

THE POWER OF MAPS IN THE SOUTH CHINA SEA

A THESIS

PRESENTED TO

THE FACULTY OF THE ASIAN STUDIES PROGRAM

COLORADO COLLEGE

IN PARTIAL FULFILLMENT OF THE REQUIREMENTS

FOR THE DEGREE

BACHELOR OF ARTS IN ASIAN STUDIES

BY

RYAN KIYOSHI OGI

COLORADO SPRINGS, COLORADO

MAY 2013

ON MY HONOR, I HAVE NEITHER RECEIVED NOR
GIVEN UNAUTHORIZED AID ON THIS THESIS.

RYAN OGI

READER APPROVAL

This Thesis project, written by Ryan Ogi, meets the required guidelines for partial completion of the degree of Bachelor of Arts in Asian Studies.

Professor Takeshi Ito

Signature: _____

Date: _____

Professor Vibha Kapuria-Foreman

Signature: _____

Date: _____

CONTENTS

ACKNOWLEDGEMENTS

CHAPTER

INTRODUCTION	1
1. THE POWER OF MAPS AND WHY WE MAKE THEM	3
How else are Maps Used?	
The Power that Maps Hold	
Why Governments use Maps	
Conclusion	
2. A BRIEF SYNOPSIS OF THE SOUTH CHINA SEA DISPUTE	16
Geography of the South China Sea	
China's Claims to the South China Sea	
- Historical Claims	
- Physical Claims	
Vietnam's Claims to the South China Sea	
- Historical Claims	
- Physical Claims	
The Philippines' Claims to the South China Sea	
- Historical Claims	
- Physical Claims	
Conclusion	

3. THE SOUTH CHINA SEA UNDER UNCLOS AND THE IMPLICATIONS OF POWER IN MAPS	25
The UNCLOS	
- Territorial Seas and the “Baseline” Problem	
- The Philippines: A Special Case	
- Exclusive Economic Zones	
- What is an Island?	
- UNCLOS Conclusions	
Application of the UNCLOS to the Claimant States’ Claims	
- Application to China	
- Application to Vietnam	
- Application to the Philippines	
- Application Conclusion	
CONCLUSION	34
APPENDIX A	i
APPENDIX B	ix
SOURCES CONSULTED	xxvi

ACKNOWLEDGEMENTS

I would like to acknowledge Professors Takeshi Ito and Vibha Kapuria-Foreman for their support with my thesis. Without their help, I would not have been able to write what I have written. I would also like to acknowledge Nate Siebert of the Writing Center and Matt Gottfried for helping me edit my paper and creating the Figures in Appendix A, respectively. Without their help, my thesis would be without these amazing figures and would not be as clear as it currently is.

Introduction

Maps have power. Not only do maps define who we are, but they are also created in order to guarantee the sovereignty and legitimacy of our states and governments. Some of the earliest maps go back to the ancient Chinese, who utilized maps in order to ensure the loyalty and the collection of tributes of all its subjects. In a modern and Western sense, maps have not played a crucial role until Westphalia, where the contemporary system of statehood was created and the modern state was formed.ⁱ During this time, borders were solidified, and people were thus concretely defined “French,” as “Austrian,” “British,” etc. This system was later applied to the post-colonial world, especially in the region of Southeast Asia.

The usage of maps in Southeast Asia has played a crucial role in the creation and continuance of conflict in the region. Today, one of the most contentious conflicts in the region involves the South China Sea, where five ASEAN (Association of Southeast Asian Nations) countries – Vietnam, Brunei, the Philippines, Malaysia, and Indonesia – have some form of claim over parts of or the entirety of the Sea. There is an added complication with the addition of China (and Taiwan) into the regional conflict because they are drawing their maps to engulf the entirety of the South China Sea as its sovereign territory. The primary debate in the South China Sea is, who gets to determine which map is the most “appropriate?”

Each country has staked its own claim in the South China Sea. China and Vietnam claim the entirety of the Sea to themselves, which include the Paracel and Spratly Islands. The Philippines, Brunei, Malaysia and Indonesia have claims only to parts of the Spratly Islands. Since each country has drawn its own map on where

they have “sovereignty” or at the very least, exclusive economic rights, there is much contention between each of the claimant states. How are we to determine which map is going to be the “official” map that is accepted by the international community?

An international legalistic perspective may be able to help create a permanent and “acceptable” map to the international community and to the claimant states themselves. The UNCLOS (United Nations Convention on the Law of the Sea) gives a detailed outline on how states are to measure their “sovereign territorial seas” and their “exclusive economic zones.” Not only does the UNCLOS define these two concepts, it also works to create a pathway for a peaceful solution between clashing states and their claims to territorial seas. Each of the claimant states has signed the UNCLOS and must follow the procedures and laws dictated by it. Based on my interpretations and analysis of the UNCLOS, the Philippines is the only state with a “legal” claim in the SCS.

In the following chapters, I hope to answer the question of “Which claimant has the most power to assert their claim, via maps, in the South China Sea?” In order to answer this question, I analyze the incentives that each claimant has to draw their maps in certain manners. My first chapter will outline why maps are important, the power that they hold over us, and how easily they can be manipulated and controlled by a specific group or state over another. The second chapter will outline the claims in the South China Sea and how they would reflect their own interests. In this paper I deliberately focus on China, Vietnam and the Philippines, as they have the most extensive claims to the region and have been the most “up-in-arms” about

the dispute in recent years. My final chapter will focus on the UNCLOS, how it can be interpreted, the issues that arise from its wording, and how my interpretation of the document compares to the claims made by China, Vietnam, and the Philippines.

Chapter 1: The Power of Mapsⁱⁱ and Why We Make Them

When looking at a map, what are the first things you see? Geographical landmarks? Cities and roads? Borders? Whatever you see, these are important features that pertain to the particular map at which you are looking at. But, who decides what goes on this map? How can we trust the validity of this map? What is the purpose of the map? These are all important questions that we should ask ourselves when looking at any map, because maps can be misleading, incorrect or riddled with propaganda and fallacies. From a nation-stateⁱⁱⁱ perspective, maps are a method by which to control and define a certain area and population that they occupy. Though the maps are a physical representation of the state as state-makers create them to be, maps are not the physical “geographic reality” of the territory that it tries to define. Instead, as time passes, the *idea* of the state that is drawn as a map slowly becomes reality by exerting its power over how nations and nation-states think.^{iv} Maps can be (and usually are) entrenched in the political struggle between several powers, locally and internationally. No matter the reason for a map, the immense power maps hold cannot be disputed. In this chapter, I look at how maps are used, how they have this “immense power,” and why countries use them.

Maps are tools that are universally used. We depend on maps to help us in a variety of ways. Whether it is to help us go on a road trip across the country to the military planning armed exercises, maps are needed for these tasks. Yet, there is a further use to maps than what we see in our everyday lives or hear on the news.

How Else Are Maps Used?

This may seem to be a rather intuitive question. Maps are a use of *political* power. Jeremy Black (1997) believes that a map's primary use is to be a political statement of "sovereignty"^v over a set amount of territory claimed by a government. Black gives examples of France and Germany using maps to exert their sovereignty over territories in Western and Central Europe.^{vi} Taking this stance, any map is a statement of each country's sovereign claims on the territory within those borders. However, who draws these maps? This is a key issue when looking at maps as a political tool, for the cartographer of one map may show China controlling the Indian province of Kashmir, yet an Indian map may show Kashmir as part of India. It is all a matter of perspective of *which* cartographer's map at which you are looking. In this particular case, as with most border disputes, the governments of each country create these maps. Black quotes Matthew Edney on this matter:

Matthew Edney argued that 'the state continued (and continues today) to dominate map-making, both governmental and commercial, and to promote for its own reasons the empiricist illusion of cartographic mimesis.'^{vii}

Once maps are contextualized in everyday life, it is clear maps are created by individuals and states to serve self-interests. The self-interests that come with maps are used to make these interests tangible or physical. By making these interests physical, it is easier for one to perceive and solidify their claim to these interests. As Denis Wood (1992) states,

[W]e are always mapping the invisibly or the unattainable or the erasable, the future or the past, the whatever-is-not-here-present-to-our-senses-now and, through the gift that the map gives us, transmuting it into everything it is not ... *into the real*.^{viii}

What maps truly do, even on a political scale, is create the physical manifestations of our self-interests and project them so that others may see and validate or challenge them. However, if maps are a physical manifestation of our self-interests, this creates a potential problem with how we view maps as well.

The Power That Maps Hold

Most people view maps in a literal way. Since we cannot physically see what is on the map, we assume that the map must be true. The map is simply a construction of the world that we cannot physically see ourselves. Wood quotes Brian Harley on this matter:

The usual perception of the nature of maps is that they are a mirror, a graphic representation, of some aspect of the real world. The definitions set out in various dictionaries and glossaries of cartography confirm this view. Within the constraints of survey techniques, the skill of the cartographer, and the code of conventional signs, the role of a map is to present a factual statement about geographic reality. Although cartographers write about the art as well as the science of mapmaking, science has overshadowed the competition between the two. The corollary is that when historians assess maps, their interpretation is molded by this idea of what maps are supposed to be. In our own Western culture, at least since the Enlightenment, cartography has been defined as a factual science. The premise is that a map should offer a transparent window on the world.^{ix}

The power that maps hold over us is that they *shape the reality* that we live in due to our inherent trust and belief of the “truth” behind the maps. What is troubling here is that if we place too much trust on a map, which could very well be false or contested, then we are not seeing the “factual statement about geographic reality”^x and are being misguided. Wood notes a dangerous point about maps and the cartographers that draw these maps: “...maps, all maps, inevitably, unavoidably, necessarily embody their authors’ prejudices, biases and partialities....”^{xi} If maps draw out the biases of the authors that drew them, then how can we be absolutely sure that the maps are true representations of the world? To determine whether a

map is correct or not is its own issue. Since we as individuals cannot debunk a cartographer's mapmaking skills, we cannot prove that a particular map is incorrect. Maps create the reality that we live in, as we do not have the sources to refute the reality that has been created for us.

One thing that maps do, in terms of reality, is show what does "exist" and what does not "exist." This is a potential extension of the biases of a map caused by its authors, but the decision to admit or omit a piece of information is vital to how a map is read and interpreted. An important note is that everything cannot be placed on a map, because the map would become too complex and confusing for the reader. One solution to this is the creation of several types of maps, such as topographical, political and road maps. Each one can be of the same region, but each has different sets of information that are typically excluded from others. An issue arises when, for example, a country that is not recognized by the government is not placed on a map. To give a more concise example, I will use Taiwan from the perspective of the US and China. On the political maps of the world created in the US, the independence of Taiwan is clearly indicated with "Taiwan" written largely and given a different color on the map. However, since China does not recognize Taiwan, their maps include Taiwan as being part of the sovereign territory of the People's Republic of China (PRC) rather than being its own independent country. The admission or omission of borders on political maps is a political statement being made by governments. Wood gives a nice analysis of the example above: "...the selection of a map projection is always to *choose among competing interests*; that is,

to embody those interest in the map...”^{xii} What Wood contextualizes here is that the reason for the United States to recognize Taiwan is due to its own self-interest.

This “reality” that is created through maps has an overarching political agenda. It binds people to the ideas or perceptions of a government’s structure of the world or the territories on the maps. Thus it creates a status quo that most people accept without question. Yet, what happens when governments have conflicting self-interests or conflicting “realities” about how a map should be drawn?

Why Governments Use Maps

First of all, governments have the most incentive for mapmaking; especially ones that choose to exert their power externally from their borders. A primary example of this is the Age of Colonialism during the 18th and 19th centuries, where Western countries were creating colonies all across the world, increasing the necessity for maps. Geopolitics is what came out of Western colonialism. As defined by Friedrich Ratzel, geopolitics is the tension between two states that was created by the “territorialization of space” and “conflicting political drives.”^{xiii} To contextualize it a little, it is the conflict between the self-interests of two countries over the same “space” or land. In order to lessen the potential for a geopolitical flare between two countries, maps are a tool created to manifest a border between what each country controls. An example of this is the colonization of Africa, where the great European powers created borders to solidify their claims to certain territories on the continent. On the other hand however, creating maps can do the opposite and lead to a geopolitical dispute between two or more countries. Such is the case in both the Senkaku/Diaoyu Island dispute between China and Japan and the South

China Sea dispute between China, Vietnam, the Philippines, Brunei, Indonesia, and Malaysia.

Another key piece of information is that countries always act in their own self-interest, and this is not limited to their actions politically or economically (as is normally defined). However, through maps, seeing the political or economic self-interests of a country is not easy. Returning to my example of the United States' recognition of Taiwan, there are a multitude of reasons for why the United States would do this. Several reasons could be a strong alliance with Taiwan or distaste for the Chinese government. What "good" maps do not show are the self-interests of the countries. This assertion is made by Wood, who dedicates an entire chapter to the "masking" of interests in maps. Wood states,

As long as the author – and the interest he or she unfailingly embodies – is in plain view, it is hard to overlook him, hard to see around her, to the world described, hard to see it ... *as the world*. Instead it is seen as no more than a *version* of the world, as a story about it, as a *fiction*: no matter how good it is, not something to be taken seriously.^{xiv}

Wood asserts there is a necessity for biases and interests to be hidden. If interests are not hidden from plain view on maps, then the map and the author's validity is in question. The objectivity of the world in which the author is attempting to create is undermined. This then leads to the splintering off of what is "reality" in this world, and what is a "version of reality." This happens often, especially amongst conflicting territorial claims between at least two governments. An example of this can be seen in how maps are drawn in the United States.

When looking at the CIA World Factbook webpage,^{xv} we find that there is an interactive map for East Asia. When one scrolls over the different countries in the

region, the territory that each country controls lights up. In the case of China, the map shows the Kashmir region on the left side, between China and India. This map depicts that Kashmir belongs to India, however, when scrolling over China, Kashmir lights up as being a part of China. This map is showing two different “realities” along the Sino-Indian border. On the one hand, the map depicts the American recognition that India has sovereignty over the Kashmir region. Yet on the other hand, when scrolling over China, the map also recognizes that China has control of the region. The United States recognizes India’s claims of sovereignty, yet also recognizes the physical annexation by China. The blurred realities are clearly seen here, there is the legal reality versus the physical reality.

The way we conduct mapmaking today is a consequence of the colonialist occupation of the world during the 19th Century. There is little to no contestation of these Western models of the world. Black comments that,

Harley was particularly concerned about the extent to which the cartography and mapping traditions of the imperialist powers had, in his eyes, distorted the historical, and thus present, cartographic treatment and understanding of those who had experienced imperialism...He claimed that the sense and naming of place of those who had suffered from imperialism had been appropriated and that their understanding of territory and boundaries had been neglected.^{xvi}

It is rather troubling that the understanding of territories and boundaries that were originally held by many different cultures gets swallowed up during imperialism. Yet, it worked out great for the West. Since the rest of the world adapted to this way of mapping, the West is the entity that discerns what and how things are drawn on a map (generally).

Even if it is not the West who is drawing the maps, the mindset and thought of tangible and unchanging borders between countries has pervaded into the belief

and ideas of most people around the world. Even though most – if not all – states use a Western method of cartography in Southeast Asia, there were very different methods in which cartography was rendered.

To better understand how Western cartography has this power, a traditional form of cartography will be outlined. Thongchai Winichakul (1994) outlines the traditional sense of cartography that was created in Siam, what is now Thailand. In Siam, prior to the introduction of Western cartography, the way that maps were created was in coordination with a traditional Buddhist cosmology. According to Winichakul, this Buddhist cosmology is called “Traiphum cosmography.”^{xvii} Traiphum cosmography follows the structure of the different realms found in Buddhism.^{xviii} Based on the amount of merit one has, determines where one is placed in their next life. This concept constructed traditional Southeast Asian cartography.^{xix} Winichakul notes,

[S]tudying the architectural forms of Southeast Asian palaces and religious buildings, he [Robert Heine-Geldern] showed that the sovereign realm of a king, its center, and his sacred residential space were believed to be the microcosm.^{xx}

From this quote, it is easy to notice that Traiphum cosmography was how Southeast Asian peoples generally defined the geographical (or cosmographical) layout of the world. The World that people lived in is a microcosm to the greater cycle of the universe in Buddhist thought, where beings with the greatest amount of merit (the rulers in Southeast Asia) were located in the center of the kingdom and as the distance grew from the center, those beings that inhabited those spaces had less merit. Traiphum cosmography paid little attention to the physical geography or

location of cities or countries. Rather, it is more concerned with the spiritual location that mirrored the cosmography of the Buddhist Realms.

This does not mean there was no focus on the physical territoriality within Southeast Asia. Winichakul looks at a particular map with an interesting hybrid of a Chinese style map that has been drawn in a Traiphum manner.^{xxi} This map, split into six panels, depicts the coastal region of East Asia all the way to Arabia. It includes rough outlines of countries like Japan, Taiwan, the coasts and straits of Southeast Asia, and the Indian subcontinent and slightly beyond.^{xxii} The importance of this map and other maps from the region is the scale that is used in each map. They are based on not only Traiphum cosmography, but also *experience* of travel between these locations. For example, the six-panel map that Winichakul mentions has a distance of about 16 kilometers that each line measures.^{xxiii} Spatial relations change from map to map, as experiences create different maps and scales along with it.

Boundaries in Southeast Asia, prior to the conversion to the Western style of cartography, were not solidified. In regard to the lack of boundaries, Winichakul quotes Captain Henry Burney, a British envoy to Siam:

With respect to what is said about boundaries, the Country of Mergui, Tavoy and Tenasserim, no boundaries could ever be established between the Siamese and the Burmese....^{xxiv}

The Siamese had a different conception of “boundaries” than what we perceive today. Unlike solidified boundaries that separate countries from each other, the Siamese viewed territories like large kingdoms that do not necessarily connect with each other. Referring to Figure 1 in Appendix A, the Siamese thought

of boundaries as a loose idea of where the kingdom ends. It is split into four parts, in its most basic form. First, there are the towns and cities that lie within the kingdom. Second, there are the township borders, an area defined by the ease in which guards can respond to threats. Third, there is the total kingdom area, which encompasses all of the towns and cities, township borders, and claims to natural resources between each of the township borders. Finally, there is neutral territory, strips of territory that laid between the different kingdoms that none of them have claim over.^{xxv}

However, this cosmology that Winichakul notes does not last forever in Siam or the rest of Southeast Asia. With the coming of the West, the way Southeast Asians began to conceptualize their surroundings began to change. This transition from cosmography to the Western categorization is due to the colonization of most of the region. Benedict Anderson (1983) gives a concise explanation of the transition from the traditional to the modern in Southeast Asia.

Anderson describes how the census, map, and museum became the process by which cartographical knowledge and appearance changed. He focuses a chapter on these tools in Southeast Asia, as the colonial history of the region has played a major impact in the creation and evolution of cartography and nationalism.

The first change that Anderson focuses on is the *census*. Census is the categorization of people based upon a certain set of attributes. During the colonial period, these categories began to change from a division of religion to one of race.^{xxvi} The change from religion to race is not fully explained by Anderson. He simply quotes Charles Hirschman's work^{xxvii} and does not give any explanation of the

process or rationale for the change. However, Anderson does note that the new “races” that were being categorized in Southeast Asia were based upon “location” rather than “ethnolinguistic.”^{xxviii} The fact that census makers during the colonial period based their censuses mainly on location creates “imagined identities” for these populations. Quite literally, these categorizations of race and ethnicity in Southeast Asia were largely created by the colonial powers’ censuses. The irony of this system, however, was not to actually create these new ethnicities or races, but rather to be able to better “*quantify*” the people under colonial jurisdiction for taxation purposes.^{xxix} By assigning people specific names and grouping them together, it would be easier for colonial officials to collect taxes.

Even though the intent of the censuses was for taxation, the effects were far more dramatic. In the waning years of colonialism and the beginning years of national independence for Southeast Asian countries, people defined themselves based upon these identities that the censuses gave them. This is how such nationalist movements throughout Southeast Asia were formed. One great example of this is Vietnam, with their hard fought victory over the French to guarantee its independence. However, through colonialism and census came the process by which maps were to be created anew.

As noted above, the traditional method by which maps were drawn was through cosmography. However, with the coming of the West, Southeast Asia slowly began to transition away from cosmography. Winichakul does make note of this change in Siam, with the coming of the British through Burma and demanding

the solidification of borders between Siam and British Burma.^{xxx} Anderson

continues by stating,

[L]ike censuses, European-style maps worked on the basis of a totalizing classification, and led their bureaucratic producers and consumers towards policies with revolutionary consequences.^{xxxii}

The European obsession of classifying everything onto paper is a dominant force that has affected how Southeast Asians define themselves. Not only did the maps with borders tell these peoples where they were located, but in accordance with the census gave a definition of who they were. The map defined these peoples geographically and the census defined them politically, which led to the rise of nationalistic tendencies amongst the populations of Southeast Asia.

The final construction of these nationalistic tendencies is attributed to, according to Anderson, the “map-as-logo.”^{xxxiii} He describes the map-as-logo in a similar manner that political maps are depicted today. They not only show solid borders separating different states, they were colored differently and are like pieces in a “jigsaw puzzle.”^{xxxiiii} During the colonial period, the maps were simply colored differently based upon the colonial powers that controlled the different areas on the map. They were easy to reproduce and to spread amongst the population. By giving these people a defined space that they can call “their own,” the late colonial governments sowed nationalistic movements. Indoctrinating Southeast Asian people into first, believing that they were “Javanese,” “Vietnamese,” “Thai, or ” “Burmese,” and secondly giving them the defined borders on maps, created a whole new generation of states that had previously not existed. By focusing on solid borders rather than traditional cosmography, more states were born and they were

to be defined by race and ethnicity, which were created by the illusions conjured up by the colonial past of taxation and record keeping.

Conclusion

We have seen throughout this chapter that maps play a powerful role in defining what our world is and the power it has within politics. Maps are the key to power in this Westphalian dictated world, where borders and sovereignty of the state are everything. In the next chapter, I will analyze the power and use of maps in the context of the South China Sea, where the Philippines, Vietnam and China all have claims to the disputed Paracel and Spratly Islands and the surrounding waters. I will look at how these countries draw their own maps in the region, the incentives they have for drawing them the way they did, and how each country supports their claims within the South China Sea.

Chapter 2. A Brief Synopsis of the South China Sea Dispute

Geography of the South China Sea

The South China Sea (SCS) has been a vital region for many centuries. In the past, it has been the foundation of life for several countries as the primary source for fishing and trade. In more recent years, the SCS has become an important passage for international shipping of goods, primarily that of oil and natural gas, to countries such as China, Japan and the United States. Yet, with the recent increase in global trade and the increased importance of the SCS, there has been an ever-growing need for stability throughout the region.

Six countries surround the SCS: China, Vietnam, the Philippines, Malaysia, Indonesia and Brunei. China lies to the north with Hainan Province bordering the SCS and being the administrative zone for China's claim over the SCS. Vietnam's coastline is the western edge of the SCS. The Philippines constitute the eastern edge of the SCS, having many islands and archipelagos spanning north to south. To the south are the countries of Malaysia, Indonesia, and Brunei. Within the SCS, there are two main island groups, the Paracel Islands in the north, close to the Chinese province of Hainan, and the Spratly Islands located in the south, located near the Philippines and Malaysia. Figure 2 depicts the full area of the SCS and the sovereignty claims made by each country. As you can see on Figure 2, the overlapping claims made by each country in the region, the geographic region of the SCS naturally creates conflict between the countries that border and use the resources found there, especially in recent years. Using Figure 2 as a guideline, the following sections will take a closer look at the conflicts between the following

countries, China, the Philippines and Vietnam, as their claims to the SCS are the most extensive. In the following sections, I will review how China, the Philippines, and Vietnam have made their claims in the SCS. Each states' claims will be split into two sections, historical and physical claims, which will outline past claims and each states' physical presence in the SCS.

China's Claims to the South China Sea

Based on the claims set forth by the Chinese government, Figure 5 gives a nice example of what the Chinese claims are in the SCS. Not only does China have claim over the Paracel Islands in the north, but they also claim the entire breadth of the Sea and the Spratly Islands in the south. The Chinese claim is based off of a "9-dotted line" that encompasses the entirety of the SCS, which is reflected in Figure 5.

Historical Claims

China has the longest claim to the SCS in recent history. According to Mark Valencia, Jon Van Dyke, and Noel Ludwig (1999), China made its first claims to the SCS in 1876 to England concerning the Paracel Islands and then later to Germany in 1883 concerning the Spratly Islands.^{xxxiv} These claims were then contested during the early 20th Century, as both France and Japan began incursions into the Spratly Islands. These incursions came to a close after World War Two, when Japan "renounced all 'right, title, and claim to... the Spratly Islands'" in 1951.^{xxxv} However, according to Nien-Tsu Alfred Hu (2010), supported by Jian Yang (2011), the first claims to sovereignty over the SCS were made in 1946.^{xxxvi} Yang goes further and expresses that these claims, specifically towards the Spratly Islands, were uncontested until 1971.^{xxxvii}

The historical argument does not end when the Chinese, whether it be the Qing Dynasty, the Republic of China, or the People's Republic of China, declares its sovereignty over the SCS. The historical argument also includes the "active" use of the SCS by the Chinese people, dating back to the Han Dynasty, according to Renato Cruz de Castro (2012) and Valencia et al.^{xxxviii} The Chinese, according to Cruz de Castro, have been using "historical narratives" of voyages made by Chinese sailors and the consistent use of the SCS by Chinese fishermen. Valencia et al. support Cruz de Castro's claim by stating, "as Chinese voyages increased in frequency and range during the T'ang Dynasty (618-906 AD), so did Chinese awareness of the Spratly's." Yet, Valencia et al. takes this claim a step further by explaining the Chinese mindset during that time period:

During this period, China views 'itself as the centre of a universal state' which 'oversaw a hierarchy of tributary states.' From this perspective, it had no reason to make any formal claim of sovereignty.^{xxxix}

To the Chinese, the "sovereignty" of the SCS is based upon the historical facts and constant use of the SCS by the Chinese people throughout the past 2000 years and it is this usage that determines China's sovereignty over the SCS.

Physical Claims

In addition to the historical claims made above, there are physical claims that China has made in recent years. What I mean by "physical claims" is the assertive physical presence of Chinese people in the SCS, whether they are fishermen or military personnel. Ross Marlay (1997) gives an example of Chinese "assertiveness." In 1995 China built "four octagonal structures, resembling guard towers, with a satellite dish in the Mischief Reef, which is a region claimed by the

Philippines.^{xi} Marlay goes on to say, “The Chinese structures, which were built during the monsoon season when Philippine vessels do not go on patrol, are certainly intended to be a physical declaration of Chinese sovereignty.”^{xli} Ian Storey (1999) also makes note of this incident between China and the Philippines.^{xlii} Storey builds upon Marlay. by bringing more evidence to Mischief Reef, where in 1998, the Philippines obtained further evidence of Chinese physical development with an expansion to the original structures found in 1995 under construction. These are not the only structures that China has constructed in the SCS region, specifically the Spratly and Paracel Islands. According to Valencia et al., China has bases at Fiery Cross Reef, Cuarteron Reef, Gaven Reef, Johnson Reef, Subi Reef, and several others as well.^{xliii} Figure 8 is a close up of the Spratly Islands with the occupations of different states. Yet, most of these affect the Philippines more so than Vietnam.

China has also taken some assertive actions towards Vietnam as well. According to Tønnesson (2003), in 1974, China invaded the western Paracels, which at the time were controlled by the South Vietnamese.^{xliv} In fact, Tønnesson states that, “it was the Philippines, Vietnam and Malaysia, not China or Taiwan, who raced to occupy Spratly islets in the 1970s and early 1980s.”^{xlv} Therefore, the current situation is not purely due to Chinese assertiveness, but rather the competition and land-grab of other claimants. The implications of this in accordance with the Mischief Reef case in 1995 can be seen as China’s first attempts in “catching up” with the other claimants in the Spratly Islands. In terms of physical claims, China has been making headway in becoming one of the main occupiers of the SCS island groups, with extensive occupations in the Spratly Islands as noted above.

Vietnam's Claims to the South China Sea

Looking at Figure 7, Vietnam claims the entirety of the Paracel and Spratly Islands, like China, yet does not claim as much of the actual Sea as its own territory. Unlike China, there is no historical map that acts as a basis for their historical claims, yet it seems to be arbitrarily created by the government to encompass areas where potential natural resources are located. In the following sections, I will be describing the historical and physical claims that the Vietnamese have, as well as diplomatic strategies that Vietnam has followed.

Historical Claims

Vietnam, like China, has historical claims to the Paracel and Spratly Islands. Valencia et al. are the only authors who really discuss the Vietnamese claims, and even then, they specify the claims to the Spratly Islands only. According to Valencia et al. (1999), the Vietnamese claims to the Spratly Islands and Paracel Islands goes back to the 15th Century to King Le Thanh Tong, who considered the two island groups under Vietnamese sovereignty.^{xlvi} Further documentation from the 17th, 18th and 19th centuries helps to “solidify” Vietnamese claims to the two island groups. Even after the French occupation, according to Valencia et al., the Vietnamese claim was maintained, when the French “published a formal notice of annexation in its own Official Journal on July 26th, 1933.”^{xlvii} Granted, the French officially annexing the Spratly Islands (in this case) is not a strong case for Vietnamese claims, as it has been interpreted by Vietnam to be a case for sovereignty. Up until the Chinese invasion of the Paracels, Vietnam controlled the Paracel Islands up until 1974 under

the flag of South Vietnam. Other than these claims, the Vietnamese claims in the SCS are weak historically.

Physical Claims

Vietnam, unlike China and the Philippines, has the most extensive physical presence in the SCS – primarily that of military personnel. According to a Chinese state-run news source, the International Herald Leader (2011) states that Vietnam has “gradually stepped up construction on the illegally occupied Nansha Islands [Spratly Islands] and strengthened its control over them.”^{xlviii} This accusation is supported by Valencia et al. who state that Vietnam “maintains...up to 22” military “garrisons” in the Spratly Islands.^{xlix} Furthermore, in order to build some of these garrisons, Vietnam has had to create artificial bases on top of the original shoals or islands.¹ What is most interesting in the case of Vietnam is its advocacy for an “exercise of self-restraint,” as noted by Nguyen Hong Thao (2001).^{li} Thao interprets this “exercise of self-restraint” to have “two meanings.” The first is to “maintain the status quo of occupied positions,” and the second is to “avoid actions that complicate the situation.”^{lii} Using the above evidence from Valencia et al. and the International Herald Leader, the implications of Thao would mean that Vietnam is attempting to prevent further Chinese occupation of the Spratly Islands. The logic here is that, since China has entered the game late, by forcing all claimants to cease occupation would place China at a disadvantage, as China would have fewer bases than Vietnam.

The Philippines’ Claims to the South China Sea

Unlike its neighbors, the Philippines' claims are not as extensive as Vietnam's and China's. As seen in Figure 6, the Philippines only claims the Spratly Islands, and its claims to territorial seas only engulf the Islands. In the following sections, I will go over the Philippines' historical and physical claims, as well as diplomatic methods by which it attempts to assert its power.

Historical Claims

The claim in the SCS made by the Philippines is restricted only to a certain part of the Spratly Islands called the "Kalayaan Islands" by the Filipinos.^{liii} The Filipino's claim to the Kalayaan Islands started when Tomas Cloma "discovered" the Kalayaans and declared it for himself in 1947.^{livlvvi} The Philippines didn't obtain a substantial claim until 1974, when Cloma deeded the Kalayaans to the government. Before Cloma's "discovery" of the Kalayaans, the Philippines had no historical claim to any of the Spratly's, unlike that of the two other main claimants, China and Vietnam. Yet, unlike China and Vietnam, the Philippines may have a substantial physical claim in comparison to its counterparts.

Physical Claims

Unlike Vietnam and China, the Philippines is an island nation, with a much closer proximity to the disputed Spratly Islands. One argument made by the Filipino government, as noted by Marlay (1997), states that the Kalayaan Islands "constitutes a separate, distinct group of islands."^{lvii} The argument put forward is due to the proximity of the Kalayaans to the Filipino province of Palawan, where the

Philippines has placed the administration of the Kalayaans.^{lviii} Like China and Vietnam, the Philippines has placed military installations on a number of islands (See Figure 8). However, the Philippines has only eight^{lix} such installations, unlike Vietnam's 22 and China's growing number of installations. One activity that the Filipinos have been doing to counteract the Chinese "assertiveness" is increasing their military capabilities. After the Mischief Reef events in 1995, the Philippines underwent a modernization program of their military.^{lx} The effectiveness of this modernization was minimal at best. The Philippines only bought "a squadron of multi-role jet fighters, twelve off-shore patrol vessels, and a new air defense radar."^{lxi} Though these small steps have been made, it will not be enough to counteract the ever-increasing Chinese naval presence in the region. Even though the Philippines is considered a main claimant within the SCS dispute, it is still a minor actor in comparison to the claims made by Vietnam and China. However, its actions of diplomacy and negotiation has given the Philippines considerable weight in the dispute.

The Filipino government has been adamant on its claims and "jurisdiction" over the Kalayaans throughout the entire dispute. One act that the Filipino government has made sure to do was to coordinate with other states, mainly that of Vietnam and China, in a peaceful manner. Such incidents include multilateral oil explorations with Vietnam and China, as well as bilateral agreements and treaties with Vietnam. This engenders a form of goodwill towards the other claimant states, by showing that the Filipino government is willing to work together towards a solution, rather than to fight it out. The Filipino agreement to the "code of conduct

in the SCS” is another method by which the Philippines has used diplomacy to its favor. Just as Vietnam, the “freezing” of military installations by any claimant helps the Philippines counteract any increase of Chinese presence in the Spratly Islands.

Conclusion

Though claimants have their own historical and physical claims within the SCS, there is no easy way to determine who has the “strongest” claim to sovereignty. As China continues to spread itself into the SCS, the Spratly Islands in particular, the tensions between China and the other two claimants will only increase as they have in the past 15 years. With the high tension between the three primary claimants in the SCS – China, Vietnam, and the Philippines – there is an ever-increasing concern over the stability of the region being brought forth by international law. In the next section, I will take a closer look at the international laws and analyze what is at stake for the claimant states and how these states could be drawing their claims.

Chapter 3: The South China Sea Under International Law and the Implications of Power in Maps

As we saw in the previous chapter, the claimant states in the SCS dispute have many different rationales and ways of determining their claims. However, the dispute has several international implications as well. As the SCS is a major sea route for over a quarter of the world's maritime shipping,^{lxii} other countries and entities have a vested interest in the stability of the region. In addition to the shipping, the belief of natural gas and oil deposits creates further interest in the region. In this chapter, I will focus on the legal process by which the claimant states should be drawing their maps. For the duration of the paper, I will be using very strict and conservative interpretations of the UNCLOS to create my own interpretations on the claims made by China, Vietnam, and the Philippines. The primary international legal document that applies to the SCS dispute is the United Nations Convention on the Law of the Sea (UNCLOS).

The UNCLOS

The United Nations has long dictated how such disputes may be solved. The UNCLOS is an agreement amongst most members of the United Nations that dictates the process and definitions of maritime borders and exclusive economic zones that a state may hold. Looking at the document itself, there are but a few parts that specifically pertain or have specific consequence towards the SCS dispute. If a strict legalistic standpoint is taken, a map of the SCS would look like one in Appendix A, Figure 3.^{lxiii} The following sections will explain why the map looks as such and how it should be defined by the UNCLOS and recognized by the international community.

Territorial Seas and the “Baseline” Problem

UNCLOS gives several specific definitions on how the maritime borders should be determined. In Part 2, Section 2, Article 3, UNCLOS (1982)^{lxiv} determines that states have “the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles, measured from baselines determined in accordance with this Convention.”^{lxv} So, in the initial part of the map in Appendix A, the line closest to each of the states’ coast lines is the “12 nautical miles” as mentioned in the above Article. What this implies is that states have *sovereignty* over these waters, and navigating through such waters can be considered an aggressive action towards that state if no permission was given. Yet, there is still some ambiguity in Article 3, as the “baselines” are not defined here.

The definition of “baselines” is given in Article 5: “[T]he normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State.”^{lxvi} Here, the definition of “baselines” is where the dispute in the South China Sea begins. Since the “baselines” have to be “officially recognized by the coastal State,” it gives no regard neither to the international community nor that States’ neighbors. The way a State may determine their “low-water line” may extend further on a map “officially recognized by the coastal State” than it does in reality. The ambiguity of this definition is what has allowed claimant states in the SCS dispute to extend their claims beyond the realistic claims they can make. An example of this extension of claims applies to both Vietnam and China as they claim the entirety of the entire SCS.^{lxvii} However, I define the baselines to be the coasts of each country. I do so as

there are other factors that must be taken into consideration, some of which will be noted later, that goes into determining baselines.^{lxviii} Though the claims from Figures 5 and 7 include the exclusive economic zone claims made by both Vietnam and China, the exclusive economic zones (which will be addressed later) are based upon the location of each country's respective "baselines." By not defining the "baselines," Vietnam and China have been able to extend their claims in the SCS much farther than should be allowed according to the UNCLOS.

The Philippines: A Special Case

Under UNCLOS, the Philippines is a special case to be considered when looking at the SCS dispute. Under UNCLOS Part 4, Archipelagic States are granted special rights, as such states are a conglomeration of islands, which applies to the Philippines.^{lxix} For the Philippines, the "baselines" is even more complex and the wording is even more ambiguous and confusing as well. Article 47, Paragraph 1, UNCLOS reads as follows:

1. An archipelagic State may draw straight archipelagic baselines joining the outermost points of the outermost islands and drying reefs of the archipelago provided that within such baselines are included the main islands and an area in which the ratio of the area of the water to the area of the land, including atolls, is between 1 to 1 and 9 to 1.^{lxx}

The wording of the paragraph is unclear as to how an archipelagic state may determine where to start their baselines. This lack of clarity, which continues throughout Part 4, leads to many issues of interpretation based on the state's own interests. For example, the Philippines could potentially extend their baselines to be greater than that of Vietnam's or China's due to Article 47, Paragraph 2:

2. The length of such baselines shall not exceed 100 nautical miles, except that up to 3 per cent of the total number of baselines enclosing any archipelago may exceed that length, up to a maximum of 125 nautical miles.^{lxxi}

Whoever wrote the UNCLOS clearly worded it so that it is very vague and almost incomprehensible to a reader. This may have been intentional so that each state could then interpret each section for their own benefit, as to not let physically smaller states to be disadvantaged. This is but speculation and a closer analysis of the document and its wording is needed to better flush out its meaning. Overall however, the special status that the Philippines holds, pertains directly to this Part and specifically, Article 47, as the claims of the “breadth of territorial sea” the Philippines can claim may be greater than that of Vietnam and China. Such claims can be made by the Philippines since it has more “low-water line[s],” being an island rich country.

Exclusive Economic Zones

Exclusive Economic Zones (EEZs) are areas in which a state has the exclusive rights to economic activity. Examples can include the rights to fishing, oil production, shipping lanes, creation of artificial islands or structures, etc.^{lxxii} In Part 5 of the UNCLOS, the expanse of the Exclusive Economic Rights is given in Article 57, which states, “ The exclusive economic zone shall not extend beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.”^{lxxiii} Adding the EEZ boundaries, each state should only have a total of 212 nautical miles of control in the oceans and seas. Of course, when referring to Figure 3, there are several issues between Vietnam and China in the Paracel Islands of the northern portion of the SCS. However, when looking at Figure 3, there is also

a clear distinction that only the Philippines has any “formal or legal” claim to the Spratly Islands, based on my interpretation of this Part of the UNCLOS.

Yet, the main issue with the EEZs is that Vietnam and China do not follow the 200 nautical mile limitation. This is due to the issue with where the actual “baselines” and the 12 nautical miles that these baselines start from are located. Article 74 in Part 5 dictates the process by which the “delimitation of the exclusive economic zones”^{lxxiv} can be sorted out by the claimant states, which was the case between Vietnam and China in the Tonkin Gulf dispute. However, there seems to be little to no accordance with the process as outlined in Article 74. To further complicate the dispute the claimant states are acting in accordance with Part 15 of the UNCLOS, which outlines the process by which to settle disputes amongst claimant states, yet cannot come to a “binding decision.”^{lxxv}

What is an “Island?”

One of the contentious debates in the SCS dispute is how each claimant state is defining what an “island” is and the exclusive economic rights of such “islands.” According to Part 8 Paragraph 1 of the UNCLOS, “An island is a naturally formed area of land, surrounded by water, which is above water at high tide.”^{lxxvi} The important part is that the island be “*naturally*” formed, not constructed. In the SCS, there have been many artificially created “islands” that several different claimant states have created to better further their claims in the region. Yet, based on this paragraph, these creations do not count as islands, which then, do not have their own EEZ. Another issue in the SCS is the clear distinction between a “rock” and an “island” in the third paragraph of this Part, “3. Rocks which cannot sustain human

habitation or economic life of their own shall have no exclusive economic zone or continental shelf.”^{lxxvii} According to this paragraph, the installations that the Chinese, Vietnamese and Filipinos have been constructing are not viable to be considered as “islands” since they do not naturally sustain human habitation.

UNCLOS Conclusions

Based on a strict interpretation of the UNCLOS, the Chinese and Vietnamese should have no legal claim to the Spratly Islands, as neither their baselines nor their EEZs reach the Spratly Islands. Only the Philippines has a credible legal claim in accordance with the UNCLOS for the Spratly Islands. However, there is a clear split amongst the Paracel Islands in the northern section of the SCS that both Vietnam and China have EEZ claims for. Why both of these countries believes that they have appropriate claims in the Spratly Islands is unclear.

Application of the UNCLOS to the Claimant States’ Claims

The UNCLOS is obviously very broad and based upon the competing claimant states to come to a consensus. However, how does each of the individual claims of each claimant state hold up to a strictly defined UNCLOS map? I will be referencing and comparing maps between all of the states’ claims, Appendix A Figure 2, to that of the claims of each claimant state (Figures 5, 6, and 7) and how they should be drawn (Figures 3 and 4).

Application to China

Using Figure 4 as a basis of comparison, legally the 9-dotted line used by China would not be accepted internationally based on a strict reading of the

UNCLOS. When comparing the 9-dotted line made by China to that of Figure 4, it is clear where the limitations are of Chinese claims. The Chinese have no claim in the Spratly Islands, which are far outside of its 12nm range of sovereignty and 200nm of EEZ. However, its claim to the Paracel Islands in the north is still viable and is clearly in contention with Vietnam's claim to the island group. This contention is possible to resolve, similarly to what Vietnam and China have done already. In the past, China and Vietnam have made an agreement with the borders within the Gulf of Tonkin and land border disputes.^{lxxviii} Each was resolved peacefully in the end, despite several skirmishes between the two states. If these two states can reach an agreement, which is highly unlikely, then a small portion of the dispute can be resolved.

An important note is that China has not set any official baselines from which it is to draw its 12nm sovereign region and then begin its 200nm EEZ. This proves problematic in determining whether China's claims in its 9-dotted line map can be considered accurate. However, it is certain that if any such official baselines made by the Chinese were ever submitted to the UN, there would surely be objections made by the other claimant states, mostly by the Philippines and Vietnam.

Application to Vietnam

Vietnam, like China, faces a similar issue concerning its claims to the Spratly Islands. Neither the 12nm baseline nor the 200nm EEZ reaches the Spratly Islands. When looking at Figure 7, it is clear a discrepancy exists on how Vietnam is drawing its baselines and determining its EEZ. Not only does Vietnam's EEZ not reach the Spratly Islands, it does not reach the southern portion of its claimed area. However,

Vietnam's EEZ does reach that of the Paracel Islands, like China's. As noted above, the dispute should be settled between China and Vietnam separately and in a manner similar to how previous disputes have been resolved between the two states.

On the positive side, there is a great example of cooperation and resolution between Vietnam and Malaysia over their territorial sea claims in the SCS. In 2010, both states came to an agreement over the limitation of each other's claims in the SCS. This border agreement is in the southern part of the SCS. However, under the UNCLOS law, if there are any other claimants or neighboring states in the region that object to the agreement, it is nullified. Such was the case with this agreement, as China asserted its sovereignty over the entirety of the SCS and that Vietnam and Malaysia had no right to make these determinations between them.^{lxxix} Yet, China may be correct in its disagreement with the Vietnam/Malaysia agreement. Like China, Vietnam has not declared official baselines from which it is to draw its territorial sea claims and its EEZ. This indicates that any claims that Vietnam can make, including those that can be considered within their EEZ, would create a disagreement amongst other claimants.

Application to the Philippines

Out of the three claimant states, based on Figure 6, the Philippines has the most claim to the Spratly Island group, particularly the Kalayaan Islands. (Obtain map) Due to the province/island of Palawan, the 12nm territorial sea that the Philippines can claim and the 200nm EEZ are easily within range to the Kalayaan Islands and beyond (See Figure 8). The Philippines seem to be, of the three, the

most capable of legally defending its claims in the SCS, as they do lie within the EEZ of the Philippines. However, it is important to note that the Philippines' EEZ does not cover the entirety of the Spratly Island group and that the Kalayaan claims that it has made is only objected by Vietnam and China, and not by other minor claimants.

However, even with the "support" of this strictly drawn map, there are three issues that the Philippines still faces. First, the Philippines, just like the previous two claimants, has not made any official baselines that they can draw their 12nm territorial sea or 200nm EEZ from. This will make any claims made to be unfounded and quickly nullified. Second is that China and Vietnam would refuse any form of declaration made by the Philippines, as they already have. Even if the Philippines were to declare its baselines and if they were recognized by the UNCLOS, just as in the example with Vietnam and Malaysia, if a single neighboring state contends the claim/agreement, it is nullified. Thirdly, the military presence of the many claimant states will make it difficult for the Philippines to assert its claims in the Spratly Islands. Particularly so due to its small naval capacity and the duration that these military installations have been in the area.

Application Conclusion

Based upon Figure 2 in comparison to the claims made by each of the claimant states, there is no easy way by which any state can solidify its claims. In fact, under the current conditions, there is no way that any state will be able to confirm its claims and obtain sovereignty over the SCS or parts of there. Using Figure 3 as an example of a UNCLOS built map, only the Philippines has a sufficient

claim in the SCS based on their official claims. Vietnam and China have over extended their reach in the Spratly Islands, and due to this, these two states' claims will never be recognized. Furthermore, since the two claimants contest each other in the Paracel Islands, the dispute most likely will not be resolved. National pride and the presence of natural and potential resources are too much of an incentive for either state to step back. However, despite this analysis, the claimant states will not be able to come to a conclusion any time soon. The maps that each claimant seeks to create hold no power over another as long as other states refuse to accept them as "reality."

Conclusion

In the previous chapters, much has been said about the power of maps and how they can and do affect the South China Sea dispute. There is much to say on how maps have so much power over people. Maps are the gateways and the context by which we envision the world around us. That should be enough to convince one of the power that maps have over the individual. One thing that should be noted about maps is the economic influence that they have over countries. In the past, if a country found that a region was more economically viable or an important source of trade or rich of resources, that country would try to invade that region and claim it for itself. In recent history, such strategies are more typical of what America wants in the South China Sea, preventing the dominance of one power over an economically rich region and ensure that the resources are shared, especially in a multi-national region such as the South China Sea. There are other reasons why maps are so important, but most have already been addressed.

Yet, what are the powers of maps in the South China Sea? Does that power belong to any one of the claimant states' maps of the South China Sea dispute? The United Nations? From what I can gather, none of the maps of sovereignty in the South China Sea truly have any power. If the claimant states were to be allowed to draw the maps, then they would only choose to serve their own self-interests (which is logical) and have drawn them according to their current claim lines. That is a scenario if each is allowed to *individually* draw the maps, if the claimant states were to jointly draw the maps in the South China Sea, that is where the situation is

currently at right now, a stalemate. Since no one map is considered to be *the* map that all states will recognize, then none of their maps have any power. As long as there is at least a single state that goes against any other state's claims, then there will be no map concluded upon. The UNCLOS and international law has made it clear that *all* claimants and neighboring states have to agree upon any agreement made between states. Due to the nationalistic tendencies of China and, to an extent, of Vietnam and the Philippines, these states will not stand down in their attempts to obtain their claimed areas. However, that may change with the rise of a Chinese deep-sea navy. If, or when, China obtains supreme dominance of the sea in the region, then the other claimant states may have to accept China's will. Yet, there is an issue of the potential for the United States and other states to become involved in order to defend their own interests in the region.

As no agreement can be made through international law, the maps that have been created have no power. Unlike in the past, where much of the world was terra incognita, the present holds much less ability and flexibility for state-makers to simply draw maps as they would like and have sufficient authority to these claimed areas. The adherence to the UNCLOS and international law has stunted the power of maps in highly debated disputes such as the South China Sea. To reiterate, international law forces and guarantees states the right to negate any agreement that may affect their interests. To return to the Vietnamese – Malaysian example from above, just one outside dissenting voice can change the outcome of a successful agreement between the principal states. The power that has been vested in the

states, rather than the maps that they create, has severely limited the power that maps have had in the previous 200 years.

ⁱ Muir, Richard. *Modern Political Geography*, New York: John Wiley & Sons, 1975. 20.

ⁱⁱ Wood, Denis, and John Fels. *The Power of Maps*. New York: Guilford Press. 1992. Title.

ⁱⁱⁱ A nation-state is defined as a state whose population is predominantly of a single ethnicity, set of cultural beliefs, and language amongst other factors. Such examples of a nation-state are: Japan, China, Iceland, etc. Please note that there is a difference between a “nation” and a “state.” A nation is a group of people who share a common language, ethnicity and several other factors. A nation does not have to have a defined set of geographical borders. On the other hand, a state is a geographical political entity.

^{iv} Ito, Takeshi, from previous edits in an e-mail message to author, December 28, 2012.

^v Black, Jeremy, *Maps and Politics*. Chicago: University of Chicago Press, 1997. 12.

^{vi} Ibid. 12.

^{vii} Ibid. 22.

^{viii} Wood, Denis and John Fels, *The Power of Maps*, 5.

^{ix} Wood and Fels, *The Power of Maps*, 18; J. B. Harley, “Text and Contexts in the Interpretation of Early Maps,” in David Buisseret, editor, *From Sea Charts to Satellite Images: Interpreting North American History Through Maps*, University of Chicago Press, Chicago, 1990, pp.3-4.

^x Buisseret, *From Sea Charts to Satellite Images: Interpreting North American History Through Maps*, 18.

^{xi} Ibid. 24.

^{xii} Ibid. 57,

^{xiii} Black, Jeremy, *Maps and Politics*, 110.

^{xiv} Wood, Denis and John Fels, *The Power of Maps*, 70.

^{xv} CIA the World Factbook: East and Southeast Asia. In Central Intelligence Agency [database online]. 2012 [cited November, 8 2012]. Available from https://www.cia.gov/libraby/publications/the-world-factbook/wfbExt/region_eas.html. Interactive map.

^{xvi} Black, Jeremy, *Maps and Politics*, 19.

^{xvii} Winichakul, Thongchai. *Siam Mapped*, 20.

^{xviii} There are three primary realms in Buddhist thought, Heaven, Earth and Hell. Heaven is the realm where those beings with the largest amount of merit reside. They are typically considered on a similar level to that of gods. Earth is the realm that we currently inhabit now. It is the realm of humans. Finally, the Hell realms contain the greatest amount of suffering and beings with the least amount of merit.

^{xix} To unpack this a little more, the Heaven Realms from endnote xvii are reflected in the king’s palace. The palace, being the “center” of the kingdom is, the location where the greatest amount of merit resides. As one moves away from the palace and the capitol (Heaven), there is less merit present by the inhabitants. This proceeds to the edge of the kingdom, which can be considered as the Hell Realms, where individuals with the least amount of merit exist. Another way to contextualize it is the amount of suffering that individuals incur in each of these regions. Those at the center enjoy little suffering, while those closer to the edges of the kingdom endure greater suffering, as kingdoms vie for power between each other.

^{xx} Ibid. 22

^{xxi} Ibid. 29

^{xxii} Ibid. 29 and Figure 4

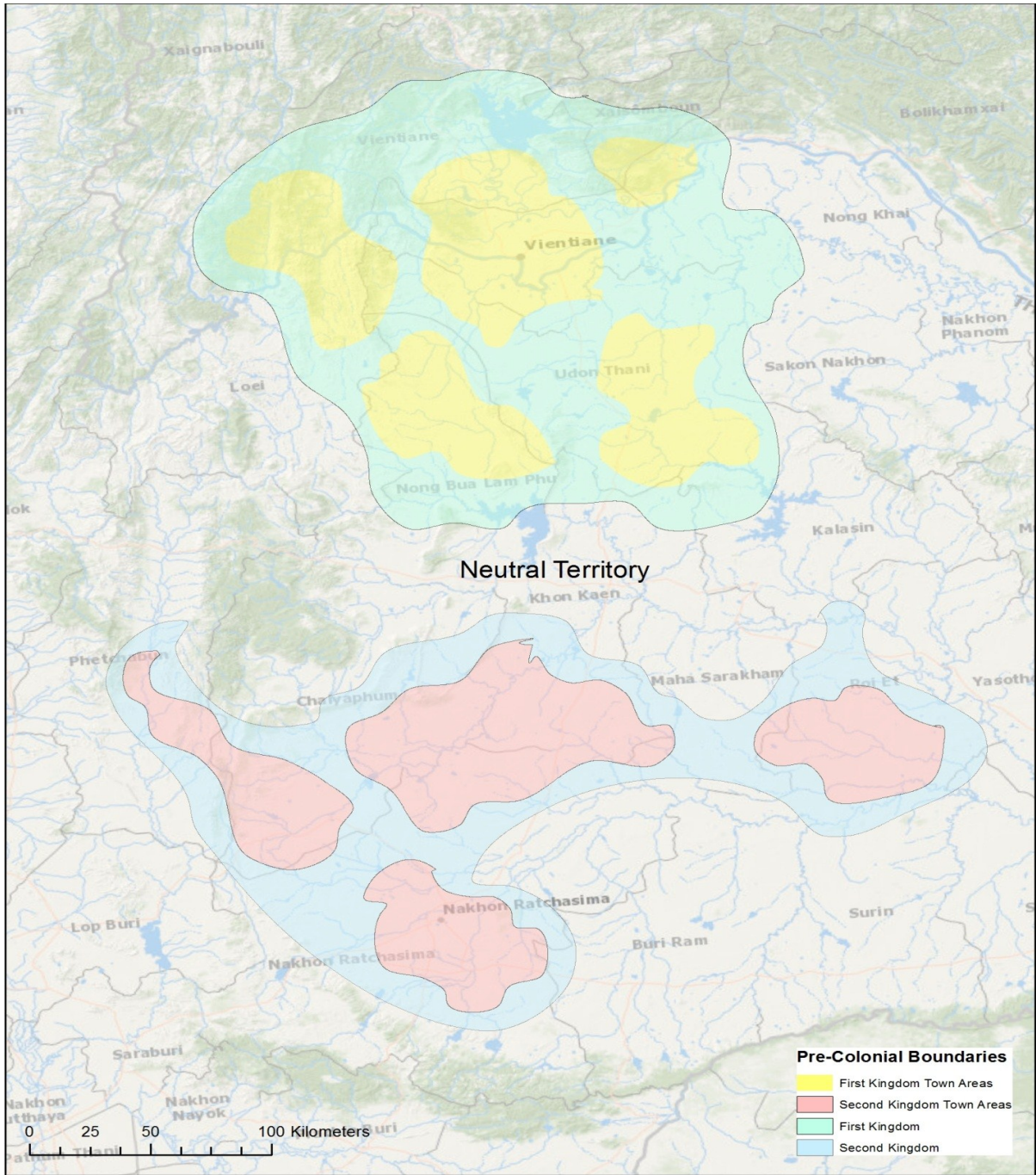
^{xxiii} Ibid. 33

-
- xxiv Ibid. 64
- xxv Ibid. 75
- xxvi Anderson, Benedict. "Census, map, museum," in *Imagined Communities*. 1983, 163-185. 165
- xxvii Please see Hirschman, Charles. August 1987. "The meaning and measurement of ethnicity in Malaysia: An analysis of census classifications." In *J. of asian studies*, 46:3, 552-582; and Spring 1986. "The making of race in colonial Malaya: Political economy and racial ideology." In *Sociological forum*, 1:2, 330-362.
- xxviii Anderson, Benedict. "Census, map, museum," in *Imagined Communities*. 1983, 163-185. 165.
- xxix Ibid. 169.
- xxx Winichakul, Thongchai, "Boundary," in *Siam Mapped*, 63-80.
- xxxi Ibid. 173.
- xxxii Ibid. 175.
- xxxiii Ibid. 175.
- xxxiv Valencia, Mark J., Jon M. Van Dyke, and Noel A. Ludwig. *Sharing the Resources of the South China Sea*, 21.
- xxxv Ibid. 21.
- xxxvi Nien-Tsu, Alfred Hu. "South China Sea: Troubled Waters or a Sea of Opportunity?" *Ocean Development & International Law* 41 no.3 (2010): 203-12. ;Yang, Jian. "Navigating the Volatile South China Sea." *New Zealand International Review* 36 no.5 (2011): 2-6.
- xxxvii Yang, Jian. "Navigating the Volatile South China Sea." *New Zealand International Review* 35 no.5 (2011), 1.
- xxxviii De Castro, Renato Cruz. "The Risk of Applying Realpolitik in Resolving the South China Sea Dispute: Implications on Regional Security* the Risk of Applying Realpolitik in Resolving the South China Sea Dispute: Implications on Regional Security." *Pacific Focus* 27 no. 2 (2012): 262-89. 270.; Valencia et al. *Sharing the Resources of the South China Sea*, 20.
- xxxix Valencia et al. *Sharing the Resources of the South China Sea*, 20.
- xl Marlay, Ross. "China, the Philippines, and the Spratly Islands." *Asian Affairs: An American Review* 23 no. 4 (1997): 195-210. 204.
- xli Ibid. 204.
- xlii Storey, Ian James. "Creeping Assertiveness: China, the Philippines and the South China Sea Dispute." *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 21 no. 1 (1999): 95. 97.
- xliii Valencia et al. *Sharing the Resources of the South China Sea*, 22.
- xliv Tønnesson, Stein. "Sino-Vietnamese Rapprochement and the South China Sea Irritant." *Security Dialogue* 34 no. 1 (2003): 55-70. 60.
- xlv Ibid. 60.
- xlvi Valencia et al. *Sharing the Resources of the South China Sea*, 30.
- xlvii Ibid. 30.
- xlviii "International Herald Leader: "Carrying the Flag" in the South China Sea, Vietnam is Embarrassing China." *Chinascopes*. 52 (2011): 32-5. 34.
- xliv Valencia et al. *Sharing the Resources of the South China Sea*, 31.
- l Ibid. 31.
- li Thao, Nguyen Hong. "Vietnam and the Code of Conduct for the South China Sea." *Ocean Development & International Law* 32 no. 2 (2001): 105-30. 117
- lii Ibid. 118
- liii Storey, Ian. "Creeping Assertiveness: China, the Philippines and the South China Sea Dispute," 95.
- liv Marlay, "China, the Philippines and, the South China Sea," 202.

-
- lv Storey, "Creeping Assertiveness: China, the Philippines and the South China Sea Dispute," 95.
- lvi Valencia et al., *Sharing the Resources of the South China Sea*, 34.
- lvii Marlay, "China, the Philippines, and the South China Sea," 203.
- lviii Marlay, "China, the Philippines, and the South China Sea," 203; Storey, "Creeping Assertiveness: China, the Philippines and the South China Sea Dispute," 95.
- lix Storey, "Creeping Assertiveness: China, the Philippines and the South China Sea Dispute," 95; Valencia et al., *Sharing the Resources of the South China Sea*, 35.
- lx Storey, "Creeping Assertiveness: China, the Philippines and the South China Sea Dispute," 101.
- lxi Ibid. 101.
- lxii Noer, John H. "Southeast Asian Chokepoints Keeping Sea Lines of Communication Open," *Institute for National Strategic Studies – Strategic Forum*, December 1996, accessed October 10, 2012, <http://www.dtic.mil/cgi-bin/GetTRDoc?AD=ADA394162>.
- lxiii This map assumes that the low water lines of each bordering state are the coastlines, which may not be the case as each state can declare its own low water lines.
- lxiv United Nations Convention on the Law of the Sea Agreement Relating to the Implementation of Part XI of the Convention. [cited 2012]. Available from http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.
- lxv Division for Ocean Affairs and Law of the Sea. UNCLOS. December 10, 1982, http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm. Article 3. Also see Appendix B for the actual document.
- lxvi Ibid. Article 5. Also see Appendix B for the actual document.
- lxvii Please refer to Figures 5 and 6 to see a differentiation between the claims that Vietnam and China can make and what they should have in accordance with the UNCLOS.
- lxviii Please do note that my interpretation of the baselines is not actually endorsed by any claimant state or international institution. It is purely my own interpretation with an attempt to being non-biased.
- lxix Ibid. http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.
- lxx Ibid. Article 47, Paragraph 1. http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.
- lxxi Ibid. Article 47, Paragraph 2.
- lxxii For a more in depth definition of the Exclusive Economic Zones, please refer to Appendix B, Document 1, Part 5, Article 56.
- lxxiii Ibid. Article 57. http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.
- lxxiv Ibid. Article 74.
- lxxv Ibid. Part XV. http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.
- lxxvi Ibid. Part VIII. Article 121. http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.
- lxxvii Ibid. Article 121, Paragraph 3.
- lxxviii Tønnesson, Stein. "Sino-Vietnamese Rapprochement and the South China Sea Irritant," 62.
- lxxix Thao, Nguyen Hong, "Coastal States in the South China Sea and Submissions on the Outer Limits of the Continental Shelf," 251.

Appendix A

Figure 1¹



¹ Figures 2-7 are readapted maps of one found in: Leszek, Buszynski, and Isakandar Szalán. "Maritime Claims and Energy Cooperation in the South China Sea." *Contemporary Southeast Asia: A Journal of International & Strategic Affairs* 29, no. 1 (2007): 143-171. This map was taken from Forbes, Vivian Louise, *Conflict and Cooperation in Managing Maritime Space in Semi-enclosed Seas*, (Singapore: Singapore University Press, 2001, 136.

Figure 2

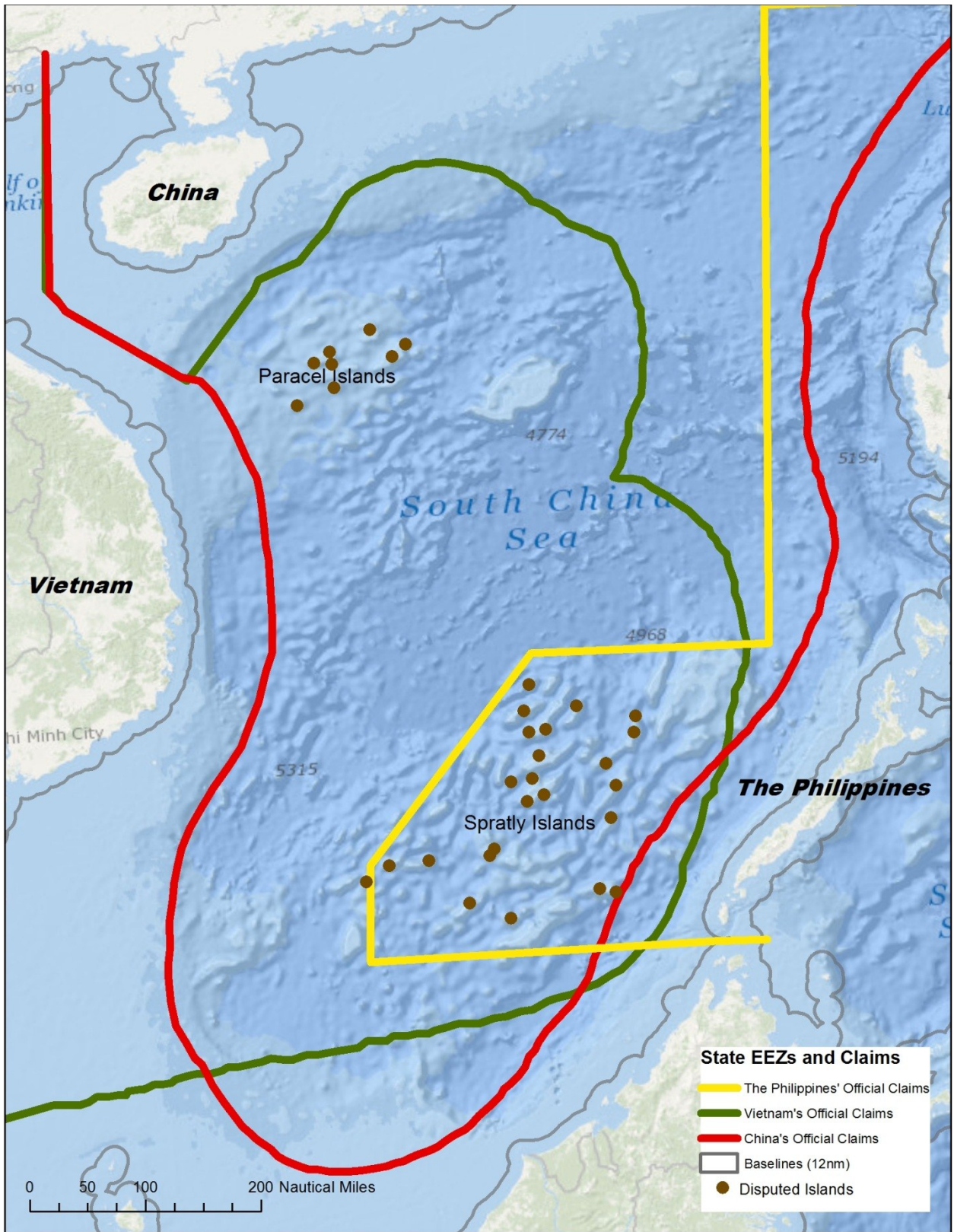


Figure 3

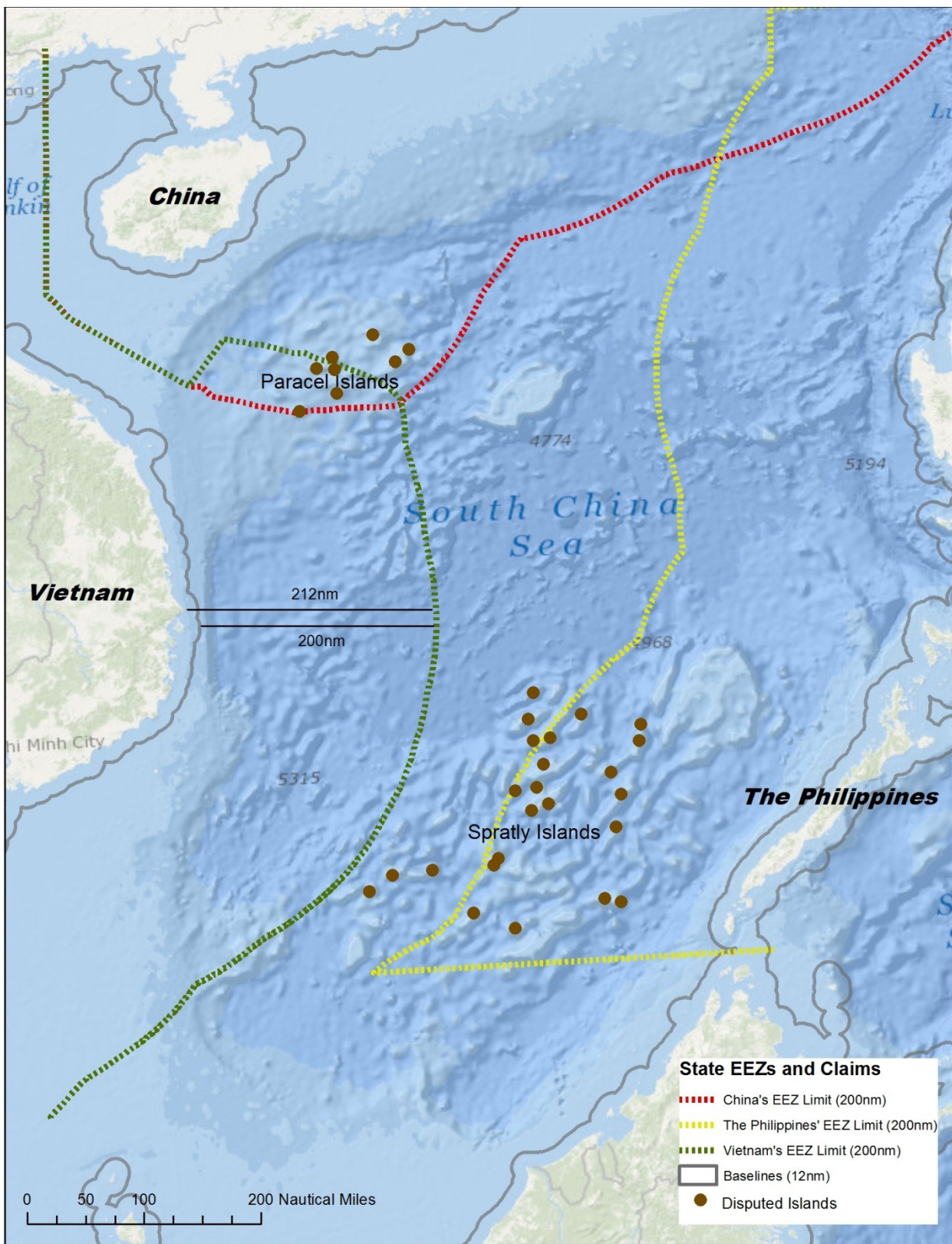


Figure 4

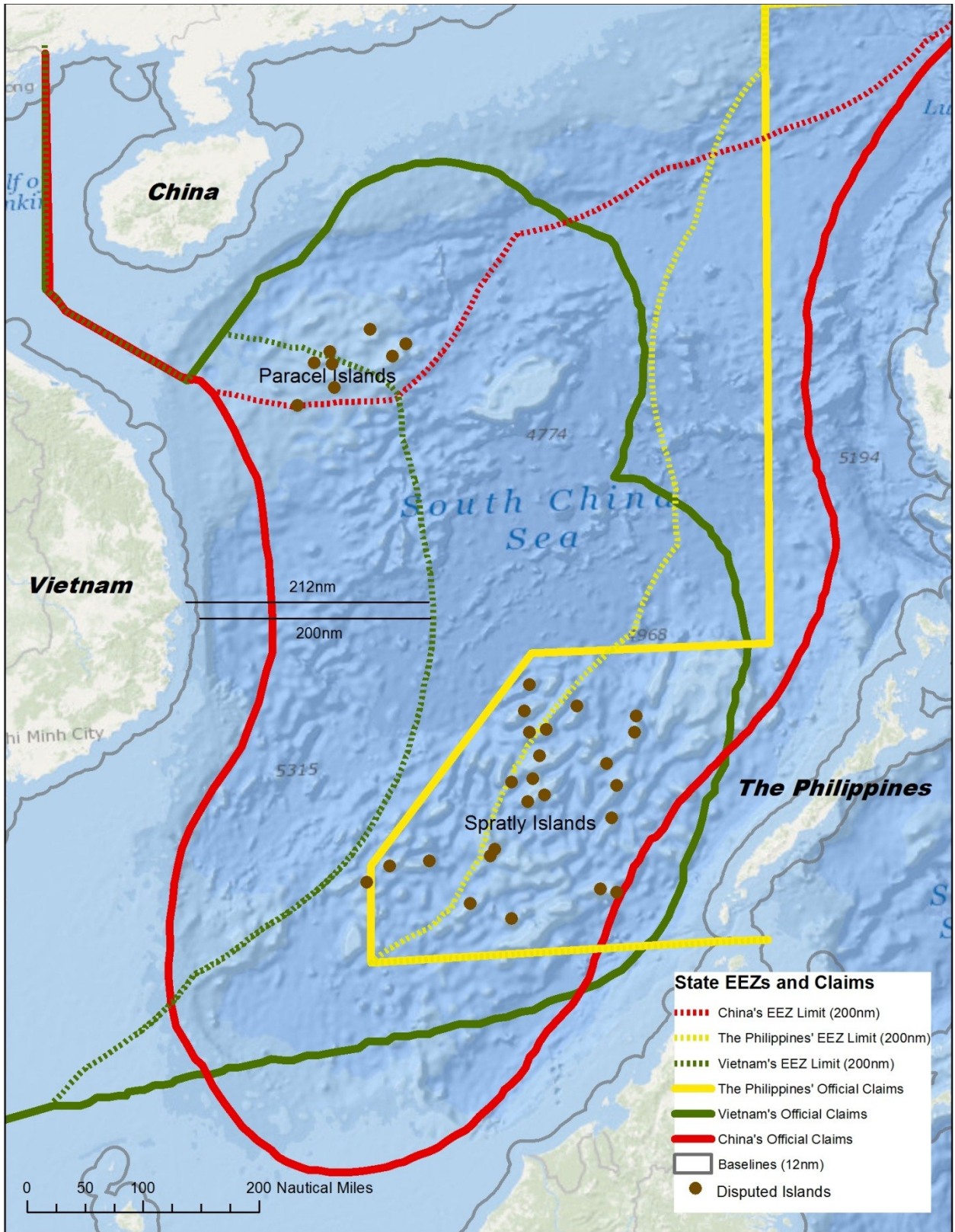


Figure 5

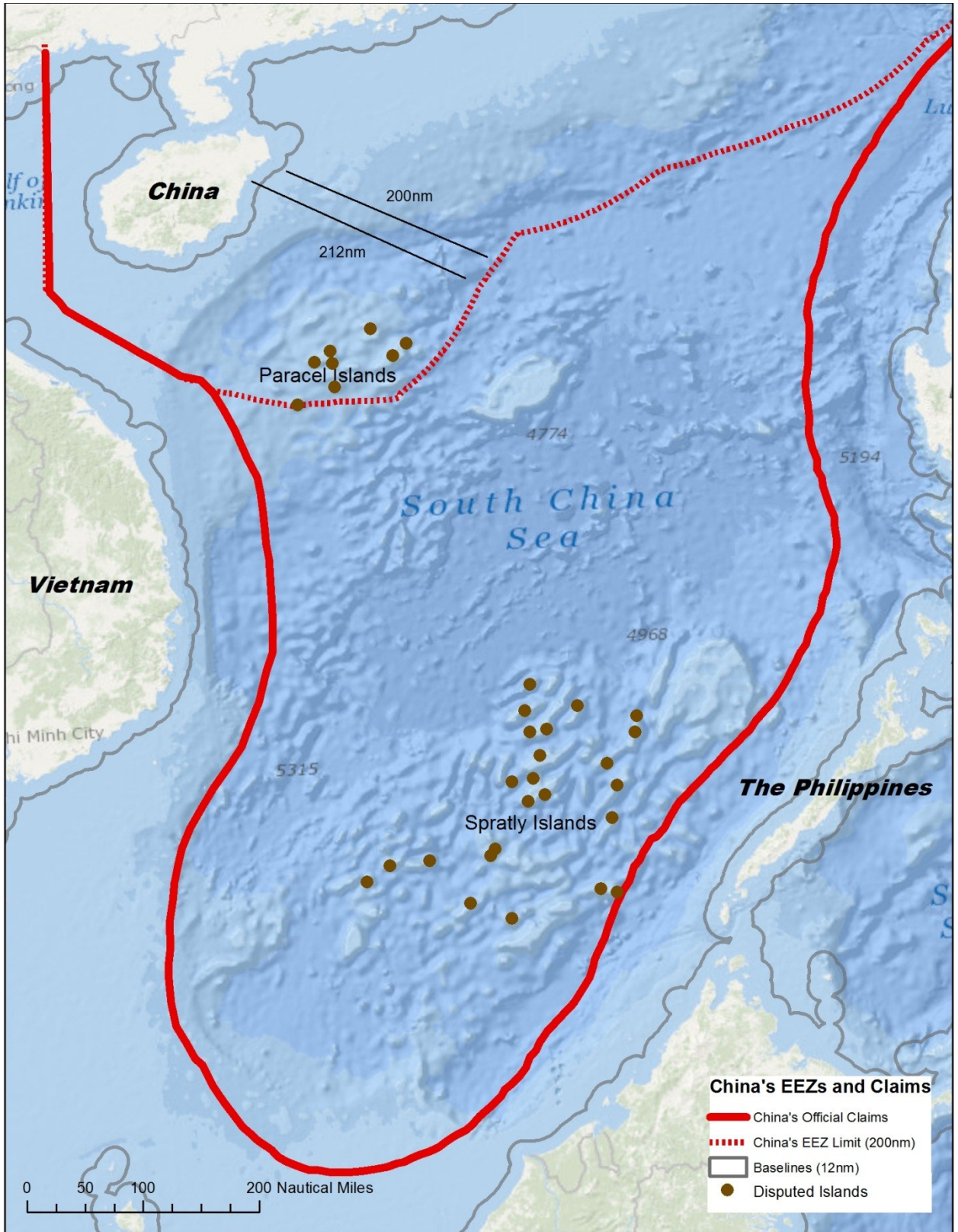


Figure 6

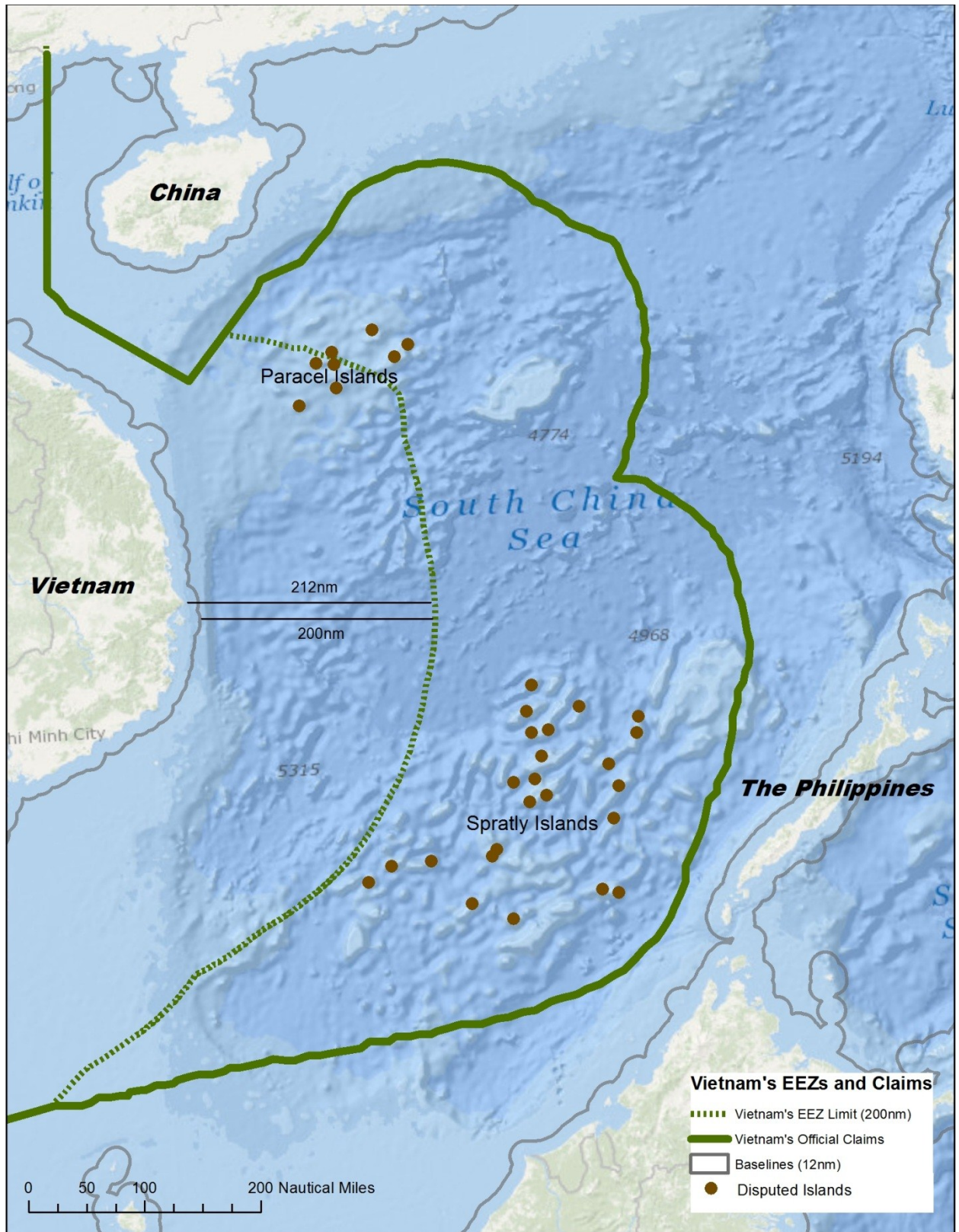


Figure 7

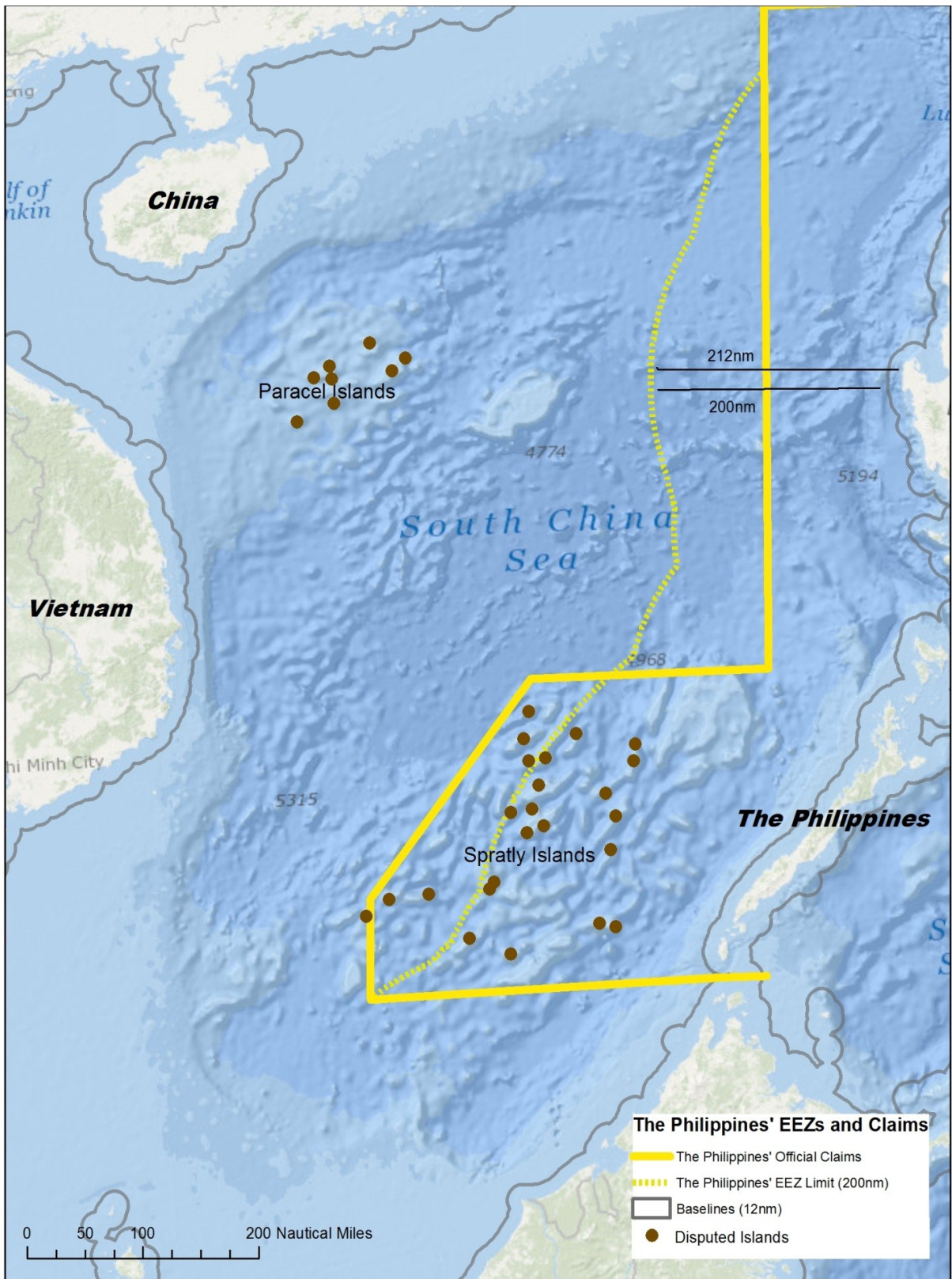
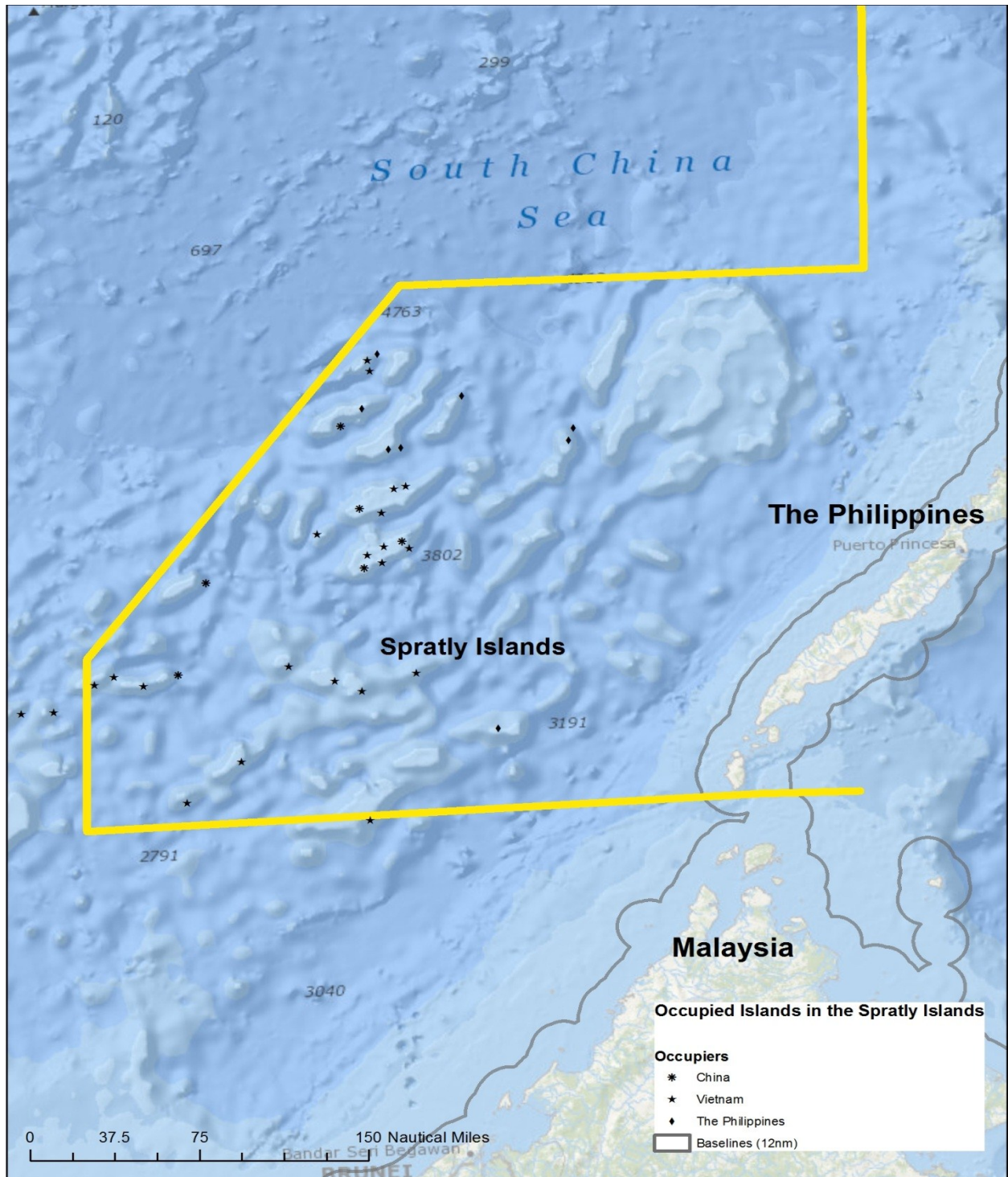


Figure 8²



² Figure 8 is an adaptation of a map posted by dunite. "ASEAN, China Agree to Heed Guidelines on Spratlys." in Allvoices, Inc. [database online]. 2013 [cited 2013]. Available from www.allvoices.com/contributed-news/9732427/image/84201073-asean-china-agree-to-heed-guidelines-on-spratlys.

Appendix B

*Selected Sections From the United Nations Convention on the Law of the Sea*³

PART II TERRITORIAL SEA AND CONTIGUOUS ZONE

SECTION 1. GENERAL PROVISIONS

Article 2

Legal status of the territorial sea, of the air space over the territorial sea and of its bed and subsoil

1. The sovereignty of a coastal State extends, beyond its land territory and internal waters and, in the case of an archipelagic State, its archipelagic waters, to an adjacent belt of sea, described as the territorial sea.
2. This sovereignty extends to the air space over the territorial sea as well as to its bed and subsoil.
3. The sovereignty over the territorial sea is exercised subject to this Convention and to other rules of international law.

SECTION 2. LIMITS OF THE TERRITORIAL SEA

Article 3

Breadth of the territorial sea

Every State has the right to establish the breadth of its territorial sea up to a limit not exceeding 12 nautical miles, measured from baselines determined in accordance with this Convention.

Article 4

Outer limit of the territorial sea

The outer limit of the territorial sea is the line every point of which is at a distance from the nearest point of the baseline equal to the breadth of the territorial sea.

Article 5

Normal baseline

Except where otherwise provided in this Convention, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast as marked on large-scale charts officially recognized by the coastal State.

Article 6

³ All parts of the UNCLOS document were taken from the United Nations webpage, http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm, which were publicly accessed through a web search.

Reefs

In the case of islands situated on atolls or of islands having fringing reefs, the baseline for measuring the breadth of the territorial sea is the seaward low-water line of the reef, as shown by the appropriate symbol on charts officially recognized by the coastal State.



Article 7

Straight baselines

1. In localities where the coastline is deeply indented and cut into, or if there is a fringe of islands along the coast in its immediate vicinity, the method of straight baselines joining appropriate points may be employed in drawing the baseline from which the breadth of the territorial sea is measured.
2. Where because of the presence of a delta and other natural conditions the coastline is highly unstable, the appropriate points may be selected along the furthest seaward extent of the low-water line and, notwithstanding subsequent regression of the low-water line, the straight baselines shall remain effective until changed by the coastal State in accordance with this Convention.
3. The drawing of straight baselines must not depart to any appreciable extent from the general direction of the coast, and the sea areas lying within the lines must be sufficiently closely linked to the land domain to be subject to the regime of internal waters.
4. Straight baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them or except in instances where the drawing of baselines to and from such elevations has received general international recognition.
5. Where the method of straight baselines is applicable under paragraph 1, account may be taken, in determining particular baselines, of economic interests peculiar to the region concerned, the reality and the importance of which are clearly evidenced by long usage.
6. The system of straight baselines may not be applied by a State in such a manner as to cut off the territorial sea of another State from the high seas or an exclusive economic zone.



Article 14

Combination of methods for determining baselines

The coastal State may determine baselines in turn by any of the methods provided for in the foregoing articles to suit different conditions.



Article 15

Delimitation of the territorial sea between States with opposite or adjacent coasts

Where the coasts of two States are opposite or adjacent to each other, neither of the two States is entitled, failing agreement between them to the contrary, to extend its territorial sea beyond the median line every point of which is equidistant from the nearest points on the baselines from which the breadth of the territorial seas of each of

the two States is measured. The above provision does not apply, however, where it is necessary by reason of historic title or other special circumstances to delimit the territorial seas of the two States in a way which is at variance therewith.



Article 16

Charts and lists of geographical coordinates

1. The baselines for measuring the breadth of the territorial sea determined in accordance with articles 7, 9 and 10, or the limits derived therefrom, and the lines of delimitation drawn in accordance with articles 12 and 15 shall be shown on charts of a scale or scales adequate for ascertaining their position. Alternatively, a list of geographical coordinates of points, specifying the geodetic datum, may be substituted.
2. The coastal State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations.

PART IV
ARCHIPELAGIC STATES



Article 46

Use of terms

For the purposes of this Convention:

- (a) "archipelagic State" means a State constituted wholly by one or more archipelagos and may include other islands;
- (b) "archipelago" means a group of islands, including parts of islands, interconnecting waters and other natural features which are so closely interrelated that such islands, waters and other natural features form an intrinsic geographical, economic and political entity, or which historically have been regarded as such.



Article 47

Archipelagic baselines

1. An archipelagic State may draw straight archipelagic baselines joining the outermost points of the outermost islands and drying reefs of the archipelago provided that within such baselines are included the main islands and an area in which the ratio of the area of the water to the area of the land, including atolls, is between 1 to 1 and 9 to 1.
2. The length of such baselines shall not exceed 100 nautical miles, except that up to 3 per cent of the total number of baselines enclosing any archipelago may exceed that length, up to a maximum length of 125 nautical miles.
3. The drawing of such baselines shall not depart to any appreciable extent from the general configuration of the archipelago.
4. Such baselines shall not be drawn to and from low-tide elevations, unless lighthouses or similar installations which are permanently above sea level have been built on them

or where a low-tide elevation is situated wholly or partly at a distance not exceeding the breadth of the territorial sea from the nearest island.

5. The system of such baselines shall not be applied by an archipelagic State in such a manner as to cut off from the high seas or the exclusive economic zone the territorial sea of another State.

6. If a part of the archipelagic waters of an archipelagic State lies between two parts of an immediately adjacent neighbouring State, existing rights and all other legitimate interests which the latter State has traditionally exercised in such waters and all rights stipulated by agreement between those States shall continue and be respected.

7. For the purpose of computing the ratio of water to land under paragraph 1, land areas may include waters lying within the fringing reefs of islands and atolls, including that part of a steep-sided oceanic plateau which is enclosed or nearly enclosed by a chain of limestone islands and drying reefs lying on the perimeter of the plateau.

8. The baselines drawn in accordance with this article shall be shown on charts of a scale or scales adequate for ascertaining their position. Alternatively, lists of geographical coordinates of points, specifying the geodetic datum, may be substituted.

9. The archipelagic State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations.



Article 48

Measurement of the breadth of the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf

The breadth of the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf shall be measured from archipelagic baselines drawn in accordance with article 47.



Article 49

Legal status of archipelagic waters, of the air space over archipelagic waters and of their bed and subsoil

1. The sovereignty of an archipelagic State extends to the waters enclosed by the archipelagic baselines drawn in accordance with article 47, described as archipelagic waters, regardless of their depth or distance from the coast.

2. This sovereignty extends to the air space over the archipelagic waters, as well as to their bed and subsoil, and the resources contained therein.

3. This sovereignty is exercised subject to this Part.

4. The regime of archipelagic sea lanes passage established in this Part shall not in other respects affect the status of the archipelagic waters, including the sea lanes, or the exercise by the archipelagic State of its sovereignty over such waters and their air space, bed and subsoil, and the resources contained therein.



Article 50

Delimitation of internal waters

Within its archipelagic waters, the archipelagic State may draw closing lines for the delimitation of internal waters, in accordance with articles 9, 10 and 11.

PART V EXCLUSIVE ECONOMIC ZONE



Article 55

Specific legal regime of the exclusive economic zone

The exclusive economic zone is an area beyond and adjacent to the territorial sea, subject to the specific legal regime established in this Part, under which the rights and jurisdiction of the coastal State and the rights and freedoms of other States are governed by the relevant provisions of this Convention.



Article 56

Rights, jurisdiction and duties of the coastal State in the exclusive economic zone

1. In the exclusive economic zone, the coastal State has:
 - (a) sovereign rights for the purpose of exploring and exploiting, conserving and managing the natural resources, whether living or non-living, of the waters superjacent to the seabed and of the seabed and its subsoil, and with regard to other activities for the economic exploitation and exploration of the zone, such as the production of energy from the water, currents and winds;
 - (b) jurisdiction as provided for in the relevant provisions of this Convention with regard to:
 - (i) the establishment and use of artificial islands, installations and structures;
 - (ii) marine scientific research;
 - (iii) the protection and preservation of the marine environment;
 - (c) other rights and duties provided for in this Convention.
2. In exercising its rights and performing its duties under this Convention in the exclusive economic zone, the coastal State shall have due regard to the rights and duties of other States and shall act in a manner compatible with the provisions of this Convention.
3. The rights set out in this article with respect to the seabed and subsoil shall be exercised in accordance with Part VI.



Article 57

Breadth of the exclusive economic zone

The exclusive economic zone shall not extend beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.



Article 58

Rights and duties of other States in the exclusive economic zone

1. In the exclusive economic zone, all States, whether coastal or land-locked, enjoy, subject to the relevant provisions of this Convention, the freedoms referred to in

article 87 of navigation and overflight and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to these freedoms, such as those associated with the operation of ships, aircraft and submarine cables and pipelines, and compatible with the other provisions of this Convention.

2. Articles 88 to 115 and other pertinent rules of international law apply to the exclusive economic zone in so far as they are not incompatible with this Part.

3. In exercising their rights and performing their duties under this Convention in the exclusive economic zone, States shall have due regard to the rights and duties of the coastal State and shall comply with the laws and regulations adopted by the coastal State in accordance with the provisions of this Convention and other rules of international law in so far as they are not incompatible with this Part.



Article 59

Basis for the resolution of conflicts regarding the attribution of rights and jurisdiction in the exclusive economic zone

In cases where this Convention does not attribute rights or jurisdiction to the coastal State or to other States within the exclusive economic zone, and a conflict arises between the interests of the coastal State and any other State or States, the conflict should be resolved on the basis of equity and in the light of all the relevant circumstances, taking into account the respective importance of the interests involved to the parties as well as to the international community as a whole.



Article 60

Artificial islands, installations and structures in the exclusive economic zone

1. In the exclusive economic zone, the coastal State shall have the exclusive right to construct and to authorize and regulate the construction, operation and use of:

- (a) artificial islands;
- (b) installations and structures for the purposes provided for in article 56 and other economic purposes;
- (c) installations and structures which may interfere with the exercise of the rights of the coastal State in the zone.

2. The coastal State shall have exclusive jurisdiction over such artificial islands, installations and structures, including jurisdiction with regard to customs, fiscal, health, safety and immigration laws and regulations.

3. Due notice must be given of the construction of such artificial islands, installations or structures, and permanent means for giving warning of their presence must be maintained. Any installations or structures which are abandoned or disused shall be removed to ensure safety of navigation, taking into account any generally accepted international standards established in this regard by the competent international organization. Such removal shall also have due regard to fishing, the protection of the marine environment and the rights and duties of other States. Appropriate publicity shall be given to the depth, position and dimensions of any installations or structures not entirely removed.

4. The coastal State may, where necessary, establish reasonable safety zones around such artificial islands, installations and structures in which it may take appropriate measures to ensure the safety both of navigation and of the artificial islands, installations and structures.
5. The breadth of the safety zones shall be determined by the coastal State, taking into account applicable international standards. Such zones shall be designed to ensure that they are reasonably related to the nature and function of the artificial islands, installations or structures, and shall not exceed a distance of 500 metres around them, measured from each point of their outer edge, except as authorized by generally accepted international standards or as recommended by the competent international organization. Due notice shall be given of the extent of safety zones.
6. All ships must respect these safety zones and shall comply with generally accepted international standards regarding navigation in the vicinity of artificial islands, installations, structures and safety zones.
7. Artificial islands, installations and structures and the safety zones around them may not be established where interference may be caused to the use of recognized sea lanes essential to international navigation.
8. Artificial islands, installations and structures do not possess the status of islands. They have no territorial sea of their own, and their presence does not affect the delimitation of the territorial sea, the exclusive economic zone or the continental shelf.



Article 73

Enforcement of laws and regulations of the coastal State

1. The coastal State may, in the exercise of its sovereign rights to explore, exploit, conserve and manage the living resources in the exclusive economic zone, take such measures, including boarding, inspection, arrest and judicial proceedings, as may be necessary to ensure compliance with the laws and regulations adopted by it in conformity with this Convention.
2. Arrested vessels and their crews shall be promptly released upon the posting of reasonable bond or other security.
3. Coastal State penalties for violations of fisheries laws and regulations in the exclusive economic zone may not include imprisonment, in the absence of agreements to the contrary by the States concerned, or any other form of corporal punishment.
4. In cases of arrest or detention of foreign vessels the coastal State shall promptly notify the flag State, through appropriate channels, of the action taken and of any penalties subsequently imposed.



Article 74

Delimitation of the exclusive economic zone between States with opposite or adjacent coasts

1. The delimitation of the exclusive economic zone between States with opposite or adjacent coasts shall be effected by agreement on the basis of international law, as referred to in Article 38 of the Statute of the International Court of Justice, in order to achieve an equitable solution.

2. If no agreement can be reached within a reasonable period of time, the States concerned shall resort to the procedures provided for in Part XV.
3. Pending agreement as provided for in paragraph 1, the States concerned, in a spirit of understanding and cooperation, shall make every effort to enter into provisional arrangements of a practical nature and, during this transitional period, not to jeopardize or hamper the reaching of the final agreement. Such arrangements shall be without prejudice to the final delimitation.
4. Where there is an agreement in force between the States concerned, questions relating to the delimitation of the exclusive economic zone shall be determined in accordance with the provisions of that agreement.



Article 75

Charts and lists of geographical coordinates

1. Subject to this Part, the outer limit lines of the exclusive economic zone and the lines of delimitation drawn in accordance with article 74 shall be shown on charts of a scale or scales adequate for ascertaining their position. Where appropriate, lists of geographical coordinates of points, specifying the geodetic datum, may be substituted for such outer limit lines or lines of delimitation.
2. The coastal State shall give due publicity to such charts or lists of geographical coordinates and shall deposit a copy of each such chart or list with the Secretary-General of the United Nations.

PART VIII REGIME OF ISLANDS



Article 121

Regime of islands

1. An island is a naturally formed area of land, surrounded by water, which is above water at high tide.
2. Except as provided for in paragraph 3, the territorial sea, the contiguous zone, the exclusive economic zone and the continental shelf of an island are determined in accordance with the provisions of this Convention applicable to other land territory.
3. Rocks which cannot sustain human habitation or economic life of their own shall have no exclusive economic zone or continental shelf.

PART XV SETTLEMENT OF DISPUTES

SECTION 1. GENERAL PROVISIONS



Article 279

Obligation to settle disputes by peaceful means

States Parties shall settle any dispute between them concerning the interpretation or application of this Convention by peaceful means in accordance with Article 2,

paragraph 3, of the Charter of the United Nations and, to this end, shall seek a solution by the means indicated in Article 33, paragraph 1, of the Charter.



Article 280

Settlement of disputes by any peaceful means chosen by the parties

Nothing in this Part impairs the right of any States Parties to agree at any time to settle a dispute between them concerning the interpretation or application of this Convention by any peaceful means of their own choice.



Article 281

Procedure where no settlement has been reached by the parties

1. If the States Parties which are parties to a dispute concerning the interpretation or application of this Convention have agreed to seek settlement of the dispute by a peaceful means of their own choice, the procedures provided for in this Part apply only where no settlement has been reached by recourse to such means and the agreement between the parties does not exclude any further procedure.
2. If the parties have also agreed on a time-limit, paragraph 1 applies only upon the expiration of that time-limit.



Article 282

Obligations under general, regional or bilateral agreements

If the States Parties which are parties to a dispute concerning the interpretation or application of this Convention have agreed, through a general, regional or bilateral agreement or otherwise, that such dispute shall, at the request of any party to the dispute, be submitted to a procedure that entails a binding decision, that procedure shall apply in lieu of the procedures provided for in this Part, unless the parties to the dispute otherwise agree.



Article 283

Obligation to exchange views

1. When a dispute arises between States Parties concerning the interpretation or application of this Convention, the parties to the dispute shall proceed expeditiously to an exchange of views regarding its settlement by negotiation or other peaceful means.
2. The parties shall also proceed expeditiously to an exchange of views where a procedure for the settlement of such a dispute has been terminated without a settlement or where a settlement has been reached and the circumstances require consultation regarding the manner of implementing the settlement.



Article 284

Conciliation

1. A State Party which is a party to a dispute concerning the interpretation or application of this Convention may invite the other party or parties to submit the dispute to conciliation in accordance with the procedure under Annex V, section 1, or another conciliation procedure.

2. If the invitation is accepted and if the parties agree upon the conciliation procedure to be applied, any party may submit the dispute to that procedure.
3. If the invitation is not accepted or the parties do not agree upon the procedure, the conciliation proceedings shall be deemed to be terminated.
4. Unless the parties otherwise agree, when a dispute has been submitted to conciliation, the proceedings may be terminated only in accordance with the agreed conciliation procedure.



Article 285

Application of this section to disputes submitted pursuant to Part XI

This section applies to any dispute which pursuant to Part XI, section 5, is to be settled in accordance with procedures provided for in this Part. If an entity other than a State Party is a party to such a dispute, this section applies *mutatis mutandis*.

SECTION 2. COMPULSORY PROCEDURES ENTAILING BINDING DECISIONS



Article 286

Application of procedures under this section

Subject to section 3, any dispute concerning the interpretation or application of this Convention shall, where no settlement has been reached by recourse to section 1, be submitted at the request of any party to the dispute to the court or tribunal having jurisdiction under this section.



Article 287

Choice of procedure

1. When signing, ratifying or acceding to this Convention or at any time thereafter, a State shall be free to choose, by means of a written declaration, one or more of the following means for the settlement of disputes concerning the interpretation or application of this Convention:
 - (a) the International Tribunal for the Law of the Sea established in accordance with Annex VI;
 - (b) the International Court of Justice;
 - (c) an arbitral tribunal constituted in accordance with Annex VII;
 - (d) a special arbitral tribunal constituted in accordance with Annex VIII for one or more of the categories of disputes specified therein.
2. A declaration made under paragraph 1 shall not affect or be affected by the obligation of a State Party to accept the jurisdiction of the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea to the extent and in the manner provided for in Part XI, section 5.
3. A State Party, which is a party to a dispute not covered by a declaration in force, shall be deemed to have accepted arbitration in accordance with Annex VII.
4. If the parties to a dispute have accepted the same procedure for the settlement of the dispute, it may be submitted only to that procedure, unless the parties otherwise agree.

5. If the parties to a dispute have not accepted the same procedure for the settlement of the dispute, it may be submitted only to arbitration in accordance with Annex VII, unless the parties otherwise agree.

6. A declaration made under paragraph 1 shall remain in force until three months after notice of revocation has been deposited with the Secretary-General of the United Nations.

7. A new declaration, a notice of revocation or the expiry of a declaration does not in any way affect proceedings pending before a court or tribunal having jurisdiction under this article, unless the parties otherwise agree.

8. Declarations and notices referred to in this article shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the States Parties.



Article 288

Jurisdiction

1. A court or tribunal referred to in article 287 shall have jurisdiction over any dispute concerning the interpretation or application of this Convention which is submitted to it in accordance with this Part.

2. A court or tribunal referred to in article 287 shall also have jurisdiction over any dispute concerning the interpretation or application of an international agreement related to the purposes of this Convention, which is submitted to it in accordance with the agreement.

3. The Seabed Disputes Chamber of the International Tribunal for the Law of the Sea established in accordance with Annex VI, and any other chamber or arbitral tribunal referred to in Part XI, section 5, shall have jurisdiction in any matter which is submitted to it in accordance therewith.

4. In the event of a dispute as to whether a court or tribunal has jurisdiction, the matter shall be settled by decision of that court or tribunal.



Article 289

Experts

In any dispute involving scientific or technical matters, a court or tribunal exercising jurisdiction under this section may, at the request of a party or *proprio motu*, select in consultation with the parties no fewer than two scientific or technical experts chosen preferably from the relevant list prepared in accordance with Annex VIII, article 2, to sit with the court or tribunal but without the right to vote.



Article 290

Provisional measures

1. If a dispute has been duly submitted to a court or tribunal which considers that *prima facie* it has jurisdiction under this Part or Part XI, section 5, the court or tribunal may prescribe any provisional measures which it considers appropriate under the circumstances to preserve the respective rights of the parties to the dispute or to prevent serious harm to the marine environment, pending the final decision.

2. Provisional measures may be modified or revoked as soon as the circumstances justifying them have changed or ceased to exist.
3. Provisional measures may be prescribed, modified or revoked under this article only at the request of a party to the dispute and after the parties have been given an opportunity to be heard.
4. The court or tribunal shall forthwith give notice to the parties to the dispute, and to such other States Parties as it considers appropriate, of the prescription, modification or revocation of provisional measures.
5. Pending the constitution of an arbitral tribunal to which a dispute is being submitted under this section, any court or tribunal agreed upon by the parties or, failing such agreement within two weeks from the date of the request for provisional measures, the International Tribunal for the Law of the Sea or, with respect to activities in the Area, the Seabed Disputes Chamber, may prescribe, modify or revoke provisional measures in accordance with this article if it considers that *prima facie* the tribunal which is to be constituted would have jurisdiction and that the urgency of the situation so requires. Once constituted, the tribunal to which the dispute has been submitted may modify, revoke or affirm those provisional measures, acting in conformity with paragraphs 1 to 4.
6. The parties to the dispute shall comply promptly with any provisional measures prescribed under this article.



Article 291

Access

1. All the dispute settlement procedures specified in this Part shall be open to States Parties.
2. The dispute settlement procedures specified in this Part shall be open to entities other than States Parties only as specifically provided for in this Convention.



Article 292

Prompt release of vessels and crews

1. Where the authorities of a State Party have detained a vessel flying the flag of another State Party and it is alleged that the detaining State has not complied with the provisions of this Convention for the prompt release of the vessel or its crew upon the posting of a reasonable bond or other financial security, the question of release from detention may be submitted to any court or tribunal agreed upon by the parties or, failing such agreement within 10 days from the time of detention, to a court or tribunal accepted by the detaining State under article 287 or to the International Tribunal for the Law of the Sea, unless the parties otherwise agree.
2. The application for release may be made only by or on behalf of the flag State of the vessel.
3. The court or tribunal shall deal without delay with the application for release and shall deal only with the question of release, without prejudice to the merits of any case before the appropriate domestic forum against the vessel, its owner or its crew. The authorities of the detaining State remain competent to release the vessel or its crew at any time.

4. Upon the posting of the bond or other financial security determined by the court or tribunal, the authorities of the detaining State shall comply promptly with the decision of the court or tribunal concerning the release of the vessel or its crew.



Article 293

Applicable law

1. A court or tribunal having jurisdiction under this section shall apply this Convention and other rules of international law not incompatible with this Convention.
2. Paragraph 1 does not prejudice the power of the court or tribunal having jurisdiction under this section to decide a case *ex aequo et bono*, if the parties so agree.



Article 294

Preliminary proceedings

1. A court or tribunal provided for in article 287 to which an application is made in respect of a dispute referred to in article 297 shall determine at the request of a party, or may determine *proprio motu*, whether the claim constitutes an abuse of legal process or whether *prima facie* it is well founded. If the court or tribunal determines that the claim constitutes an abuse of legal process or is *prima facie* unfounded, it shall take no further action in the case.
2. Upon receipt of the application, the court or tribunal shall immediately notify the other party or parties of the application, and shall fix a reasonable time-limit within which they may request it to make a determination in accordance with paragraph 1.
3. Nothing in this article affects the right of any party to a dispute to make preliminary objections in accordance with the applicable rules of procedure.



Article 295

Exhaustion of local remedies

Any dispute between States Parties concerning the interpretation or application of this Convention may be submitted to the procedures provided for in this section only after local remedies have been exhausted where this is required by international law.



Article 296

Finality and binding force of decisions

1. Any decision rendered by a court or tribunal having jurisdiction under this section shall be final and shall be complied with by all the parties to the dispute.
2. Any such decision shall have no binding force except between the parties and in respect of that particular dispute.

**SECTION 3. LIMITATIONS AND EXCEPTIONS
TO APPLICABILITY OF SECTION 2**



Article 297

Limitations on applicability of section 2

1. Disputes concerning the interpretation or application of this Convention with regard to the exercise by a coastal State of its sovereign rights or jurisdiction provided for in

this Convention shall be subject to the procedures provided for in section 2 in the following cases:

- (a) when it is alleged that a coastal State has acted in contravention of the provisions of this Convention in regard to the freedoms and rights of navigation, overflight or the laying of submarine cables and pipelines, or in regard to other internationally lawful uses of the sea specified in article 58;
- (b) when it is alleged that a State in exercising the aforementioned freedoms, rights or uses has acted in contravention of this Convention or of laws or regulations adopted by the coastal State in conformity with this Convention and other rules of international law not incompatible with this Convention; or
- (c) when it is alleged that a coastal State has acted in contravention of specified international rules and standards for the protection and preservation of the marine environment which are applicable to the coastal State and which have been established by this Convention or through a competent international organization or diplomatic conference in accordance with this Convention.

2. (a) Disputes concerning the interpretation or application of the provisions of this Convention with regard to marine scientific research shall be settled in accordance with section 2, except that the coastal State shall not be obliged to accept the submission to such settlement of any dispute arising out of:

- (i) the exercise by the coastal State of a right or discretion in accordance with article 246; or
- (ii) a decision by the coastal State to order suspension or cessation of a research project in accordance with article 253.

(b) A dispute arising from an allegation by the researching State that with respect to a specific project the coastal State is not exercising its rights under articles 246 and 253 in a manner compatible with this Convention shall be submitted, at the request of either party, to conciliation under Annex V, section 2, provided that the conciliation commission shall not call in question the exercise by the coastal State of its discretion to designate specific areas as referred to in article 246, paragraph 6, or of its discretion to withhold consent in accordance with article 246, paragraph 5.

3. (a) Disputes concerning the interpretation or application of the provisions of this Convention with regard to fisheries shall be settled in accordance with section 2, except that the coastal State shall not be obliged to accept the submission to such settlement of any dispute relating to its sovereign rights with respect to the living resources in the exclusive economic zone or their exercise, including its discretionary powers for determining the allowable catch, its harvesting capacity, the allocation of surpluses to other

States and the terms and conditions established in its conservation and management laws and regulations.

(b) Where no settlement has been reached by recourse to section 1 of this Part, a dispute shall be submitted to conciliation under Annex V, section 2, at the request of any party to the dispute, when it is alleged that:

(i) a coastal State has manifestly failed to comply with its obligations to ensure through proper conservation and management measures that the maintenance of the living resources in the exclusive economic zone is not seriously endangered;

(ii) a coastal State has arbitrarily refused to determine, at the request of another State, the allowable catch and its capacity to harvest living resources with respect to stocks which that other State is interested in fishing; or

(iii) a coastal State has arbitrarily refused to allocate to any State, under articles 62, 69 and 70 and under the terms and conditions established by the coastal State consistent with this Convention, the whole or part of the surplus it has declared to exist.

(c) In no case shall the conciliation commission substitute its discretion for that of the coastal State.

(d) The report of the conciliation commission shall be communicated to the appropriate international organizations.

(e) In negotiating agreements pursuant to articles 69 and 70, States Parties, unless they otherwise agree, shall include a clause on measures which they shall take in order to minimize the possibility of a disagreement concerning the interpretation or application of the agreement, and on how they should proceed if a disagreement nevertheless arises.



Article 298

Optional exceptions to applicability of section 2

1. When signing, ratifying or acceding to this Convention or at any time thereafter, a State may, without prejudice to the obligations arising under section 1, declare in writing that it does not accept any one or more of the procedures provided for in section 2 with respect to one or more of the following categories of disputes:

(a) (i) disputes concerning the interpretation or application of articles 15, 74 and 83 relating to sea boundary delimitations, or those involving historic bays or titles, provided that a State having made such a declaration shall, when such a dispute arises subsequent to the entry into force of this Convention and where no agreement within a reasonable period of time is reached in negotiations between the parties, at the request of any party to the

dispute, accept submission of the matter to conciliation under Annex V, section 2; and provided further that any dispute that necessarily involves the concurrent consideration of any unsettled dispute concerning sovereignty or other rights over continental or insular land territory shall be excluded from such submission;

(ii) after the conciliation commission has presented its report, which shall state the reasons on which it is based, the parties shall negotiate an agreement on the basis of that report; if these negotiations do not result in an agreement, the parties shall, by mutual consent, submit the question to one of the procedures provided for in section 2, unless the parties otherwise agree;

(iii) this subparagraph does not apply to any sea boundary dispute finally settled by an arrangement between the parties, or to any such dispute which is to be settled in accordance with a bilateral or multilateral agreement binding upon those parties;

(b) disputes concerning military activities, including military activities by government vessels and aircraft engaged in non-commercial service, and disputes concerning law enforcement activities in regard to the exercise of sovereign rights or jurisdiction excluded from the jurisdiction of a court or tribunal under article 297, paragraph 2 or 3;

(c) disputes in respect of which the Security Council of the United Nations is exercising the functions assigned to it by the Charter of the United Nations, unless the Security Council decides to remove the matter from its agenda or calls upon the parties to settle it by the means provided for in this Convention.

2. A State Party which has made a declaration under paragraph 1 may at any time withdraw it, or agree to submit a dispute excluded by such declaration to any procedure specified in this Convention.

3. A State Party which has made a declaration under paragraph 1 shall not be entitled to submit any dispute falling within the excepted category of disputes to any procedure in this Convention as against another State Party, without the consent of that party.

4. If one of the States Parties has made a declaration under paragraph 1(a), any other State Party may submit any dispute falling within an excepted category against the declarant party to the procedure specified in such declaration.

5. A new declaration, or the withdrawal of a declaration, does not in any way affect proceedings pending before a court or tribunal in accordance with this article, unless the parties otherwise agree.

6. Declarations and notices of withdrawal of declarations under this article shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the States Parties.



Article 299

Right of the parties to agree upon a procedure

1. A dispute excluded under article 297 or excepted by a declaration made under article 298 from the dispute settlement procedures provided for in section 2 may be submitted to such procedures only by agreement of the parties to the dispute.
2. Nothing in this section impairs the right of the parties to the dispute to agree to some other procedure for the settlement of such dispute or to reach an amicable settlement.

Sources Consulted

- "International Herald Leader: "Carrying the Flag" in the South China Sea, Vietnam is Embarrassing China." *Chinascopeno*. 52 (2011): 32-35.
- "United Nations Convention on the Law of the Sea Agreement Relating to the Implementation of Part XI of the Convention." [cited 2012]. Available from http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm.
- Anderson, Benedict. "Census, Map, Museum." In *Imagined Communities*. 1983, 163-185.
- Black, Jeremy. *Maps and Politics*. Chicago: University of Chicago Press, 1997.
- Chang, Teh-Kuang. "China's Claim of Sovereignty Over Spratly and Paracel Islands: A Historical and Legal Perspective. (Cover Story)." *Case Western Reserve Journal of International Law* 23, no. 3 (1991): 399.
- De Castro, Renato Cruz. "The Risk of Applying Realpolitik in Resolving the South China Sea Dispute: Implications on Regional Security* the Risk of Applying Realpolitik in Resolving the South China Sea Dispute: Implications on Regional Security." *Pacific Focus* 27, no. 2 (2012): 262-289.
- Dillon, Dana R. "Countering Beijing in the South China Sea." *Policy Review* no. 167 (2011): 51-67.
- dunite. "ASEAN, China Agree to Heed Guidelines on Spratlys." in Allvoices, Inc. [database online]. 2013 [cited 2013]. Available from www.allvoices.com/contributed-news/9732427/image/84201073-asean-china-agree-to-heed-guidelines-on-spratlys.
- Emmers, Ralf. "Maritime Security in Southeast Asia." *The Routledge handbook of Asian security studies* (2010): 241-251.

Franck, Erik. "Fisheries in the South China Sea: A Centrifugal Or Centripetal Force?" *Chinese Journal of International Law* 11, no. 4 (2012): 727-747.

Fravel, M. T. "China's Strategy in the South China Sea." *Contemporary Southeast Asia: A Journal of International & Strategic Affairs* 33, no. 3 (2011): 292-319.

Harley, J. B. "Cartography, Ethics, and Social Theory." *Cartographia: The International Journal for Geographic Information and Geovisualization* 27, no. 2 (1990): 1-23.

Harley, J. B., and David Woodward. *The History of Cartography*. Chicago: University of Chicago Press, 1987.

Hu, Nien-Tsu Alfred. "Semi-Enclosed Troubled Waters: A New Thinking on the Application of the 1982 UNCLOS Article 123 to the South China Sea." *Ocean Development & International Law* 41, no. 3 (2010): 281-314.

Ito, Takeshi. From previous edits in an e-mail message to author. December 28, 2012.

Kaplan, Robert D. *The Revenge of Geography what the Map Tells Us about Coming Conflicts and the Battle Against Fate*. New York: Random House, Inc, 2012.

Kaplan, Robert D. "The South China Sea is the Future of Conflict." in Foreign Policy [database online]. [cited 2012]. Available from http://www.foreignpolicy.com/articles/2011/08/15/the_south_china_sea_is_the_future_of_conflict?page=0.

Keyuan, Zou. "China's U-Shaped Line in the South China Sea Revisited." *Ocean Development & International Law* 43, no. 1 (2012): 18-34.

- Leszek, Buszynski, and Isakandar Sazlan. "Maritime Claims and Energy Cooperation in the South China Sea." *Contemporary Southeast Asia: A Journal of International & Strategic Affairs* 29, no. 1 (2007): 143-171.
- Li, Jinming, and Li Dexia. "The Dotted Line on the Chinese Map of the South China Sea: A Note." *Ocean Development & International Law* 34, no. 3 (2003): 287.
- Mackinder, H. J. "The Geographical Pivot of History (1904)." *Geographical Journal* 170, no. 4 (2004): 298-321.
- Marlay, Ross. "China, the Philippines, and the Spratly Islands." *Asian Affairs: An American Review* 23, no. 4 (1997): 195.
- Miyoshi, Masahiro. "China's "U-Shaped Line" Claim in the South China Sea: Any Validity Under International Law?" *Ocean Development & International Law* 43, no. 1 (2012): 1-17.
- Muir, Richard. *Modern Political Geography*. 1st ed. New York: John Wiley & Sons, 1975.
- Nien-Tsu, Alfred Hu. "South China Sea: Troubled Waters Or a Sea of Opportunity?" *Ocean Development & International Law* 41, no. 3 (2010): 203-213.
- Noer, John H. "Southeast Asian Chokepoints: Keeping Sea Lines of Communication Open." *Institute for National Strategic Studies*, no. 98.
- Ott, Marvin C. "Deep Danger: Competing Claims in the South China Sea." *Current History* 110, no. 737 (2011): 236-241.
- Pehrson, Christopher J. "String of Pearls: Meeting the Challenge of China's Rising Power Across the Asian Littoral." *Strategic Studies Institute, July 2006* (2013).

- Rosenberg, David. "Governing the South China Sea: From Freedom of the Seas to Ocean Enclosure Movements." *Harvard Asia Quarterly* 12, no. 3 (2010): 4-12.
- Schofield, Clive, and Ian Storey. *The South China Sea Dispute: Increasing Stakes and Rising Tension*. Washington D.C.: The Jamestown Foundation, November 2009.
- Scott, David. "Conflict Irresolution in the South China Sea." *Asian Survey* 52, no. 6 (2012): 1019-1042.
- Simon, Sheldon W. "Conflict and Diplomacy in the South China Sea: The View from Washington." *Asian Survey* 52, no. 6 (2012): 995-1018.
- Smith, Robert W. "Maritime Delimitation in the South China Sea: Potentiality and Challenges." *Ocean Development & International Law* 41, no. 3 (2010): 214-236.
- Song, Yann-Huei. "A Marine Biodiversity Project in the South China Sea: Joint Efforts made in the SCS Workshop Process." *International Journal of Marine & Coastal Law* 26, no. 1 (2011): 119-149.
- Song, Yann-Huei. "The South China Sea Workshop Process and Taiwan's Participation." *Ocean Development & International Law* 41, no. 3 (2010): 253-269.
- Storey, Ian. "Conflict in the South China Sea: China's Relations with Vietnam and the Philippines." *Asia-Pacific Journal: Japan Focus* no. 18 (2008): 1-1.
- Storey, Ian James. "Creeping Assertiveness: China, the Philippines and the South China Sea Dispute." *Contemporary Southeast Asia: A Journal of International & Strategic Affairs* 21, no. 1 (1999): 95.

- Thang, Nguyen-Dang, and Nguyen Hong Thao. "China's Nine Dotted Lines in the South China Sea: The 2011 Exchange of Diplomatic Notes between the Philippines and China." *Ocean Development & International Law* 43, no. 1 (2012): 35-56.
- Thao, Nguyen Hong. "Vietnam and the Code of Conduct for the South China Sea." *Ocean Development & International Law* 32, no. 2 (2001): 105-130.
- Thao, Nguyen Hong, and Ramses Amer. "Coastal States in the South China Sea and Submissions on the Outer Limits of the Continental Shelf." *Ocean Development & International Law* 42, no. 3 (2011): 245-263.
- Thayer, Carlyle A. "Chinese Assertiveness in the South China Sea and Southeast Asian Responses." *Journal of Current Southeast Asian Affairs* 30, no. 3 (2011): 77-104.
- Thayer, Carlyle A. "The Tyranny of Geography: Vietnamese Strategies to Constrain China in the South China Sea." *Contemporary Southeast Asia: A Journal of International & Strategic Affairs* 33, no. 3 (2011): 348-369.
- Tonnesson, Stein. "Sino-Vietnamese Rapprochement and the South China Sea Irritant." *Security Dialogue* 34, no. 1 (2003): 55.
- Tonnesson, Stein. "Vietnam's Objective in the South China Sea: National Or Regional Security?" *Contemporary Southeast Asia: A Journal of International & Strategic Affairs* 22, no. 1 (2000): 199.
- Turnbull, David. *Maps are Territories: Science is an Atlas*. Chicago, IL: The University of Chicago Press, 1989.
- Valencia, Mark J., Jon M. Van Dyke, and Noel A. Ludwig. *Sharing the Resources of the South China Sea*. Honolulu, HI: University of Hawai'i Press, 1997.

Winichakul, Thongchai. *Siam Mapped*. Honolulu, Hawaii: University of Hawaii press, 1994.

Wood, Denis, and John Fels. *The Power of Maps*. New York: Guilford Press, 1992.

Yang, Jian. "Navigating the Volatile South China Sea." *New Zealand International Review* 36,
no. 5 (2011): 2-6.