkin Gulf territory in 2000 (Thao, 2005). The conclusion to the Tonkin Gulf territory with China would later result in a joint fishery zone in the region in 2004.

Together with the Philippines, Vietnam also played an active role in achieving the ASEAN-China Declaration on the Code of Conduct of Parties in the South China Sea (DOC) where Vietnam also became the co-drafter. Vietnam also firmly implied that bilateral disputes within the region will be solved bilaterally and multilateral disputes will be solved by all parties that have interests within the dispute. Aside from the many concluded issues that spent a lot of Vietnam's attention, Vietnam introduced their defense policy called Three-Nos policy in 1998 (Thao, 2021: 228). This was the policy that became the predecessor to this study's highlighted topic, The Four-Nos policy.

It is important to note that the many successes that Vietnam achieved in resolving maritime disputes while utilizing peaceful techniques, resulted in Vietnam's ease of realizing their previous policy of developing the country from moving seaward. This ultimately resulted in the country's stable and progressive development in the early 2000s. Although Vietnam dodged as many conflicts as possible, they still cannot eschew themselves from the fact that China's nine-dash line claim in the region remains firm. For Vietnam, China's claim can result in the loss of Vietnam's sovereignty over the Paracels and Spratlys which could weaken the government's image in front of the

people. And China’s militarization of the region to consolidate their claim also raised concerns for Vietnam as it is their very own next door neighbor that could threaten their security.

2009 became a turning point for the situation in the region as the year itself experienced a change of tide from stability to crisis for the states involved. After the west was weakened by the 2008 financial crisis, China’s self-confidence was boosted as their economy was not hit as hard as the states in the west. It was also backed by the successful execution of The China Olympics that was held that year. As a result of this comforting position, China included their official map with their nine-dash line in an official letter of protest to the UN (Tonnesson, 2021: 41). This map can be seen in figure 2.1.



Figure 2.1 Map Attached to China’s Notes Verbales in 2009

Source: (JPCS, 2022)

This is the first time that China officially included the contents of their nine-dash line claim in an international statement expressing a disapproval while also indirectly implying that China held sovereignty over the island and the “adjacent waters” in the region as well as jurisdictions over “the relevant surrounding waters, seabed, and subsoil”. This provocative move later inflicted protests from other claimant states as their sovereignty was being threatened by this very statement made by China (Tonnesson, 2021: 41).

The end of the 2000s marked a time when China developed a legal doctrine to consolidate its nine-dash line claim within the region and followed up their actions by asserting its “alleged” rights within the region. The actions that they have done can vary from sending their fishermen to fish in the surrounding states EEZ within the region, taking control of such territories within the U-shaped line, cutting cables from seismic exploration ships, issuing oil concessions, building new military installments, and blocking the Freedom of Navigation Operations that was conducted by the US and other navies .The actions that were done by China developed many reactions by other states in the South East Asian region. While China was maintaining their claim, other states no longer utilized the mapped lines to indicate their claim, they instead started to claim individual island features and territorial seas (Tonnesson, 2021: 41).

In order to appease towards the actions that China has done in the region, Vietnam sought to forge strategic partnerships with old and new friends such as the United States with the purpose of averting such conflicts with China. This however can come at a cost since the partnerships that will be made would only enhance the possibility of a military conflict (Jenner, 2021: 476). Although this can be inferred as a contradiction, it should be noted that this action was not meant to counter China’s assertiveness, but rather to solidify themselves as a means to avert their course away from such conflicts while still can be seen as being “non-aligned”.

In May of 2009, both Vietnam and Malaysia filed a joint submission to the UN Commission on the Limits of the Continental Shelf with the purpose of extending their continental shelves. This created a reaction from China where the Chinese termed it as an infringement upon its “indisputable sovereignty” over the islands in the region. In July of 2010 amid Vietnam’s attempt to make the world realize of the existence of the dispute in the region, China’s foreign minister, Yang Jiechi, warned the neighboring states of the South China Sea region to refrain themselves from taking part in “a cabal organized by an outside power”. In July of 2012, Vietnam approved a new maritime

law that claims sovereignty over the Spratly and Paracel Islands. This law was deemed invalid by China and raised tensions. Two years later in 2014, China and Vietnam engaged in a conflict over energy resources near the Paracels. This continued for a few months and was triggered by China's deployment of an oil rig Haiyang Shiyou 981 approximately 120 nautical miles from Vietnam's Ly Son Island. This action would later result in Washington encouraging Vietnam to utilize international arbitration while also calling China's action as "provocative" (Jenner, 2021: 458).

Realizing that China is making brash moves in the South China Sea, the involvement of Washington in the region became even more solidified. Both China and Washington employed their own strategy to engage in both multilateral and bilateral agreements with the countries in the region with hopes of tipping the balance of influence against each other (Li & Atmakuri, 2021: 460). Washington's effort can be seen through their establishment of the Freedom of Navigation Operations (FONOPs) in the region where it would uphold the rights of a state's legitimate claim that was recognized in international law. This was meant to support the Southeast Asian states to combat China's assertiveness where it would also solidify their legitimate claims. Other than FONOPs, the US also considered that free passage in the region and a resolution to claims accepted by all parties were a part of their "national interests" (Kurlantzick, 2011). This resulted in a deepening relations of Washington towards Southeast Asian countries where they benefited through these efforts.

For Vietnam, at this point they still withheld their faith in their Three-Nos to not side with any state against another, but after seeing the moves that China did in the region Vietnam decided to let the Americans to cooperate with them as a means to stabilize their balance with China. In the 2010s we can see that Vietnam and the US engaged in many security cooperations. The US held numerous training exchanges with the Vietnamese army and navy, and they also transferred a major defense equipment for Vietnam in 2018, a Hamilton-class High Endurance Cutter or an individual ship

class that was in service for coast guard missions, namely the USGC Morgenthau. This period truly symbolized a time when relations between the US and the Vietnamese were intimate and for the first time as well after their war in the 60s and 70s, a US Navy aircraft carrier arrived in Da Nang. This act of friendliness signified how meaningful the relationship between the US and Vietnam really is and proved how dedicated they both are in establishing strong maritime and defense ties. All of these however, were done without any defense treaties between the two countries. Which is different if we compare it to the relationship that the Americans have with the Philippines (Li & Atmakuri, 2021: 460). Although there were no treaties that bind the two states in the defense sector, we can see that the Americans have put a real effort in deepening their relations with Vietnam.

It is safe to say that the Americans have played a huge role in the region's politics, while also considering the milestones that the US and Vietnam have established in their relationship. However, the US' initiatives can be compared with China's way of engaging the politics in the region. Instead of going for security and defense cooperation as the majority of the initiative, China sought to approach the politics in the region through economic assistance. Since the early 2010s China has funded numerous national infrastructures across ASEAN states. This does not exclude Vietnam where China has invited Vietnam over to China's own Lancang-Mekong Cooperation (LMC). This project includes all the mainland Southeast Asian countries such as Cambodia, Laos, Myanmar, Thailand, and Vietnam, all in the name of developing a stronger economy together. Although this project was unveiled by China in 2016, their conclusion in the 2019 Regional Comprehensive Economic Partnership reaffirmed their commitment to work with states in the region through their economic cooperations (The Straits Times, 2019). From here, we can see how both the US and China differentiate themselves through their methods of approaching the dispute in the region.

The projects and intentions that China has offered on the table ultimately gave Vietnam a major opportunity in strengthening their national economy. It is important to note that the way China approached the states in the region hardly emphasizes military strength, it attracted the states through money. And since this project does not stress on the use of force or siding with any military alliance, Vietnam welcomed this initiative with open arms because it complies with their Three-Nos policy and not long ago in December of 2023 Vietnam vowed to promote a strong, effective, and sustainable cooperation with China through the LMC (Vietnam News, 2023).

China's intentions however did not free them from the many controversial moves that they had done in the South China Sea. With their military installments placed across the region, it is safe to conclude that their military reach now can osculate the whole of the South China Sea. With this trouble in hand, Vietnam sought to change its course and introduced a new provision in their Three-Nos that would become the Four-Nos policy.

2.3 The Bốn Không Policy

The “*Bốn Không*” Policy or the Four-Nos Policy is basically an updated version of Vietnam's previous Three-Nos policy that was published back in their 1998 Defense White Paper. It inherited most of the principles that were contained in the Three-Nos but with other additional principles in its place, the “No Use of Force” principle and the “One Depend”. This added principle refrained Vietnam from using any force or threatening to use force in the IR realm and it was added as a response to China's military assertions in the 2010s while also satirizing it, but the notion of “one depend” also meant that Vietnam is considering to beef up their military in the region if the situation urges them to. This principle was added in their policy through the publication of their 2019 Defense Paper and became the standard of Vietnam's behavior in international relations. To understand The Bốn Không and its development in the present day, we will have to take a deeper dive in history on how it was created in the

first place and how it was contested throughout time. In this part of the analysis we will analyze the policy through its previous form, The Three-Nos policy.

As a policy, the previous Three-Nos was implemented with the purpose of befriending all states while also avoiding any conflicts (Thao, 2021: 229). According to Ananta Swarup Bijendra De Gurung in his work called “China, Vietnam, and The South China Sea: An analysis of the “Three-Nos” and the Hedging Strategy”, the Three-Nos represented Vietnam’s static posture and symbolizes an inflexible stance that was made by Vietnam (Bijendra De Gurung, 2018: 11). Principally, this meant that the Three-Nos was a guideline that restricts Vietnam’s behavior in international relations from potentially making any risky decisions that could bog down Vietnam’s development.

In its simplest form the Three-Nos can be understood as an ideologically non-aligned and omnidirectional policy (Bijendra De Gurung, 2018: 11). This meant that through this policy Vietnam disregards any form of differences that other states may grasp with Vietnam and would not be considered as a threat or an enemy at first glance. For example, if Vietnam were to build a diplomatic bond with another state that is not a socialist country but a capitalist country, then Vietnam would treat them just like how they would treat their own friends, regardless if it's a capitalist state or a socialist country.

If we examine deeper into Vietnam’s Three-Nos policy, we may find that Vietnam is against the many practices on the idea of international competition for military power or the power of influence, but in the first of the three we may find an exception for such practices. The first of the three emphasized on Vietnam’s opposition towards the idea of mutual security agreements, this would come as a contradiction for Vietnam since they already do have a mutual security agreement with Laos. However, it should be noted that their agreement with Laos is an exception since in the 2019 papers itself it was mentioned that their support towards Laos is a manifestation of Ho

Chi Minh's proclamation where he stated "To help our friends is to help ourselves" (Vietnam's 2019 White Defense Paper, 2019: 31). Thus, justifying the agreement with Laos and asserted the thought's role in it. Although the first principle came with a contradictory, it can be found that the two others are still in accordance with Vietnam's actions. The second principle later emphasized on Vietnam's dedication to not allying with any foreign states to balance off another certain state. This principle of the policy firmly asserted Vietnam's opposition towards any practices of balancing in International Relations, such examples of balancing in IR can be seen from many real-world cases such as how NATO was created to counteract the creation of the Soviet's Warsaw Pact. Although they do have an agreement with Laos, it should be important to note that this agreement is far from being similar to that of NATO's. Both states does not procure the political power that NATO and Soviet had that could tip the balance of the geopolitical stability on a significant level, thus it can be inferred as an exception where both states are merely trying to appease to their idea of world peace. The third and final principle within this policy was for Vietnam to adhere towards the concept of not favoring any specific countries to be made partners in the context of military coalitions. This meant that Vietnam values every country's military strength in the world, no matter how significant or insignificant they may be, each nation carries equal importance for Vietnam's economic and geopolitical realm. This third principle can also be correlated with why they value their relationship with Laos, no matter how small their powers are.

Between the years of 1998 to 2009 Vietnam affirmed these principles through publishing three White Papers, and have become the cornerstone of Vietnam's military diplomacy in balancing China's broad sphere of influence through constrained communicative engagements with the west. These principles however, would change when China laid the groundwork for more assertive behavior in the South China Sea. As early as 2009, China submitted two *notes verbale* to the UN's Commission on the Limits of the Continental Shelf that included their nine-dashed line. They later would

talk of considering the region to be a part of their “core interest” which many would consider that China was willing to use force in order to defend its claim (Zeberlein, 2023: 22-23). Their assertive behavior would later continue to intensify within this decade.

In early 2011, Chinese coastguards were boarding foreign fishing vessels within the region with the purpose of either arresting the fishermen inside the vessel or destroying their equipment (BBC News, 2012). In 2014, China attempted to assert its dominance in Vietnam’s Exclusive Economic Zone by sending in their oil rig to conduct an oil exploration. However their rig was not alone in the vicinity, China also supplied their exploration with forty ships from the Chinese Coast Guard, Maritime Militia, and Navy. Although this attempt can be seen as very assertive and ambitious, it would later meet its challenge when Vietnam responded by sending in dozens of their ships to force the Chinese to withdraw. This event lasted in a six-week stand-off and ultimately ended in a victory for Vietnam when China later decided to retreat (CSIS, 2017). China’s assertive actions however, did not stop there. In 2016 China had placed military airports, seaports, and missile systems within the region. This created tensions among the states surrounding the region and had been made into reality thanks to China’s increase on their military budget (CSIS , 2015). These numerous assertive attempts by China would later result in Vietnam taking steps in order to adapt with the current.

As of 2019, Vietnam’s Ministry of Defense added a new principle to their previous Three-Nos, “No Use of Force or Threats in Diplomatic Relations”. This contradicted China’s behavior in the region significantly, however Vietnam did state that inside this updated policy they added that they will consider developing necessary defense and military relations with other countries within the basis of “respecting each other’s independence, sovereignty, territorial unity, and integrity”, in their “One Depend”. From this it is safe to say that Vietnam were implicitly and verbally poking

at China's actions in the region. As a result, in 2022 and 2023 Vietnam enhanced their diplomatic ties with South Korea and their biggest former enemy in the cold war era, The United States of America. This shift in Vietnam's policy was described as omnidirectional through engaging with various states when their interest also aligned with Vietnam's while also not committing themselves to any bloc nor ideology, despite being a socialist-communist country (Zeberlein, 2023: 24). This meant that Vietnam is being pragmatic and adaptive towards the situation that it has on hand.

Through the various explanations that were given above, we can conclude that the Three-Nos were an ambitious predecessor towards their current Four-Nos. It rooted the values and ideas that the current Four-Nos has and ultimately illustrated Vietnam's course in their foreign affair matters. However, it can be found that Vietnam did in a way contradict their own principle, their agreement with Laos as the prime example. Despite its contradictory, this can be justified as an exception due to their relationship and their minimum significance in destabilizing the world geopolitics. All-in-all this exception was later addressed in their recent 2019 White Papers where their relations with Laos are an exclusive and came without the purpose of contradicting the principles inside of the previous Three-Nos. Nevertheless this update is still up for debate, considering that there are many new challenges for Vietnam. Russia's invasion of Ukraine, The military conflict in Palestine and Israel, The Coup d'etat in Myanmar, and the recent intensifying situation in Yemen are just to name a few. Although it did not happen within the region of The South China Sea, it is safe to judge that these events massively contributed towards the world geopolitical order, and pushed the states around the world to adapt with the change, the changes also does not exclude the developing situation in The South China Sea.

For the region the situation is not as violent as those in Yemen, Ukraine, and Palestine, but overall it did not signify any end towards the dispute. For example, The Philippines had been actively challenging China's claim through seeking international

support by enhancing their alliance with Washington and strengthening their coastguard presence (South China Morning Post, 2024a). On the other hand, China had been pushing for a code of conduct among the states in the region to restrict the military operations that are being conducted by states that are not geographically located inside the region, namely the United States, Australia, and Japan (South China Morning Post, 2024b). From these recent developments, Vietnam's Four-Nos stood as a policy that is currently being contested by time and is yet to prove itself to significantly benefit Vietnam. This study aims to fulfill that gap by utilizing a norm-based constructivist approach towards the situation at hand by employing The Ho Chi Minh Thought as the idea that is guiding Vietnam in their diplomatic journey and their Four-Nos policy as the instrument in practicing their diplomatic maneuvers.