The South China Sea: Confusion in Complexity

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Abstract

The South China Sea is home to the most complex maritime boundary disputes in the world. Misinterpretation of the conflict as a whole has divided researchers into opposing camps, neither of which envision a resolution anytime soon. At present day, this latent conflict is characterized by general multilateral talks and more detailed bilateral negotiations. Conflict is low-level but increasing in frequency. Parties to the conflict aim to deter external arbitration but do not try to solve it themselves, instead maintaining the status quo in favor of political amity and economic cooperation. The solution to this impasse is to reinterpret the conflict, developing a more integral model that takes account of the historical record and connections made by dispassionate common sense while extracting the truths from within and without the prevailing theories. At the same time, claimants need to be motivated to move forward with negotiations both by the production of resolution options springing from new conflict interpretations and by the launching of high-level, informal talks possibly based upon the Oslo Accords. In this manner the negotiations for the South China Sea disputes can progress at the pace of the ASEAN Way while still keeping an eye to the long term goal of complete conflict resolution.

Preface

Southeast Asia is truly one of the most fascinating places on Earth. It is one of the most densely populated and fastest growing regions in the world. Its cultural, economic, and political diversity ensure dynamism like nowhere else. The region is home to capitalist as well as communist states, dictatorships and democracies. Nationalism runs high in Southeast Asia but so does regionalism. ASEAN, Southeast Asia's security mechanism and in some ways its response to the European Union, has had the great misfortune of sharing the world's most complex maritime border dispute with none other than China. Yet somehow this loose, regional entity has managed to prevent serious conflict in the disputed areas and has coaxed China to the bargaining table in the process. This is quite an achievement, considering that before ASEAN, China had never in its history sat down to negotiate as equals. ASEAN's success with China in the South China Sea disputes made an impression on me, and so I set out to discover what made this regional organization so special. What I discovered was quite different from what I had imagined, which made the trip all the more worthwhile.

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I.   Introduction

When the ASEAN-China Dialogue was created in 1994, it marked the first time in history that China consented to multilateral negotiations. This event was seen as the capstone of a great transformation which began five years earlier in Tiananmen Square. That revolution was, of course, the conversion from unilateralism to multilateralism in the South China Sea. Heralded as the turning point in a long and complicated conflict, the conversion to multilateralism and the renunciation of the use of force led to conflict prevention rather than conflict resolution. Ten years later, the status quo lives on but no resolution is in sight. The reason for this is that the model of the conflict was wrong to begin with. A reinterpretation of the South China Sea conflict is needed, one which takes into account the historical record, predominant theories, and dispassionate common sense. By drafting a new model, it is anticipated that the doors to creativity will be swung open and a resolution might be found.

The purpose of this paper is to provide one such reinterpretation, with a focus on synthesizing observations on military confrontation and ASEAN multilateralism. It then seeks to reevaluate the conflict's context in regional, global, and historical terms. Research and policy recommendations are given, and the paper concludes with proposals for implementation. In that way, this paper aims to provide a more integral, though by no means perfect or complete, interpretation of the situation in the South China Sea. By

doing so, it hopes to facilitate the linkages needed to pursue a lasting reconciliation of conflicting maritime claims.

II.   The Transformed Conflict: A Theory Gone Awry

The South China Sea, stretching from Singapore and the Strait of Malacca in the southwest to the Strait of Taiwan in the northeast, is a strategically important and resource-rich body of water. Encircled by ten of the fastest growing countries on Earth, the gateway from the Indian Ocean to the North Pacific is one of the world's busiest waterways.[1] It is also the one of the most contested. Its more than 200 small islands, islets, and reefs are claimed by no less than six of the ten surrounding countries *(See Appendix for a variety of maps, a military chronology, claims, and a stakeholder exercise relating to the South China Sea disputes).*[2] In 1974 and again in 1988, competing claims and diplomatic standoffs led to violent military conflict between China and Viet Nam. Since that time the dispute has become more subdued, with Viet Nam acceding to the Association of Southeast Asian Nations (ASEAN) and China entering into multilateral talks with the claimants in that organization.

Many scholars and government officials see this shift to multilateralism and military restraint in the early 1990s as a transformation in the nature of the conflict. Citing the absence of full-blown military confrontations, the increasingly pragmatic diplomacy of China in regards to its claims, and the various multilateral declarations and

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[1] The South China Sea is bordered in the west by Cambodia, Thailand, and Viet Nam. In the south and southwest it is ringed by Brunei, Indonesia, Malaysia, and Singapore. The Philippines form the eastern frontier of the sea, and China and Taiwan border it in the North.

[2] This paper will consider the maritime border disputes involving the Macclesfield Bank, the Scarborough Reef, the Paracel Islands, and the Spratly Islands. Brunei, China, the Philippines, Malaysia, Taiwan, and Vietnam maintain overlapping claims to various features in these disputes.

joint statements produced to control the conflict, academics and diplomats alike have a tendency to dismiss the South China Sea as a set of disputes swept under the rug by *mulin zhengce*, or "good neighbor policy."[3] Some chalk it up as a result of changes in China and the end of the Cold War.[4] Others attribute the transformation to the increasing political and economic influence of ASEAN, increasing interdependence in Southeast Asia, or to the very introduction of multilateral talks within ASEAN and between ASEAN and China. A number of scholars claim that the "ASEAN Way" of slow, informal talks and negotiations has been the catalyst for change.

Although these arguments have succeeded in chronicling the evolution of multilateral talks from the Indonesia Workshops on Managing Potential Conflicts in the South China Sea to the ASEAN-China Dialogue and the ASEAN Regional Forum (ARF), they have failed spectacularly to picture a final solution to the border disputes or even to envision what an endgame might look like.[5] Furthermore, the view of the South China Sea as a transformed conflict is riddled with problems and inconsistencies. If multilateral talks in the ASEAN-China Dialogue and confidence-building measures put in place by the ARF have indeed changed the conflict into one which disavows the use of force, then how does one explain repeated military Sino-Filipino confrontations, among others? If multilateral discussions have overcome China's desire to deal with disputes unilaterally or on a purely bilateral level, then how does one account for the fact that

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[3] Zhao, Suisheng. "China's Periphery Policy and Its Asian Neighbors." <u>Security Dialogue</u> 30.3 (1999): 335.

[4] The focus of domestic changes in China rests clearly on the Tiananmen Square massacre in 1989, which is credited with setting off the profound reforms of the 1990s.

[5] For an overview of the Indonesia Workshops, see: Djalal, Hasjim and Ian Townsend-Gault. "Preventative Diplomacy: Managing Potential Conflicts in the South China Sea." <u>Herding Cats: Multiparty Mediation in a Complex World</u>. Ed. Crocker, Hampson, and Aall. United States Institute of Peace Press, 1999: 107-133. For an overview of the ARF, see: ASEAN. "The ASEAN Regional Forum: A Concept Paper." 1995. www.aseansec.org/3693.htm 15 April 2003. For an overview of the ASEAN-China Dialogue, see: ASEAN. "ASEAN-China Dialogue." www.aseansec.org/5874.htm 15 April 2003.

multilateral talks have produced nothing more than general guidelines while bilateral negotiations continue to take place between all parties? How can one justify the claim that the dispute is now centered on multilateral negotiations when China continues to assert, even as it signed the Code of Conduct in November of 2002, that it will only negotiate a resolution bilaterally? If the conflict has truly been transformed since the early 1990s, then why have parties continued to fortify islets with military installations, why have they rejected on several occasions Chinese overtures for joint development, and how is preservation of the status quo a fundamental transformation in character?

The history of the South China Sea, along with all the subtleties of its contemporary geopolitics, makes it very difficult to answer these questions. With a plethora of different claims, motives, deterrents, and behaviors, the South China Sea is a veritable Bermuda Triangle for researchers. Virtually all of those who are close to the issue say that the disputes are unsolvable; they are resigned to relying on preserving the status quo in hopes that this most perplexing of border disputes will solve itself without the need for further violence. Optimists such as Amitav Acharya of the Singapore Institute for Defense and Strategic Studies (SIDSS) believe that they will be solved, but only after Taiwan and the Korean peninsula have been dealt with.[6] Even he cannot specify what that final solution might look like. Emboldened by the challenge of a seemingly unsolvable conflict, Stein Tønnesson, Director of the International Peace Research Institute in Oslo (PRIO), set out to discover what it would take to make resolution a tangible reality. His work challenged many widely held views about the

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[6] Acharya, Amitav. "Understanding the Spratly Islands Conflict in the Broader Context of East and Southeast Asia." Telephone Interview. 28 April 2003.

transformation of the conflict and put forth some rather compelling responses to the difficult questions.

According to Tønnesson, the great transformation of the South China Sea conflict in the late 1980s and early 1990s never happened. He admits that the conflict did see the introduction of China and Viet Nam into the multilateral fold at that time, but the claim that it marked the "transformation" of the conflict is "greatly overstated."[7] First, he argues, the informal conference on Managing Potential Conflicts in the South China Sea, which took place in Indonesia in 1990, was a complete failure, signifying that the parties did not want to negotiate multilaterally. Second, he continues, the current talks in the ASEAN-China Dialogue and the ASEAN Regional Forum are deliberately designed as a "holding operation" rather than an attempt to solve the conflict. "The ASEAN Way has served as conflict prevention, not resolution."[8] In Tønnesson's opinion, China joined these multilateral talks as a ploy to keep the United States out of the conflict rather than to find a legitimate solution. That is one reason why the Dialogue and the ARF have produced general guidelines at best, with negotiations for settlement conspicuously absent from the agenda. The transformation, he asserts, is yet to come. It did not happen with the realignment of a post-Tiananmen Square China, nor did it occur with the formal signing of a Code of Conduct. It will come, he says, with the rising to power of a younger generation in China, one that is less emotionally attached to historical claims and takes a more pragmatic approach to the problem at hand.[9]

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[7] Tønnesson, Stein. "The Truth about the South China Sea Conflicts and a Possible Solution." Telephone Interview. 28 April 2003.
[8] Ibid.
[9] Ibid.

Tønnesson's most damaging attack on the theory of the South China Sea as a transformed conflict is that violent conflict was curbed in 1974, not in 1989 after the massacre at Tiananmen Square. If you look at the historical record, he reasons, China has not once attacked an island, islet, or reef already under occupation since the assault on the Paracel Islands in 1974. The naval battle between China and Viet Nam in 1988 at Johnson Reef was a result of proximity between rival forces and was waged over a set of features not yet occupied. This battle, he says, was fundamentally no different from the military exchanges in the 1990s.[10] The implications of this statement are enormous. So much of the transformation of conflict theory is based on a coalescence of changes and realignments occurring right around the end of the Cold War. To discredit the central pillar of evidence and one of the two major aspects of transformation put forth is to render the predominant interpretation null and void. Ah, and there's the rub.

One reason the academic and diplomatic communities could not seem to produce a viable resolution to the South China Sea maritime border dispute is because it is so very complex. But another, potentially crucial, reason for the absence of solutions is general misinterpretation of the current situation and how it came to be. Perhaps, as Tønnesson claims, there really never was a transformation from violence to restraint of the use of force and from uni- and bilateralism to multilateralism. Perhaps ASEAN talks and negotiations are really more of a holding operation, aimed at maintaining the status quo while preventing external powers from exercising influence, rather than a legitimate search for a solution at a slow, informal pace. In any case, the whole illustration of the South China Sea conflict needs reinterpretation. The prevailing theory of a conflict transformed by non-violent multilateralism needs to be reconciled with counter-

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[10] Ibid.

arguments and the historical record, but it must be done in a way that steps away from the conflict itself and incorporates dispassionate common sense.

III. Investigating Military Confrontation in the South China Sea

The first major realm of misinterpretation in the South China Sea disputes pertains to military confrontation and the constraints thereon. Proponents of the Transformed Conflict Theory (TCT) rely heavily on the interpretation that violent confrontation marked the South China Sea disputes before the transformation but not after. One could argue though, that with the naval victory over the Vietnamese forces in the Spratly Islands in 1988 the Chinese had already gained that crucial foothold needed to sustain claims to the islands and deter the expansionism of other parties. To be fair, proponents of the TCT need not prove that there is a total absence of violent conflict but that the threat of violence and the risk of escalation were much lower after the change. There is certainly strong evidence to support this idea. After the massacre at Tiananmen Square in 1989 and the fall of the Soviet empire in 1989-1991, China had every political reason *not* to provoke military conflict with its neighbors. To do so would have further weakened government legitimacy both at home and abroad. It also could have incited the United States to establish an unwanted military presence in the region. Enough worries existed with an independent Taiwan and growing differences with North Korea.

Tying the concept in with multilateralism, China's involvement with ASEAN has also helped to curb the risk of violence. To quote Professor Lanxin Xiang, "The ASEAN Regional Forum was founded to engage China on the Spratly Islands. It serves as a sort

of military security mechanism against acts of aggression."[11] The view is that as long as China is at the negotiating table, it is not out taking the disputed islands by force. The same applies to Viet Nam, which acceded to ASEAN in 1995. The only party to the South China Sea conflicts that is not a member of ASEAN or a negotiating partner is Taiwan. Even if ASEAN multilateralism has not entirely succeeded in preventing violent conflict in the region, it is the only game in town. "Southeast Asia minus ASEAN," former ASEAN Secretary-General Narciso G. Reyes testifies, "equals greater political instability, more widespread economic deterioration and, almost surely, the ascendancy of expansionist forces that thrive on the weakness, isolation and disunity of others."[12] To be sure, ASEAN has a role to play in reducing violence in the South China Sea, even if it is only through diplomatic pressure. The thinly veiled reference to China in Reyes' statement attests to that purpose, and with good reason. A rather telling Chinese proverb highlights this hazard: "'*he bang xiang zheng, yu weng de li,*' which can be translated as: 'When the snipe and the clam grapple, it's the fisherman who profits.'"[13]

The actual success rate of ASEAN multilateralism in stemming military conflict is something of a paradox. There have certainly been no more Paracel Islands or Johnson Reef style naval battles since China and Viet Nam sat down to the roundtable, but confrontations continue to precipitate on an almost yearly basis. The most serious and frequent clashes have occurred between China and the Philippines, and it is this series of confrontations which led to the signing of bilateral and ASEAN-China codes of conduct. But even with the sustained and, in fact, increased, frequency of confrontations in the

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[11] Xiang, Lanxin. "Introduction to the Spratly Islands Conflict." Interview. 21 March 2003.
[12] ASEAN. "Overview." www.aseansec.org/92.htm 15 April 2003.
[13] Guan, Ang Cheng. "ASEAN, China and the South China Sea Dispute." Security Dialogue 30.4 (1999): 425

South China Sea since the early 1990s, there have been no instances of escalation of these low-level conflicts between parties.

Two points of serious contention arise at this stage of exploration. First, there is Stein Tønnesson's assertion that aggressive conflicts ceased to occur after the 1974 naval battle at the Paracel Islands. An examination of the historical record clearly demonstrates that no acts of aggression have occurred against features already occupied and consolidated. It is a fundamental rule of engagement strictly imposed by Chinese foreign policy and seemingly adhered to by its naval forces. In an aberration from that norm, Filipino forces have twice evicted Chinese expansionists from features claimed but not built upon by the Philippines. Nevertheless, this principle of non-aggressive expansionism on the part of all parties involved, employed since 1974, makes a very strong case against those who see geopolitical change and/or regional multilateralism as the vehicle of conversion to non-violence.

Second, expansionism in the South China Sea since the late 1980s, no matter how passive its agency, can also be viewed in a different light. The astute observer should be alarmed rather than lulled by the 1990s' dossier of confrontations. An increasing frequency of skirmishes, no matter how minor, is a potential indicator of increasing instability in the region and should without a doubt take precedence over the self-congratulatory remarks on suppressing those altercations. The point to be made here is that as rival claimants occupy more and more of the islands, islets, and reefs, the odds increase that military forces will bump into each other.[14] Mischief Reef in the Spratly Islands is a prime example of this military expansionism. In this high-profile public

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[14] For a very good insight into military expansionism, take a look at: Studeman, Michael. "Calculating China's Advances in the South China Sea: Identifying the Triggers of "Expansionism."" NWC Review Spring 1998: n.pag. www.nwc.navy.mil/press/Review/1998/spring/art5-sp.8.htm 22 April 2003.

dispute, China and the Philippines grappled on at least three occasions between 1994 and 1999 over the occupation, settlement, and then fortification of the disputed feature. This sort of creeping militarization of the South China Sea can certainly be seen as a transformation of conflict, but in the opposite direction from that intended by the proponents of the ASEAN Way and the status quo. If observers declare a conflict to have shifted to a non-aggressive means of settlement, then they will have a hard time explaining the continued buildup in the Spratly Islands. It will come back to haunt them.

In trying to synthesize an interpretation of violent conflict and confrontation in the South China Sea disputes, there are many conflicting factors to take into account. On the one hand, Tiananmen Square, the fall of the Soviet empire, and the introduction of ASEAN multilateralism have provided credible, if untested, deterrents to the use of force. On the other hand, those factors are just that; untested and thus hypothetical. If the last act of real aggression in the South China Sea was 15 years before Tiananmen and Berlin and almost a generation before the launching of the ASEAN-China Dialogue, then what was there to deter; what transformation was there to be had? The answer is unclear. Moreover, the deterrence argument falls apart in the face of continued, if non-aggressive, military expansionism into the disputed maritime zones. If the Johnson Reef battle of 1988 was caused by proximity of naval forces, then there is today an even greater chance of reoccurrence, of a low-level conflict getting out of hand. With that in mind, it would be wrong to classify the history of confrontation in the South China Sea as one of conflict transformation. Rather, one can more confidently characterize the account as perhaps one of tactical evolution, where continued non-aggressive military expansionism by several parties is countered by an increasingly elaborate toolkit of bilateral and

multilateral channels of communication and conflict management. As a result, low-level confrontations of increasing frequency are met with more and more opportunities to avert escalation and restore the status quo. It is for success in that endeavor that ASEAN multilateralism can take credit.

IV. Reinterpreting ASEAN Multilateralism

The second core element of any integral interpretation of the South China Sea disputes must address the role of multilateralism, and specifically that within ASEAN and between ASEAN and China. A true believer of the TCT would claim that before the late 1980s and early 1990s, the South China Sea disputes were marked by unilateralism and Chinese demands that any negotiations occur on a bilateral basis. After the great transformation of 1989-1991 with Tiananmen Square and the fall of the Soviet empire, China changed its ways and consented to multilateral talks. Within a few years it joined the Indonesia Workshops on Managing Potential Conflicts in the South China Sea, the ASEAN-China Dialogue, and the ASEAN Regional Forum (ARF). By the time Viet Nam acceded to ASEAN in 1995, China was ensnared in the trap of multilateralism. From this point on, Beijing was unable to force its will in the South China Sea and to play one ASEAN country against another in bilateral negotiations. In short, China's acquiescence to a multilateral framework ensured that the dispute would be negotiated on a regional platform with all claimants except Taiwan being party to the same deliberations.

Scholars cite several factors in the movement from unilateralism and bilateralism to multilateralism. First and foremost are always the changes in China and the outside

world in the late 1980s and early 1990s. Tiananmen Square was a public relations disaster for China. The global outrage expressed through criticisms and economic sanctions forced China to soften its stance against political dissension at home and to conduct a foreign relations campaign aimed at saving face and establishing friendships. It also forced China to curb its military actions at home and abroad, thus ending an era of unilateralism in regional disputes. The fall of the Soviet empire and the end of the Cold War put an end to the Golden Triangle of China-USA-USSR relations and caused China to redefine itself in a different context of relationships. Attention turned towards becoming a regional power with regional influence. Wariness on the part of external powers such as the United States and Japan furthered, but also checked, this ambition.

At the same time, ASEAN was becoming a more powerful voice in regional affairs. It provided a security mechanism able enough to prevent wars between its members and repel any communist insurgencies. It was also flexible enough to avoid superpower meddling during the Cold War. Furthermore, it provided a forum of cooperation in which Brunei, Malaysia, and the Philippines were able to develop a more unified approach towards China, Viet Nam, and Taiwan in the South China Sea. Economic interdependence between the rapidly industrializing countries provided an ever-increasing incentive to avoid the escalation of disputes, reinforcing a spiral of increasing economic cooperation and interdependence in Southeast Asia.

Aside from speculative reasoning, this part of the transformed conflict theory also has some historical evidence in its favor. For one, unilateral actions such as taking the Paracel Islands by force have come to an end. The only vestige of this policy is the continued military expansionism in the South China Sea, which is carried out in a passive

manner by several parties to the disputes. The second piece of evidence pointing to a conversion to multilateralism is the fact that China normalized relations with many of its neighbors in the early 1990s. In 1990, it established normal diplomatic relations with Indonesia and Singapore.[15] In 1991, China added Brunei and Viet Nam and was for the first time invited to the ASEAN post-Ministerial Conference. Kazakhstan, Kyrgyzstan, South Korea, Tajikistan, Turkmenistan, and Uzbekistan were added in 1992 in addition to a 'constructive partnership' with Russia.[16] The ASEAN-China dialogue was launched as early as 1994. Thirdly, all negotiating partners have stayed at the table since joining. Multilateral talks and negotiations have been successful enough to keep non-regional actors such as the International Court of Justice (ICJ), the United Nations (UN), and the United States out of the picture. Over the past decade they have been able to maintain a relatively peaceful status quo in the South China Sea in addition to signing such joint agreements as the ASEAN Declaration on the South China Sea in 1992 and the Declaration on the Conduct of Parties in the South China Sea (Code of Conduct) in 2002. In the words of Amitav Acharya, "China did not want the Law of the Sea to be the basis of negotiations, nor did it want multilateral dialogues. It also did not want to give up its rights to militarization and occupation in the South China Sea. All of that has changed, and the Code of Conduct is the evidence."[17] Transformed or not, China's acceptance of multilateral ground rules stands in sharp contrast to its unilateral takeover of the Paracels.

The events and politics of the South China Sea, much like those in any other part of the world, are subject to spin. The reasoning and evidence cited above is no exception

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[15] Diplomatic relations had been normalized with Malaysia since 1974 and with the Philippines since 1975.

[16] Zhao, Suisheng. "China's Periphery Policy and Its Asian Neighbors." <u>Security Dialogue</u> 30.3 (1999): 339.

[17] Acharya, Amitav. "Understanding the Spratly Islands Conflict in the Broader Context of East and Southeast Asia." Telephone Interview. 28 April 2003.

and critics of the dispute's multilateral component expound a very different analysis. Stein Tønnesson downplays the changes indicated in China's consent to multilateral talks, as signaled by its 1991 attendance at the ASEAN post-Ministerial Conference, and its movement into formal discussions on the South China Sea disputes via the Code of Conduct in 2002. He is also quick to emphasize that these changes amount to little in the grand scheme of the dispute and that any real transformation beyond gradual shifting of policy is yet to come. Pointing out the general, watered-down declarations produced by the ASEAN-China Dialogues, he argues that the ASEAN Way is not as much of a conflict resolution mechanism as it is a means of conflict prevention. If one looks at the vigor with which China, Viet Nam, Malaysia and others have opposed external intervention, then it is not so far-fetched to conjecture that ASEAN-China multilateral talks are in fact a "holding operation" designed as a ploy to keep the USA, UN, and ICJ out.[18] This suggestion can be supported by the failure of either the Indonesian Workshops on Managing Potential Conflicts in the South China Sea and the ASEAN Regional Forum even to discuss the disputes, as well as by China's reassertion at the signing of the Code of Conduct in late 2002 that it will only negotiate a settlement on a bilateral basis. The crux of the argument here is basically to admit that there has been a series of small shifts in the format of the dispute, but that the fundamental character of the negotiations remains the same. In short, "everything is linked to decision-making in Beijing."[19]

Further criticism of the TCT comes from the fact that the massacre at Tiananmen Square received derision from only Western countries. Professor Suisheng Zhao notes,

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[18] Tønnesson, Stein. "The Truth about the South China Sea Conflicts and a Possible Solution." Telephone Interview. 28 April 2003.
[19] Ibid.

"It had little negative impact on China's relations with its Asian neighbors, not least since most of them had human rights records no better than China's."[20] In fact, China's normalization of relations with its neighbors in the early 1990s can be seen as evidence of this rather than just a blitzkrieg of foreign relations moves. Even more damaging to the Tiananmen / Cold War assumption is that China began normalizing relations with all of its neighbors in the early 1980s, not the early 1990s, as part of changing realities and an integrated "periphery policy" or "good neighbor policy." [21] The normalization of diplomatic relations in the early 1990s, along with trade relations established with Taiwan in 1986 and diplomatic overtures to India and Mongolia in 1988, are the fruit of a decade's foreign policy priorities. A Chinese transformation, if there was one, occurred in the early 1980s with the naissance of the "good neighbor policy."

One could argue South China Sea political spin back and forth all day between support for the TCT and its criticisms. Western analysts, with their focus on geopolitics, balance of power, and realpolitik, tend to criticize the transformed conflict theory as idealistic and naïve. They cite control of trade routes and energy sources, historical precedent in Chinese military tactics, and the enormous influence of China's cultural hegemony in demonstrating how ASEAN multilateralism is doomed to failure in the South China Sea. The importance is power: who has it and who does not.[22] Asian analysts, on the other hand, tend to focus more on regionalism, gradualism, and the preservation of peace and increased cooperation over the settlement of outstanding

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[20] Zhao, Suisheng. "China's Periphery Policy and Its Asian Neighbors." <u>Security Dialogue</u> 30.3 (1999): 338.
[21] Ibid: 337.
[22] Csurgai, Gyula. "Introduction to the Spratly Islands Conflict." Interview. 6 March 2003; MacFarlane, S. Neil. "A Western Perspective of the South China Sea Conflicts." Interview. 24 April 2003; Tønnesson, Stein. "The Truth about the South China Sea Conflicts and a Possible Solution." Telephone Interview. 28 April 2003.

disputes. They touch upon initiated and continued open dialogue, uninhibited economic cooperation, and improved diplomatic relations as proof of the success of multilateralism without the need for immediate dispute settlement. The importance is placed on relationships: keeping China at the table and not allowing the South China Sea to become a roadblock to regional security.[23]

In order to formulate a more accurate estimation on the role of multilateralism in the South China Sea, these two seemingly irreconcilable viewpoints must be integrated into a more integral model which takes into account the truths within both sides of the debate in addition to those truths that lay outside either framework. The first step is to recognize that indeed there has been a transformation in the fundamental character of the South China Sea conflicts. It is unlikely this transformation was a direct result of Tiananmen Square and the end of the Cold War, though the two events most certainly had a role in the broader story. I will leave the bickering over time, place, and reason for the transformation to the political economists. It is much more important to grasp the transformation itself. No matter what caused China to join in 1994 an ASEAN-China Dialogue, it was a decision of profound significance. Never before in all its long history had China consented to embed itself in a regional framework, nor had it ever "lowered itself" to negotiate with "barbarians," to use some vintage phrases of Chinese diplomacy. Whether the action is occurring at the multilateral ASEAN-China Dialogue or in a series of bilateral negotiations with ASEAN members, the fact that China has decided to sit down at the table and contemplate the fallibility of its territorial claims is a

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[23] Acharya, Amitav. "Understanding the Spratly Islands Conflict in the Broader Context of East and Southeast Asia." Telephone Interview. 28 April 2003; Xiang, Lanxin. "Introduction to the Spratly Islands Conflict." Interview. 21 March 2003; Xiang, Lanxin. "The Spratly Islands Conflict, Part II" Interview. 28 March 2003.

transformation that cannot be denied. [24]   The paradoxical situation with general multilateral talks combined with detailed bilateral negotiations may not be ideal but it is a step in the right direction. One must not forget that the assemblage of claimants is far from evenly balanced.

Secondly, and this comes as a double-edged sword to all sides of the debate, the ASEAN Way of negotiating the South China Sea, no matter how undesirable, is necessary to its resolution. In a very pragmatic statement from Amitav Acharya, "If this were an ultimatum negotiation, China would walk out. Slow negotiations keep China at the table."[25] Truth be told, if Brunei, Malaysia, the Philippines, and Viet Nam want any portion of their claims to the South China Sea without conceding to external arbitration, the ASEAN Way of slow, informal dialogue, of sweeping the dispute under the rug while extending cooperation and employing confidence-building measures, is the only way to go for now. If they want to change China's negotiating rules then they must first play by them. There is a serious problem with this approach, though: it easily loses sight of the long run goal to solve the dispute. If short-run goals of cooperation and political amity are continually advanced without progress towards a long-term solution, there is always the risk that the issue could come back stronger. In the South China Sea, this could manifest itself as an environmental disaster such as over-fishing or a tanker spill, a confrontation which escalates out of control, or even a renewed military challenge by China after the problems of Taiwan and North Korea have been put to bed. It is for this reason that the status quo and its interpretation cannot be accepted. A new interpretation

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[24] Xiang, Lanxin. "Introduction to the Spratly Islands Conflict." Interview. 21 March 2003.
[25] Acharya, Amitav. "Understanding the Spratly Islands Conflict in the Broader Context of East and Southeast Asia." Telephone Interview. 28 April 2003.

of the South China Sea dispute, one with a wider understanding of the regional situation and its global and historical context, must be synthesized. Then it must be acted upon.

V.   A More Integral Context

An event or sequence of events standing alone does not tell a story. Nor does it provide a potential actor with a basis for policy formation. For both of these needs to be fulfilled the events must be placed into their proper contexts. I say "contexts" for effect, because an integral context must transcend and include several embedded contexts. In the South China Sea dispute this includes national contexts for all stakeholders, the regional context of Southeast Asia, a global context, and a historical context. As I lack a deep enough understanding of any particular stakeholder's domestic affairs, I will refrain from analyzing national contexts.[26] Rather, I develop a more integral perspective for the South China Sea dispute, incorporating regional, global, and historical contexts.

First and foremost, the South China Sea disputes form a latent conflict. There has not since 1974 been an aggressive attack in the disputed region and there has not since 1988 been a major military confrontation. As virtually all parties involved share normal diplomatic relations with one another and cooperation on all levels has steadily increased over the past decade, it is safe to assume that the South China Sea is not a flashpoint or a

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[26] For a good insight into a country's national context, I recommend being a native of that country. If that is not possible, try to pursue the task by integrating findings from government documents, popular media, academic journalism, and local culture. Be forewarned that this is a tremendous undertaking in itself. For a start, you may want to consider the following:

China: Zemin, Jiang. "Continue to Promote the Reunification of the Motherland." Beijing, 30 Jan. 1995. www.fmprc.gov.cn/eng/5757.html 17 April 2003. or To, Lee Lai. China and the South Sea Dialogues. Westport, CT: Praeger, 1999.

Philippines: Pobre, Cesar P. RP-China Relations with Focus on the Spratly Island Group Dispute, 1999. www.apan-info.net/ndcp/occassional_papers/HTML/rpchinapobresept99.htm 19 March 2003.

Viet Nam: Kelly, Todd C. "Vietnamese Claims to the Truong Sa Archipelago." Explorations in Southeast Asian Studies 3.3 (1999). www2.hawaii.edu/cseas/pubs/explore/v3/todd.html 22 April 2003.

roadblock to relations.[27] It is also not a security priority in Southeast Asia. According to

Amitav Acharya, terrorism is the dominant issue.[28] Other security concerns include the

Severe Acute Respiratory Syndrome (SARS) epidemic and perhaps the nuclear standoff

between North Korea and the United States. For China, Taiwan is still a very important

issue and it will continue to seek support for its One-China policy from ASEAN. As

Lanxin Xiang puts it, "The [South China Sea] is a non-issue right now. Nothing is

happening there and so no one is researching it anymore."[29] If a confrontation were to

happen there right now, Stein Tønnesson speculates, "[it] could be used to cool relations

between countries."[30] In brief summation, the security context at present appears stable

and sustainable. There do not appear to be any worrisome trends, regional or global, that

could ignite this conflict. On the contrary, the increased economic, political, military,

and cultural cooperation between the parties acts as a deterrent to conflict.

Historically, the South China Sea disputes have struck a delicate balance between

stability and risk. It has been stable for two reasons. First, just as the disputes are not

presently a security priority in Southeast Asia, they have never been a security priority in

the past 30 years. Ang Cheng Guan of the Singapore Institute of Defense and Strategic

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[27] Taiwan does not have normal diplomatic relations with any other claimant, nor is it included in negotiations. Because it does not have adequate means to spoil a resolution, it is safe to say that Taiwan is not a roadblock to relations between other parties or normal traffic in the South China Sea. For an overview on economic cooperation in Southeast Asia, take a look at ASEAN-China Expert Group on Economic Cooperation. Forging Closer ASEAN-China Economic Relations in the Twenty-First Century. Oct. 2001. or ASEAN and the People's Republic of China. "Joint Press Statement: The First ASEAN-China Joint Cooperation Meeting." Beijing, China, 28 Feb. 1997. www.aseansec.org/2664.htm 15 April 2003. For an overview on security in Southeast Asia, take a look at ASEAN Regional Forum. Annual Security Outlook 2001. www.aseansec.org/12663.htm 15 April 2003. or Acharya, Amitav. "Collective Identity and Conflict Management in Southeast Asia." Security Communities. Ed. Emanuel Adler and Michael Barnett. Cambridge, UK: Cambridge UP, 1998. 198-227.

[28] Acharya, Amitav. "Understanding the Spratly Islands Conflict in the Broader Context of East and Southeast Asia." Telephone Interview. 28 April 2003.

[29] Xiang, Lanxin. "The Spratly Islands Conflict, Part II" Interview. 28 March 2003.

[30] Tønnesson, Stein. "The Truth about the South China Sea Conflicts and a Possible Solution." Telephone Interview. 28 April 2003.

Studies (SIDSS) observes, "Although the South China Sea was considered a potential trouble-spot, it never became *the* security issue of the day throughout the 1970s and 1980s, despite several unfriendly and even hostile developments."[31] More important were the American-Vietnamese War, the Vietnamese invasion of Cambodia in 1978, the Sino-Vietnamese War of 1979 and, in the 1980s, Vietnam's occupation of Cambodia and Soviet naval buildup in the region.[32] Second, ASEAN, the ASEAN-China Dialogue, and the ASEAN Regional Forum (ARF) provided from 1967 an increasingly influential security mechanism. Its member states effectively countered the actions of communist insurgencies and effectively dissuaded superpower intervention. It is possible that the regional autonomy demonstrated by the five founding ASEAN members during the Cold War helped to solidify the regional autonomy of Southeast Asia today.

Conversely, the South China Sea has a rather lengthy dossier of military confrontations between the current claimants, beginning with the Chinese invasion of the Paracel Islands in 1974 and running up to the latest detainment of Chinese fishermen by Viet Nam in September 2002. Between 1974 and 1992, there were only two noteworthy confrontations, in 1974 and 1988. Since 1992, there have been at least 10 noteworthy confrontations, not including non-military disputes over drilling and exploration. The increasing frequency of confrontation, an effect of creeping military expansionism by several parties, demonstrates the increasing risk of open conflict in the South China Sea. This risk is compounded by the fact that China and Viet Nam each have the military capacity to block any unfavorable resolution to the disputes. This risk is checked, however, as long as the United States maintains local military forces through ties with the

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[31] Guan, Ang Cheng. "ASEAN, China and the South China Sea Dispute." Security Dialogue 30.4 (1999): 425.
[32] Ibid.

Philippines. No party is likely to attempt a military takeover when the risk of retaliatory US intervention is so great.

In the future, the South China Sea conflict might easily become a much more complicated problem. All claimants are rapidly industrializing countries experiencing enormous increases in energy consumption. While it may not be the most pressing issue at present, the need for fossil fuels could lead to the mass exploration of the South China Sea's purported oil reserves and natural gas fields. If large quantities of fossil fuels are found in the contested waters then stakes on territorial claims will become that much higher.[33] Additionally, the South China Sea is home to many rich fishing grounds. As the populations of surrounding countries expand and technologies become more advanced, over-fishing could lead to ecological disaster and competition for increasingly scarce resources. The opposite might occur with a tanker spill, creating a scenario where each party disavows its territorial claims in order to evade the costs of clean-up. Finally, the South China Sea is the world's second busiest shipping lane. As Southeast Asian countries continue to grow, their demands will increase. The Spratly Islands, the most significant of the territorial disputes, lie directly adjacent to that shipping lane.[34] The players involved tend to downplay the importance of such positioning but Western analysts know the strategic value of controlling such geographic features. Piracy and military confrontations are also risks to the shipping lane, so it is ironic that finding a

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[33] Csurgai, Gyula. "Introduction to the Spratly Islands Conflict." Interview. 6 March 2003.
[34] "Spratly Islands." Federation of American Scientists. 30 Jan. 2000. www.fas.org/man/dod-101/ops/war/spratly.htm 7 March 2003.

solution to the South China Sea conflict would also secure the trade flow in a certain way.[35]

Alternatively, the gradual trend of increasing multilateralism in the South China Sea could lead to greater long-term stabilization of the conflict zone. As long as confrontations are not allowed to escalate and military expansionism is checked, the South China Sea disputes have a good chance of being shelved for the time being. Whether this is desirable or not is uncertain, but the recent signing of the Code of Conduct gives hope that it will someday be resolved. If it is not addressed, then the status quo could change dramatically once China has finished with its problems in Taiwan and North Korea and can finally turn its attention fully on the South China Sea question. It is my opinion that if the disputes are not resolved multilaterally by then, there is a strong possibility that they will be solved unilaterally shortly thereafter.

VI. Policy and Research Recommendations

Few want to see the South China Sea disputes solved by unilateral Chinese military takeover or the eruption of low-level confrontations into high-level combat. It can and very well may happen. ASEAN and China need to confront this problem. The various parties need to work together to resolve their common disputes. If a solution is avoided now, there is great risk of having the conflict return in a stronger form. New conflicts could erupt over a tanker spill, the effects of over-fishing, low-level confrontations gone awry, the discovery of fossil fuels, dubious bilateral negotiations, or

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[35] Tønnesson, Stein. "The Truth about the South China Sea Conflicts and a Possible Solution." Telephone Interview. 28 April 2003. For a more comprehensive look at potential triggers of conflict, check out: Cossa, Ralph A. "Security Implications of Conflict in the South China Sea: Exploring Potential Triggers of Conflict." PacNet Newsletter 16 (17 April 1998): n.pag. www.csis.org/pacfor/pac1698.html 22 April 2003.

even the return of unilateralism. At the same time, academic and diplomatic communities need to change their tunes and reinterpret the situation at hand. Presently, there is not much research pending on the South China Sea disputes. The vast majority of material published either has as its purpose the glorifying (or vilifying) ASEAN efforts to manage the conflict or argues whether China constitutes a threat to the rest of Southeast Asia. Owing to all the flaws, spins, and shortcomings present in both the TCT and its scholastic adversaries, it is necessary to reconstruct the model on more solid foundations. It might also help if those involved were able to turn out a few more realistic options for settlement.[36]

On the policy line, I recommend that ASEAN and China step up their efforts to resolve their maritime border conflicts. In the past four years the two have signed the long-awaited Code of Conduct and China has largely settled its boundary disputes with Viet Nam in areas other than those indicated in this paper. The change in Chinese leadership and the relative economic and political stability of the region presents a window of opportunity for renewed attempts at a final solution. This need not and should not indicate the sort of ultimatum negotiations that would drive China and others away from the bargaining table. Rather, I suggest using the Oslo Accords as an example for what might be achievable in Southeast Asia. Negotiations can take place at the comfortably slow pace set by the ASEAN Way but they should retain direction and involve prolonged contact between negotiators. This is not to say that the South China Sea conflict is anything like the Israel-Palestine struggle, but there were many good ideas

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[36] As far as I have read, Stein Tønnesson is the only researcher thus far to publish a complete and arguably feasible game plan for settlement of the South China Sea disputes. Although I was not able to locate the original text, I did find a summary version: Tønnesson, Stein. "Here's How to Settle Rocky Disputes in the South China Sea." Editorial. International Herald Tribune 6 Sept. 2000 program.forskningradet.no/petropol/erkonflikteni2.php3 23 April 2003.

in those negotiations which can be readily adapted to the South China Sea situation. In terms of setting, I would not recommend removing the negotiators to some place as far off as Norway. The disputants would interpret that as external intervention. Instead, the high-level, informal meetings should take place in an ASEAN country removed from the conflict such as Singapore. This would facilitate the regionalism so highly valued by the Southeast Asian countries while at the same time allowing for the neutral space of a third party host. This type of meeting, I believe, could help to further negotiations and open up new avenues of resolution.

In terms of research, my first recommendation is that academics and diplomats alike step back and reinterpret the conflict at hand. Re-examine the South China Sea conflict, its origins and evolution, the roles of military confrontations and ASEAN multilateralism in that evolution, and behaviors and rhetoric of the countries involved. [37] Most importantly, get the context straight on all levels. Develop the new interpretations integrally so that the illustration is vivid and intelligible. Though it may seem counterintuitive, it can be quite helpful to dispose of theoretical and academic frameworks while injecting dispassionate common sense. By stepping away from the conflict with the freedom to sculpt opinions, new connections can be discovered and one can get a better glimpse of the big picture. By disassociating from the partisan viewpoints of the transformed conflict theory and its scholastic adversaries, the creative researcher can escape the trappings of a conflict unable to transform any further. In many ways, the misinterpretations inherent in today's prevailing theories are the very reasons for a lack of proposed solutions. Therefore my second recommendation to researchers is to exploit these new interpretations for all they are worth to see if any windows for

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[37] See Appendix for a briefing on the South China Sea conflicts.

resolution can be found. When they are found, and I am convinced they will be, publish detailed plans of how to get there. Once a number of solutions become available, the disputants will break from their romance with the status quo. As that begins to happen, the prospects for resolution will finally come into view.

VII. Conclusions

The South China Sea is home to the most complex maritime boundary disputes in the world. This latent conflict, though not a roadblock to relations between claimants, could become a serious problem should it be swept under the rug and ignored through "good neighbor policy." At present day, the conflict is characterized by general multilateral talks and more detailed bilateral negotiations. Conflict has been non-aggressive since 1974 and low-level since 1988, but the frequency of confrontations has been on the rise. Parties to the conflict aim to deter external arbitration while maintaining the status quo in favor of political amity and economic cooperation. Misinterpretation of the conflict and its context has divided researchers into opposing camps, neither of which envision a resolution anytime soon.

The solution to this impasse is to transcend and include these malformed interpretations into a more integral model which takes account of the historical record and connections made by dispassionate common sense just as much as it extracts the truths from within and without the prevailing theories. At the same time, claimants need to be motivated to move forward with negotiations both by the production of resolution options springing from new conflict interpretations and by the launching of high-level, informal talks possibly based upon the Oslo Accords. In this manner the negotiations for

the South China Sea disputes can progress at the pace of the ASEAN Way while still keeping an eye to the long term goal of complete conflict resolution.

The first steps are always the most difficult. On the policy side of the recommendations, it would be wise if Singapore, probably the best positioned country to broker a resolution, developed a proposal for high-level, informal talks based upon the Oslo Accords. This could be done through Singapore's ASEAN office, the domestic government bureaucracy, or an institution such as the Singapore Institute for Defense and Strategic Studies. It really does not matter as long as the plan drawn up is sensitive to its regional context and adapts the Oslo Accords model or another suitable exemplar to Southeast Asian needs.

First steps for the research side of recommendations are much more subjective and therefore internal in nature. The crux of the matter is that academics and diplomats need to synthesize more integral interpretations of the South China Sea disputes. This process can begin most simply by employing the historical record to find the flaws, spin, and shortcomings inherent in the predominant theories. As this is materializing, experts at universities and in research institutions should bolster their recruiting efforts to bring fresh minds into the fold. Research projects focused on redefining the South China Sea disputes in terms not prefabricated by theoretical framework will open up new interpretations as well as generate new ideas for resolution. In a conflict steeped in the status quo of conflict prevention and "good neighbor policy," a few new ideas might be just the thing needed to stir things up and make progress towards resolution. The alternative is, of course, to sit around and wait for China to solve its problems in Taiwan

and North Korea, thereby freeing the resources and the willpower needed to transform the

conflict in a different way… by coercion.

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Appendix[38]

Variety of Maps Relating to the South China Sea Disputes

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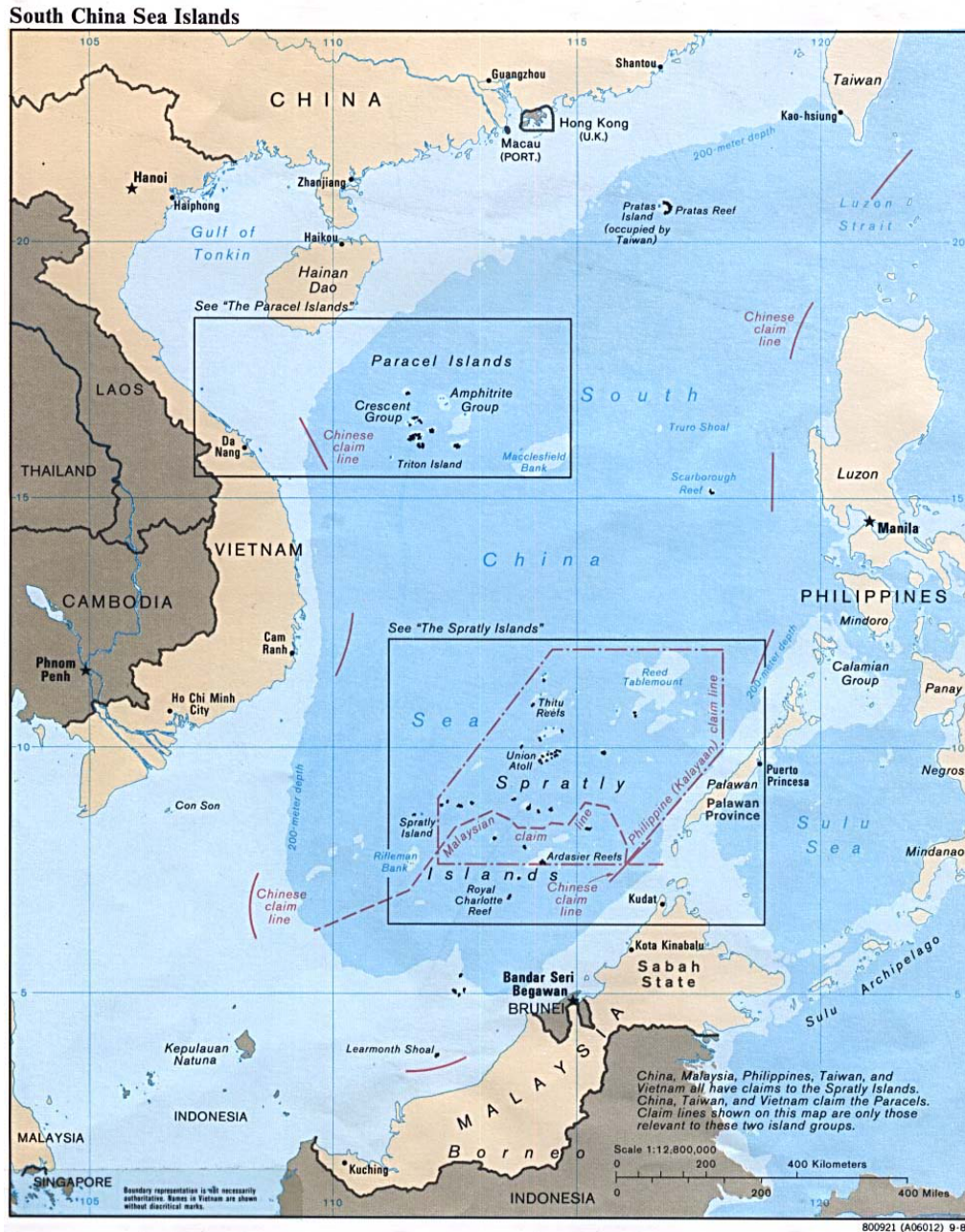
[38] Bottom two maps, Military Confrontation Captions through 1998, and Territorial Claims courtesy of: "Spratly Islands." Federation of American Scientists. 30 Jan. 2000. www.fas.org/man/dod-101/ops/war/spratly.htm 7 March 2003. Source of other maps is unknown.
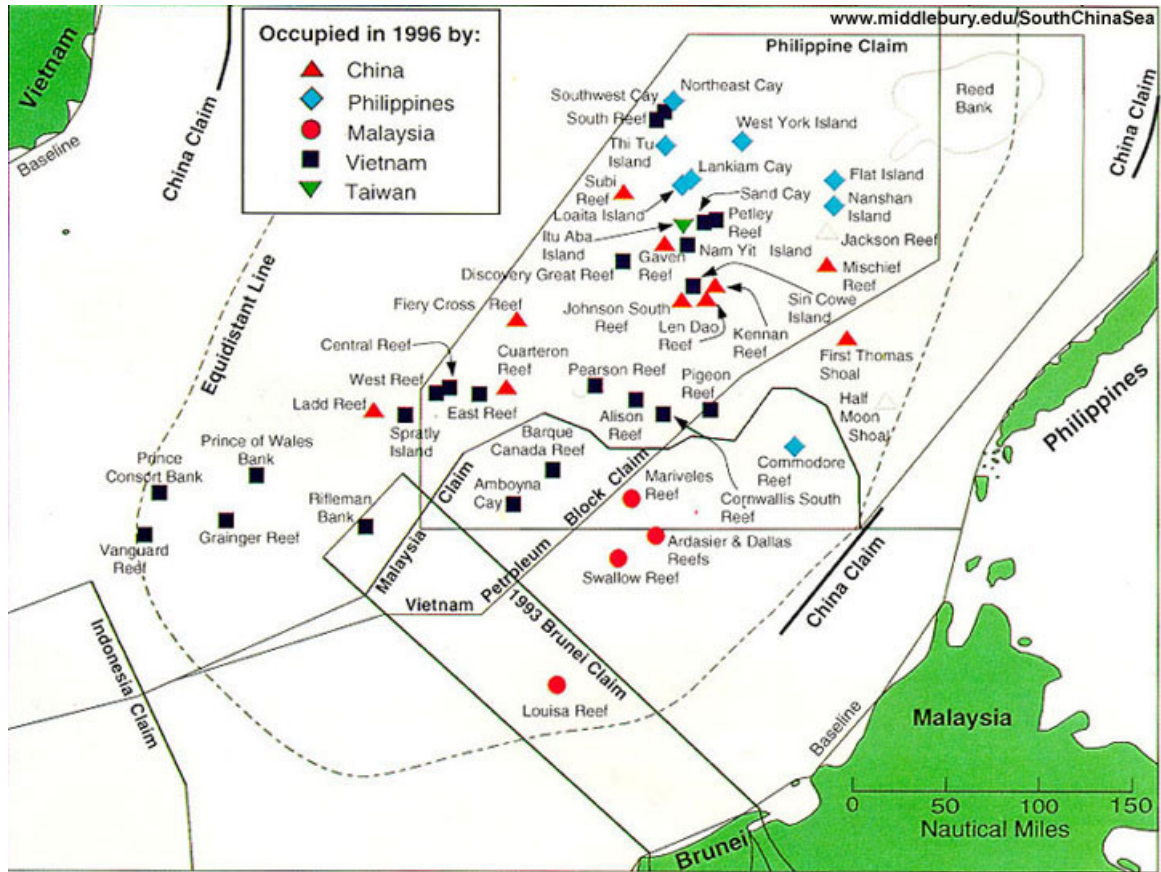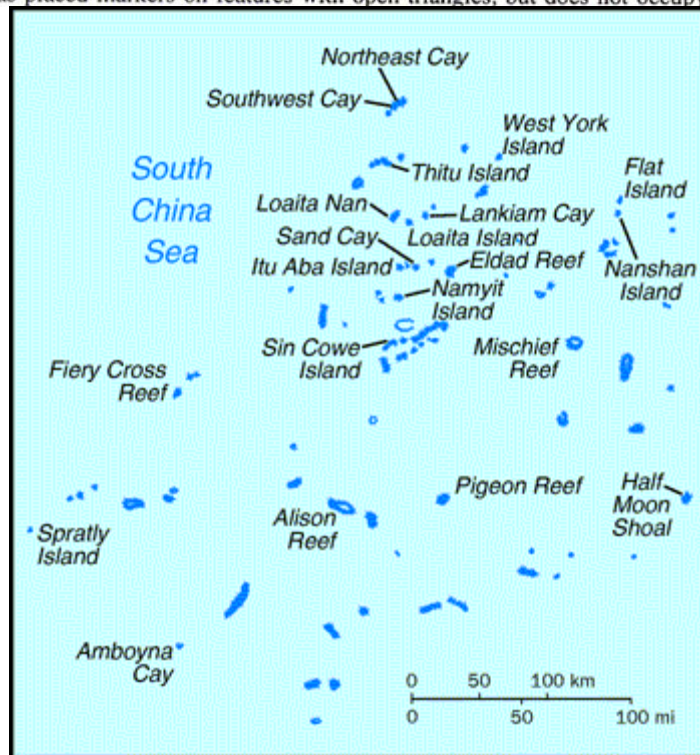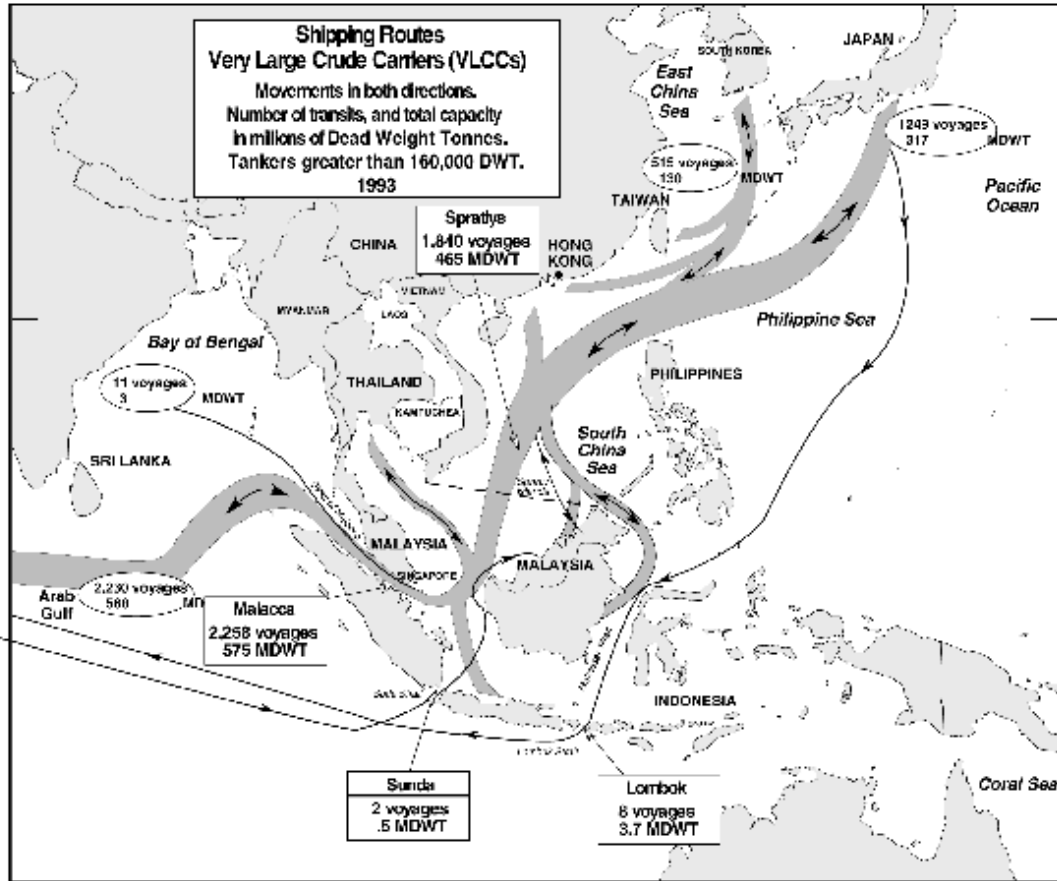
Plate 1   The Spratly features, their occupants as of 1996, and jurisdictional claims. China
has placed markers on features with open triangles, but does not occupy them

Shipping Routes
Very Large Crude Carriers (VLCCs)
Movements in both directions.
Number of transits, and total capacity
in millions of Dead Weight Tonnes.
Tankers greater than 160,000 DWT.
1993

Chronology of Military Confrontations in the South China Sea

Date	Countries	Military Action
1974	China, Viet Nam	Chinese seize Paracel Islands from Viet Nam.
1988	China, Viet Nam	Chinese and Vietnamese navies clash at Johnson Reef in the Spratly Islands. Several Vietnamese boats are sunk and over 70 sailors killed.
1992	China, Viet Nam	Viet Nam accuses China of drilling for oil in Vietnamese waters in the Gulf of Tonkin and accuses China of landing troops on Da Luc Reef. China seizes almost 20 Vietnamese cargo ships transporting goods from Hong Kong from June – September.
1994	China, Viet Nam	China and Viet Nam have naval confrontations within Viet Nam's internationally recognized territorial waters over oil exploration blocks 133, 134, and 135. Chinese claim area as part of their Wan' Bei-21 (WAB-21) block.
1995	China, Philippines	China occupies Philippine-claimed Mischief Reef. Philippine military evicts the Chinese in March and destroys Chinese markers.
1995	Taiwan, Viet Nam	Taiwanese artillery fire on Vietnamese supply ship.
1996	China, Philippines	In January, three Chinese vessels engage in a 90-minute gun battle with a Philippine navy gunboat near Campones Island.
1997	China, Philippines	The Philippine navy orders a Chinese speedboat and two fishing boats to leave Scarborough Shoal in April; Philippine fishermen remove Chinese markers and raise their flag. China sends three warships to survey Philippine-occupied Panata and Kota Islands
1998	China, Philippines	In January, the Philippine navy arrests Chinese fishermen off Scarborough Shoal.

1998	Philippines, Viet Nam	In January, Vietnamese soldiers fire on a Philippine fishing boat near Tennent (Pigeon) Reef.
1999	China, Philippines	China constructs a military base on Philippine-claimed Mischief Reef. Philippine military flies reconnaissance missions over new structure.
2002	China, Viet Nam	The Vietnamese navy detains Chinese fishermen near Spratly Islands.

Territorial Claims in the South China Sea

Country	Claim
Brunei	Does not claim any of the islands, but claims part of the South China Seas nearest to it as part of its continental shelf and Exclusive Economic Zone (EEZ). In 1984, Brunei declared an EEZ that includes Louisa Reef.
China	Refers to the Spratly Islands as the Nansha Islands, and claims all of the islands and most of the South China Sea for historical reasons. These claims are not marked by coordinates or otherwise clearly defined.
	Chinese claims are based on a number of historical events, including the naval expeditions to the Spratly Islands by the Han Dynasty in 110 AD and the Ming Dynasty from 1403-1433 AD. Chinese fishermen and merchants have worked the region over time, and China is using archaeological evidence to bolster its claims of sovereignty.
	In the 19th and early 20th century, China asserted claims to the Spratly and Paracel Islands. During World War II, the islands were claimed by the Japanese. In 1947, China produced a map with 9 undefined dotted lines, and claimed all of the islands within those lines. A 1992 Chinese law restated its claims in the region.
	China has occupied some of those islands. In 1974, China enforced its claim upon the Paracel Islands by seizing them from Viet Nam. China refers to the Paracel Islands as the Xisha Islands, and includes them as part of its Hainan Island province.

Indonesia	Not a claimant to any of the Spratly Islands. However, Chinese and Taiwanese claims in the South China Sea extend into Indonesia's EEZ and continental shelf, including Indonesia's Natuna gas field.
Malaysia	Claims are based upon the continental shelf principle and have clearly defined coordinates. Malaysia has occupied three islands that it considers to be within its continental shelf. Malaysia has tried to build up one atoll by bringing soil from the mainland and has built a hotel.
Philippines	Its Spratly claims have clearly defined coordinates, based both upon the proximity principle as well as on the explorations of a Philippine explorer in 1956. In 1971, the Philippines officially claimed 8 islands that it refers to as the Kalayaan, partly on the basis of this exploration, arguing that the islands: 1) were not part of the Spratly Islands; and 2) had not belonged to anybody and were open to being claimed. In 1972, they were designated as part of Palawan Province.
Taiwan	Taiwan's claims are similar to those of China and are based upon the same principles. As with China, Taiwan's claims are not clearly defined.
Viet Nam	Vietnamese claims are based on history and the continental shelf principle. Viet Nam claims the entire Spratly Islands and offshore district of the province of Khanh Hoa. Vietnamese claims also cover an extensive area of the South China Sea, although they are not clearly defined. The Vietnamese have followed the Chinese example of using archaeological evidence to bolster its sovereignty claims. In the 1930s, France claimed the Spratly and Paracel Islands on behalf of its then-colony Viet Nam. Vietnam has occupied a number of the Spratly Islands. In addition, Vietnam claims the Paracel Islands, although they were seized by the Chinese in 1974.

South China Sea Stakeholder Exercise

Country	Claim	Claim Basis	Occupation?	Negotiating Hand	Ability to Spoil / Broker?	Deterrent
ASEAN	None	N/A	N/A	Interests divided internally	Ability to broker solution	Econ. interest
Brunei	Louisa Reef	EEZ	None	Extremely weak/ ASEAN	None	Econ. interest
China	All	Historical	10 features	Very strong/ Ability to start and stop talks	Sufficient military capacity	Econ. interest
Indonesia	None	N/A	N/A	China's claim infringes border	None	Econ. interest
Japan	None	N/A	N/A	Pressures China for peace	Not really	Trade interest
Malaysia	≥3 Spratlys	Cont. Shelf	3 features	Stronger through ASEAN	Almost none	Econ. interest
Philippines	≥8 Spratlys	Proximity Pr.	8 features	Quite strong/ also ASEAN	Modest military capacity	Econ. interest
Singapore	None	N/A	N/A	Strong ASEAN member	Ability to broker solution	Econ. interest
Taiwan	All	Historical	1 feature	Weak/ Not in negotiations	None	Econ. interest
Viet Nam	All	Historical and Cont. Shelf	≥22 features	Very strong/ also ASEAN	Sufficient military capacity	Econ. interest
United States	None	N/A	N/A	Pressures all for peace	Maximum military capacity Offer to broker turned down	Econ. Interest