

**SOUTH CHINA SEA DISPUTES AND  
SINO-VIETNAMESE RELATIONS, 2002-2014**

*Dissertation submitted to Jawaharlal Nehru University  
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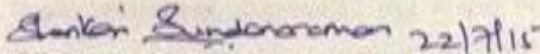
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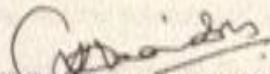
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CERTIFICATE

We recommend that this dissertation be placed before the examiners for evaluation.

  
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## ABBREVIATIONS

ADIZ	Air Defence Identification Zone
ARF	ASEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
BBC	British Broadcasting Corporation
Bbl	Billion barrels
BP	British Petroleum
CCP	Chinese Communist Party
COC	Code of Conduct
CPV	Communist Party of Vietnam
D.O.C	Declaration on the Conduct of Parties, in South China Sea
DRV	Democratic Republic of Vietnam
EEZ	Exclusive Economic Zone
EIA	Energy Information Administration
ICAO	International Civil Aviation Organization
IOC	International Oceanographic Commission
JMSU	Joint Marine Seismic Undertaking
KMT	Kuomintang (Nationalist Party)
MFA	Ministry of Foreign Affairs
OECD	Organization for Economic Cooperation and Development
PLAN	People's Liberation Army Navy
PRC	People's Republic of China
ROC	Republic of China
SIPRI	Stockholm International Peace Research Institute
SLOCs	Sea Line of Communications
SRV	Socialist Republic of Vietnam
TAC	Treaty of Amity and Cooperation
Tcf	Trillion cubic feet

UNCLOS	United Nations Convention on the Law of the Sea
UNESCO	United Nations Educational, Scientific and Cultural Organization
VWP	Vietnam Workers Party
WTO	World Trade Organization

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**CHAPTER ONE**

**INTRODUCTION**

## 1.1 Background

South China Sea disputes involve island territories and the territorial waters around them involving some seven littoral countries. The rival states have fussed over sovereignty for a long time, but a recent upsurge in tension has sparked concerns that the area is becoming a flashpoint with global consequences. Among the contestants, the most important are Vietnam and China, who have the most expensive claims covering the whole of Spratly and Paracel Islands. Although both are communist at the present, they have close historical, cultural, and religious connections dating back to nearly two millennia period. The overlapping claims over the sovereignty of these islands have emerged as the single most important issue affecting their bilateral relations. Thus, the proposed study would like to examine how and to what extent the South China Sea dispute has been impacting on the bilateral relationship between the two. There are deep down factors that have been leading this conflict nowhere to resolve. In this study, I will be focusing on China's assertive policy towards the region in general and Vietnam in particular.

Vietnam and China went through different phases of relationship throughout the history of their relationship. The relationship has gone from The Middle Kingdom where Vietnam as a tributary state has paid tributes to the mainland China. Again when, communism was flourishing in the region China and Vietnam were like two ideological brothers and battlefield comrades who fought against their enemies. As the time went by, their relations also face the lowest point due to Sino-Soviet ideological battle and Sino-U.S rapprochement. Eventually, made them fight a bloody war in February 1979 due to the development of conflict in Cambodia. Their contestation in the South China Sea is also not of recent origin but can be traced back to 1974 when China occupied Paracel Islands at a time when the two Vietnams were still at war with each other.

The nature of Vietnam and China relations are complicated which can't be articulated in a single framework of the theory. In this current study certain theoretical perspectives will be tested to understand the dynamical relations between Vietnam and China. Brantly Womack's Asymmetry theory and Kang's Hierarchy theory are considered to be the best articulation of Sino-Vietnamese relationship and will be studied comparatively. Womack indicates that Asymmetry theory is concerned with the reality of managing relationships between two states which are unequal in power from various sources and it does this by analyzing relationships from both sides of states throughout their history. In Womack's word Asymmetry as a theory

that deals with the bilateral relations between two states with disparities in capacities which in turn creates a systemic difference in interests and perspectives between these two stronger and weaker states. As it is always apparent that the stronger expects deference while the weaker expects that its autonomy will be acknowledged. Kang's Hierarchy theory talks about stable form of unequal distribution power rather than equal distribution power. The theory goes for alternative approach to balance of power which involves a dominant power that still operates in anarchy system. The central power doesn't fold peripheral powers under its wings in the empire and the peripheral powers don't balance against central power rather to accommodate it. Both the theories believe that the system of unequal distribution of power is relatively stable throughout the history.

The South China Sea is known as the mother of territorial disputes in Southeast and Northeast Asia which has its bearing on one of the most critical geostrategic location and rich natural resources. It is the link between the Pacific Ocean and The Indian Ocean where a majority of the energy supplies to numerous countries and trading transit of majority countries of the world occurs. Further, the importance of South China Sea stems from the fact that it possesses vast oil and natural gas reserves. Both China and Vietnam have their own security interest; as a result Sino-Vietnam's relations have also been mostly dictated by territorial disputes and conflict both land and maritime border for a long time.

Even though, the Sino-Vietnamese land border issue was resolved off in the late 1990s, but the maritime dispute has dragged Vietnam and China to an untouchable ground. Sometimes it appears under the control but at other times it seems on the brim of war. The recent installation of a mammoth Chinese oil rig in disputed water is one example that leads to rising in tensions resulting in the high level political campaign against one another. Unlike the land border, the tenacious nature of the maritime conflict doesn't have any concrete mechanism to resolve it. On 4th November 2002, on the sideline of the ASEAN Summit in Phnom Penh, ASEAN and China have signed a Declaration of Conduct (D.O.C) of Parties in the South China Sea to resolve the conflict. But D.O.C doesn't establish a legally binding code of conduct. Moreover, it doesn't make a reference to specific geographical scope therefore DOC is simply a political statement. The Declaration doesn't have a bearing to put a stoppage to this dispute, in contrast it has its own merit of the guideline to exercise self-restraint. All these development over maritime disputes have significant implications on how Vietnam and China keep their relations on track.

## **1.2 Review of Literature**

The available literatures are reviewed in terms of following thematic categories.

1. Theoretical Perspectives of Overall Relations
2. The Declaration of Conduct of Parties in South China Sea- 2002
3. Vietnam's Strategic Policy towards China
4. China's Dynamic Policy towards South China Sea vis-à-vis Vietnam
5. Sino-Vietnamese Relations
6. Gaps in the available literature

### **Theoretical Perspectives of Overall Relations**

It is the utmost important to understand the very nature of Sino-Vietnamese relations before dealing with existing literature to survey Vietnam's relations with China and implications for South China Sea disputes. The best possible way of knowing Vietnam, China relations is through a theoretical perspective grounded in empirical evidence. In this context, the best scholarly worked literature is no other than Womack(2006). He firstly develops the theory called Asymmetry Theory, which is a clear cut articulation for Sino-Vietnamese relations throughout their predate history until now. Womack argues Asymmetry is the best way to explain relations between big power and small power state even though most of the international relations theories overlooked this aspect by treating asymmetry as a form of remediable imbalance. His work clearly reflected Sino-Vietnamese relations have been embedded in a structure of persistent asymmetry throughout the history, and the disparities in capacities create systemic differences in interests and perspectives. Hence, the stronger expects deference from weaker and weaker anticipates autonomy and sovereignty to be protected. The gist of Womack's work is that throughout the fluctuated history, the only constant phenomenon in the Sino-Vietnamese relations is that China is always the stronger, and Vietnam is always weaker. Nevertheless, China has rarely been able to dominate Vietnam, and the relationship is shaped by its asymmetry nature. Thayer (2010) went beyond by bringing Mature Asymmetry where he argues Sino-Vietnamese relations went from hostile asymmetry to normal asymmetry. Now under the conditions of mature asymmetry there is a dense network of party, state, defense and multilateral mechanism that Vietnam can manage its relations with China. On other hand, Kang (2004) talked about hierarchy in Sino-

Vietnamese relations and raised critics about theoretical asymmetry aspect. According to him hierarchy is the nature of relations between Southeast Asians with other regional powers where the state pursues empire and always trying to accommodate with China rather than balancing.

### **The Declaration on the Conduct (DOC) of Parties in the South China Sea- 2002**

Many scholars have worked on the general development of South China Sea disputes all throughout the years. Particularly, they gave their interest in a decade back development of signing the Declaration on the Conduct (DOC) of Parties in South China Sea between ASEAN and China in 2002. It is important to understand the significance of this declaration to the disputes and for the studies as it is also very critical to know the different perspectives of scholars from both countries. DOC for some scholars meant to be a diplomatic attempt to de-escalate the disputes. As Emmers,(2009) argues same in his writing but in some points there is a vague definition of this declaration which triggered different perspectives from rival countries' scholars and policy makers. Shicun and Huafeng(2003) pointed that the declaration was essentially part of ASEAN's search for explicit confirmation that China's presence in the South China Sea will not jeopardize peaceful coexistence, and to find out joint oil exploration and development scheme.

The signing of DOC is one of the milestones in the history of South China Sea disputes especially after some of the major skirmishes between Vietnam and China. The scholar like Thao(2009) who reflects the Vietnamese perspective argues that the implementation of the DOC has both advantages as well as disadvantages. Generally, DOC has been recognized as a guideline for the behaviour of state-to-state interactions over the South China Sea issue. The implementation of DOC serves two major objectives: confidence building measure and to establish a regional Code of Conduct in the South China Sea. DOC achieved somehow de-escalating the sovereignty and jurisdictional disputes and preventing potential conflict in the region. But it doesn't give a clear answer to what kind of activities might lead to escalating the dispute and it also doesn't make the specific geographical scope. Hence, unclear DOCs have complicated the situation. Thuy(2011) pointed that China's accession to the DOC marked a major change in its approach to the South China Sea dispute from bilateralism to bi-multilateralism. He cautioned that it is merely a result of unified ASEAN front where China gains politically and economically and assuage ASEAN's concern of China rise. Scholars

have shared a common knowledge that DOC has encouraged claimants to exercise self-restraint to keep region into peace and cooperative. But the most important is there should be a unity among ASEAN countries to have a constructive implementation of DOC. Wu and Ren(2003) argues DOC is only a political declaration intended to prevent further tensions and military risks over the disputed territories. They assert it is not a legally binding thus it doesn't have any legal obligation. Tiezzi(2014) mentioned that China's lack of interest and not serious about DOC commitment has made little progress to adopt a Code of Conduct(CoC) which is one of the commitments of DOC. Xuotong(2014) in BBC interview confirmed that the South China Sea is "core national interest" along with Taiwan and Tibet. If China feels it is under threat which means China is prepared to fight to defend it. Moreover, recent Chinese oil drilling rig within Vietnamese EEZ and infrastructure development in John South Reef and some other island challenges DOC relevance to the territorial conflict.

### **Vietnam's Strategic Policy towards China**

Vietnam has been engaging with China since predate as it was caught up in the dangerous ground from its north frontier. Despite the fact that, China never had occupied Vietnam in this long period of struggle, Vietnam has secured itself from its giant and aggressive neighbor. Toft (2001) argues that in inter-state conflict, a weak actor's strategy can make a strong actor's power irrelevant. It is not always same that power implies victory in war if so then weak actors should almost never win against the stronger opponent. He made a point that it is asymmetric conflict, and the outcome is nevertheless strategic interaction. The available literature shows Vietnam's strategy against China in a different theoretical framework but mostly falls in three categories balancing, bandwagoning, and hedging. Kang (2003) sees a pattern of bandwagoning while Acharya (2003) believes it has the tendency to balance against China. Roy (2005) Vietnam and ASEAN as a whole employ two general strategies to protect themselves against mighty China: engagement and hedging. Thayer (2011) expresses in a subtly mixed strategies by making three different strategies these are codification, economic cooperation and self-help of military modernization. It is clear there is a mixed strategy of bandwagoning and balancing because economic cooperation is one where Vietnam put itself cooperation with China to gain economic benefits but Vietnam doesn't undermine security threat and develops its own military power to balance China. He concludes it by one dichotomy strategies that are deference and defiance or object of

cooperation (doitac) and object of struggle (doituong). Keck (2014) argues that Vietnam is pursuing balancing strategy against growing threat from China, and he classified two ways of balancing strategy in international relations theory that is internal balancing and external balancing. Vietnam is following some steps to balance internally by building up its own military forces to deter a challenge from a powerful China. At the same time, Vietnam strengthened its ties with other external powers such as the United States and Japan. Hiep (2013) argues that since normalization Vietnam has been employing a multi-tiered, omni-directional hedging strategy to counter China threat. He identified four elements as its component: economic pragmatism, direct engagement, hard balancing and soft balancing. He pointed out numerous evidences that have favored hedging is the most rational and viable strategy for Vietnam.

### **China's Dynamic Policy towards South China Sea vis-à-vis Vietnam**

China has its own strategy to deal with territories that are under its claims. Especially, to the South China Sea which has been considering as one of the “core national interest” that means China will use any means to secure and to claim. The interesting argument among the scholars is that whether China's rise is a peaceful rise or not? Or is China a revisionist power or a status quo power? Ranade (2014), National Security Advisory Board member of India, in Hindu Newspaper quoted “Xi Jinping's “China Dream” comprises three elements: making the Chinese people wealthy; making China strong; and the ‘rejuvenation’ of China. ‘Rejuvenation’ includes restoration of China's lost historical territories and former status in the world. China's action in the South China Sea and maritime territorial dispute with Japan are pursuant of this”. It clearly reflects that China has been pursuing a revisionist power. Scholars like Kagan (1997), Wolfowitz (1997) certainly believe China is revisionist power. On the other hand, Richard Hass (2002), Head of the State Department Policy Planning of U.S. has refuted the claims of China being revisionist. Ellemen (2009), cited Yuan Jing-jong, who argued that China is apparently following the status quo power. Other scholars like Emmer (2009) also convinced that since China has signed DOC and made itself in multilateral forum therefore China is acting as a status quo rather than a revisionist power.

Regarding with China's strategy particularly disputes in South China Sea and precisely with Vietnam Fravel (2011) made very interesting observation about China's strategy with three different strategies at different patterns of time: until 1974 China pursued a Delaying strategy

towards South Vietnam, since mid 1980s China switched to an Escalating strategy and currently Beijing has made Diplomatic, Administration and Military are part of its strategy. Emmer (2009) and Mingjiang (2009) also mentioned China's strategy as an escalation, and again de-escalation finding itself on defensive what they called is "charm offensive".

### **Sino-Vietnamese Relations**

Dalpino (2014) broadly summed up the relations between Vietnam and China has been consistently caught between friend and foe. Womack (2010) argues that China and Vietnam have always had an asymmetric relationship. During 2008 global financial crisis, both countries are interested in improving cooperation and Vietnam felt it is an opportunity and at the same time they have a concern about increasing dependence on China. The reason for the Vietnam's concern is as Elleman (2009) argues that China's territorial and economic interests always go hand-in-hand. Thayer (2008) quoted that "Vietnam has been put between a rock and a hard place over Chinese assertiveness in the South China Sea". That is because China has been following dual channel: in public China intended to observe the DOC and to settle the conflict peacefully. But in private China has been always asserting diplomatic and military pressure trying to curb Vietnam under their claim. Ton Nu ThiNinh, Deputy Head of the National Assembly External Relations Committee, has stated that "everyone knows that we have to keep a fine balance 'neither' 'leaning over' towards the U.S nor 'bowing' to China".

Since 2002, the DOC has created an important platform for the reduction of tension and cooperation between claimants. 'More contacts, less confrontation' has become the main idea for China and rest of the littoral states under the umbrella of DOC. Vietnam has established a mechanism for security dialogue with China and in April and November 2006 two countries conducted the joint Navy force patrol in the Gulf of Tonkin. Thao (2009) argued that the implementation of DOC can lead toward a regional code of conduct in the South China Sea. But he cautioned that the Vietnam lead ASEAN should unite themselves to have a strong leverage on China. Storey (2011) criticized that although the DOC was signed in 2002 no agreement was reached on the implementation of guidelines. All because of the infrequency of joint working group meetings, China's reluctance to discuss the issue with ASEAN as a group and disunity among the members of ASEAN.



## **Gaps in the available Literature**

Since available literatures have analyzed many aspects of Sino-Vietnamese relations, certain gaps have emerged out of these literatures which are crucial to be pointed out. They are as follows:

- i) The available literatures on Sino-Vietnamese relations have different theoretical perspectives and the variations are so vast that Scholars have contradicted to each other and there is no a single theory which sheds a holistic relations. This study aims to draw a theory which could explain relations in a wider perspective.
- ii) Endless literatures are available on Sino-Vietnamese relations from angles of different premises and from different time period. But the relations which have been affected by the signing the DOC since 2002 are scarcity in academicians. This paper will try to shed some light specifically on this aspect.
- iii) The scholars have mentioned DOC has succeed in some area but failed in some other area. The inconclusive is that not many of them touched on the causes that have been lying in the declaration itself. It is important to deal closely with each point made in the declaration and draw a conclusive answer.

## **1.3 Definition and Rationale of the Study**

The meaning of South China Sea disputes to Vietnam and China have an enormous stake because this is the disputes where China has made declaration demanding ‘core national interest’ and Vietnam on other hand never hesitate to protect it by any means. It is not a recently flared up issue rather it has been persisted throughout their history. In the present period of time the South China Sea disputes have become a centre of gravity for the competition over territories, which has natural resources and geostrategic advantage. Because of all these South China Sea disputes were very much part of Sino-Vietnamese bilateral relations and from time to time their relations have been shaped by these territorial disputes.

The most recent landmark development in South China Sea is Declaration of Conduct (DOC) of Parties in South China Sea in 2002. However, it’s been almost twelve years since declaration but there are still no any tangible indicators in their bilateral relationship, which is come down from declaration. The study proposes to examine further implications in their

bilateral relationship keeping DOC as one litmus test between them. Sino-Vietnamese relations are very fragile in nature and neither too close to be trusted nor too far to be isolated.

Sino-Vietnamese relations are relations that has been defined with unequal in power, in terms of economy and military but that doesn't dictate one over other to deal with. Vietnam persistently has checked China's from various strategic maneuver. Hence, it is interesting to study how their relations have been going through and meanwhile how Vietnam has tackled China up their northern frontiers. The study would like to explore how Vietnam has been struggling in South China Sea under the aggressive policy implementing by China in this region.

#### **1.4 Scope of the Study**

The study would examine twelve years of the relationship between Vietnam and China from 2002 to 2014. The timeframe is significant to the study as it was one of the leap forward developments in the South China Sea dispute by signing the DOC and it has given a very optimistic hope for the resolution. Year 2014 is one of crucial year when the relations between Vietnam and China were under huge stress because of Chinese installation of oil rig in the Vietnam's so called Exclusive Economic Zone (EEZ). Chinese refusal to respond to Vietnam's protest and some small scale clashes pushed Vietnam to submit the case to the United Nation for its intervention along with Philippine. Therefore, the period 2002 to 2014 is one of the important in Sino-Vietnamese relations and it also has become a litmus test for the Chinese commitment to the DOC. Moreover, the twelve-year period would keep the study focused and manageable.

#### **1.5 Research Questions**

- What theory can best explain Sino-Vietnamese relationship?
- How the South China Sea disputes played a significant role in Sino-Vietnamese relations?
- How has the 2002 DOC agreement between China and ASEAN affected Vietnam-China relations?

- What kind of influences that the two track policy of Vietnam “object of cooperation” and “object of struggle” on Vietnam’s bilateral relations with China?

## **1.6 Hypotheses**

- Notwithstanding shared political system, the South China Sea disputes have affected Vietnam-China relations.
- Vietnam’s two track policy ‘object of cooperation’ (doi tac) and ‘object of struggle. (doi tuong) has not been able to address the position China has taken on South China Sea disputes.

## **1.7 Research Methods**

The analytical interpretive and historical approach will be applied in this study. The study aims to start from a particular period of time and its transition as a premise to reach one conclusion, thereby applying a deductive method in the research.

Accordingly primary and secondary sources would be collected from reports, agreement, declaration, books, articles, newspaper clippings and electronic websites. The chapter draft rests on the data collection side by side with supervision in order to finalize each chapter.

In a theoretical perspective it seeks to explain the overall view of Sino-Vietnamese relations through asymmetry theory as well as Vietnam’s strategy to deal with China such as hedging, bandwagoning and balancing. The study tends to look at the potential rise of China and its aggressive policy in the South China Sea and Vietnam’s reciprocal response.

## **1.8 Tentative Chapters**

Five chapters are proposed in the dissertation, these are as follows:

### **1. Background**

This chapter would examine in detail the manner in which the dissertation is presented and structured. It would also touch briefly on Sino-Vietnamese relations in general and DOC and its implications and transition of relations in particularly.

## **2. Theoretical Perspectives on Overall Sino-Vietnamese Relations**

This chapter will discuss theoretical perspective on overall Sino-Vietnamese relations with empirical evidence as the basis for supporting the theoretical explanation. The theory in particular to explain this relation is Womack's Asymmetry Theory and Kang's critics against asymmetry theory by bringing hierarchy aspect in Sino-Vietnamese relations.

## **3. South China Sea dispute between Vietnam and China**

This chapter will bring each state's claims and counter claims over territories in the South China Sea and their basis of occupation, discovery and historical evidences. The chapter also explores international law relevant to the disputes in South China Sea.

## **4. Vietnam-China Relations between 2002 and 2014**

This chapter would analyses between Vietnam and China during the period under study. How bilateral relations are being influenced by the development in South China Sea and what kind of relations that Vietnam would like to forge with China.

## **5. Conclusion**

In this chapter an overall conclusion regarding with South China Sea disputes and Sino-Vietnamese relations. It would be concluded by discussing its present and future implications by these disputes especially DOC for the bilateral relations between Vietnam and China.

## **CHAPTER TWO**

# **THEORETICAL PERSPECTIVE OF OVERALL** **SINO-VIETNAMESE RELATIONS**

*“A thousand years of Chinese rule, a hundred years of French subjugation, and ten years of American domination, but we survived, unified.” –Vietnamese proverb*

## 2.1 Introduction

It is important to know the overall bilateral relations between Vietnam and China on the basis of theoretical framework grounded in empirical evidence. Theories in international relations are abstract which will shed light on the objective states interaction. Therefore there is an inescapable link between the abstract world of theory and the real world of policy. (Walt 1998:29) On due account of knowing the whole picture of what is there in the relations between Vietnam and China it is vital to deal with some theories act as a framework for analyzing their bilateral relations consistently throughout their history. It is hard to catch fish without having a net, and it is good to have a net, to know the nature of fish. Karl Popper believes “theory is just like the net that we throw out to catch the world- to rationalize, to explain, and to dominate it.” (Meyers 2007:16) There can be different kind of the nets according to the nature of the fishes as some are coarser, and some are finer. There are so many different theories which explain the nature of state behaviour and their interaction with another state. But to be noted that there can’t be a single approach which can capture all the complexity of the interactions between two states. It is also important to know the real situation on the ground to construct one good theory. In the same way, it is good to have one holistic view of the theory to get the clearer picture of the ground reality.

When we talk about theory as a whole, we are talking about theories that mostly reflect the political scenario of Western historical development or European social structure. According to Kenneth Waltz, “the theory of international politics is written in terms of the great powers of an era. It would be ridiculous to construct a theory of international politics based on Malaysia and Costa Rica. A general theory of international politics based necessarily on the great powers.” Kang (2003:57) For that matter, then there would be many big questions to be asked; the questions like can theories based on the great power explanation about the small power state? Or can the political development in West reflect the Asian political development?

For a very long time especially during the period of European colonization, Europe was the prime focus of international relations and international relations scholarships are working on understanding the international relations from European perspectives. Scholars have been simply deriving concepts, theories and perspectives from European experiences but trying to project or predict on Asian context. The Western scholars, who believed international relations have been started since Westphalian State system were problematic in Asian context unlike the scholars like Kang, who argued that Asian as a region has its own political system.

The most obvious empirical evidence brought by the scholars is that the failure of the prediction made by the western scholars whose assumption about the instability of Asian states after the end of Cold War. Instead of having instability in Asia it has been remained stable since the end of Cold War. “The pessimistic prediction of Western scholars after the end of the Cold War is that Asia would experience a period of increased arms racing and power politics. But it was largely failed to materialize, a reality that scholars must confront if they are to develop a better understanding of Asian relations.” (Kang 2003:59)

After all what are the theories which could explain Asian states relations far better than Eurocentric theories such as realism and liberalism are the question to be answered throughout in this chapter. There are many scholars coming out with different theories trying to explain Asian as a region with vibrant inter states interaction especially between China and Vietnam, which is one of the best examples that can narrate all other states. The two most distinguishable scholars’ works in this regard that I have referred are Womack and Kang. They both believed it was failed attempt of Western scholars to predict Asian political system. As it functions through the lens of West international relations rather than coming up with a very different way of analyzing bilateral relations between states in Asia and more importantly between China and Vietnam. Womack sees one constant thing in Sino-Vietnamese relations throughout their century-old history is that China is always stronger, and Vietnam is always weaker. But he remarked that it doesn’t make many changes because Vietnam is always independent country and never fully domesticated by China indeed the relations is always a negotiated one. This kind of relations existed between China and Vietnam since a very long back is termed as Asymmetry relations by Womack. On the other hand, Kang found a very interesting way of analyzing relations between states in South and East Asia. Kang based his argument on the view of failed realist prediction about Asia where he realized that secondary power states in Asia are not balancing against powerful China rather they are bandwagoning. Here is what he came to a conclusion that the hierarchical political system which existed in Asia from the early cultural practices of tribute system between China as a central state and rest of the Asia as peripheral states.

## **2.2 Assessing Asymmetry Theory in Sino-Vietnamese Relations**

### **2.2.1. Asymmetry Theory**

Asymmetry theory is initially proposed by Womack, and it is a relatively new paradigm that touches the unequal relations between two states. The two premises of Asymmetry theory are firstly the asymmetry inevitably creates differences in risk perception, attention and interest between strong state and weak state which can ultimately lead to systemic misperception and misunderstanding. What happens here is that two states perceived differently in dealing with one another both in terms of risk and opportunity. Vietnam always sees a risk involved opportunity while interacting with China and China on other hand doesn't perceive that way. Secondly, the asymmetry relation is a relatively stable, which doesn't mean there is no any problem in the bilateral relations rather there is always problems because of different in their interest and perceptions. But one thing is always constant in asymmetry relations is that stronger state is always stronger and weaker state is always weaker in terms of power. This basic disparity in two states capacities could not lead to a stronger state to occupy or eliminate the weaker state. China and Vietnam being a historically in asymmetry relations and China is always stronger, and Vietnam is always weaker but China hardly had any chances to eliminate or domesticate Vietnam. Indeed, the failure of China's twenty years occupation of Vietnam during Ming Dynasty was one good example of asymmetry nature of relations that has been existed between two states historically and still it is. The essence of asymmetry interaction between strong state and weak state is that of defiance and deference. The strong state expects deference from weak state and weak state expects the strong state that their autonomy will not be threatened.

Asymmetry theory is quite different from modern theories of international politics derived from Westphalian normative assumptions of sovereign equality, which tend to think asymmetry as a form of abnormal and remediable imbalance. The analytical method of asymmetry theory is different from modern international relation theories as Western theories have a pessimistic view of instability in predicting the post-Cold War Asian international relations. But the asymmetry theory viewed there are elements of accommodation to manage relations between rising China and rest of the Asian states which is fair enough of witnessing today's stability in Asia. Even though there are differences in interpretation between asymmetry theory and modern international relations theories there are some elements that are common in interpretation and constructing theory itself. For example, like classical realist



theory, asymmetry theory assumes that capacities matter and that states attempt to maximize their interest. It is similar to neo-realism where it talks about the structure of bilateral relations and neo-realism talks “democratic peace” arguing states with similar forms of government are less likely to go to war. Like the constructivist theory, it stresses perception and interaction. But despite the similarities with numbers of modern international relations theories, ‘asymmetry theory is not a syncretised sampling of what appears attractive from each of the other theories rather a reinterpretation of international relations from a fundamentally different starting point.’

All these above theories interpret asymmetry theory as an imbalance in power and capacities and disproportionate where it used to have a subordination. These theories are focused on the great power competition and treated international relations as flat with competition between great powers. Womack argued that “states in symmetry relationships are usually viewed as similar actors with the disparity in capacities. They are not actors whose interests and perceptions shaped by their relative positions like card players who might have dealt with a good hand at one time and a bad hand at another”. Womack (2006a:20) makes an assumption that “the interests and perceptions of states in international relations are indifferent to their relative positions, and that misperceptions result from individual mistakes rather than from relational structures. Even theories that deconstruct the state actor or pay special attention to ideology and values tend to do so without regard to the disparities in specific relationships.” So this different interest and perception lead the stronger state to pay less attention to the relations between weaker states and tend to give a bullying posture. On the other hand, a weak state could feel the risk involved opportunity with strong state and always pays more attention, which makes them more paranoid.

Another difference of asymmetry theory with other international relations theories is that their supposition to consider power as to subjugate or dominate especially security theory that believes powerful states are victorious in war. Hegemony Theory brings the perception that stronger state means to dominate over weaker states through different kind of means such as economy and military power. Womack (2006:20), questions that if that is so then why weaker states still exist in this world with so many powerful states? Why powerful states frequently get frustrated in the hand of weaker states? One good example is that Vietnam has frustrated firstly France then U.S and finally China in their national struggle. Finally, it is the question of how this could retain where strong states don’t subjugate weak state, and weak state persist strong state? Joseph Nye has proposed an idea of “soft power” which is one different from

military power or so-called “hard power”. Again, James Scott’s idea of “weapons of the weak” can be referred to the Malaysian society. All these are some of the powers that can be owned by the weak state to make themselves relevant with strong power.

Womack (2006:21) has concluded the reason being stable in asymmetric relations of strong and weak state is that “the heroism and cleverness of the weak defeats the venality, immorality and clumsiness of the strong.” He counts the cost of the strong state to occupy weak state that in long time leads to stalemate without achieving both states aims and objectives. The unbeneficial stalemate has led them to negotiate each other and get into the mutual agreement. Therefore, the relation is asymmetrical normalcy relationship, which is negotiable in nature rather than simply dictated by the stronger state.

Hence, in asymmetry theory power doesn’t mean control rather a factor for the different perception and interest between two players. Moreover, there is a sustainable relationship in asymmetry theory that is maintained or managed by the two states expectation from one another. A strong state expects deference from the weak state whereas a weak state expects his or her autonomy to be protected. This is how strong state and the weak state maintains their relationship in the framework of asymmetry theory, which is always in the nature of managing and negotiating. The asymmetrical relationship is all about “protecting a diversity of national interests while recognizing the disparity of national capacities.” Womack (2006:23)

### **2.2.2 China and Vietnam: The Dynamical Asymmetric Relationship**

The traditional patterns of international relations in East Asia were one of the asymmetric pattern based on a patriarchal model of unequal roles in which the central power was considered to be China, who claims the allegiance of the weaker states. At the same time, the autonomy and legitimacy of the peripheral states were also recognized and protected. The history of China and Vietnam reflected the vivid patterns of consistent and different forms of asymmetric relationships carried out between two states. The interactive history between two states has provided the best evidence of all possible spectrums of asymmetric relations that has covered over the time. The two states have interacted with each other in a way that has contributed one another’s development throughout the history. Both are mutually important in terms of their product of history though the two states were never the same as they have always evolved with different kind of interactions at a different period.

Table 1 The general phases of the Sino-Vietnamese relationship

1	-221BC	Pre-imperial
2	111 BC-AD 968	Vietnam as part of China
3	968-1885	Unequal empires
4	1840-1949	Fellow victims of imperialism
5	1949-73	Revolutionary brotherhood
6	1978-90	Hostility
7	1991-99	Normalization
8	1999-	Normalcy

Source: Adapted from Womack (2006:23)

### **2.1) Amorphous Asymmetry: before Independence**

Both China and Vietnam were not in the identifiable political entities rather they were in the formation of culturally and socially unified states. The structure of interactive pattern between two described as one of amorphous asymmetry. “Amorphous asymmetry is situational rather than conscious, but it is real nevertheless.” Womack (2006:103) Before Vietnam’s resistance against China in AD 44 it is difficult to say a formal relationship between two states because at that time there is a lack of self-conscious nationality. The system is clearly reflected as one of the asymmetry with two bases; firstly, China has always been central and more advanced in its development and Vietnam lacked the massiveness and that kind of development thus northern Yue were affected by and become involved in Chinese development without much resistance. Secondly, even though Vietnam was under the Chinese influence and became much of its part but Vietnam has never been assimilated into the society of China. Vietnam had strong demographic and cultural elements and also enough distance of geographic that could yield a distinct form of identity.

China was far advanced in its cultural unification in around 1100 BC, but it was yet to be politically organized thereby Vietnam had experience of Chinese development. But Vietnam did not become a single entity within China until the formation of the Protectorate of Annam in the Tang. There exists an internal asymmetry between parts versus whole, which is more revealing than amorphous symmetry itself in the earlier era. The revolt of Trung sisters thus initiated the Vietnamese tradition of heroic resistance to China, and its failure was equally significant for the emergence of a Vietnamese identity. The revolt established a locus of national consciousness. (Womack 2006:115) Indeed, the defeat of Trung sister is the fourth

and last stage of China's attempt to incorporate Vietnam into its space. Vietnam is always trying to be separate itself from larger China but being a community alone is a necessary bridge between autonomy and independence at that time. Vietnam was not directly in the Han orbit, but it was a part of under the Yue prefecture in Guangxi. China's claim of Vietnam under its integration has not been sustained and it began to consider independent Vietnam starting from 968 and was completed with the defeat of Ming occupation in 1427.

Vietnam's position at that time was on the double periphery, the periphery of the Southern Yue and the periphery of the Sinitic realm. Both helped Vietnam to develop its own cultural and demographic substance in a peaceful and small scale manner on the basis of tribal organization. China's ambitions for domination and integration through force have awakened Vietnamese self-consciousness and desire for independence. On the other hand, the society of Vietnam was not destroyed by its northern subordination rather it has played a significant role in later national consciousness. The framework of the interaction between two communities at that period is amorphous asymmetry even though the units are not self-defined, the fate of each and its relationship to one another are affected by the difference in scale

## **2.2) Establishing Autonomy and Deference**

With the Song Dynasty's recognition of Dinh as King of Giazhi in 975 the contact between China and Vietnam entered the realm of international relations. The acknowledgment of Vietnam's independence after the failed invasion by China didn't solve all the problems and problems persist with Champa at the coastal frontier. Both had experience of invading each other at the different period at the same time both are sending tribute missions to Song Dynasty. Interestingly, Buddhism has provided the initial paradigm of the rule rather than Confucianism. The Song Dynasty has given up the glories of Tang Dynasty to re-establish its hold on Vietnam in their first thirty years of rule, but Song has retained the comforting rhetoric of tribute and hierarchy. (Womack 2006:122)

Genghis Khan has risen up in power and making its advance in Asia as well as beyond. Vietnam was invaded by the Mongols in 1257, because of its offensive attitude towards Song. But the Mongols withdrew after the occupation and destruction of Hanoi. The Mongols finally defeated Song and installed Yuan Dynasty. At the same time, they decided to install a member of the Vietnamese mission to Beijing as a king and sent him back to Hanoi with an escort of a thousand soldiers. The escort was defeated and all the attempts even under the Khulai Khan's son Toghan with a large number of army were defeated in one of the famous

river battles by General Tran Hung Dao and let Toghan retreated. Kublai died in the midst of plans for a fourth invasion, and his successor Timur abandoned the project. (Womack 2006:123)

Since then Vietnamese resistance against the Yuan was accompanied by diplomatic deference and Vietnamese king treated Mongols as envoys of the independent kingdom. But Yuan, on the other hand, is not in satisfaction therefore Vietnam face a period of intense confrontation with the Mongols, which have reminded them to rethink their fundamental identity. The question is on the ground of Vietnamese autonomy and of the proper relationship of Vietnam to China. For that purpose, Le Van HUU was asked to write a history of Vietnam, which is pure intention to assert Vietnamese autonomy and to make argument that Vietnamese independence did not depend on Song recognition, but rather Vietnam was independent nation since old time, and the Song merely recognized the fact. HUU under his patron Tran retained Chinese model of governance but not having contradict with their assertion of autonomy, this governance model was kept till French has replaced it with their own system.

At a later period, the Yuan start weakening its power and at the same time losing its assertiveness towards Vietnam but equally the conflict between Tran and Champa caused Vietnam to fall apart. Finally, Tran was replaced by one of its ministers, Ho Quy Ly, and he renamed dynasty as “Dai Viet”, made his son Emperor and attempted radical reform. In 1407, soon after the establishment of Dai Viet Dynasty the Ming started the occupation of Vietnam. The rise of Ming dynasty in China has facilitated the restoration of Chinese territories in China. The Ming dynasty becomes very strong at that moment and they looked to Southeast Asian on two objectives first is to develop the Chinese maritime power and second is to restore Vietnam as one of its provinces. The demise of Tran dynasty and rose of Ho Quy Ly has provided the opportunity to Ming dynasty. According to the eminent Vietnamese historian Le Thanh Khoi the Ho dynasty’s radical reforms were so unpopular that the Ming pretext of restringing the Tran was quite successful in placating the opposition. (Womack 2006:127)

Finally, the Ming’s leading General Zhang Fu lead the troops and overthrow Ho dynasty and returned Vietnam back to its status as a Chinese province. Vietnamese scholars and artisans were quickly integrated into imperial service. For example, the Vietnamese architect Nguyen An played a key role in designing the new Ming capital in Beijing. But the Chinese considered Vietnam was a dangerous and full of barbarian place, where the law was breaking

people banished. In 1418, a superb guerrilla leader, Le Loi, began to emerge and he started a successful resistant movement against Ming's occupation. He has a great advisor and spokesman Nyuyen Trai, and their assertion is to Vietnam's autonomy what had been formulated in the previous century against the Mongols into a ringing patriotic message. The successful resistance of Le Loi brought victory, and they choose to recognize a Tran restoration in Vietnam. Vietnam resumed tributary relations with Ming Dynasty. The defeat of Ming by Vietnam is significant and frustration for Ming dynasty as it has turned an expansion to retrenchment by moving its capital to Beijing. Moreover, restoring the Great Wall and had to launched series of an expedition against the Mongols. Vietnam's success has led China to set a boundary in south at the Southern Gate between Vietnam's Lang Son and China's Pingxiang. With only some disputes, the boundary remained in the following period and China has no longer claimed Vietnam being its territory. This asymmetrical nature of Vietnam being deference to China, and the autonomy status of Vietnam being recognized by China exist until it was broken by British in 1840 and later by French in 1885.

### **2.3) Asymmetry Distressed**

Until the nineteenth century, the asymmetrical relationship between China and Vietnam were not affected by third-party relationships, and it was managed within a common cultural framework. (Womack 2006:142) The greater Western imperialist power advanced in Asia especially in China and Vietnam for subjugation and territorialization has destroyed the traditional context of the relationship. But the asymmetrical relationship has not changed rather both China and Vietnam was clearly in asymmetrical relations with the West. The key features of their asymmetrical relations with West are military and cultural disjunction which has big gaps in both ways. China in first of its civilizational memory faced that it was not the centre of its world. Later Vietnam has diverted its traditional patriotic resistance from China to France.

China and Vietnam were certainly distracted from their mutual historical differences and sharing similar burdens of oppression, rather they moved from face-to-face relationship to a shoulder-to-shoulder one. Because, both the country faces the same situation of the bigger imperialist nation, and the relationship was turned to be like big brother and small brother with the power disparities between two remained intact. As both, the country faces the same problem of foreign occupation they shared some solution to counteract, and the Communist ideology played an important role in their struggle. Leaders like Mao Zedong and Ho Chi

Minh followed a parallel path of founding the communist party and amplified national movement in a similar pattern of rural revolution. Their cooperation of being a same communist party against imperialist West is still asymmetrical in nature through socialist internationalism, but now China is no more a challenge to Vietnam as well as not a major model as well.

The pattern of asymmetry introduced by this era into Sino-Vietnamese relations is one of distracted asymmetry. The basic condition of asymmetry between China and Vietnam did not change, but the perceptions on the bilateral relationship for risk and opportunity were massively affected by the context of other concerns, both international and domestic. The previous assumption of China's national centrality was lost and found a new identity builds from modern components as well as traditional ones. The Sino-Vietnamese relationships in this era can be described as disjunctive and distracted asymmetries.

The different view of asymmetry pattern formed between Vietnam and China because of entering Western imperialism into both countries which have resulted in the dilution of the China-centered role of asymmetry. Western imperialism has destroyed the traditional governing system, and it became a biggest altering challenge in the Sino-Vietnamese relationship. Moreover, it has challenged one of the basic premises of asymmetry theory assumptions; first, disparity creates significant differences in perception and attention and second, because of difficulty in subjugating the weaker side, asymmetric relationships are usually negotiated rather than forced. If these two are remain in a bilateral relationship, then it is normal asymmetry relations but once one of the premises has broken down then, the asymmetry has been distressed. The Western imperialism has broken down the second premise of asymmetry theory assumptions. Hence, the traditional Southeast Asian relations based on China centered asymmetry role were replaced with one based on Western imperialism and forced subjugation.

China and Vietnam both have a strong traditional government, but both were failed to confront Western advance. Vietnam had defeated a Chinese army in 1789 but only slowed down the French advance from the occupation of Danang (Tourane) in 1858 to the consolidation of French Indochina in 1897. For China, the process of defeat was longer and more humiliating. (Womack 2006:145) One of the reasons for such a drastic change in terms of power was caused by the distracted asymmetry between Western imperialism and China and Vietnam because the sudden appearance or entering of West overwhelming military

superiority. The modern naval force of British has suddenly reached the sea shore of China has caused a sea change in China as well as Southeast Asia as a whole. The causes were not only from external but also from domestic political influence such as Emperor Tu Duc in Vietnam fought against peasant rebellion in the north to support French and Taiping Rebellion in China which caused internal instability. Another reason is disjunction asymmetry or cultural disjunction, which is based on vast differences in values, systems and expectation. It is impossible to come in negotiation between the Western imperialism and China or Vietnam because there is no accepted common ground that can provide a framework for a negotiated asymmetry.

#### **2.4) Dependent Asymmetry**

The context of dependent asymmetry can be analyzed in next twenty-five years of Sino-Vietnamese relationships. The People's Republic of China (PRC) was established on October 1, 1949, and Democratic Republic of Vietnam (DRV) was established on September 2, 1945. Since January 1950, there was an intense and intimate relationship between two states. The party to party relations between the Vietnam Workers Party (VWP) and Chinese Communist Party (CCP) became a key bridge of interaction between two newly formed states. The political climate shared between two states has got changed in drastic step, and that has led different view of an asymmetrical relationship. China has just closed its long civil war and stabilized in 1952 but again it has got into its internal upheaval of the Great Leap Forward from 1958 to 60 and followed by the Cultural Revolution from 1966 to 69. On the other hand, Vietnam was still fighting an intense war with French imperialistic forces. With this, Vietnamese incomplete accomplishment of its independence from French occupation has cost every possible assistant from its revolutionary comrade China. The comradely relationship what Womack called as “as close as lips and teeth” meaning “as interdependent as lips and teeth.” Vietnam though has maintained a strong self-reliance and independent struggle for their independence but had heavily leaned on Chinese support, and there was no any alternative, unlike Chinese support. Hence, this period of revolutionary comradeship relationships is no other than dependent asymmetry.

Although China was not dependent on Vietnam, its aid to Vietnam was its most important sustained foreign policy commitment from 1952 to 1975, and the survival and success of the VWP were crucial to China. First, aiding Vietnam promoted a socialist internationalism that was implicitly China-centered. Second, China perceived the United States as its primary



threat until 1969, and therefore offering full support for someone else's war against the United States made sense. Third, support for Vietnam had domestic resonance. (Womack 2006:163)

The Sino-Vietnamese relationship in this period can be divided into two phases, first 1950 to 1965 the common suffering and comradeship cooperation has created a significant intimate relationship between two communist states. Second, 1965 to 1975 the distance appeared between two as Vietnam start losing its trust to China, and especially the Sino-U.S rapprochement in 1972 and Vietnam start receiving support from Soviet rather than China alone.

The dependent asymmetry theory could be applied when Vietnam was divided into two parts of North Vietnam and South Vietnam by French colonization and followed by the U.S entering. It has led North Vietnam to be dependent on China and South Vietnam under the American help. But the nature of dependency between two Vietnam is different as for the North Vietnam it has worked independently under the China and for every decision the Vietnam Workers Party (VWP) remained in charge. The very important statement of Liu Shaoqi is that "if we are not invited, we will not come... the initiative is yours" has become a principle of Chinese foreign policy. North Vietnam thus had a self-constrained autonomy in its relationship with China. (Womack 2006:183) On the other hand, South Vietnam worked under the U.S parameters and was constrained by U.S interest thereby lacked their autonomy as compared to North Vietnam. Therefore, the two Vietnam's dependent asymmetry has different kind of restriction making them dependent on other states. For North Vietnam, it was the internal factor and thus has autonomy of its own. But for South Vietnam it was the external factor which is why they lost their autonomy for making decision and functioning of its own governance.

## **2.5) The Cycle of Systemic Misperception**

Sino-Vietnamese relations from 1975 to 1991 present a classic example of the full cycle of systemic misperception resulting from the asymmetrical relationship. From 1975 to 1979, Vietnam's oversensitivity to China's actions and China's insensitivity to Vietnam's security concerns led to a vicious cycle of Vietnamese escalation and Chinese bullying characters culminated them into the border war. The failure of the larger side to dominate the smaller side by a show of military force led to the stalemate. The smaller side recognized that stalemate was disadvantageous and changed its policies, and eventually the larger side also

agreed the normalization. Normalization is usually rather stable because it is founded on the sobering experience of stalemate. (Womack 2006:210)

In early 1973, American involvement in the Vietnam was started disappearing and subsequently the withdrawal of its combat troops happened. Vietnam's victory against America in 1975 and later reunification of the country has significant implication both internationally and regionally as well as it has changed Sino-Vietnamese relations perceptions. Vietnam is no longer a dependent country rather it has achieved full independence. Vietnam's victory has also ended the long colonial period and imperialistic policy of Western power in the region. For China, the victory was one of its contributions of being a full-time support for Vietnam at the same time China was relieved for relaxation of its further help for Vietnam. But everything is not going well with China because Consistent Soviet support for Vietnam makes China uncomfortable for dealing with Vietnam.

Since 1975 to 1979, in this period there was an environment of systemic misperception arising between China and Vietnam, and finally it has caused an apparently unavoidable yet unsuccessful war. China's insensitivity and Vietnam's oversensitivity interacted in a negative complementarity of misperceptions. The process can be seen in the four major issues of the war: the Soviet-Vietnam alliance, Cambodia, Vietnam's treatment of its ethnic Chinese residents, and territorial issues. (Womack 2006:188) After a long period of hostility between two states didn't reach anywhere and both realized that their own limit of power and zero sum game. China's lesson to Vietnam doesn't yield any concrete benefit as it has expected and on the other way round it created its own international isolation and criticism. The two states went to war and kept long hostile relations, but the outcome doesn't benefit for both sides as stakes are not on either side. Hence, two countries kept them separately and disconnected all their channels to interact one another, which result so-called stalemate was occurred well in 1985.

Vietnam's continuous occupation of Cambodia caused a formation of China and ASEAN entente against Vietnam. It makes isolation of Vietnam from a regional interaction as well as international relations, which is a mere disaster for Vietnam as it wants to develop its economic after the long struggle for national liberation and unification. Vietnam had to think over the matter again and finally introduce a more relaxed reform called "doi moi" (renovation) in 1986, for which China, as well as ASEAN countries, are indispensable. Accordingly, Vietnam attempts to break the stalemate by announcing a unilateral withdrawal

of its force from Cambodia by 1990. China on another hand also sees itself isolating if it continued to support the Khmer Rouge. In 1991, Cambodia agreement was reached with all the concerned states especially between China and Vietnam. Vietnam start behaving more differently towards China and China too start respecting Vietnam's independent therefore normalization between two was in place.

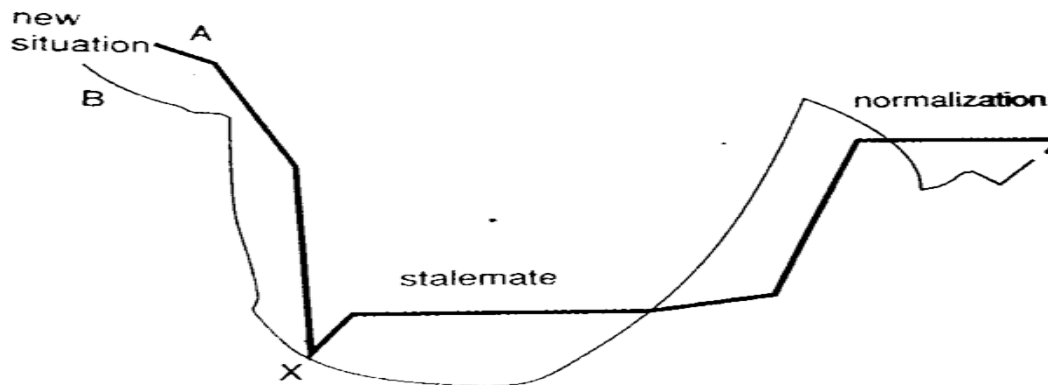


Diagram – 1 The Cycle of Systemic Misperception (adopted from Brantly Womack, (2006), *China and Vietnam: The Politics of Asymmetry*, US: Cambridge University Press. (p.210)

The above diagram illustrated the cycle of systemic misperceptions during this dark period in Sino-Vietnamese relations. Here, A represent China and B represent Vietnam, B is lower and more variable which shows more suspicious to the relationship. For A, B is not so significant therefore A is less frequent and more stable. The downward swing of the cycle is the negative complementarities of misperceptions between A and B, which result to use force in order to resolve the mutual conflict. The bottom line shows stalemate after the unsuccessful attempt to resolve the conflict. The stalemate is disadvantageous to both sides because of lack interactions, but B will suffer more than A due to its resources and ability to develop itself. Due to all these negative consequences of the stalemate there will be room to adjust each other and prepare a ground for negotiation. The adjustment and accommodation by B and A's understanding of its limit will improve each other's interaction in order to have mutual benefit. Hence, it shows upward line and finally reached normalization. Normalization is more stable than other because both A and B paid a heavy cost to reach there.

## 2.6) Normalization, Normalcy and Mature Asymmetry

Normalization is the process by which the hostility between two states will be overshadowed by mutual accommodation and readjustment and changes from zero-sum confrontation to one

emphasizing common interest and cooperation. Normalization doesn't mean to rewrite the history by neglecting all the resentments rather understand the mutual benefit and bury hostility under the economic development and opportunities. The security concerns between Vietnam and China were downplayed by economic cooperation, therefore, found themselves in stable and interdependent kind of situation.

The trend of relations started from a hostile stalemate in 1985 through formal normalization in 1991 to the general acceptance of normalcy by 1999. It was a complicated one, even if in general the trend was in the same direction. Normalcy can be called "mature asymmetry" because it is grounded in a learning experience, and it can be long and stable relations. In mature asymmetry, the deference of B to A and A's acknowledgment of B's autonomy become embedded in mutual expectations. Asymmetry continues to affect the relationship, but both sides become practical in handling the perspectives and interests of the other. (Womack 2006:213)

The normalization between Vietnam and China were formally announced in 1991 after Vietnam's voluntary withdrawal of its troops from Cambodia. China acknowledged to Vietnam, and both realized the importance of cooperation for the future economic development. The first benefit of normalization is to end hostility and opening doors to each other. Vietnam was helped to amplify its economic reform, "doi moi", adopted in 1986. The new opportunities came from normalization also created new challenges between two states. As the other issues and problems disappeared in the late 1980s, the sovereignty issues started popping up. The first issue was the confrontation over Spratly Island in 1988, where seventy Vietnamese sailors were killed in the bloody clashes. The conflict still continues over the Spratlys, the land borders, and the maritime territorial claims. One of the major territorial conflicts were over the Spratlys island, and it was became a symbol of China's growing threat to the countries of Southeast Asia. Vietnam also had a confrontation with China in the Tonkin Gulf. Hence, the Sino-Vietnamese normalization is not at all in peaceful relations rather it was unstable and mostly converted into indirect interactions. Vietnam's entry into ASEAN in 1995 and latterly by Laos, Myanmar and Cambodia has made it a truly regional association, but the relations with China were rather difficult. The rise of China with the increase of its military budget and unilateral action on maritime territories are the biggest concerns for the countries of ASEAN.

Despite continuous controversy over maritime territories and threat of China's power and intention, there was major cooperation between ASEAN and China. With this, China became a founding member of ASEAN Regional Forum (ARF) and a dialogue partner with ASEAN in 1996. (Womack 2006:219) As it is with Vietnam, ASEAN also follows both balance and bandwagon approach in relations with China because it contained both opportunity and risk. The territorial conflict is one of the main blocking stone in the relationship, but their main aim was not a complete solution rather a containment of the conflict. The summit meeting between Party Secretary Le Kha Phieu and Jiang Zemin from February 25 to March 3, 1999, was the stepping stone to the next level of relations between Vietnam and China. Two of the most important outcome of the meeting was an adoption of "16 Word Guideline" and Border Agreement" signed between two.

The Sino-Vietnamese relations have reached the level of normalcy from normalization because normalcy is based on the negotiated relationship rather than one of the imposed relationships. Joint Statement on Comprehensive Cooperation in 2000 has provided the exchange of friendly visit to enhance trust and friendship and multi-level military exchange". Officially the land border was resolved by the Treaty on the Land Border signed on December 30, 1999, simultaneously the disputes over the opening of the railroad through Friendship Gate were also dissolved. The Tonkin Gulf Agreement was signed on December 25th, 2000. Now the most vivid and conventional disputes were on maritime territories, and Spratly was one of the key focus of world attention. But the Declaration on the Conduct of Parties in the South China Sea (DOC) signed between China and the ASEAN countries in November 2002 at Phnom Penh is a major accomplishment in this regard. (Womack 2006:228) Not only the signing DOC by China and ASEAN but also in 2003 China accepted the Treaty of Amity and Cooperation (TAC) in Southeast Asia.

The normalization, normalcy, and mature asymmetry are the trend of asymmetrical Sino-Vietnamese relationship which has evolved in the last phases. China is always stronger than Vietnam but normalization doesn't mean surrender, and normalcy doesn't mean domination or even alliance. (Womack 2006:235) The relationship is based on negotiated one because of differences in interests and perspectives. The stable asymmetrical relationship is mainly based on larger side expectation of deference and smaller side expectation of autonomy to be protected. The mature asymmetrical relationship is an outcome of the painful historical experiences thus it has always associated with inattention and overattention. Vietnam,

therefore, is employing a hedging strategy in relation with China not only balance or bandwagon.

## **2.3 Assessing Hierarchy Theory in Sino-Vietnamese Relations**

### **2.3.1) Hierarchy Theory**

According to Kang hierarchy, means “a rank order based on a particular attribute. Therefore, a hierarchy is an ordinal measure from highest to lowest. It refers to some kind of arrangement or rank, among people, groups, or institutions.” Hierarchy itself can be both imposed and accepted, and it can also be seen as legitimate. There are numbers of definition on hierarchy in international relations. Perhaps the most common alternative definition of hierarchy in international relations comes from Kenneth Waltz’s “generation old juxtaposition of hierarchy and anarchy as diametrical opposites”. Max Weber defines “hierarchy as a set of offices with a chain of command linking them together”. That is, one state cedes to another state the right, or control, over an action. (Kang 2010:18)

The Westphalian system is based formally on equal units, but the hierarchy still exists in today's world. The word leadership in the international relation itself implies hierarchical nature in the system because there is a population of followers and ranks of orders that places leaders above all. The most vivid example of this in today’s world is “U.S leadership” which we can hear and see in different versions of information such as ‘U.S leading of coalition against IS terrorist group’. Hierarchy appears on the basis of consensus view both by a great power as well as smaller power states. There should be an acceptance thereby legitimacy in the system that is why we talk about great power responsibility, similar to China as a rising power and its responsibility for future Asian security. Developing countries or secondary states want to develop themselves by taking the advantage of the developed countries share of the economy, but then secondary states accepts their dependency.

As Kang has argued that status and hegemony are also components of hierarchy because these are the factors that find legitimacy and recognition. He also argued that the world is not purely hierarchic but anarchic in some elements. Hence, the question is what is the determinants of the world system. Broadly speaking, the hierarchic world is one that involves a dominant power that still operates in anarchy. But doesn’t cause other nations to balance

against the largest power in the system, and does not fold them under its wing in Empire. (Kang 2010:344)

Kang's main critics are specifically focused towards the theory of the balance of power where he talks against the equality in the international system. He sees equality is the most dangerous one unlike hierarchic system because if two are equal in power then they may uncomfortable each other and resort in war to find out the dominant one. In the hierarchic system, it is relatively stable and simple as one knows who is stronger and the outcome of the war if one really desire to go to the war. One of the key determinants of stability in hierarchic system has revealed from historical experiences, where the Asia as a continent becomes in chaos and unstable when China weakens its power and Asia is more stable when China is stronger and more powerful.

Another factor in the hierarchic system is whether the dominant power seeks to status power or revisionist power and in another word, will they desire to maximize their power or will they remain in satisfaction. There are numbers of literature that provide the theoretical and empirical basis for the assumption that the states satisfy their needed power. Most of the dominant states having good relations with its neighbours with no foreseeable threats remain in status quo power rather than revisionist power. The power maximization can be determined by intentions and preferences. If there are good relations with the neighbour there is no opposite intentions, and as it is unequal in power with its neighbours then there won't be a further complication in its relations and preferences with secondary states.

Hegemony and bandwagoning are components of the hierarchy though not precisely same in characters. The hegemonic school believes that unequal power distribution in the international system is more stable than equal power distribution. As the powerful state takes responsibility for stabilizing the hierarchic system by benefitting as well as sanctioning through an economy. The secondary states also desire to be good with this system because of economic benefit from the dominant power. In the hierarchic system, the secondary states doesn't completely bandwagon or balance rather they keep middle way approach we can call it hedging because accommodation as their strategy dealing with dominant power. Hence, in Asian context it could be a hierarchic system there is the practice of tributary system thereby maintain their system stable through mutual benefits with different preferences.

### **2.3.2) Tributary System**

As commonly known that every society exist with a set of rules and norms that defines the actor and societal behaviour. As Christopher Reus-Smit has stated that “the elementary rules of practice that states formulate to solve the coordination and collaboration problems associated with coexistence under anarchy”. The Westphalian system is also found in the certain norms that the sovereign nation-states interact with each other on the basis of equality and balance of power in an institutionalized manner. The East Asian countries have very different kind of norms as compared to the Westphalian system, which is known as “Tributary system” founded on hierarchic order based on deference and recognition. Hence, the East Asian “tributary system” from 1368 to 1841 provides an interesting contrast to the Westphalian system. It was comprised of an enduring, stable, and hierarchic system. China was clearly hegemonic where, the cultural achievement was as important as economic or military prowess. (Kang 2010:592) It is basically between an international system based on polarity and an international system based on culture.

The tributary system build in Southeast and East Asia was mixed of both legitimate authority and material power. This system is more or less a creation of Chinese provided a normative social order that included Chinese own commitment for not to exploit the vassal states who reciprocally given legitimacy. The vassal states didn't claim the equality with China rather they are accustomed to this order, therefore, the order is formally unequal but informally equal. China is always at the top of the hierarchical order, and remaining states are peripheral or below the order. There is no any intellectual challenge against the rules of the game and accepted uniformly and stably carried until the arrival of Western imperialism. According to Zhou Fangyin in “Equilibrium Analysis of the Tributary System,” the tributary system is two-way systems where it is carried in the form of booty through concessions. The tributary system is a ritualized version of an exchange of deference for the autonomy, a *modus vivendi*. Here, deference doesn't mean obedience or submission rather the acceptance of the hierarchic order and giving loyalty for the dominant power. As Zhou noted that “the unequal relationships of the tributary system could achieve an equilibrium that was mutually beneficial.” (Womack 2012:38) That is true in the sense of the hierarchic system where the order was maintained stable as long as the concession between two was remain intact, and the system was not disturbed. The Asian international relations were relatively stable under the hierarchic system until it was disturbed by the arrival of Western power.



Throughout the history, the states in Southeast and East Asia accepted these set of rules, norms and institutions being parts of Asian international relations. China was always granted with a hegemonic state in the hierarchic ranks. Largely derived an idea of Chinese become the “rule of the game”. In fact, the Chinese tributary order was viable and recognized by the international system with military, cultural, and economic dimensions, all were intersected to create a stable security system. (Kang 2010:594) This tributary system with an unequal relationship is not meant to solve the problems but rather to provide a framework for managing problems. For China, Vietnam was a vassal but for Vietnam, China was an equal partner. Vietnam provided a show of deference while closely guarding its own interest and autonomy, and China maintained its attitude of official Serenity by accepting deferential ritual as reality and by turning inward to avoid conflict. The tributary system was one of the mutual recognition, but not one of the sovereign equality. (Womack 2012:44)

### **2.3.3) Contrasting Argument of Hierarchy Theory in Asian Context**

Kang has made two main arguments in his article ‘Getting Asia Wrong: The Need for New Analytical Framework.’ First, that the pessimistic predictions of Western scholars after the end of the Cold War that Asia would experience a period of increased arms racing and power politics has largely failed to materialize. Second, contrary to the expectations of standard formulations of realism, and although U.S power confounds the issue, Asian states do not appear to be balancing against rising powers such as China. Rather they seem to be bandwagoning, especially countries in Southeast Asia against the China. Amitav Acharya was also on the same idea though he argues shared norms and institutional linkages mitigate the rivalry in the region. (Kang 2004:165) Evelyn Goh also talks about the same thing, but Goh’s focus is regional order and its strategic alignment and institution-building phenomena in Southeast Asia. It defies direct applications of realist or liberal logic. Because, this kind of strategic thinking, unlike realist or liberal, is to facilitate the transition to a certain kind of regional order rather than simply responding to systemic changes by choosing sides. (Goh: 2008:118)

Kang’s theory of hierarchy is mainly contrasting argument against Western international relations scholars’ prediction and perspective on Asia especially the realist prediction. As it is clear from the scholarships that international relations as an academic discipline incepted from the idea of the Westphalian system and major international relations theories are born

out of Western political experience. The applicability of theories of the Western notion of the Asian context is one of the big questions although many Western scholars thought theories developed under the Western experience were uniformly distributed across the region. But as Kang observed that the Asian context is not exact or replicate of Western context because Asian international relations is not a theoretical approach alone for testing hierarchic system rather an empirical one. (Kang 2004:169) The empirical evidence clearly speaks the failure of the Pessimistic Western prediction about the Asian international relations. As Asia is still relatively stable and peaceful since the 1978-79 conflict of Vietnam, the Cambodia problem and Chinese intervention, therefore, there is no immediate threat to national survival.

Hierarchy as a contrasting argument to the balance of power, therefore, the key question is whether states compete with each other, or they find a way to accommodate with each other. In hierarchic system like Asia the power distribution in the system is not important rather the importance is one of the deference giving by the secondary states to the powerful states versus the sovereign recognition given by the stronger state to the secondary states. In the Asian context, a comparatively hierarchy is more stable than the balance of power because of shared expectation which can reduce the security dilemma. According to Blainey, who believes “that wars were usually fought when the fighting states disagree about their relative strength.” China as a dominant state and Vietnam as a secondary state or vassal state, we have witnessed in last few decades that Vietnam always tends to adjust or accommodate with China rather than compete with China unless it was Vietnam’s sovereignty that had to be protected.

The major problems faced by many of the pessimistic predictions about Asia were first, when confronted with the not balancing of Asian states against China, the lack of Japanese rearmament, and five decades of noninvasive by North Korea. Scholars had to respond typically with 'Just wait' answer. This reply, however, is intellectually ambiguous. Second, pessimistic predictions about Asia’s future often suffer from incompletely specified evidentiary standards. The example is John Mearsheimer’s book focused on building a theory of offensive realism, but the logic of offensive realism would lead to the conclusion that Japanese should have rearmed long ago. But the evidences would falsify their arguments or challenge their assumptions. (Kang 2003:65)

The pessimistic view of Asian international relations is mostly bound with the Sino-centric hierarchic system which is very much related with Chinese rise in a later period of time.

Whether China's rise of power is, revisionist power or status power is debatable. However, the pessimistic point of view is that China's rise of power is revisionist power, and they claimed China should not be rich because China's rich would overturn any balance of power. They believed that historically it has been Chinese weakness that has brought chaos and conflicts in Asia. As they observed all the major wars happened at the time of unstable China and once China was stabilized the rest of the Asia was stabilized as well. It was quite difficult to see the real intention of China's rise as long as United State's hegemonic status remains in the region. Many scholars see China is somehow contesting with U.S hegemony in the region, perhaps the South China Sea disputes could be one of the most vivid examples for that. But on the other hand China's participation in multilateral organizations both international and regional such as WTO, ASEAN, ARF etc shows China's intention of law abiding country. Hence, the question of whether the rising power of China will be a revisionist or a status quo power remains open.

Contrary to the realist prediction, the Southeast Asian nations as well as Northeast Asian nations do not show clear indication of balancing against China. To balance against China in Asian context and in Western context are very different. The Western view of balance of power doesn't taking place in Asia rather in hierarchic system in Asia due to different systemic interest it is a mutual understanding or in both way for dealing each other. Although the system is little bit different because of U.S domination in the region but it seems the Southeast Asian nations are not serving U.S interest of forming a balancing coalition against China and at the same time they are not rejecting U.S presence in the region. The fact is that U.S presence in Southeast Asia somehow helps to bargain some issues with China and checks China's growing power and influence which many Southeast Asian nations felt insecure for their territorial sovereignty. However, the complete balancing against China doesn't appear in the face of most of the Southeast Asian nations. For instance, Vietnam known for their stubborn nationalism and proud history of being independent from China throughout thousand years, doesn't seem at all balancing against China because of historical tendency of adjusting China while attempting to retain autonomy, and most likely this will be true in the future as well. (Kang 2010:79)

According to Vietnamese writer Kim Ninh "the love-hate and the dependent-independent relationship is the fundamental relationship exist between Vietnam and China throughout the history and that is the main concept of Vietnamese national security". Vietnam had a short lived bloody border war with China in 1979 and a brief naval clash over the Spratly Islands in

1988. But in late 90s, the border conflict was resolved and the border trade was resumed and mutual development took place in the later period. Currently, the major security concern between Vietnam and China is the unresolved and ongoing issue over the Spratly Islands, a potentially oil-rich group of islands in the South China Sea. Yet Vietnamese and Chinese leaders have met annually since the normalization of relations between the two in 1991, despite differences over the Spratlys the relationship has improved steadily over the decades. (Kang:2010:80) China's agreement over the Declaration on the Conduct of Parties in South China Sea (DOC) is one of the remarkable developments in recent time, which one has to acknowledge. Ang Cheng Guan notes that "it is unlikely that the two countries (Vietnam and China) will engage in another military clash over their South China Sea disputes". Both countries sought each other's consent into the decision making calculus. Hence, the case of Vietnam and China shows the relationship between dominant and secondary states do not necessarily have to be warm but not necessarily be in clash rather there is always an element of self-restraint and accommodation. Therefore, according to Kang "there would be far more stable in Asia and as it is going on there would be more bandwagoning with China than balance of power theorists expects.

## **2.4 Conclusion**

To know the overall bilateral relations between China and Vietnam one has to look through the lens of the theory which again has to be validated by empirical evidence. There are many theories developed by international relations scholars since the inception of the Westphalian system as we believed that the international relations as academic discipline born out from that period of time. As compare between West and Asia, the West was developed far in advance than Asia in the field of international relations theory. Since Cold War was ended Western scholars started looking into Asia and trying to predict the future stability of Asia based on their own historical experiences and theoretical perspectives. Whether the theories developed from European experiences could explain, the future Asian political stability remained a mere question.

Many Western realists predict that after the end of Cold War, it is Asia's fate that will experience immense of instability due to arms racing and power politics. It's been almost three decades since Cold War ended up, but Asia as a region still remain stable, and there are

no such arms racing and power politics. It clearly shows that the context of Asia being an analytical unit is very different from West as a unit. Hence, there is different kind of political system and culture in Asia that Western political theories could not explain and didn't correlate with it. Therefore, to understand the Asian political dynamics, one should explore the very different kind of theories that could explain the holistic view of Asian political system and interaction between the states.

Womack and Kang are two main scholars who have proposed these very different theories that could exactly explain the Asian international relations. The Asymmetry theory proposed by Womack and Hierarchy theory proposed by Kang are theories that vividly build upon the experience of Asian history and the political system constructed through Asian states interaction. The structure is same for both the theories with the unequal relations between two states or a dominant state with many subordinate states. Asymmetry theory is based on firstly, the systemic differences interest and attention which will ultimately lead to misperception and misunderstanding. Secondly, as there are systemic differences, and, therefore, there is a misperception but the asymmetrical relationship is relatively stable. On the other hand, the hierarchy theory, is a contrasting argument to the balance of power where the world that involves a dominant power that still operates in anarchy. But doesn't cause other nations to balance against the largest power in the system and doesn't fold them under its wings in the empire.

Both asymmetry theory and hierarchy theory believes that the system of unequal distribution of power is relatively stable throughout the history. Asymmetry Theory talks about the big power and small power which has different interests because, for small power country the big power country is very important in terms of benefitting their economy development. But for big power country the small power country is relatively not so important that's why there are overattention and inattention differences. These two different attention cause misunderstanding which may lead to certain conflicts between two countries but these conflicts are under negotiable and can be resolved by clearing one another's views and perspectives. Hierarchy theory comes given an alternative theoretical approach to the balance of power. It talks about hierarchic system in which the lesser power nations accept the central position of the largest power in the system but are fully functional on their own terms. They argued by comparing an equal distribution of power and unequal distribution power. The later one is more stable and lesser chances to forge war because they believe that war usually

result when the fighting states disagree about their relative strength. If one knows the strength of other, then they know the futility of going for war.

One point is very substantiated in their argument is that instability occurred in Asian international relations mostly when China became weak in the past history. The argument is true till now and speaks from our history, but the future remains unpredictable. Both theories have challenged the Pessimistic Western theories predicting about Asian international relations in the post-Cold War era. The reality is in their favour as it seems Western predictions are failed and they could not replicate Western theoretical perspective on Asian international relations. The difference between two theories studied above is that asymmetry theory is more about present political situation and system. The hierarchy theory is merely about past Asian traditional international relations that were disturbed by Western imperialism at an early period and he is trying to make the point that it still exists in the world.

**CHAPTER THREE**

**SOUTH CHINA SEA DISPUTES BETWEEN**  
**VIETNAM AND CHINA**

### **3.1 Introduction**

The South China Sea disputes are one of the most complex diplomatic dilemmas of the contemporary Asian international relations involving seven littoral states. The rival states have fussed over territorial sovereignty for a long time but a recent upsurge in tension has sparked concerns that the area is becoming a flashpoint with global consequences. Among the contestants, the most important are Vietnam and China who have the most expensive claims covering the whole of Spratly and Paracel Islands. Although both are communist and they have close historical, cultural, and religious connections dating back to nearly two millennia, overlapping claims over sovereignty of these islands has emerged as the single most important issue affecting their bilateral relations.

South China Sea is known as the mother of territorial disputes in Southeast and Northeast Asia which has its own bearing on one of the most critical geostrategic location and rich natural resources. It is the link between the Pacific Ocean and Indian Ocean where majority of the energy supplies to numerous countries and trading transit of majority countries of the world occurs. Further, the importance of South China Sea stems from the fact that it possesses vast oil and natural gas reserves. Both China and Vietnam have their own security interest as a result Sino-Vietnamese relations have also been mostly dictated by territorial disputes and conflict both land and maritime border for a long time.

Even though, Sino-Vietnamese land border issue was resolved off in the late 1990s but maritime dispute has dragged Vietnam and China to an untouchable ground, which at times appears under control but at other times seems on the brim of war. The recent installation of a mammoth Chinese oil rig in disputed water is one example which leads to rise of tensions resulting in high level political campaign against one another. Unlike the land border, the tenacious nature of the maritime conflict doesn't have any concrete mechanism to deal with. On 4<sup>th</sup> November 2002, on the sideline of the ASEAN Summit in Phnom Penh, ASEAN and China have signed a Declaration on Conduct (D.O.C) of Parties in the South China Sea to resolve the conflict. But D.O.C doesn't establish a legally binding code of conduct. Moreover, it doesn't make a reference of specific geographical scope therefore DOC is simply a political statement. The Declaration doesn't have a bearing to put stoppage to this dispute in contrast it has its own merit of guideline to exercise self-restraint. All these development over maritime disputes have significant implications on how Vietnam and China keep their relations on track.



### 3.2 South China Sea: Background

The South China Sea, (Bien Dong<sup>1</sup>, Nan Zhongguo Hai<sup>2</sup>) is the name used largely in English language world and it was born out of European exploration and usage of trading route to China. The neighbours of China and some of the other Southeast Asian countries are using their own terms depending on their own claims and historical connotation such as Bien Dong in Vietnamese and Nan Zhongguo Hai in Chinese. The South China Sea is enclosed by islands, rocks and reefs. It is extremely important both in terms of geo-strategic and economic development because it was believed of preserving rich natural resources possesses with an immense energetic potential of gas and oil reserves beneath its seabed, it is also a fishery sanctuary for millions of people, it is life line for one-third world's shipping transit and it was also turning into a theatre of world sea power projection.

It was located in south-east of the Asian continent, bounded by China to the south and Hainan Island to the north, by Vietnam to the west, Malaysia and Brunei to the south and Philippine and Taiwan to the north and north east. It still encompasses a portion of Pacific Ocean stretching roughly from Singapore and the Strait of Malacca in the southwest.<sup>3</sup> The South China Sea is consist with almost 250 small islands, atolls, cays, shoals, reefs and sandbars, most of which are uninhabitable for human life due to high tide, some are submerged under the water frequently and some are permanently. Despite the inhabitancy of life on those islands many countries in the region has their own claims of ownership of those islands. This is mainly because of economic benefit which they believed of holding extremely rich natural resources such as oil and natural gas reserve below the seabed and one of the key geostrategic points of the sea line of communication (SLOC) connecting Indian Ocean and Western Pacific whereby majority of energy supplies to countries like Korea, Japan, Taiwan and China are coming through South China Sea. The South China Sea as a whole occupies an area of almost 648.000 square kilometre. Therefore, it is right thing to say by most of the scholars on the region that “who controls the South China Sea will control the world economy”. Due to this determinant the South China Sea is known as “the mother of all territorial disputes”<sup>4</sup> in twenty first century.

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<sup>1</sup> Called by Vietnamese, literal meaning Eastern Sea

<sup>2</sup> Called by Chinese, literal meaning South China Sea

<sup>3</sup> Baker, John C. and Wiencek, David G. (2002) Cooperative Monitoring in the South China Sea: Satellite Imagery, Confidence Building Measure and the Spratly Islands Disputes. London: Praeger Publisher

<sup>4</sup> Jensen, Jakob Clausager (2011) China and the South China Sea Disputes

The disputes have been turning high intensity and few times it has gone through military confrontations. While the Paracel Islands are the object of bilateral disputes between the People's Republic of China (PRC) and Vietnam, the claims to the Spratly Islands are contested either entirely or in part by six parties, including Brunei, China, Taiwan, Malaysia, Philippine, and Vietnam. Except for Brunei, all the claimants have more or less a physical military presence in the South China Sea. Among the claimants, Vietnam ranks first by occupying 25 islands and reefs, 12 reefs and shoals are currently under the PRC, Philippine occupies 8, Malaysia controls 5 in Spratly. Taiwan has been occupying only one island called Itu-Aba but this is the largest island and the one which possesses the most facilities among the occupied island.<sup>5</sup>

There are so many groups of island feature in South China Sea but two most prominent and intense conflict zones are Spratly and Paracel islands.

### *Spratly Island*

The Spratly Islands (Chinese: Nansha islands, Filipino:Kapuluan ng Kalayaan, Malay: Kepulauan Spratly and Vietnamese: Quan dao Truong Sa) are vastly underwater platform in the middle of the South China Sea. There are more than 750 reefs, islets, atolls, cays and islands covering total surface around 160,000 square kilometres, which is more than ten times bigger than the Paracels. The archipelago lies off the coasts of the Vietnam, Philippine, Malaysia, Hianan and Taiwan. It was named after the name of 19<sup>th</sup> century British whaling captain Richard Spratly who firstly sighted Spratly islands in 1843.

The Spratly Islands are highly unpredictable for the number of islands making up the Spratly because of the geographical nature. According to UNCLOS, Article 121 (1), an "island" is "a naturally formed area of land, surrounded by water, which is above water at high tide". Hence, for Spratly the condition of having "above water at high tide" is potentially problematic. Many of the features counted among the Spratly Islands are in fact really low tide elevations or submerged banks. Only 48 are known to rise above high tide to form uniformly small, and in most cases tiny, islands or rocks. The biggest insular feature among the Spratlys, Itu Aba Island, is a mere 1.4 kilometres long and 370 meters wide with an area of approximately 50 hectares, while Spratly Island itself has a roughly isosceles triangle

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<sup>5</sup> Minh, Pham Quang (2012) The South China Sea Issue and Its Implications: Perspective from Vietnam, 6<sup>th</sup> Berlin Conference on Asian Security (BCAS), The U.S and China in Regional Security Implications for Asian and Europe. Berlin, June 18-19, 2012

shape, the base measuring 750 meters with the apex 350 meters distant and an area of around 1.3 hectares.<sup>6</sup> All the islands are scattered over vast area of around 240,000 square kilometres.

The Spratly Islands are one of the most overcrowded and overlapped territorial conflict in this world. It was not new that have occurred such an intense disputes have occurred over Spratly islands. Historically speaking, in the colonial period the disputes among colonial states such as British, France and Japan but now there were arrival of new players in the region to claim their maritime territorial sovereignty. There are six claimant states to all or part of the Spratly Islands and their surrounding maritime space: China, Taiwan, Vietnam, the Philippine, Malaysia and Brunei. Of these six claimants, except Brunei all have military presence on one or more islands. China, Taiwan and Vietnam lay claim to virtually all the geographical features making up the South China Sea island groups on the grounds of discovery, history and occupation. The Philippine and Malaysia claim parts of the group on the basis of proximity and that certain features lie in their claimed continental shelves. Brunei claims only one feature, also on the basis of lying within their continental shelf.<sup>7</sup>

The claimant states are always trying to consolidate their claims by constructing their physical sovereignty markers over the islands which they have claimed. Over the past few decades they have been busy with occupying every possible geographical feature, constructing physical features, building facilities such as airstrips, fortifying them and stationing military personal on them. They also had done it in a non-military actions but which has some degree of protest from other claimant states. For example, adopting legislation related to the conflict, establishing marine scientific research stations, issuing exploration concession to oil companies, allowing tourists and journalists to visit the islands and publishing relevant documents.<sup>8</sup> In recent period some of the significant developments in South China Sea by the claimant states have led to the protests and tensions over the sovereignty. China has increased its assertion by making Air Defence Identification Zone (ADIZ) over James Shoal Island in South China Sea, installing oil rig near the Vietnam's EEZ and again China is building artificial islands in South China Sea which all led intense criticism from the rest of the Southeast Asian states.

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<sup>6</sup> Schofield, C. (2009), "Dangerous Ground: A Geographical Overview of the South China Sea", in Sam Bateman and Ralf Emmers (eds.) *Security and International Politics in the South China Sea: Towards a cooperative management regime*, London and New York: Routledge (pp-9)

<sup>7</sup> *Ibid.* (pp-11)

<sup>8</sup> *Ibid* (p-11)

### *Paracel Island*

The Paracel Island (Chinese: Xisha Island and Vietnamese: Hoang Sa) is group of islands, reefs, banks and other maritime features in South China Sea. The island is consists with two main groups: the Amphitrite and the Crescent group, which lies almost 70 kilometres apart of from one another. The largest of them, known as Woody Island is no more than 4 kilometres long and 2 to 3 kilometres wide. Apart from these two groups of islands, the archipelago as a whole consists of over 30 islets, sandbanks or reefs and occupies some 1500 square kilometres in the ocean surface.<sup>9</sup>

The islands are almost equidistance from both the coastline of People's Republic of China (PRC) and Vietnam. The Amphitrite islands forms an axis of north-south and it was consist with islands such as Tree Island, Woody Island, and Rocky Island. Certain other features such as sand cays, lagoons connected by reefs of rock, west sand and Iltis Bank are also parts of Amphitrite Island. Crescent islands are consists of islands and reefs that form a crescent like formation from west to east and Money Island, Robert Island, Pattle Island, Drummond Island and Duncan Island are some of the island made up of Crescent islands. One of the largest island of the Paracel Island is the Woody island which has an area of almost 530 acres with over 1,000 residents including fishermen, military personal and administrators.

China, Taiwan and Vietnam all claim the Paracel Island. It was first time in 1932 that French has announced the occupation of the Paracel Island and established a weather station over there. Japan on its part occupied some of the islands during World War II but later withdrew and in 1951 renounced its claims over there. By 1947, Chinese troops occupied Woody Island, the main island of Amphitrite group. On Prattle Island, the largest of the Crescent group, the original weather station installed by French Indochina continued to be operated by its successor Vietnam. With the political separation of both China and Vietnam there were double claimants for the islands. But PRC and South Vietnam remained occupier of the islands. Taiwan and North Vietnam declared that they have the legitimate claims. The discovery of oil deposits under the South China Sea led to a crisis early in 1974 when, in reaction to Vietnamese contracts with foreign oil companies, China attacked the islands from sea and air, captured the weather station crew, and assumed control of the entire Paracel

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<sup>9</sup> Souza, Moises Lopes De (2010), *The Contradiction behind cooperation: Southeast Asia-China relations under the South China Sea Disputes* (p-23)

Island.<sup>10</sup> The Paracel Islands is still under the Chinese occupation and in July 2012 China established the city of Sansha, under the Hainan Province to administer the island and it still exist as one of the contentious issue between Vietnam and China.

Table 2 Summary of territorial claims and occupation in South China Sea

<b>Parties</b>	<b>Basis</b>	<b>South China Sea Claims</b>	<b>Spratly Islands Claims</b>	<b>Paracel Islands Claims</b>	<b>Islands occupied and some key features</b>	<b>Estimated Numbers of troops</b>
<b>CHINA</b>	Historical	All	All	All	7 islands and reefs; several helicopter pads	325
<b>VIETNAM</b>	Historical	All	All	All	27 islands and reefs; one with 600m runway	600
<b>TAIWAN</b>	Historical	All	All	All	1 island with Helicopter pads; plans for runway	100
<b>BRUNEI</b>	Legal	Portion	1 island	No claim	No occupation	No military presence
<b>MALAYSIA</b>	Legal	Portions	12 islands	No claim	6 islands; one with 600m runway	70
<b>PHILIPPINES</b>	Legal/Hist.	Portions	8 islands	No claim	8 islands one with a 1,300m runway	480

Source: adapted from John c. Baker and David G. Wienczek. (2002) "Cooperative Monitoring in the South China Sea: Satellite Imagery, Confidence-Building Measures, and the Spratly Islands Disputes. London: Praeger Publisher

It is quite interesting to note that why so many countries are involved in disputes over the islands in South China Sea and why it is becoming an intense diplomatic conflict in recent period of time. It must be understandable that there are certain numbers of factors that have been leading all these countries in the region to continuously involve in unresolvable disputes.

#### a) Natural Resources

Whenever the issue about South China Sea came up in news of any form of media one can firstly tend to think about natural resources and oil as one of the striking lights in his or her mind. As it seems to be true that the energy consumption goes up in recent period of time and the disputes over South China Sea is also equally growing up among its claimant states. One can clearly see the Asia's robust economic growth boost was mainly because of demand for

<sup>10</sup> <http://www.britannica.com/EBchecked/topic/442423/Paracel-Islands> (accessed on 24th February, 2015)

energy in the region. According to U.S Energy Information Administration (EIA) projection, total liquid fuels consumption in Asian countries outside the Organization for Economic Cooperation and Development (OECD) will rise at an annual growth rate of 2.6 percent, growing from around 20 percent of world consumption in 2008 to over 30 percent of world consumption by 2035. Similarly, non-OECD Asia natural gas consumption grows by 3.9 percent annually, from 10 percent of world gas consumption in 2008 to 19 percent by 2035. EIA expect China to account for 43 percent of that growth. With Southeast Asian domestic oil production projected to stay flat or decline as consumption rise, the region's countries will look into new sources of energy to meet domestic demand. The South China Sea offers the potential for significant natural gas discoveries, creating an incentive to secure larger parts of the area for domestic production.<sup>11</sup>

Although it is difficult to explore the amount of oil and natural gas reserves in South China Sea but U.S EIA estimates there are approximately 11 billion barrels (bbl) of oil reserves and 190 trillion cubic feet (Tcf) of natural gas reserve in the South China Sea. These numbers include both proved and probable reserves, making them closer to a high-end of estimate.<sup>12</sup> The estimate shows there are high potential of hydrocarbon reserves in the seabed as well. Chinese estimate to the area in seabed is even higher with the figure of 105 to 213 billion barrels of potential oil reserves. Indeed, certain Chinese sources have also mentioned that South China Sea will be a “new Persian Gulf”<sup>13</sup>.

#### b) Fisheries and Food Security

The South China Sea is known as the “an area of globally significant biological diversity”<sup>14</sup> especially the importance of its outstanding diversity which is incomparable to other oceanic spaces. With reference to this context the Spratly Island has been marked as one of the “irreplaceable mid-ocean reef habitat”.<sup>15</sup> This is the reason that has helped South China Sea with vast breeding grounds for regional fisheries. 10 percent of world fisheries are supplied by South China Sea and fishing remain a main industry in the littoral countries. Moreover,

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<sup>11</sup> Full Report: South China Sea by U.S Energy Information Administration (February 7, 2013)

<sup>12</sup> *ibid*

<sup>13</sup> Schofield, C. (2009), “Dangerous Ground: A Geographical Overview of the South China Sea”, in Sam Bateman and Ralf Emmers (eds.) *Security and International Politics in the South China Sea: Towards a cooperative management regime*, London and New York: Routledge (p-15)

<sup>14</sup> *Ibid* (p-18)

<sup>15</sup> *Ibid*

the five of the world top eight shrimp producers are South China Sea littoral states.<sup>16</sup> Therefore, fisheries played a significant role in the livelihood of people in region as well as for the purpose of commercial benefit. In many ways the South China Sea is the known for the centre of gravity of economic growth in the countries of Southeast and East Asia.

### c) Sea Lines of Communications (SLOCs) and Strategic Implication

The imperative of the South China Sea lies in such a way that many people called it the 'throat' of the Pacific and Indian Ocean. Many believe that one who controls over the South China Sea will control world economy. There is close linkage between the control of Spratlys and freedom of navigation moreover it has been touching the very centre of so called the security of Sea Lines of Communication (SLOCs) that is why many interest groups are involved in South China Sea disputes and even the states from outside of the region. South China Sea is like nerves of sea transportation route in which the network of world major commercial and energy transit has been taking place. Statistically, more than 41,000 ships almost half the world shipping tonnage is sailing through this water every year. World's 80 percent of oil from different countries are flowing through this transit. 70 percent of Japan's energy and 65 percent of China's energy needs are traversing through this sea. Therefore, South China Sea is very crucial in terms of commercial advantage as many are dependent on both import and export for their economic survival. It is also important to safeguard the freedom of navigation for both claimant states as well as non-claimant states.

### 3.3 Vietnamese South China Sea Claims

Vietnamese claims on South China Sea is as same as China for contesting sovereignty over entire islands of Hoang Sa (Paracel) and Truong Sa (Spratly) based on historical evidences, occupation and international recognitions. The first Vietnam's official position regarding its sovereignty claims to the South China Sea Island was published in White Paper by the Ministry of Foreign Affairs (MFA) in 1974.

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<sup>16</sup> UNEP/GEF Reversing Environmental Degradation Trends in the South China Sea and Gulf of Thailand ([www.unep.org](http://www.unep.org)) the order of Shrimp producer in world: Indonesia (1<sup>st</sup>), Vietnam (2<sup>nd</sup>), China (3<sup>rd</sup>), Thailand (6<sup>th</sup>), and Philippine (8<sup>th</sup>)

## 1) Historical Evidences

Historical evidences in possession with Vietnam shows Vietnamese sovereignty over the Hoang Sa Islands goes back about three hundred years ago. The oldest document of national heritage for that regard is the work done by a scholar named Do Ba<sup>17</sup>. There are series of maps that has been indicating as far back as the early 17<sup>th</sup> century, Vietnamese authorities were sending on ships and men to these islands on regular basis, which at the time were named “Cat Vang” (both “Cat Vang” and “Huong Sa” mean “Yellow Sand”). These are islands which are currently known as Paracel in international usage. The work of Do Ba clearly shows that the “Yellow Sand” or Hoang Sa Island have been part of the economic heritage of the Empire of Vietnam at least before 1653, the latest year when Do Ba could have completed his map drawing.<sup>18</sup>

It is not only Vietnamese scholars but some foreign scholars also agree that formerly known as the ‘empire of Annam’ in many ways represented its state authority over Hoang Sa Islands in early period. Le Qui Don,<sup>19</sup> has recorded many things showing early Vietnamese sovereignty over the island and one of his record is that in early period the Nguyen had created a Hoang Sa Company of 70 men from the An Vinh Village. The purpose of the company is for the economic exploration on the island by sending people over there to find out anything they want such as wreckage of ships contained with bronze, copper, silver products, money, pottery and also they collect turtle shells etc.<sup>20</sup>

The Spratly Island known as Truong Sa Island in Vietnamese is also known as “dangerous ground” by the people in Vietnam because of its difficulty for the access throughout their history. Unlike Hoang Sa Island, the successive emperors of Vietnam doesn’t had a formal contact on the Truong Sa Island. Later when French had occupied Southern Vietnam known as Cochinchina, they took administrative measures over Truong Sa Islands. In 1933, the Truong Sa Island was incorporated with French colony of Cochinchina and made a full administrative structure. It was known that in 1941 Japan made short invasion over Spratly islands from France but later again in 1945 Japanese was defeated and Cochinchina was

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<sup>17</sup> Pen name “Dao Phu” one of the early Vietnamese scholar

<sup>18</sup> Republic of Vietnam ,Ministry of Foreign Affairs. Saigon (1975) “White Paper on the Huang Sa (Paracel) and Truong Sa (Spratly) Islands”

<sup>19</sup> He was 18<sup>th</sup> century Vietnamese philosopher, poet, encyclopedist and government official.

<sup>20</sup> Republic of Vietnam ,Ministry of Foreign Affairs. Saigon (1975) “White Paper on the Huang Sa (Paracel) and Truong Sa (Spratly) Islands”



returned back to Vietnam. Thereafter, the entire administration and jurisdiction falls in the hand of Vietnam government.<sup>21</sup>

## 2) Occupation

With reference to Ministry of Foreign Affair, Vietnam's White Paper Vietnam claims its rights over the Paracel Island since 1802. In 1815, then Emperor Gia Long ordered Pham Quang Anh to survey and chart the sea route around the islands.<sup>22</sup> There are many historical resources mentioning that in 1816 the Vietnamese flag was planted during a formal ceremony on the Paracels and latterly Emperor Gia Long took formal possession in this island. All these testimonies can be found from the work of Reverend Jean Louis Taberd<sup>23</sup> who has written "The Geography of Cochin China" in 1837.

The first map published by the kingdom in 1830 has included the Paracels and mostly probably Spratly too as part of Vietnam territory.<sup>24</sup> Most of the successive emperors of Nguyen dynasty have consecutively carried out their jurisdiction over the islands. The emperor Minh Mang in 1833 has given order to his Public Work minister to plant trees on the island in order to safeguard the voyage throughout the sea which they claim as the bearing of international responsibilities. The emperor Minh Mang again in 1834 sent Garrison Commander Truong Phuc Si and 20 other men to the Hoang Sa Island to make a map of the area. This is somehow not successful but they produced a report to the emperor. Emperor Minh Mang took consideration for recommendation made by the team and later again sent people to map the area. The surveying team gathered data and later produced a detailed map, even though the setting of place is not so proper but it has merit of clearly displaying both Paracel and Spratlys under the parts of Vietnamese territories.

In 1835, Emperor Minh Mang ordered for building a temple in one of the Huong Sa Islands and the existence of temple on the island of Bach Sa (White-Sand Island) was mentioned in one of the Vietnamese annals. Vietnamese have pointed out some search and rescue operations done during the reign of Nguyen Dynasty in order to support their claim for the Paracel islands. For these regards the Dutch ship Gootebrok in 1634, three Dutch vessels en

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<sup>21</sup> Pedozo, Raul (Pete), (2014). A CAN Occasional Paper "China versus Vietnam: An Analysis of the Competing Claims in the South China Sea". CAN Analysis & Solutions (p-38)

<sup>22</sup> Ibid (p-43)

<sup>23</sup> He was a French Missionary to Cochinchina (Vietnam), the Bishop of Isauropolis, belongs to the Paris Foreign Missions Society

<sup>24</sup> Pedozo, Raul (Pete), (2014). A CAN Occasional Paper "China versus Vietnam: An Analysis of the Competing Claims in the South China Sea". CAN Analysis & Solutions (p-43)

route to Batavia from Japan in 1714, the French merchant ship that sunk in the Paracels in 1830 and the crew of British merchant vessel that shipwrecked near the Paracel in 1836, all have received assistance from Vietnamese officials.

In later 1867 the Southern part of Vietnam was occupied by French and administrated under the so called Cochinchina. Subsequently in 1883 the French protectorate was established in all parts of Vietnam with this the sovereignty over Hoang Sa Island falls under French. Numerous studies and establishments were carried under the French administration and the islands were firmly under the French Vietnamese control. The Japanese government in 1927 clearly recognized the French authority over the islands by seeking permission to extract phosphate in the region. China since 1909 in time to time made sporadic claims over the islands but all were challenged by French government by showing testimonies, made protest to the Chinese embassy in Paris and sent a troop to safeguard the islands.<sup>25</sup>

The troops commanded by French officers stayed on the islands continuously until 1956 briefly disturbed by Japanese invasion in 1941 but returned back after the end of Second World War. However, because of the French-Vietminh war the troops on the island had to withdrawn back and at the same time the Chinese troops came on the islands for the purpose of disarming the defeated Japanese troops but Chinese troops remain stationed over the islands irrespective of Vietnamese protest. Chinese troops refused to leave the islands since they were outnumbered, the French-Vietnamese troops moved to Pattle Island and made it as their headquarters. Later, they established weather station which had operated for 6 years in the past and remain operated since 1947 under the international code 48860, served world meteorological data for last 26 years until PRC seized the Paracel Island in 1974. Apart from meteorological stations, a lighthouse and radio station were also constructed on the islands.

In later period of early 1930s, due to Chinese frequent disputes the French authorities in Indochina start making stronger administration over the islands. On May 5, 1939 French governor general divided the islands into two delegations: Crescent et Dependences, (Crescent Group) and Amphitrite et Dependences (Amphitrite Group) for further manifestation of French sovereignty. French already made an attempt to submit the case to the International Court of Justice but Chinese has refused and insisted French troops should leave the islands. Notwithstanding, French efforts to maintain control over the islands, the

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<sup>25</sup> Republic of Vietnam ,Ministry of Foreign Affairs. Saigon (1975) "White Paper on the Huang Sa (Paracel) and Truong Sa (Spratly) Islands"

Republic of China sent troops to re-occupy Itu Aba Island on June 8, 1956 and has maintained a garrison on the island ever since.<sup>26</sup>

On March 11, 1945 Emperor Bao Dai made Vietnam's Independence Declaration and later on August 19, 1945 it was abdicated to the Revolutionary Government of Ho Chi Minh. On March 8, 1949, France signed the Elysee Agreement with the state of Vietnam agreeing to recognize the Independence of Vietnam and transferring administrative power. On October 14, 1950, France formally transferred the defence of the Paracel Island to Republic of Vietnam and following years then Premier Tran Van Huu reaffirmed Vietnamese sovereignty over the Paracel and Spratly archipelagos at the San Francisco Peace Conference and none of the 51 nations presented haven't give any objections. The two Vietnam remain in control and gradually maximized the administration over some other islands and made several surveys on islands such as Pattle, Money, Robert and Drumond. After the unification to two Vietnams the government incorporated the Paracel and Spratly Islands into the territories of Vietnam and renamed the archipelagos Hoang Sa and Truong Sa. In March 1976, the Vietnam government incorporated the Spratly Islands into Dong Nai Province and in September 1982, Paracel Island was put under the administration of Quang Nam-Da Nang Province.<sup>27</sup>

### 3) International Recognition

It was not only through the Vietnamese scholar's work that Vietnam can exert their claim but there are numerous foreign sources which has given recognition and clearly indicates the possession of Vietnamese control over the islands. In early 1634, the Journal of Botavia, published by the Dutch East Indies Company, recorded the incidents showing that Vietnamese jurisdiction at that time the "empire of Annam" which clearly illustrates that the recognition of foreign countries.<sup>28</sup> The Western writings since 19<sup>th</sup> century have written about recognition of island to be fall under the sovereign of Vietnam. For example, the book written by John Barrow in 1806 "A Voyage to Cochinchina" the documents travels of George Macartney, the British Envoy to the Chinese Court in Cochinchina in 1793. Another book written French missionary Monseigneur Jean Louis Taberd published in 1837- Note on the Geography of Cochinchina has described the Paracel Island as part of Cochinchina. His

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<sup>26</sup> Pedozo, Raul (Pete), (2014). A CAN Occasional Paper "China versus Vietnam: An Analysis of the Competing Claims in the South China Sea". CAN Analysis & Solutions (p-5)

<sup>27</sup> Ibid (p-61)

<sup>28</sup> Republic of Vietnam ,Ministry of Foreign Affairs. Saigon (1975) "White Paper on the Huang Sa (Paracel) and Truong Sa (Spratly) Islands"

second book on “History and Description of the Religion, Customs, and Morals of All Peoples” in 1838 also mentioned same thing as before. Also the memoir of French naval officer Jean Baptiste Chaigneau has refereed Emperor Gia-Long’s occupation of the Paracel in 1816.<sup>29</sup>

There are several evidences brought in light by some of the French who first attempted to raid the Vietnam were encountered with Vietnamese from the islands Admiral d’Estaing<sup>30</sup> was one of them who have mentioned his experience at that time. These all reaffirmed Vietnamese defence over the island since very early period. A book called “A Voyage to Cochinchina” was published by John Barrow in London in 1806 recalled his journey to Vietnam and depicted the Paracel was indeed a part of the Vietnamese economic world. In 1837 the Reverend, Jean-Louis Taberd, then Bishop of Isauropolis, has written a “Note on the Geography of Cochinchina” and later printed in the Journal of the Royal Asiatic Society of Bengal, India. Not only testimonies of the above people in their work there are certain number of foreign publications in 19<sup>th</sup> century also recognized the Vietnamese possession on those islands. The Western map drawn in 1838 showed the Paracel or Cat Vang Islands as part of the Annam Empire. A geography book written under the auspices of the French Ethnography Society mentioned the Paracel or Kat Vang was one of the numerous islands and archipelagos belonging to Vietnam.<sup>31</sup>

During French rule in Vietnam, French strongly hold the jurisdiction over the islands and that was followed by rest of the countries especially British and Japanese. After the French occupation of Spratly Island in 1930 and in following two years, the British have acknowledged that they didn’t have title to Spratly Island as they never have formal annexation of the sovereignty over that island therefore they didn’t make any claim regarding the sovereign of the island rather accepted French authority over the islands. In 1951 then Premier Tran Van Huu has attended the San Francisco Peace Conference with Japan and there he solemnly and unequivocally reaffirmed the rights of Vietnamese over both the Paracel and Spratly Islands.

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<sup>29</sup> Pedozo, Raul (Pete), (2014). A CAN Occasional Paper “China versus Vietnam: An Analysis of the Competing Claims in the South China Sea”. CAN Analysis & Solutions (p-62)

<sup>30</sup> Jean-Baptiste-Charles-Henri-Hetor, comte d’Estaing, marquis de Saillans, was French general and admiral. He was also commander of the National Guard at Versailles at the outbreak of the French Revolution in 1789

<sup>31</sup> Republic of Vietnam, Ministry of Foreign Affairs. Saigon (1975) “White Paper on the Huang Sa (Paracel) and Truong Sa (Spratly) Islands”

### 3.4 Chinese South China Sea Claims

China is the only claimant which claims most parts of the South China Sea territories so called “Nine Dotted Line” which converge all the islands in South China Sea. For the long time China’s claim is very obscure and hard to figure out by other claimants. But in June 2000, Chinese Ministry Foreign Affairs (MFA) has published a document called “the issue of South China Sea” which contained Chinese position regarding to its sovereignty claims for the Paracel (Xisha) and Spratly (Nansha) Islands. In fact, Chinese assertion of its sovereignty over the Paracel and Spratly islands and all the water territories within the “Nine Dotted Line” are based on the factors such as historical evidence, occupation and international recognition.

#### 1. Historical Evidences

China has insisted its claim on the basis of historical “first discovery” which they claimed as discovered in the 2<sup>nd</sup> century AD and there after the territories were occupied and maintained by Chinese people. There are several recorded writes up such as Yang Fu’s *Yiwu Zhi* “Record of Rarities”, General Kang Tai’s *Funan Zhuan* “Journey to and from Phnom” also so many books written during the subsequent dynasties describes the geography features of the islands and made some references that China has possession over the islands. Other work done by a prominent Chinese navigator during the Yuan Dynasty Wang Dayuan *Dao Yi Zhi Lue* “Abridged Records of Islands and Barbarians” and Wan Zhen *Nanzhou Yuou Zhi* “Records of Rarities in Southern Boundary” depicts the existence of Chinese on the island at very long back as they have encountered during their voyage. Qiong Guan Zhi “Records of the Qiong Prefecture and its Jurisdiction” was published during the Southern Song Dynasty also reflects both the Paracel and Spratly were under the jurisdiction of the Qiong Prefecture, today’s Hainan Province.<sup>32</sup>

In the descriptions of their work they have used a term “Wanli” as the whole islands in the South China Sea, including the Nansha Islands. Later the Ming Dynasty has published a consolidated map of Territories and Geography and Capitals of Past Dynasties which has mentioned words such as ‘Shitang’ ‘Changsha’ and ‘Shitang’ the locations of these termed places represent the inclusion of today’s Nansha islands. The Qing Dynasty’s Road Map also depicts the name of the islands, reefs, shoals and islets which were frequently used by fishermen of the Hainan islands. Chinese history reflects that as early as Ming Dynasty

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<sup>32</sup> Pedozo, Raul (Pete), (2014). A CAN Occasional Paper “China versus Vietnam: An Analysis of the Competing Claims in the South China Sea”. CAN Analysis & Solutions (p-6)

Chinese people have engaged with different activities on South China Sea such as fishermen from Haikou Port, Puqian Port, and Wenchang County went to the Nansha islands to fish sea cucumber and other sea production. The Road Map is one of the evidences in history that Chinese have been recognizing as it serves navigational guide for the fishermen to go for both Nansha and Xisha islands at that period of time. The first Road Map was produced in the Ming Dynasty and it was constantly modified in the later period.<sup>33</sup>

“Geography Book of the History of the Yuan Dynasty and Map of the Territory of the Yuan Dynasty with Illustration” both includes the Nansha Island within the domain of the Yuan Dynasty. “The History of the Yuan Dynasty” contained an account of the patrol and inspection activities by the navy on the Nansha Islands during Yuan Dynasty. The inscription on the Memorial Tablet of the Tomb to General Qian Shicai of the Hainan Garrison Command of the Ming Dynasty mentioned that “the adjacent territories of Guangdong and the territories beyond sea all are belong to Ming state.” There are ample of maps drawn during the Qing Dynasty shows Nansha Islands under the jurisdiction of Qing Dynasty: Map of Administrative Divisions of the Whole China of the 1724 Map of Provinces of the Qing Dynasty, A Map of the administrative Division of the Whole China of the 1755 Map of Provinces of the Imperial Qing Dynasty, the 1767 Map of Unified China of the Great Qing for Ten Thousand Year, the 1810 Topographical Map of Unified China of the Great Qing for Ten Thousand Years and the 1817 Map of Unified China of the Great Qing for Ten Thousand Years.<sup>34</sup>

With the French invasion in the region China in 1932 formed a committee to review both the lands and waters maps. This committee has approved 132 islands in South China Sea under the inclusion of Xisha, Zhongsha and Nansha Islands. All the islands are marked on the map and published the so called “Map of the Islands in the South China Sea in 1935. In 1947 for the administrative purpose the Ministry of Internal Affairs of China has renamed 159 islands, reefs, islets and shoals of the South China Sea. Hence, Chinese historical evidences are in the view that Chinese were the first to discover and authorize both Xisha and Nansha islands and Chinese government has exercise its sovereignty over the islands at time to time.

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<sup>33</sup> Ministry of Foreign Affairs People’s Republic of China (2000), “The Issue of South China Sea” [www.fas.org](http://www.fas.org)

<sup>34</sup> Ibid

## 2. Occupation

Chinese claims for regarding the occupation can be drawn from the fact that it was since Yuan Dynasty (1271-1368) which has exercised its full sovereignty and jurisdiction over the South China Sea islands. This claim was supported by the work of “the Geography Book of the History of the Yuan Dynasty and the Map of the Territory of the Yuan Dynasty with Illustration”. “The History of the Yuan Dynasty” has depicted the evidence of Chinese administration and naval patrol and inspection activities from the beginning of 13<sup>th</sup> century. Some of the Chinese scholars argued that the practice of conducting naval patrols in South China Sea was started much earlier than the time mentioned above. They believe that it was started from the period of Han Dynasty (206BC-220AD), the Han Dynasty has conducted naval expeditions to the Malay Peninsula via the Spratly Islands, and the Wu State of the Three Kingdoms period sent envoys to India via the South China Sea.<sup>35</sup> This practice of naval patrol conduct was consecutively carried out in next of several dynasties.

As mentioned by some Chinese scholars the emperor of Yuan Dynasty has sent an astronomer Guo Shoujing to the South China Sea to survey and measure the Xisha and Nansha islands and its adjacent sea area. Guo has stationed his research base on Paracel Island which has been clearly written in the “History of the Yuan Dynasty”. Zheng He, a well known navigator and high ranking official of Ming Dynasty also surveyed all the major parts of South China Sea islands. Chinese main assertion is that until 20<sup>th</sup> century China has been successfully and peacefully maintaining its occupation and administration over the entire islands in South China Sea. They argued that other claimants don’t have historical occupation record rather they suddenly came in conflict with China soon after beginning of 20<sup>th</sup> century.

Both the Ministry of Foreign Affairs (MFA) White Paper and Chinese scholars agreed that the Chinese administration over the islands can be reflected from the charting and opening of sea line of communication through South China Sea, because earlier Chinese ships to Sri Lanka and India were bypassing through the sea route of South China Sea. Many of the sources during the dynasties have been showing the navigational sea lanes from and to the Chinese mainland through the South China Sea islands. The other facts of Chinese occupation of islands can be drawn from the facilities that have been made by the China such as fishing, forecasting and navigation, rescues of Chinese and foreign vessels in the distress

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<sup>35</sup> Pedozo, Raul (Pete), (2014). A CAN Occasional Paper “China versus Vietnam: An Analysis of the Competing Claims in the South China Sea”. CAN Analysis & Solutions (p-13)

water, license granting and revoking to private companies for exploration of the natural resources. Many times both for the self usage and foreign request Chinese government had tried to build lighthouse over the islands, which was somehow didn't come in reality.<sup>36</sup>

In 1921, a decade after the 1911 Revolution the Governor of the Guangdong Province occupied the Paracel Islands and kept them under the jurisdiction of Hainan Island. Some of the elements that Ministry of Foreign Affairs (MFA) assert as a mark that can support Chinese sovereignty over the South China Sea islands. These are: 1) furnishing national flags to Chinese fishermen and their life of fishing in the islands, 2) organizing trip to the Spratly to survey their history and geography, 3) its authority over mapping the islands and naming the features on the South China Sea.<sup>37</sup>

One of the Chinese markers for the claim of South China Sea islands is the so called “nine-dash line” (then 11-dash line) which is imaginary line drawn across the territories of South China Sea. It was first appeared in 1947 by the Kuomintang government of the Republic of China (ROC) and later in 1948 it was depicted on a map of the South China Sea. It was one of the biggest controversial over the disputes of South China Sea because of its measurement of the claim and unclear of specific locations. The claimant states are skeptical about the “nine-dash line” and consistently demanding China to clarify it. The *Nan Hai Zhudao Weizhi Tu* (Map of Locations of South China Sea Islands) was for the purpose of indicating the traditional boundaries of China's territories in the South China Sea. In February 1948, the Ministry of the Interior has published the “Republic of China Administrative Region Map” which illustrated the China's “11-dash line”<sup>38</sup> in the South China Sea. People's Republic of China (PRC) was founded in 1949 since then the government consistently claimed “nine-dash line” (U-shaped line) in all official documents and maps related with the South China Sea. This U-shaped line is so vast that can include all major parts of the South China Sea territories such as the Spratly, Paracel, Pratas Islands, Macclesfield Bank, and Scarborough Shoal.

In the following years, China has persistently maintained its sovereignty over the islands and time and time again made protest for French invasion in the region. It has maintained its

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<sup>36</sup> Ibid (p-15)

<sup>37</sup> Ibid

<sup>38</sup> “11-dash line” was first to claimed in the Chinese map and reaffirmed by the newly formed government of PRC in 1949, but latter in 1953 it was replaced with “nine-dash line” as two dashes in the Gulf of Tonkin was eliminated under the authorization of Zhou En-lai.



authority of granting the exploitation and exploration of the islands by any foreign agencies. When Republic of Vietnam occupied some parts of islands in Spratly Island in 1956 China has declared a 12-nautical mile territorial of sea in 1958 and reaffirmed its sovereignty and authority over the islands. The same kind of claims were made in the Article 2 of the 1992 territorial sea law, in China's declaration on ratifying UNCLOS in 1996, in Article 2 of the 1996 straight baseline law, and in the 2009 Law of the People's Republic of China on Island Protection.

### 3. International Recognition

The Ministry of Foreign Affairs (MFA) of China and Chinese scholars have been bringing several evidences of documents, statements, publications and events which can support their sovereignty claims over the South China Sea islands. They keenly emphasize they lay on the documents and any pieces that came into light around World War II and post-war period which are directly related to the islands in the South China Sea.

China has been making argument by bringing the treaty signed with French in 1887 the "Sino-French Treaty of Peace" which has demarcated South China Sea within the Chinese territory and it also termed the islands to China. Again in 1921, then French Prime Minister Aristide Briand exclusively expressed that China's sovereignty over the islands and declination of their claim at that time. There is another evidence of which recognizes Chinese sovereignty over the islands by seeing three Chinese fishermen on the islands while French gunboat *Malicieuse* was surveying the Nanwei Island of the Nansha Islands in 1930. "Atlas International Larousse" was published by France in 1965 has used Chinese names such as Xisha, Nansha, Zhongsha islands which depicts Chinese control over the islands.<sup>39</sup>

The British Hydrography Department of the Royal Navy in 1912 has noticed the activities of the Chinese people on the Nansha Islands which has been available on the printed materials for the reference. Japan on other hand made strong protest against French occupation of the Spratly islands citing that it was Chinese who has sovereignty over the islands. With the reference to the two separate treaties signed between Japan and China, the "Treaty of Peace between the Republic of China and Japan" in 1952 and the "Joint Communiqué of the Government of Japan and the government of the People's Republic of China". Some of the Chinese scholars argued that in reality Japanese was willing to return the two islands to the

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<sup>39</sup> Ministry of Foreign Affairs People's Republic of China (2000), "The Issue of South China Sea" [www.fas.org](http://www.fas.org)

Chinese. “The Map of Southeast Asia of the Standard World Atlas” the first Japanese official world atlas after the 1951 “San Francisco Peace Treaty” clearly indicates the Chinese control of both the Spratly and Paracel islands. The 1966 “Yearbook of New China” and 1972 “Yearbook of the World” published in Japan have measured coastline which have included long distance coastal island into the territories of China and mentioned Chinese territories beyond the coastline of mainland China. In 1943, the ‘Cairo Declaration’ backed by U.S and Britain has announced that the territories invaded by Japan has to be returned back to the China, which has somehow included Nansha Island. Following in 1945 the ‘Potsdam Proclamation’ also expressed that territories invaded by Japanese should be restored back to the China.<sup>40</sup> This has led China to repossess its sovereignty over the Nansha Island and subsequently they sent troops to the island on garrison duty. Henceforth, China has published an official map of Nansha Island and renamed the islands as well.

China also claimed that in reality Vietnam has already recognized island territories are parts of Chinese sovereignty because on 14<sup>th</sup> September, 1958 then Vietnamese Premier Pham Van Dong in his note to Premier Zhou Enlai state that Vietnam “recognizes and supports the Declaration of the Civil Aviation Organization (ICAO) Conference” on Asia-Pacific Regional Aviation in October 1955 held in Manila was unanimous support for China for its sovereignty over the islands and asked its duty on world meteorological observation.<sup>41</sup> The conference was attended by 11 nations including South Vietnam and Taiwan.

### **3.5 Sino-Vietnamese confrontation over South China Sea**

The South China Sea dispute is one of the most ever-lasting and unresolvable modern territorial conflict in Asia. It is not only the territorial and sovereignty disputes that were bound in Asia as a region but stakes are high even in the external region states due to geostrategic trade interest involved. Indeed it was British who claimed the Spratly Islands officially in 1864 and later renewed it two times in 1877 and 1889 respectively.<sup>42</sup> The Sino-French treaty in 1885, has made Annam Kingdom as protectorate state of French and then French acquired some parts of Paracel Island in lieu of Vietnamese people. At that time the

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<sup>40</sup> Yang, Lu (2014) “Why Does Vietnam Claim There Is a Xisha Islands Dispute?”

<sup>41</sup> Pedozo, Raul (Pete), (2014). A CAN Occasional Paper “China versus Vietnam: An Analysis of the Competing Claims in the South China Sea”. CAN Analysis & Solutions (p-33)

<sup>42</sup> Elleman. B.A (2009), “Maritime Territorial Disputes and their impact on Maritime Strategy: a historical perspective” in Sam Bateman and Ralf Emmers (eds.) (p-43)

conflict over the islands were between France, Britain and Netherlands as Clive has stated “the geopolitical rivalries over the Spratlys group are nothing new only the players have changed”. Japan, which came at a bit later period seized the Hainan of mainland China and at the same time occupied many parts of islands.

It was in 1946 when both Chinese and French started making low level campaign to assert their claim. In 1947, Nationalist of China retook the Pratas Islands and for the first time put forward a claim to almost all parts of South China Sea in U-shaped “eleven-dotted lines” on their own state map. In 1953 the People’s Republic of China (PRC) has published a map with “nine-dash line” as its claim in South China Sea. In 1951, under the provision of the “Treaty of San Francisco” Japan have renounced all the rights and claims of the Spratly and Paracel Islands. The Nationalist China (KMT)<sup>43</sup> was pretty well early to station their troops on the Woody Island on Paracel and Itu Aba on Spratly Island but soon it was fall back in Taiwan they withdrawn their troop from the islands in May 1950. Later in 1955, the Woody Island was replaced by People’s Republic of China (PRC). In 1954, the Paracel Island claim maintained by French was transferred to South Vietnam. In 1956, the Nationalist KMT returned back to the Itu Aba and both PRC and Vietnam raised strong protest against the KMT but North Vietnam backed with China for claiming both Spratly and Paracel Islands are under the sovereignty of PRC.

The subsequent events witness the Philippine’s entering into the conflict by claiming part of Spratly and Scarborough Shoal. As the time goes by the claimants are increasing and the disputes are intensifying therefore in 1958, the then North Vietnam Premier Pham Van Dong sent a formal diplomatic correspondence on the issue which was most controversial part of Sino-Vietnamese disputes in later period. Beginning of 1970 the geopolitical situation has been rapidly changing in the region and China has been following more and more military aggressive posture. As China is integrating its claimed territories they occupy Amphitrite Group of the Paracel Islands in 1970s. The Crescent Group of the Paracel Islands was remained under the control of South Vietnam with its troops stationed on the islands.

#### *1974 Military Confrontation over Paracel Islands*

There are some triggering factors that have caused the 1974 Sino-Vietnamese military confrontation over the Paracel Islands. In mid-1970s China’s main national security concern

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<sup>43</sup> Kuomintang (KMT): is a Chinese Nationalist Party, first founded by Sun Yat-sen after the 1911 revolution.

is the possible threat of Soviet Union's presence and their maritime activities in South China Sea.<sup>44</sup> One factor could be related with China's expectation of both the living and non-living natural resources that can be extracted in South China Sea and for that China is conducting sea floor survey at various levels. China at that time is more worry about the Vietnam's stand between China and Soviet Union and many indicators have reflected that Vietnam seems to be more inclined towards Soviet Union than the China.

South Vietnam on its part never recognized what North Vietnam has given territorial recognition to China instead they are very vocal about the claim of their sovereignty against the PRC. In 1960 with the U.S military and especially air power support South Vietnam has expelled the Chinese fishermen from Paracel Islands and PRC hasn't made any effort to reclaim it. As the intense war has been raging with North Vietnam, South Vietnam had to withdraw its troops from Spratly Islands. Moreover, at the beginning of 1970s the Sino-U.S relationship has improved dramatically by following of Henry Kissinger's secret visit and contrastingly the U.S support to South Vietnam started minimizing and finally almost all military support was suspended. Due to all these circumstances, South Vietnam had to further withdraw its troops from Paracel Islands. On top of that South Vietnam has signed a contract of offshore oil exploration with Western companies mainly in the gulf of Tonkin.

Until then People's Republic of China (PRC) despite its proclamation made in 1958 has not been actively claiming for Paracel Islands, South Vietnam has been maintaining its small weather station on Pattle Island which is one of the largest islands of Paracel Islands. The factors leading for the battle over Paracel Islands must be numerous but one of them is South Vietnamese administrative decision to incorporate the Spratly Islands into Phuoc Tuy Province in September 1973 which has created strong reaction from China by making statement on 11<sup>th</sup> January, 1974. On Chinese side it must be sure that they had got assurance from U.S during Nixon visit for not giving military assistance to South Vietnam if war broke out between China and Vietnam. Since 1970s China has already started focusing more on Paracel Islands by conducting different kinds of survey operations by People's Liberation Army Navy (PLAN) and in 1971 China developed military infrastructure in Woody Islands of Amphitrite Group to support the PLAN warships.<sup>45</sup>

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<sup>44</sup> Lo, Chi-Kin (2005), *"China's Policy Towards Territorial Disputes: The Case of the South China Sea Islands"* London: Routledge (p-92)

<sup>45</sup> Benson, Jeff. W. (2013) *"South China Sea: A History of Armed Conflict"* USNI News

The conflict was further progressed when in the same year Vietnam has allowed foreign companies for the survey of oil exploration in the region and in July 1973 Vietnam has made contract with eight international oil companies for the offshore oil exploration and granting oil concessions. With this China was starting to send its troops in the Paracel Islands equipped with full military weapons. On 16<sup>th</sup> January, 1974 six South Vietnamese Army officers and an American observer who were on inspection tour have discovered presence of two Chinese armoured fishing trawlers were laying off Drummond Island supporting troops from the PLA that were protecting the occupied islands over there.<sup>46</sup> On report of their findings the South Vietnamese vessels and troops were subsequently sent to the Paracel Islands. Soon they were confronted with Chinese troops stationed in the islands and both have started firing of gun and missile from warships, the missile gunboats and aircrafts were also included. There are different kinds of battle account in terms of involvement of military strength from both sides. On account of Vietnam there were 14 Chinese warships, including four guided missile destroyers that were covered with four jet fighters. Chi-Kin Lo, argued that Vietnamese account was exaggerated as he referred some of the independent observers who believed that Styx missiles were not used.<sup>47</sup> It has been known that there are four Vietnamese warships in addition to the regular naval commandos and troops stationed on the islands. Some of the independent sources have mentioned that there were proportional warships participated in the battle but Chinese are fully and heavily armed and more superior.

Almost a less than an hour battle have left 53 Vietnamese casualties and 16 injuries and on other hand Chinese casualties are not very clear as China claims 18 were death in battle but Vietnamese claims much higher numbers. The interesting thing is who is the first to start firing according to the literature Chin-Kin Lo, the author of 'China's Policy towards Territorial Dispute' argues it was Vietnam who started gun fire first but on the other hand Thomas J. Cutler in 'Battle For the Paracel Islands' has argued China was first one who opened gun fired while Vietnamese raise white flag and seeking a talk. But the important point here is not the one who first opened the gun fire rather it is about islands which was completely occupied by the China as a result of this battle and since then the Sino-Vietnamese relations were lowered at the bottom. The issue of sovereignty has become much more strong and critical after the reunification of North and South Vietnam. It was a kind of sell-out thing for South Vietnam for not receiving any help from his close ally U.S but it was

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<sup>46</sup> Cutler, Thomas J (2005) "*Battle For The Paracel Islands*" UNTOLD STORIES section- vnafmam.com

<sup>47</sup> Lo, Chi-Kin (2005), "*China's Policy Towards Territorial Disputes: The Case of the South China Sea Islands*" London: Routledge (p-57)

obviously result of Sino-U.S rapprochement and this has led the change of geopolitics in a short period of time.

### *1988 Spratly Skirmish between Vietnam and China*

In 1988, the confrontation between China and Vietnam on Johnson South Reef in Spratly Islands was in continuation with 1974 the battle for the Paracel Islands but at this time it was one islet of Spratly Islands and not as a whole island. Moreover, this time it was not only South Vietnam but a unified Socialist Republic of Vietnam (SRV). Spratly islands confrontation is more complicated than Paracel Islands because it has more interested states claimed some parts of whole islands though confrontation happened between Vietnam and China. In contrast to Paracel Island which is bilateral conflict but Spratly Islands is multilateral conflict in nature.

Since Paracel Islands battle in 1974, the Sino-Vietnamese relations have never been at a good terms rather both of them are seeking for their own security and territorial sovereignty. The problem here is Vietnam's trust towards China has been diminishing due to a dual sell-out by China both at the "Geneva Peace Conference" and "Sino-U.S rapprochement" and accordingly Vietnam is always vigilant on China. In February, 1987 a global sea-level joint observation plan was adopted by the UNESCO International Oceanographic Commission (IOC). The UNESCO IOC has decided to give a commission on China to establish five observation stations for world ocean survey and one would be over the Spratly islands.<sup>48</sup> Then Chinese vice Premier Deng Xiaoping has played a significant role in maritime modernization and especially on this mission where he appointed Admiral Liu Huaqing to lead the PLAN. Their primary goal is to make their present at Spratly islands through survey operations. As survey carries on and finally they marked Fiery Cross Reef at Spratly islands would serve the best location for the global oceanic observation station.<sup>49</sup> Since, mid January Vietnamese armies began to monitor the island and frequently visiting the islands in order to observe the Chinese navy activities. Vietnam considered Fiery Cross Reef as their maritime territories and now China is carrying their survey which in turn trying to make their own presence over the island. This scenario makes so many confrontations between two forces. On 14<sup>th</sup> March, 1988 the two forces clashed each other with full use of military force and made life lost and material lost cost. Vietnam lost 64 of its soldiers and its HQ-605 was

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<sup>48</sup> Hermans, Carlijn G.C (2012) *Tumultuous Tides: Explaining and Understanding the Perpetuation of the South China Sea Conflict*. Leiden University.

<sup>49</sup> Benson. Jeff W. (2013) *South China Sea: A History of Armed Conflict* USNI News [www.news.usni.org](http://www.news.usni.org)

damaged and sunk by the Chinese. Vietnam lost Fiery Cross Reef and in over all China has occupied seven reefs and rocks in the Spratly Islands.

### **3.6 Conclusion**

The South China Sea disputes are one of the most complicated and long lasted multilateral disputes in the world. The disputes have persisted throughout the history with the different interpretations for the backup of each states claim. The conflict has gone through different phases but it was more internationalized in recent period. The priority and necessary of South China Sea has increased and the bets are higher for all the players. This is all because the importance of South China Sea is increasing and its geo-strategies are bearing states to preserve what they have and solidifying their claim under their own control. As saying goes ‘who controls South China Sea will control world economy’ South China Sea is very important in terms of geo-strategic imperative and natural resources utility. The South China Sea is neck of the Pacific Ocean and Indian Ocean where majority world energy supplies are transiting and making this sea route one of the busiest sea route in the world.

The conflict between Vietnam and China in South China Sea is about Paracel Islands and Spratly Islands. China considered Paracel Islands conflict is no more a conflict since 1974 occupation but Vietnam insists negotiation with China on Paracel Islands. Spratly islands are multilateral conflict with six claimant states are making their historical evidences and international law in order to legitimate their own sovereignty over the territories on Spratlys. All the claimant states push China into the multilateral negotiation but China seeks to resolve conflicts through bilateral negotiation. Among the claimants over Spratly Islands, Vietnam ranks first by occupying 25 islands and reefs, 12 reefs and shoals are under the China, Philippine occupies 8, Malaysia controls 5 and Taiwan has only 1 called Itu-Aba but this is the largest with aircraft runaway space.

Vietnam and China both are claiming over entire Paracel Islands and Spratly Islands. Even though they have slight differences on the basis of their claim but the key basis can be three: historical evidences, occupation and international recognition. It is complicated to judge history because history is mystery which can be interpreted in different ways. Regarding the occupation it seems Vietnam has more favourable argument which is the only reason Chinese People’s Liberation Army (PLA) attacked Vietnamese troops on Paracel Islands and later it

was occupied by China. For international recognition it depends for the individual states interest and one can't judge it directly but it was very difficult to recognize Chinese "nine-dash line" as it covers almost all the maritime territories in the South China Sea.

The two armed confrontation between Vietnam and China over Paracel and Spratly Islands in 1974 and 1988 respectively were mere tragedy to the Vietnam. Vietnam has lost its already occupied territories to China and also it has cost its life of the soldiers and materials which are suppose to safeguarding those territories. Vietnam's two times heavy lost under the Chinese force has led them to revisit the conflict and prepare themselves to the future. These experiences have pushed Vietnam to reform their strategy against China that would guide them to interact with China. This chapter is foundation for next chapter which seeks to analyze Vietnam's new strategy holding on China and how it affects Chinese behaviour in South China Sea disputes.



**CHAPTER FOUR**

**VIETNAM-CHINA RELATIONS BETWEEN  
2002 AND 2014**

## 4.1 Introduction

Vietnam and China relations has gone through a different kind of relations such as tributary states, ideological brothers, battleground comrades, border war, normalization and island territorial conflicts. Nations are like human beings and its interaction with other nations could be changed at any time like changing the mood of the individual human being in a minute of time due to certain circumstances. The change of relations between two nations is inevitable, completely certain and quite difficult to mark the point of junction between two different kinds of relation. After all one thing is always constant in the evolution of national relations and that is no other than time, time can mark the phases of nation's interaction with another nation. Therefore, it is crucial to put into timeframe in order to study about the relations between two states that can helps to get a better picture and appropriate way of analyzing ones study. Studying and analyzing the relations between Vietnam and China could have a different way of framing the time in order to serve the individual's purpose of studying. Here in the case of current study the timeframe was marked between 2002 and 2014 which is important for its own purpose of study.

The year of 2002 is significant and one of the milestones in the history of South China Sea disputes because the "Declaration on Conduct of Parties (DOC)" was signed between ASEAN and China to resolve the disputes. This is the first kind of such approach was taking place in regard of the South China Sea dispute despite the long history of its conflict between littoral states especially between Vietnam and China. To study and analyze recent development of relationship between China and Vietnam with reference to their disputes in South China Sea, the timeframe between 2002 and 2014 was the most appropriate and accurate time phase between two states. 2014 was marked to be another end of the study as it was the year in which one of the most flared up conflict of the Chinese oil rig installation within Vietnam's EEZ happened between Vietnam and China since signing the DOC between China and ASEAN.

The signing of DOC in 2002 has its imperative in resolving the long time maritime disputes between China and Southeast Asian littoral states. This was one of the biggest achievements of all efforts put forward by the rival states to resolve the territorial disputes via peaceful means. Despite the fact that DOC doesn't have the leverage to solve the conflict immediately but it has its own necessity to maintain or de-escalate the conflict. DOC is important in terms of its mechanism for accountability of any states action and inappropriate development in the

disputed territories and it also put individual states responsibility to stay within its own share of territories. In over all, the signing of DOC has helped rival states to build up confidence in dealing the issues and made a step ahead to establish a regional “Code of Conduct (COC)” in South China Sea.

The DOC has been recognizing as a guideline for the behavior amongst the states for interaction over the South China Sea disputes, it also has helped Vietnam to bring China on the negotiation table. China always wants to negotiate the South China Sea disputes on the basis of bilateral conflict and it never wants to treat it as multilateral disputes and resolve it in multilateral forum. Vietnam and other rivalry states want to resolve the disputes in multilateral approach rather than bilateral approach where the stronger China may create extra pressure on individual smaller state in order to serve its own benefit. DOC has given a better channel for the Southeast Asian countries where they can express their grievances due to Chinese aggressive action in the disputed territory. Vietnam on its effort since beginning was trying to put larger leverage on China through the stronger voice of ASEAN as a united regional forum pertaining same stake on the South China Sea disputes. This has helped some way in dealing with China but it has its own loophole to fulfill the purpose it believed to be served.

Vietnam has been struggling with its northern frontier since very earlier period and it was frequently caught up in dangerous ground. The relationship was kept on changing with different kind of natures either very close as the lips and teeth or very bad as the enemy on the battleground. This pendulum swinging nature of relationship has led Vietnam to reformulate its policy on China specifically and other states in general since its normalization of relations with China in the beginning of 1990s. The change of ideological affinity and deepening its economic dependence with China in order to develop its domestic infrastructure under the so called “Doi Moi initiative” Vietnam has to play delicate relations with China. Because, on one hand it has to seek opportunity to develop its economic from fast growing economy of neighbouring China and on other hand it has to protect its territorial sovereignty that has been threatened by China’s aggressive policy. Hence, Vietnam has maintained a delicate balance between opportunity and risk and thereafter Vietnam quickly initiated dichotomy strategies that are object of cooperation (doitac) and object of struggle (doituong). It basically deals between deference and defiance. Many scholars have framed these into different theoretical perspectives such as balancing, bandwagoning and hedging. It is very

difficult to find out the fine line between each strategic policy but evidence shows that Vietnam is following hedging strategy on dealing with China by one way or another.

South China Sea disputes are always key stones between Sino-Vietnamese relations and how it affects their relations has to be analyzed by studying recent development on the issue of South China Sea disputes and their bilateral relationship. Vietnam's two track policy 'object of cooperation' (doi tac) and 'object of struggle' (doi tuong) has been employed decade back in order to safeguard its territorial sovereignty as well as to gain economic benefit from neighbouring country China. It is still under the examination whether two track policies have made any relaxation in terms of China's stand on the South China Sea disputes.

#### **4.2 The Declaration on the Conduct of Parties in South China Sea (DOC) - 2002**

The Declaration on the Conduct of Parties in the South China Sea (DOC) was signed between leaders of ASEAN and China on 4<sup>th</sup> November, 2002 during the Eighth ASEAN Summit in Phnom Penh, Cambodia. It was a great leap forward development in the history of South China Sea disputes, as it created a platform where peace and security can be preserved and development and cooperation would be implemented. Most of the Southeast Asian leaders viewed DOC a great achievement for its regional peace and it laid a foundation for future talk to resolve the territorial disputes. Chinese leadership has also admitted that the agreement would resolve the disputes at the moment but it has benefited regional peace and more cooperation on economic development of the rival states.

DOC was not a straight forward development in regards to South China Sea disputes because after the three clashes over South China Sea between claimant states of ASEAN and China and especially with Philippine in 1995, ASEAN is finding its common way to deal with China. The Treaty of Amity and Cooperation (TAC) in 1976 and the Treaty on the Southeast Asia Nuclear Weapon-Free Zone in 1995 were foremost treaties that have maintained the behaviour of states who were in the stakeholder of South China Sea disputes. The main principles included in TAC for the signing parties are to use peaceful means to settle the differences, avoid resort violence for the threat and to advance more cooperation among concerned parties.<sup>50</sup>

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<sup>50</sup> Thuy, Tran Truong (2006) *Recent Development in the South China Sea: Implications for Regional Security and Cooperation* Southeast Asia Program, CSIS

DOC is one step to reach the code of conduct for the concerned parties both the claimant states and non-claimant states to create regional stability and prosperity. Since 1990 to 2003, Indonesia and Canada initiated the Workshops on Managing Potential Conflicts in the South China Sea. This is Track Two mechanism where they promote friendly relations between the experts of various countries in Southeast Asia and China and without touching much on sovereign sensitive issues rather they try to come up with a better solution to resolve the conflict. The experts of the claimant states believe that a code of international conduct was one of the measures that can build-up confidence among the rivalry states to come up with any solution to resolve the conflict in any way. The first such kind of discussion about having code of conduct was raised in the ASEAN Declaration on the South China Sea of 1992, where they agreed all parties should apply the principles contained in the TAC as basis for establishing a code of conduct in the South China Sea.<sup>51</sup> The spirit and willingness has shown in the 1995 Statement by the ASEAN Foreign Ministers on the Recent Developments in the South China Sea. What they believe for prioritizing a code of international conduct in the region is the belief that a code of conduct could create region less confrontational and more cooperative on economic development.

The first code of conduct was signed in August 1995 between Philippine and China and issued a joint statement of RP-PRC consultation on the South China Sea and on other areas of cooperation. After few month later, the second code of conduct was signed in the Joint Statement between Philippine and Vietnam on the Fourth Annual Bilateral Consultation in November 1995.<sup>52</sup> The code of conduct clearly reflected the concerned states have firm determination and willingness to resolve the South China Sea disputes through negotiation and peaceful means rather than using force or resorting violence to the threat and all negotiation and consultation will be carried on the basis of international law especially the 1982 UN Convention on the Law of the Sea (UNCLOS). The claimant states agreed to form a bilateral or multilateral forum to promote a different cooperative project for the development and safety of maritime environment. Hence, the two consecutive code of conduct between

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<sup>51</sup> Thao, Nguyen Hong (2003), "*The 2002 Declaration on the Conduct of Parties in the South China Sea: A Note Ocean Development & International Law* (p-279)

<sup>52</sup> Thao, Nguyen Hong (2009), "*The Declaration on the Conduct of Parties in the South China Sea: a Vietnamese perspectives, 2002-2007*" in Sam Bateman and Ralf Emmers (eds.) "*Security and International Politics in the South China Sea: Towards a cooperative management regime*, London and New York: Routledge. (p-209)

Philippine and China and Philippine and Vietnam has laid a firm basis for the ASEAN-China consultations on the regional code of conduct.<sup>53</sup>

Vietnam and Philippine were continuously working on convening the ASEAN-China dialogue to bring China on the negotiation table. But China was always maintaining its position on the bilateral talk on regard of the South China Sea disputes with claimant states in Southeast Asia by doing this China could use its economic power to bring on its position rather than having fair negotiation. Even though Southeast Asian states put effort for the code of conduct between ASEAN and China but a number of times China attempted to block the question of having ASEAN-China consultation on code of international conduct. With the due ASEAN countries desire and ruthless effort China has to divert a little bit of its foreign policy and in March 2000 the first ASEAN-China consultation on the code of conduct in the South China Sea was convened in Hua Hin, Thailand. China has also realized that it is more beneficial to have cooperation for the economic development and resource exploitation in the islands rather than having only confrontation.

After a long discussion, the consequences came at a time when the parties most obviously China reached on terms of compromise and adopted DOC on November 4, 2002, during the Eighth ASEAN Summit in Phnom Penh, Cambodia. DOC is merely a political declaration which doesn't serve to resolve the South China Sea disputes, as it is not legally binding or it doesn't impose any legal obligation to the concerned parties. The DOC was essentially part of ASEAN's search for explicit confirmation that China's presence in the South China Sea will not jeopardize regional peaceful coexistence.<sup>54</sup> DOC helps to de-escalate the sovereignty and jurisdictional disputes and prevent potential conflict in South China Sea. By adopting DOC between ASEAN and China shows the concerned parties are beginning to realize the importance of regional security and cooperative economic development.<sup>55</sup> DOC is generally considered to be a guideline for behaviour of state-to-state interactions over the South China Sea issue and the implementation of DOC serves two major objectives; confidence building measure and to establish a regional code of conduct in the South China Sea. DOC has achieved to bring cooperation on regional development and security and one of the most

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<sup>53</sup> Ibid

<sup>54</sup> Emmer, R. (2009), *"The de-escalation of the Spratly dispute in Sino-Southeast Asian Relations"*, in Sam Bateman and Ralf Emmers (eds.) *"Security and International Politics in the South China Sea: Towards a cooperative management regime"*, London and New York: Routledge (p-133)

<sup>55</sup> Huai Feng, REN and WU, Shicun *"More Than a Declaration: A Commentary on the Background and the Significance of the Declaration on the Conduct of the Parties in the South China Sea."*

evident contributions of DOC is that it has encouraged claimant states to exercise self-restraint to keep region into more peace and cooperation. The self-restraint means concerned parties are maintaining the present status quo of occupied territories and avoiding any actions that would complicate the situation. However, DOC has not given a clear answer as to what kind of activities might escalate the disputes and it also has not given a clear geographical scope. This has led the claimant states into complicated situation in the application of DOC.

The DOC is comprised with ten points. Point 1, their commitment to the purpose and principles of the Charter of the United Nations, the 1982 UN Convention on the Law of the Sea, the Treaty of Amity and Cooperation in the Southeast Asia, the Five Principles of Peaceful Coexistence, and other universally recognized principles of international law which shall serve as the basic norms governing state-to-state relations. Point 2, parties are committed to exploring ways for building trust and confidence in accordance with the above mentioned principles and on the basis of equality and mutual respect. Point 3, provided with universally recognized principles of international law, including the 1982 UN Convention on the Law of the Sea parties reaffirmed their respect for and commitment to the freedom of navigation in and above the South China Sea. Point 4, the concerned states are committed to resolve their territorial and jurisdictional disputes by peaceful means rather than resorting to the threat or use of force, through friendly consultations and negotiations by sovereign states directly concerned, in accordance with universally recognized principles of international law, including the 1982 UN Convention on the Law of the Sea. Point 5, about self-restraint where parties should exercise self-restraint where their actions would complicate or escalate disputes and also to refrain from action of inhibiting on the presently uninhabited territories and to handle their differences in a constructive manner. Point 6, 7 and 8 are to list out the mode of discussions and possible areas for plan cooperative actions or project among parties in the less sensitive area and to seek building of trust and confidence. Point 9, given more stress on the parties to take action and respect for the provision of DOC in thereafter. Point 10, (important) “The Parties concerned reaffirm that the adoption of a code of conduct in the South China Sea would further promote peace and stability in the region and agree to work, on the basis of consensus, towards the eventual attainment of this objective.”<sup>56</sup>

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<sup>56</sup> [www.asean.org](http://www.asean.org) “Declaration on the Conduct of Parties in the South China Sea” (accessed on 5<sup>th</sup> May 2015)

### **4.3 Implications of South China Sea disputes with special reference to DOC on Sino-Vietnamese Relations**

The South China Sea disputes have been the core issue between Vietnam and China, which accordingly affected their bilateral relationship. Historically, Vietnam's relationship with China has been one of the most complicated friendship, struggle and conflict prone zones. Since Vietnam's initiative of its economy policy called 'Doi Moi' in 1986 and China's opening of its economy to outside world in late 1980s have triggered both countries for the development of their domestic economy rather than mere territorial and sovereignty issue. In 1991 both countries have normalized their relationship and started working on the three sets of territorial issues; Demarcation of the 850-mile land boundary, delineation of the Gulf of Tonkin, overlapping sovereignty claims in South China Sea, and the Paracel and Spratly Islands.<sup>57</sup> As the initiative commenced on good willingness, the two countries established a joint working groups and discussed about the three issues but the land boundary and Gulf of Tonkin were given the first priority.

After numerous discussions, finally on 30<sup>th</sup> December, 1999 the Land Border Treaty was signed. In the successive years on 25<sup>th</sup> December, 2000 the two countries signed the Agreement on the equidistant line of Demarcation of Waters, Exclusive Economic Zones and Continental Shelves in the Gulf of Tonkin and this was achieved after 17 rounds of negotiations. At the same time of Gulf of Tonkin agreement two countries also agreed on the Fishing Cooperation in the Gulf of Tonkin, this was ratified only in 2004, the agreement deals the right of exclusive and common fishing area. Even though all these are done in the signing of agreement between two countries, there were frequent skirmishes between fishing vessels of respective country in the Gulf of Tonkin. One of the most serious incidents took place in 2005 when Chinese patrol boats opened fire on Vietnamese fishing trawlers killing nine crewmen.<sup>58</sup> Due to all these incidents China and Vietnam have started many joint cooperation initiatives such as joint naval patrols, joint survey of fishing resources, and joint oil and gas exploration. The two countries express their commitment to negotiate in resolving territories outside the Gulf of Tonkin. Since then the source of serious tension in this very region was lessened and Chinese stance against in this region was softened and as framed in so called 'smile diplomacy'.

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<sup>57</sup> Storey, Ian (2008) "*Conflict in the South China Sea: China's Relations with Vietnam and the Philippines*"  
The Asia-Pacific Journal: Japan Focus Vol:8, Issue:8

<sup>58</sup> Ibid



Looking at the overlapping claims in South China Sea, it was much less encouraging and issue remained and didn't lead to the worst kind of situation as compare to 1974 and 1988 armed clashes between Vietnam and China. In 1990s, both countries are on rock and earth stand with gaps in their approach. Vietnam wanted China to discuss about Paracel Island but China considered Paracel conflict was already closed since 1974 takeover and Vietnam wanted China to have a multilateral forum discussion on Spratly Island issue with ASEAN as a mediator but China insist for bilateral discussion in resolving the conflict. The two countries stand firm on their own interest and haven't shown any willingness to compromise, and it accordingly created many stand-off tense between two countries over the years.

Under this condition of China's hard-line policy on resolving South China Sea disputes in multilateral setting, Vietnam and Philippine worked very closely with ASEAN to pan-out China on the negotiation table. ASEAN as regional forum and four of its members are directly involved in the conflict it is fair test for the ASEAN to come out with responsible and capable regional forum. ASEAN for the first time in 1992 at Manila signed its declaration on South China Sea disputes, where the member states showed full concern over the ongoing tension between Vietnam and China. ASEAN's foreign ministers recognized that "South China Sea issues involve both sovereignty and jurisdictional claims, which will have an adverse affect on regional peace and stability and moreover on the regional economic development and prosperity."<sup>59</sup> With the idea of creating a regional Code of Conduct (COC) to lay a foundation for long-term regional stability and foster cooperation among concerned states, ASEAN first endorsed this idea officially at the 29<sup>th</sup> ASEAN Ministerial Meeting in July 21-27, 1996.

On 4<sup>th</sup> November, 2002 in Phnom-Penh, ASEAN and China signed the Declaration on the Conduct of Parties in South China Sea (DOC). The DOC is one step for the adoption of COC and success of Vietnam leading the ASEAN in bringing China on the negotiation table. But the implication of DOC to the Sino-Vietnamese relationship is not very positive even though since 2002, the DOC has been regularly mentioned in any official speeches and joint statements of claimant states and China, it become merely political statement.<sup>60</sup>

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<sup>59</sup> Thuy, Tran Truong (2006) "*Recent Development in the South China Sea: Implications for Regional Security and Cooperation*" Southeast Asia Program, CSIS (p-2)

<sup>60</sup> Thayer, C.A (2013) "*ASEAN, China and the Code of Conduct in the South China Sea*" SAIS Review of International Affairs, Vol 33, No2 Summer-Fall 2013 (p-75)

Anyhow, DOC was the first political document which opens a way for the maritime cooperation among claimant states on the activities which are related to the less sensitive areas in order to help them to build up confidence and trust. ‘More contacts, less confrontation’ has become the main ideas in every possible interaction between China and ASEAN member states and DOC has relatively reduced level of tension in the South China Sea since 2002. During the second meeting of the ASEAN-China Joint Working Group on the implementation of the DOC in Sanya City, Hainan, China on February 8-9, 2006, agreed six projects to be implemented from 2006 under the name of ‘ASEAN-China Project’. In the following years both ASEAN and China has taken several initiatives under the DOC provision. Vietnam and Philippine lead the ASEAN into consistent effort in order to reach the objective of a regional code of conduct but China obviously focused more on developing the resources in the disputed areas.<sup>61</sup>

The DOC though it was signed initially for the adoption of future Code of Conduct in the region and for the long-term stability and cooperative management of conflict. Nevertheless, as stated by Thao “it is naïve to believe that because of the DOC, the parties have ceased undertaking activities that complicate the situation”.<sup>62</sup> Under the DOC point 5, it is stated that parties have to exercise self-restraint in the conduct of activities that could complicate or escalate the situation in the region and it also mentioned to refrain from the occupation of territories that are presently uninhabited. But to complicate the situation DOC doesn’t clarify what kind of activities and it has lacked geographical scope of occupation. Moreover, DOC was not a legally binding and doesn’t impose responsibility. Hence, powerful China holds more assertive and hard-line policy towards the South China Sea disputes. First of all, in 2007 China established Sansha city to administer the Paracel and Spratly Islands which has drawn strong official protest from Vietnam and has held anti-China demonstrations in Hanoi and Ho Chi Minh City. In 2010, China’s development of island’s tourism industry again created strong condemnation from Hanoi as for the violation of Vietnamese sovereignty. Again China’s “2010-20 Grand Plan for Construction and Development for the International Tourism Island of Hainan” have provoked criticism from claimant states.<sup>63</sup> Vietnam Ministry

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<sup>61</sup> Thao, Nguyen Hong (2009), “*The Declaration on the Conduct of Parties in the South China Sea: a Vietnamese perspectives, 2002-2007*” in Sam Bateman and Ralf Emmers (eds.) “Security and International Politics in the South China Sea: Towards a cooperative management regime, London and New York: Routledge. (p-215)

<sup>62</sup> Ibid (p-211)

<sup>63</sup> Thuy, Tran Truong (2006) “*Recent Development in the South China Sea: Implications for Regional Security and Cooperation*” Southeast Asia Program, CSIS (p-7)

of Foreign Affairs (MOFA) spokesperson condemned Chinese plan as it has violated Vietnam's territorial sovereignty and inconsistent with the spirit of the DOC. Despite the strong criticism from Vietnam and claimants states China unilaterally declared its fishing ban in the South China Sea for two months, (June and July), which was applied since 1999. To enforce its jurisdictional claim China has sent fishery administration vessels to patrol the disputed water. There are many cases of Vietnamese fishermen being killed or wounded by Chinese patrol vessel and gunboats. Repeatedly in 2009, Vietnamese fishermen near the Parcel Islands were detained and demanded a fine of \$10,000 for the release of the fishermen. China has also conducted military exercise in a disputed area completely ignoring the DOC provision.<sup>64</sup>

Even though Vietnam protested in the first place, later it has agreed to join in the tripartite Joint Marine Seismic Undertaking (JMSU) in March 2005. The JMSU has helped to mitigate relationships between Vietnam and China but it was overshadowed by the incidents happened in later period. China accused Vietnam for allowing a consortium of energy companies led by British Petroleum (BP) to develop two gas fields in the Con Son Basin, 230m off Vietnam's southeast coast by what China called is violating its territorial sovereignty.<sup>65</sup> Despite the improvement of relationship since normalization Sino-Vietnamese relations were consistently overshadowed by the conflict in South China Sea. More recently the cases such as cable cutting of Vietnamese boat by Chinese maritime patrol ships while carrying out an underwater survey of South China Sea in May 2011 and the canon fire of a months-long crisis of Chinese unilateral deployment of Haiyang Shiyou 981 oil rig into the Vietnamese-claimed waters. As Carlyle A. Thayer has stated "current territorial and maritime jurisdictional disputes in the South China Sea are the major irritant in relations between China and the claimant states of Southeast Asia."<sup>66</sup> DOC has both advantage and disadvantage in the Sino-Vietnamese relations because it has created a platform to discuss about the incident that was happened. But DOC is just political document which was used by China to gain its international image in theoretical sense. In practical sense DOC doesn't helped Sino-Vietnamese territorial conflict in a stable form rather it gets worst kind of situation in last decade. DOC was signed in the intention for the COC but it was yet to reach

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<sup>64</sup> Ibid (p-8)

<sup>65</sup> Storey, Ian (2008) "*Trouble and Strife in the South China Sea: Vietnam and China*" China Brief Vol:8 Issue:8 The Jamestown Foundation

<sup>66</sup> Thayer, C.A (2013) "*ASEAN, China and the Code of Conduct in the South China Sea*" SAIS Review Vol:xxxiii no:2 (p-75)

for the any expected pace. China is still far away to reach the discussion and has very unpredictable gesture in regard of COC consideration in the region.

#### **4.4 Vietnam's Strategic Policy towards China**

Historically, Vietnam was successful in securing its sovereignty from its giant and aggressive neighbour China in the struggle of almost a thousand decade. Though China was always stronger and Vietnam was always weaker in power in their asymmetrical relationship but that power doesn't implied on Vietnam in its struggle against China. As Toft has stated that "in inter-state conflict a weak actor's strategy can make a strong actor's power irrelevant and this is not always same that power implies victory in war if so then weak actors should almost never win against stronger opponent." He concluded by the remarks that it is always asymmetric conflict and the outcome is nevertheless strategic interaction.<sup>67</sup> When talking about Vietnam's strategic policies against China, it can be counted as three main categories; balancing, bandwagoning, and hedging. It can't be static in nature rather it varies according to the different scholars and policy makers as well as the nature of the relationships.

Kang believes that in terms of hierarchical relationship which existed in Asian context since very long back. It reflected Vietnamese relationship with China is less likely balancing rather bandwagoning against Chinese policy. Because, historically Vietnam has been forced to adjust with China while securing its autonomy, this is likely true in current situation. The hierarchy itself is a defensible alternative theoretical approach to balance of power and there is always room for accommodation to curry favour from the economic might of China and not sacrificing its own autonomy.<sup>68</sup> Womack argued that China has good relationship with neighbouring states under the so called 'good-neighbouring' policy the neighbouring states welcomed its growing prosperity because they also benefit from it. But it all matters by China's intention and neighbouring states are more concerned about it. In case, China has dominated its interest over its neighbouring states then it is sure that neighbouring states will

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<sup>67</sup> Toft, Ivan Arreguin, (2001) "*How the Weak Win Wars: A Theory of Asymmetric Conflict*" International Security, Vol. 26, No. 1 (p-97)

<sup>68</sup> Kang, D.C, (2003) "*Getting Asia Wrong: The Need for New Analytical Frameworks*" International Security, Vol. 27, No. 4 (p-75)

hedge their interest against China and if it again threat to the smaller states' interest or will let them to suffer, it would let them to balance against China in any means.<sup>69</sup>

Acharya (2003) believes countries and Southeast Asia and especially Vietnam has tendency to balance against China. Roy (2005) stated that "Southeast Asian states as a group employ two general strategies to protect themselves from dominant power China: engagement and hedging. The states in the region 'bandwagon' with China only when they see trade opportunity with China and leverage to keep good relations with China, recognizing Chinese potential rise in the region as one of the most powerful regional state. The most common approach among the rivalry states is low-intensity balancing which is not in the case of Vietnam which opted more on hedging as approach.<sup>70</sup> Hiep (2013) argues that since normalization of Sino-Vietnamese relations in 1991 Vietnam has been following a multi-tiered, omni-directional hedging strategy to counter Chinese threat and they recognized four elements as components in relations with China: economic pragmatism, direct engagement, hard-balancing and soft-balancing.<sup>71</sup> Carlyle A. Thayer has worked on Vietnam's strategy to constrain China in the South China Sea, keeping that their bilateral relations are crucial in developing their domestic economy. He analyzed Sino-Vietnamese relationship under the framework of Brantly Womack's theory of asymmetry and he summed up Vietnamese strategies in three categories: codification of bilateral relations through high-level visits by party and state leaders; enmeshment of China in a web of cooperative relations including economic ties; and self-help, particularly military modernization.<sup>72</sup>

According to the Brantly Womack's asymmetry theory "disparities in capacities create systemic differences in interests and perspectives between stronger and weaker sides."<sup>73</sup> In this case the larger power always tend to demand deference from smaller state while smaller state acknowledge it by securing its own autonomy and it is by nature the weaker states are 'prone to paranoia' due to over-attention but the stronger states are less attentive.

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<sup>69</sup> Womack, Brantly, (2012) "*Asymmetry and China's Tributary System*" The Chinese Journal of International Politics, Vol. 5, (p-54)

<sup>70</sup> Roy, Denny, (2005) "*Southeast Asia and China: Balancing or Bandwagoning?*" Contemporary Southeast Asia 27, no. 2 (p-319)

<sup>71</sup> Hiep, L.H (2013) "*Vietnam's Hedging Strategy against China since Normalization*" Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Vol. 35, No. 3 (pp-333-4)

<sup>72</sup> Thayer, C.A, (2011) "*The Tyranny of Geography: Vietnamese Strategies to Constrain China in the South China Sea*" Contemporary Southeast Asia Vol. 33, No. 3, (p-348)

<sup>73</sup> Womack, Brantly (2006) "*China and Vietnam: The Politics of Asymmetry*" New York: Cambridge University Press. (p-17)

Since normalization of relationship between China and Vietnam in 1991 followed by its initiative of 'Doi Moi' economic policy, Vietnam has departed from the ideological affinity outlook of foreign policy towards more engaged and cooperative relations in a multilateral forum. On the other hand, China has also opened its door to the outside world for more dynamic economic development. Vietnam has signed its membership in ASEAN in 1995 and employed so many mechanism to maintain its relationship with China involving party-to-party, state-to-state and military-to-military relations. As it has aimed from 1991 to 1998 the bilateral trade has increased from 23.23 million USD to 21,045.18 million USD making China Vietnam's largest trade partner. In March 1999, a summit meeting of the leaders of the Chinese Communist Party (CCP) and the Vietnam Communist Party (VCP) adopted a sixteen-character guideline calling for "long-term, stable, future-orientated, good-neighbourly and all-round cooperative relations". As Vietnam is making warm relations with China, at the same time Vietnam was also opening new avenue of relations with other states in the regions, the best example is growing relations between Vietnam and Japan. Vietnam has been evolving its strategy thinking due to the changed strategic and economic environment created by China's rise. Vietnamese leaders have recognized the importance of relations with China but accordingly it has to hedge against China for not falling itself vulnerable and dependent into the Chinese economic power house. This was done by boosting its relations with other potential states such as United States, Japan and India. These are some of the states variable for the pace of Sino-Vietnamese relationship. As Denny Roy recognized that if Vietnam faced intense threat from China's action, the most likely thing is they will pursue closer strategic relations with other states especially with the Japan. But as of now Vietnam has maintained fine line between two states by keeping 'equidistant' foreign policy, this was a kind of traditional Vietnam's foreign policy well served since predate.<sup>74</sup> The Vice Chairwomen of the Foreign Affairs Committee said in the National Assembly "everyone know that we have to keep a fine balance, neither leaning over toward the United States or bowing to China"<sup>75</sup>

Under such circumstances and evolution in Vietnam's foreign policy since 2001, Vietnam started diversifying its relations with various states around world by pursuing "strategic partnership" and comprehensive partnership" with aim of integrating itself with global

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<sup>74</sup> Manyin, Mark. (2014) "*Vietnam Among the Powers: Struggle & Cooperation*" The Asian Forum, Special Forum Vol. 3, No. 2

<sup>75</sup> Ms Ton Nu Thi Ninh, Vice Chairwomen of the Foreign Affairs Committee, Perlez, Jane, "*U.S Competes With China for Vietnam's Allegiance*" The New York Time, Asia Pacific June 19, 2006

network of economic development. In July 2003, the VCP Central Committee's Eighth Plenum redefined its ideological approach to interstate relations with all countries by adopting the concepts *doi tac* (object of cooperation) and *doi tuong* (object of struggle). This 'push' and 'pull' strategy of Vietnam is basically to cooperate with outside powers for mutual benefit where there is common interest and to struggle with other states who challenge Vietnam's national interest, territorial jurisdiction and sovereignty. For Vietnam, implementing dichotomy strategies with the mixture of deference and defiance is to maintain its sovereignty, territorial integrity, and political autonomy against the threat of expansionism, while taking advantage of cultural and trade opportunities for its own national development.<sup>76</sup> The dichotomy strategic policies of Vietnam for interacting with China is a clear example of interaction between asymmetrical powers and the relation is defined as multi-tired, omni-directional hedging strategy. According Hiep hedging means "while helping to promote bilateral cooperation, also entails competitive elements aimed at preparing themselves against potential security threat posed by their partner." Vietnam's long term objective in keeping relation with China is to maintain its sovereignty, territorial integrity and political autonomy whenever there is threat of Chinese expansionism, at the same time taking advantage of cultural and economy for its own national development recognizing Chinese economic power and proximity between two countries.<sup>77</sup>

The adoption of "Strategy of Fatherland Defence in a New Situation" by CPV Central Committee in July 2003 has dichotomy strategy of 'object of cooperation' and 'object of struggle' which become Vietnam's foreign policy motto 'cooperating while struggling'. The strategy of struggle-cooperation was conformed in with the meaning of hedging strategy as it promote bilateral cooperation while struggle for any potential security threat posed by other country. This strategy becomes Vietnam's foreign relations guideline and plays central role in shaping Vietnam's relations with any other country, especially with China. The meaning for this strategic approach is that on one hand, the competing claims in the South China Sea and China's increasingly aggressive policy which allowed Vietnam to 'struggle' with China to maintain its national interest. On the other hand, by recognizing China's mighty economic power Vietnam can take trade opportunity to promote its domestic economic development. Hiep has drawn four components in this dichotomy or hedging strategy: Economic pragmatism, which means deepening bilateral economic cooperation to promote domestic

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<sup>76</sup> Hiep, L.H (2013) "*Vietnam's Hedging Strategy against China since Normalization*" Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Vol. 35, No. 3 (pp-356-57)

<sup>77</sup> Ibid (p-334)

economic development, Direct engagement, to expand various bilateral mechanism to build mutual trust and nurture cooperation, thereby shaping China's behavior, Hard balancing, pursuing military modernization to deter Chinese aggressive behavior, Soft balancing, to promote alliance with other powerful country or in multilateral forum to counter Chinese pressure. This four components of hedging strategy has served Vietnam with stable and cooperative relationship with China for domestic development while countering Chinese aggressive policy.

#### **4.5 China's Dynamic Policy towards South China Sea vis-à-vis Vietnam**

The South China Sea disputes have gained overwhelming world attention no other than any other international territorial conflict in recent time. Why this is so? And what is all about it for that matter? The answer is very clear, it is all about China's rise to the powerful state with two digits economic rise and over taken many countries in that sense. Rising China is hallmark of that issue and many countries in the world have concern about it not only regional neighbour states but also internationally and most powerful states like United States. The concern in the midst of China's rise is that China's behaviour and action and many concerned for what China wants to be and what is China seeking for.

The question remains whether China is status quo or revisionist power. Status quo or Revisionist is defined in terms of satisfaction if China is satisfying with what they possess that can be status quo and if China is not satisfying then it comes to revisionist power.<sup>78</sup> China in many ways is acting like status power by participating in international multilateral forum and resolving many of its border conflicts, out of fourteen border disputes, China has settled nine such issues in recent period. But looking at China's claim in the South China Sea disputes it is hard to say status quo power. If this is the status quo power then it is unnecessary concern for the claimant states in the South China Sea disputes. In South China Sea, China has already changed that status for two times one in 1974 and other in 1988 respectively, what is more is today still China is claiming vague defined "nine-dotted line" in South China Sea.

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<sup>78</sup> Kastner, S.L & Phillip, C.S (2012) "Is China a Status Quo or Revisionist State? Leadership Travel as an Empirical Indicator of Foreign Policy Priorities" *International Studies Quarterly* (p-163)



Many scholars have different perspectives of whether China's rise is status quo power or revisionist power. Scholars like Kagan (1997), Wolfowitz (1997) certainly believe that China is pursuing revisionist power. Emmer (2009) argued since China has signed DOC and made itself in international regime therefore China is acting as status quo power. One point is made quite convincingly by Ranade (2014), National Security Advisory Board member of India, in Hindu Newspaper quoted "Xi Jinping's "China Dream" comprises three elements: making the Chinese people wealthy; making China strong; and the 'rejuvenation' of China. 'Rejuvenation' includes restoration of China's lost historical territories and former status in the world. China's action in the South China Sea and maritime territorial disputes with Japan are pursuant of this."<sup>79</sup> The quote clearly reflects that China is pursuing a revisionist power rather than status quo power. Professor Xuetong in BBC interview confirmed that for China "South China Sea is 'core national interest' along with Taiwan and Tibet and if China feels it is under threat which means China is prepared to fight to defend it."<sup>80</sup>

In terms of China's policy towards South China Sea, China has been following their own calculated strategy to serve the best of its interest. Fravel has made interesting observation through different phases of time with the Chinese strategy of delaying and escalating. Fravel argues that most of the time China maintained South China Sea claim through delaying strategy, only twice China has used force; in 1974 over the Crescent Group in the Paracels and in 1988 over Johnson Reef in the Spratlys. Until 1974 China maintained delaying strategy to strengthen its position, 1980s China's delaying is mainly because of limited naval capabilities, and after China strengthened its position by occupying seven features in Spratlys between 1988 and 1994, China's main strategy is to consolidate its claim and deter other's claim through intensive diplomatic, administrative and military means.<sup>81</sup> The unclear or vague claim of 'nine-dotted line' is also part of this delaying strategy because many scholars in Vietnam were surprised by fact that China is not given clear definition for 'nine-dotted line'. The claim 'nine-dotted line' is not clear in terms of maritime geographical scope and China is totally unwilling to make it clear despite of being demanded by the other claimant states in the region. It serves the Chinese best interest by delaying the South China Sea disputes rather than resolving the disputes at the easiest way.

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<sup>79</sup> Jayadeva, Ranade. "China's Dream, Our Nightmare", Hindustan Time, 17<sup>th</sup> August 2014 (accessed on 25<sup>th</sup> April, 2015)

<sup>80</sup> [www.bbc.com/news/magazine-29053407](http://www.bbc.com/news/magazine-29053407), 8<sup>th</sup> September, 2014 (accessed on 20<sup>th</sup> March, 2014)

<sup>81</sup> Fravel, M.T (2011), "China's Strategy in the South China Sea" Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Vol. 33, No.3 (p-293)

Generally, China's relations with Vietnam can be seen through four different phases; the first phase is since Vietnam's independence till 1978 which can be described as ideological comradeship, mutual trust and committed support. The second phase is till about 1990 in which the conflict of Vietnam's Cambodia invasion and border leading to a war, mistrust and antagonism. The third phase is from 1991 till 2007 in which two countries normalized and restored their diplomatic relationship, settled border dispute and made a friendly neighbour and economic cooperative under the guideline of 'sixteen golden words'. The fourth phase is starting from 2008, China has increased its pace claiming South China Sea disputes and China became more aggressive in terms of military posture by making South China Sea disputes their 'core national interest' same as Taiwan and Tibet issue. Vietnam has started facing heavy challenges at the midst of so much mistrust and undermining each other's claim so much so Vietnam supported Philippine for its position paper to the Arbitral Tribunal in The Hague for showing its reciprocal response. China is also facing dilemma on dealing with South China Sea disputes because China at few years back was one of the fastest growing economy in the world but in recent time the pace of economic growth was slowed down due to demand of labour income raise and problem for exportation. China wants to make another twist to leap up its economic growth pace once again by expanding its market in domestic as well as regional states under their new plan of railway line and maritime Silk Road. Hence, the neighbouring states are very important for China as much as China is important for those neighbouring states. The problem is China's claim and aggressive behaviour in South China Sea, which pushed those littoral states closer to the U.S and Japan, such as Vietnam and Japan economic development which has gone so fast in recent time.

China's main objective in strengthening its power is to diminish U.S presence in the South China Sea, which is the most irritating thing for China to gain itself a hegemonic status in the region. But in reality their aggressive policy and one of the most expensive claim in South China Sea has been pushing the claimant littoral states closer towards the U.S. Vietnam and U.S relationship is warming up in recent months, which was clearly reflected in the gesture during Nguyen Phu Trong, the Vietnam's Communist Party General Secretary visit to the U.S.<sup>82</sup> Hence, China is also facing its own dilemma in calculating its strategy towards the maritime territorial claim in South China Sea, whether that dilemma is intentionally as part of

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<sup>82</sup> Baculinao, Eric. (2015) "*China Keeps Close Watch as Vietnam Builds U.S Ties*" NBC News (April 12<sup>th</sup> 2015)

delaying and time buying strategy to serve its bigger objective at the expense of smaller objective is one of the guessing works.

#### **4.6 Analysis of Sino-Vietnamese Relations in the Framework of Vietnam's Two Track Policy (doi tac and doi tuong)**

The dichotomy strategic policy of struggle-cooperation was laid under the entitlement of 'Strategy of Fatherland Defence in a New Situation' in July 2003 by the CPV Central Committee. The "object of cooperation" and "object of struggle" were not exclusive to each other, there were based on the specific areas of bilateral relationship where one country can cooperate in one area of relationship and struggle in another area of relationship, so that Vietnam considers its relations with China was containing both the element of struggle and cooperation. This strategy has served Vietnam's foreign policy since its independence, it is diversified the scope and coined a term in regards of that matter in 2003.

According to Hiep, this strategy was in operation and it has resonated with so called 'hedging' strategy because hedging also has element of cooperation and struggle by "helping to promote bilateral cooperation the states also entails competitive elements aimed at preparing themselves against potential security threat posed by their partners."<sup>83</sup> Hedging strategy is the strategy contained with some tools such as economic pragmatism, binding engagement, limited bandwagoning and indirect balancing.<sup>84</sup> The different available tools enable hedging strategy to be more flexible and convertible in the foreign relation's application. In case of Vietnam as it has adopted two track policies of 'cooperation' and 'struggle', it is obviously in conformity with hedging strategy that it has been following as a guideline for the relations with any other countries in the world.

Here it is the most appropriate way to employ Hipe's hedging strategy as framework for analyzing Vietnam's two track policy the (object of cooperation) and (object of struggle).

Hipe made four components in hedging strategy which can be used as unit of analysis for the dichotomy cooperative-struggle policy.

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<sup>83</sup> Hiep, L.H (2013) "*Vietnam's Hedging Strategy against China since Normalization*" Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Vol. 35, No. 3 (p-337)

<sup>84</sup> Ibid

### *Economic Pragmatism*

China being the rising power and one of the second largest economy in the world, it is imperative for Vietnam to be stable and keep peaceful relations in order to develop its domestic economic. The proximity to China is Vietnam's golden opportunity. As it has aimed in Vietnam's strategy, China remains Vietnam's biggest trading partner and it has been growing with the highest pace since 1991 with the total turnover reaching in 2013 is \$50.21 billion, up 22 percent year-on-year according to statistic from the Vietnam Customs. The bilateral trade turnover is expected to reach \$60 billion in 2015. Vietnam's trade deficit with China in 2013 stood at around \$23.7 billion in 2013.<sup>85</sup> As per Vietnam Briefing, "China ranks the seventh largest foreign investor in Vietnam with total investment on \$300 million- a threefold increase year on year in 2014."<sup>86</sup> The economic cooperation between two countries has been quite impressive in the past decades, which has helped Vietnam to develop its national security by upgrading its military.

The economic growth which Vietnam is seeking in relations with China has been pretty impressive in past decades but it is not that free at all as it has always security implication attached with it. Sino-Vietnamese relationship is characterized by asymmetrical relations and even though there is economic interdependence in their bilateral trade it is always unmatchable to Chinese economic power. Vietnam has always been cautious on becoming dependent on China as it may leads towards losing its sovereignty and political autonomy. Vietnam is always trying to be independent while cooperating with China in terms of economy in order to constrain Chinese assertiveness behaviour in South China Sea and therefore Vietnam has also made its economic cooperation with other regional states such as Japan being one of the most advance nations in the region. This hedging and two track of cooperation and struggle to counter its pressure on cooperation has worked well enough as of now. This was clear from the statement that the Vice Chairwomen of the Foreign Affairs Committee gave in the National Assembly "everyone know that we have to keep a fine balance, neither leaning over toward the United States or bowing to China"

### *Direct Engagement*

Direct engagement is also important part of hedging strategy which Vietnam has considered important because of its close affinity with China through different perspective be it cultural,

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<sup>85</sup> CHINADAILY.com.cn (29<sup>th</sup> January, 2014 updated.)

<sup>86</sup> VIETNAM BRIEFING: Business Intelligence form Dazan Shira & Associates, (June 16, 2014)

ideology and political system. Both countries know that it is important to keep that part of the relations warm and always accessible. The key importance of direct engagement is to employ means of communication where they could clear up misunderstanding, miscommunication, and mistrust. Vietnam being a smaller state paid attention to the necessary avenue in the face of undeniable conflict and they build up three a network of engagement with China through three important channels: party-to-party, government-to-government and people-to-people.<sup>87</sup>

**Table 3 Exchange of High-level Visits between Vietnam and China, 2002-2013**

Visits by Vietnamese Leaders to China	Time	Visits by Chinese Leaders to Vietnam
	Feb 2002	President Jiang Zeming
General Secretary Nong Duc Manh	April 2003	
Prime Minister Phan Van Khai	May 2004 Oct 2004	Premier Wen Jiabao
Prime Minister Phan Van Khai President Tran Duc Luong	Jul 2005 Jul 2005 Oct 2005	President Hu Jintao
General Secretary Nong Duc Manh	Aug 2006 Nov 2006	President Hu Jintao
President Nguyen Minh Triet	May 2007	
General Secretary Nong Duc Manh President Nguyen Minh Triet Prime Minister Nguyen Tan Dung	May 2008 Aug 2008 Oct 2008	
Prime Minister Nguyen Tan Dung Prime Minister Nguyen Tan Dung	Apr 2009 Oct 2009	
Prime Minister Nguyen Tan Dung	May 2010 Oct 2010	Premier Wen Jiabao
General Secretary Nguyen Phu Trong	Oct 2011 Dec 2011	Vice President Xi Jinping
President Truong Tan Sang	Jun 2013 Oct 2013	Premier Li Kequang

Source: adopted from Hiep, L.H (2013) “*Vietnam’s Hedging Strategy against China since Normalization*” Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Vol. 35, No. 3 (p-348)

<sup>87</sup> Hiep, L.H (2013) “*Vietnam’s Hedging Strategy against China since Normalization*” Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Vol. 35, No. 3 (p-346)

The most of the high level visit of both through government or party has contributed so much positive result in keeping both countries relationship in good shape. All the border conflict resolution, promoting strategic partnership and establishing hotline between high ranking leaders are result yielded by the direct engagement. The Steering Committee on Vietnam-China Bilateral Cooperation established in 2006 has played significant important role on engaging cooperative project. The annual strategic defence dialogue initiated since 2010 has contributed to settling conflicts in the South China Sea. There is a rumour spreading in political arena that even though the South China Sea disputes standoff as tensed issue but the party-to-party relations is remains unaffected. Even though the people's nationalistic emotions are bursting on the street but the conflict could be managed through a dialogue between high level party leaders. This is the case in recent withdrawn of so much boiled conflict of installing Chinese mega oil-drilling platform Hai Yang Shi You 981 from Vietnam's territorial water before the its completion timing.

### *Hard Balancing*

Although economic pragmatism and direct engagement are crucial in cooling down or repairing the Sino-Vietnamese relationship but that is not enough in the experience of Vietnam's historical legacy. Vietnam has already lost its trust with China with an experience of two sell-out in the history, that legacy is imprinted in the mind of all the Vietnamese political leaders. The first sell-out was at the Geneva Conference on Indochina in 1954 and later was in 1971 Nixon was invited to visit China. This mistrust has seeded in Vietnamese behaviour that even though they have smile on their face while interacting with its counterpart China, at the same time they are conscious about Chinese behaviour and being prepared themselves before it is too late. The aggressive behaviour of China in South China Sea and its superior military capabilities make Vietnam uneasy and never have assurance of peaceful relations with China as it has historical memory to be remembered.

Vietnam was worried at the speed of China's military development, specially aircraft carrier, submarine and naval bases. For these reasons Vietnam has also accelerated its own military modernization effort in order to meet the challenge it has been facing. Vietnam has been modernizing their military capability via two means; acquiring military hardware from foreign countries, and developing its domestic military industries. Vietnam's military expenditure increased dramatically since 2002 with US dollar 796 million to US doll3,363

million in 2012 based on the estimation of SIPRI.<sup>88</sup> Vietnam was enabled to increase its defence budget because of its economic development under the reform of ‘Doi Moi’.

**Table 4 Military Expenditure Data by Country, 2002-2012**

Year	Vietnam (\$)
2002	796
2003	842
2004	915
2005	1,026
2006	1,287
2007	1,785
2008	2,138
2009	2,401
2010	2,672
2011	2,686
2012	3,363

Source: Stockholm International Peace Research Institute (SIPRI)

Vietnam procured number of military arms from different world countries. One of the most favourable country to import military arms is Russia and notable military arms is six Kilo-class submarines worth approximately \$2 billion from Russia and Russia was facilitated to use and trains Vietnamese navy force at the Cam Ranh Bay naval base. The first submarine was scheduled to be delivered in November 2013, and the sixth in 2016.<sup>89</sup> Vietnam has always tried to import military arms from foreign countries in order to improve its domestic military strength. In recent times due to Japan’s reform in lifting arms ban, Vietnam was

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<sup>88</sup> Stockholm International Peace Research Institute (SIPRI) Research on questions of conflict and cooperation of importance for international peace and security. [www.portal.sipri.org](http://www.portal.sipri.org)

<sup>89</sup> Hiep, L.H (2013) “*Vietnam’s Hedging Strategy against China since Normalization*” Contemporary Southeast Asia: A Journal of International and Strategic Affairs, Vol. 35, No. 3 (p-353)

expecting Japan to export their military weapons to challenge the aggressive behaviour of China in maritime territorial disputes. Many analysts doubt under the Japan's recording breaking reform in arms manufacture Japan will play a bigger role in the global arms industry vis-à-vis Vietnam will be benefited in order to development its domestic military equipments. Although China is superior in military arms Vietnam can make deterrence measure against China by hard balancing and economic cooperative with China itself.

### *Soft Balancing*

Vietnam's soft balancing against China was conducting through different means: deepening bilateral relations with major power countries and to participate and lead regional multilateral forum to reach its own goal of agenda. Vietnam has been doing these two approaches with its top priority under the slogan of 'diversification and multilateralization' whenever Vietnamese leadership is engaging with foreign relations affairs. Since, Vietnam left ideological affinity based foreign relations and joint membership in ASEAN in 1995, Vietnam had successfully established diplomatic relations with all the major powers that once doesn't have relations or having bad relations such as United States. Since early 2000s Vietnam has been deepening its relations with other major countries by considering them as "strategic partnership". Some countries among the established "strategic partnership" are gradually upgraded to the "comprehensive partnerships". Vietnam doesn't give clear information about the criteria for these two different level partnerships but it certainly gives a designation to particular state which possesses what Vietnam has been seeking in establishing bilateral relationship. Hiep, interestingly has categorized four major determinants that could recognize those countries:

1. Political Power (e.g. members of the U.N Security Council, key members of ASEAN, and influential regional medium powers)
2. Economic Powerhouses (e.g. G-20 Members, and/ or countries with which Vietnam maintains significant economic ties)
3. Military Powers (e.g. major strategic players and /or countries that are important sources of arms and military technology transfer for Vietnam) and
4. Countries that play significant roles in the management of the South China Sea dispute.<sup>90</sup>

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<sup>90</sup> Ibid (p-357)



**Table 5 Partial List of Vietnam's Strategic and Comprehensive Partnerships**

Country	Year
Russia	2001
Japan	2006
India	2007
China	2008
Australia*	2009
Venezuela*	2008
New Zealand*	2009
South Korea	2009
Spain	2009
United Kingdom	2010
Germany	2011
Denmark*	2013
France	2013

Indonesia	2013
Italy	2013
Singapore	2013
Thailand	2013
Ukraine*	2013
United States*	2013

Sources: Mark Manyin (Congressional Research Service) *“Vietnam Among the Power: Struggle & Cooperation”*  
 THE ASIAN FORUM, Special Forum (October 17, 2014)

Vietnam’s main objectives in intensifying relations with these countries are to diversifying its international diplomatic status, to help its domestic economic development, to develop its military capabilities and to safeguard its claim in South China Sea. Some countries are particularly important in terms of national interest and counterbalancing against Chinese bullying policy. Russia for instance played a significant role in supplying military arms to Vietnam and Russia is considered one of the biggest arms exporters to Vietnam. India has also made an important contribution on military cooperation. Both the Russia and India is active and important partner in exploring oil and developing Vietnam economy. Japan in past is one of the significant Vietnam’s economic partner and less corrosive than its relationships with China and the United States. In recent time Japan is not only economic partner, it is also becoming important strategic and political partnership in countering China’s aggressive regional posture because Japan shares similar maritime conflict with China. In 2013, Japan sent petrol vessels to Vietnam to boost its maritime security capability and many believes Japan will become one of the sources of military arms for Vietnam in future and there will be deeper economic ties between two countries. Vietnam’s relations with influential countries in

ASEAN are such as Indonesia, Thailand and Singapore is also warming up and Vietnam is trying to have a common consensus among ASEAN members on the South China Sea disputes. So that they could put united pressure on China for resolving the conflict which has been Vietnam's top priority in regional relations regarding with the South China Sea resolution.

Vietnam and U.S relationship is very important in the South China Sea disputes. China wants bilateral negotiation and they want to make U.S irrelevant in this case but Vietnam and other claimant want multilateral negotiation and U.S presence in the region is very important. Vietnam's relation with U.S has improved dramatically by sharing common concern of Chinese aggressive policy in the South China Sea. U.S announcement of 'rebalance' its priorities in Asia-Pacific have helped the smaller claimant states more confident and relief. The multilateral forum such as ASEAN and ARF are important diplomatic tool for Vietnam and Vietnam is always giving its best effort to make South China Sea disputes as it top agenda for any statement. China on other hand was always trying to confront this approach by downplaying their agenda. It was quite successful at the 17<sup>th</sup> ARF in Hanoi in July 2010, where all the representatives have issued concern on South China Sea disputes in their official speech. Moreover, U.S Secretary of State Hillary Clinton has stated "the United States, like every nation, has a national interest in freedom of navigation, open access to Asia's maritime commons, and respect for international law in the South China Sea."<sup>91</sup> By using these multilateral forums Vietnam was successful in internationalizing South China Sea disputes and making it more sensible and relevance.

#### **4.7 Conclusion**

In this chapter it has developed Sino-Vietnamese relations between the timeframe of 2002 to 2014 through different variables and determinants of bilateral relationship such as signing of DOC and its implications, South China Sea disputes, Vietnam's strategic approach and China's dynamic policy. Finally, the chapter brings all the variables as tools to analyze Sino-Vietnamese relations in this specific timeframe. In the analysis of Sino-Vietnamese relations, the special focus was given on the Vietnam's two track policy: 'object of cooperation' and 'object of struggle'.

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<sup>91</sup> Ibid (p-359)

Since normalization Vietnam started rethinking, revisiting and reforming its old thinking foreign policy which was mainly based on ideological affinity with clear line between friend and foe. Vietnam realized that in the globalizing world everything is becoming interdependent and inter-related which has element of cooperation as well as element of competition. Vietnam starts calling ‘diversification and multilateralization’ and participated in multilateral forums, especially in regional forum ASEAN. Vietnam’s already initiated economic reform “Doi Moi” was in place and gained much benefit from participating in both bilateral and multilateral regimes but the South China Sea dispute was problem for Vietnam as China is hardening its policy towards territorial conflict as it was growing its economic clout.

4<sup>th</sup> November, 2002 ASEAN and China confidently adopted the Declaration on the Conduct of Parties (DOC) in South China Sea, which is considered to be guideline for the interaction between states in the region, especially on regards of dealing with South China Sea disputes among the claimant states. DOC is composed with ten points that signatory states has to undertake but the main propose of this declaration is for the confidence building measure and to exercise self-restraint by the member states by avoiding force in order to keep region peace and stable. DOC is not a binding legal document and even though it has mentioned claimant states shouldn’t occupy uninhabited territories but DOC doesn’t give geographical scope for that matter. The vague and pejorative DOC has complicated the conflict. In 2003, Vietnamese foreign policy was transformed by introducing two track policies the doi tac “object of cooperation” and doi tuong “object of struggle” as a guideline for its bilateral relationship with any other countries.

China has revisionist mindset in regard of the South China Sea conflict and it has been following a policy of delaying and escalating on South China Sea disputes. It delays in order to serve its own purpose of consolidating its claims, the time buying strategy when it was not capable of naval power. China escalate South China Sea disputes, when it sees opportunity and when anything escalating can serves benefit for them which sometimes become like hostage bargain chip. The recent mega oil-drilling platform Hai Yang Shi 981 in disputed waters lying within Vietnam’s EEZ is one such example.

Le Hong Hiep’s proposed hedging strategy is how Vietnam employed its two track policies the ‘cooperation’ and ‘struggle’ because hedging is “to maintain Vietnam’s sovereignty, territorial integrity and political autonomy against the threat of expansionism, while taking

advantage of cultural and trade opportunities for its own national development.” Hence, as Hiep laid Vietnam’s two track policies have four main components; economic pragmatism, direct engagement, hard balancing and soft balancing. These four components are driver of Vietnam’s foreign policy, especially with China to maintain a peaceful, stable and cooperative relationship in order to develop its domestic economy, at the same time to counter unnecessary pressure from China and to deter Chinese aggressive policy.

As of now, Vietnam’s two track policies have gained a major benefit in Vietnam’s economy as trade volume between China and Vietnam has increased dramatically since its inception. China was the biggest trading partner of Vietnam with 18% bigger than even combined partners of ASEAN. The South China Sea disputes is still not calm down and frequently bursting Chinese aggressive behaviour but there is no major armed clash as it was in 1974 and 1988. The certain raised conflicts were resettled through negotiation and there is always an avenue and platform to cool down. This is all because Vietnam’s ‘struggle’ by modernizing its own military force and building alliance with other major powers such as U.S, Vietnam and India. The more aggressive China is on Vietnam, the more impressive Japan is on Vietnam. This is not what China wants to see but the concern China has on Vietnam. It seems both Vietnam and China are playing with fire if they both jump into that fire both will be burned out.

**CHAPTER FIVE**

**CONCLUSION**

## Conclusion

It is imperative for the Scholarships in Area Studies to analyze the research unit in a way to relate to the contemporary problems and issues that could provide clear perspectives and makes meaningful findings. For fulfilling this, one has to frame the issues or problems in a theoretical concept that enables researchers to be self-conscious about the intellectual or political premises of their scholarship. The theoretical framework grounded in empirical evidence helps researchers to widen the possibilities of developing better analytical tools to comprehend the significant issues that researchers are undertaking.

For the better understanding of an overall Sino-Vietnamese relationship, it is very important to frame out the relations into theories which are based on precisely validated empirical evidence. Once the buildup theory could enlighten the whole bilateral relations into one conceptual understanding, and then it is far easier for the researchers to employ suitable analytical tools to dig out the real significance of that particular relationship. Since, the nation-state was born out of 'treaty of Westphalian', the international relations scholarship was dominated by the West, and they developed a large number of theories throughout their political upheaval experiences. Since the end of the Cold-War period, the Western scholars are more exciting to the Asian international relations as the U.S hegemony has stabilized West. The Western scholars perspectives and predictions about the Asian political systems as well as states interaction are not very progressive rather they drawn from their own experiences of chaotic and unstable political systems. They believe that future Asian regional political system would be unstable and experience arms race and power politics among states. It has been more than two decades since Cold-War, but there is no trace of such situation turn out in Asian political context and the Western scholars political forecast didn't work out.

It was Brantly Womack and David C. Kang who pioneered to argue that Asian's have their own different kind of historical experiences and political system that they have followed from an early period. Both of them have stated that the Western scholars view and prediction about future Asian political system is irrelevant. It has been proved by seeing today's Asian international relations, which is not same as predicted by then Western scholars. Womack proposed 'Asymmetry Theory' and Kang proposed 'Hierarchy theory' both theories are in the same structure, the unequal relations in terms of power, a dominant state with subordinate

states. Asymmetry theory talks about a big power and a small power relation which is based on systemic differences on interest and attention, and this could ultimately yield misperception and misunderstanding in their relations. Hierarchy theory is basically “contrasting argument for the balance of power, and it involves a dominant power that still operates in anarchy. But that doesn’t cause other nations to balance against the largest power in the system, and it doesn’t fold them under its wing in the empire.” Both the theories believe that the system of unequal distribution of power is relatively stable throughout the history.

Asymmetry theory is more relevant to today’s relations between Vietnam and China, which is most of the time dictated by conflicts and issues due to misperceptions created by inattentions and over attention. But Vietnam always sees China as a both risk and benefits partners in their relations. Hierarchy theory talks existence of a hierarchical system in Asian international relations in the early period. There is always accommodation by the smaller power to the larger power. The smaller power accepts the central position of the largest power in the system, but the smaller power works on their own, without compromising their sovereignty. The scholars believed that instability occurred in Asian international relations when China became weak in the history. Today Asian states interaction is relatively stable and exist between big power China and smaller power like Vietnam. By comparing with other international relations theories, ‘Asymmetry Theory’ and ‘Hierarchy theory’ explains the best about Asian international relations both the past history and contemporary happenings.

The South China Sea disputes are one of the most complicated, long lasted and highly internationalized multilateral disputes of contemporary world politics. The disputes are getting harder and harder as the importance of the South China Sea is growing up and up. The stakes are high for all the claimant states, and the bets are big for them to contend each other. Three things have made The South China Sea disputes one of the most uncompromising conflict ever happened in the Asian region. First, the sea line communication for the transportation of energy supply as well as maritime power projection. Second, the oil and natural gas reserves at the sea bed which is estimated as seven billion barrels of oil and 900 trillion cubic feet of natural gas. Third, the fisheries and food securities which are important to the livelihood of people inhabited around the sea. China and Vietnam are two of the most claimed claimants and frequently encountered with each other’s assertion and criticism. Both countries claim either of the Spratly Islands or Paracel Islands as their inseparable sovereign



territories. They experienced some of the major clashes on the common maritime disputes including some armed clashes with casualties from both sides. Both countries stance is very firm, but China is more assertive in its policy towards the disputes. China's uncompromising stand was clearly reflected in the President Xi Jinping's statement in 2013. He stated that "We are strongly committed to safeguarding the country's sovereignty and security, and defending our territorial integrity," also they have made it as "core national interest".

The long period of these twelve years study (2002-2014) shows the South China Sea disputes were one of the most irritating factors in the Sino-Vietnamese relationship, but disputes were never spoiler factors for their core relationship. Vietnam wants China to benefit its national economic development and China wants Vietnam to be within its orbit and not to align with external regional power. China also doesn't want to face legal action from Vietnam regarding the territorial conflicts. The South China Sea disputes are the sovereignty issue for both countries which means to safeguard even at the risk of military force. Therefore, in the foreseeable future, the South China Sea disputes will continue to remain unresolved. But the armed conflict will not likely to occur as China is strengthening its relations with neighbouring countries, especially with Southeast Asian countries.

In the mid-1990s, when Vietnam joined the ASEAN, Vietnam realized the importance of ganging up with other regional states in the face of China's rise. Vietnam wants to make itself preparedness to use ASEAN as a collective force to deal with China. Under this circumstance, China has also changed its previous adamant insistence on bilateral talks to slightly accepting multilateralism as a way to resolve the disputes. China and ASEAN have signed DOC on 4th November 2002. DOC is not a treaty in the legal sense, but it meant to serve as confident building measure and to exercise moral self-restraint on the parties concerned. The signing of DOC implies to the some extent the acceptance of norms to regulate issues concerning the South China Sea, no matter how primitive and informal the norms are. DOC doesn't give clear geographical scope that complicates the situation. Nonetheless, China's signing of DOC and joining the Treaty of Amity and Cooperation (TAC) has committed itself to not using force against members of the ASEAN. DOC has given a platform to Vietnam and claimants states to keep China accountable for their actions in the South China Sea and to move step by step to find the disputes resolution.

Vietnam adopted a dual strategy in its foreign policy guideline and especially dealing with China. The strategy of "object of cooperation" and "object of struggle" is more or less a

hedging strategy where Vietnam “maintains sovereignty, territorial integrity and political autonomy against the threat of expansionism. Nevertheless, taking advantage of cultural and trade opportunities for its own national development”. This dual strategy is the driver of Vietnam’s foreign policy, especially to tamp the Chinese aggressive policy in South China Sea and at the same time to maintain a peaceful, stable and cooperative relationship. Vietnam’s dual policy or two track policies have achieved what it aimed at developing its domestic economy as the trade volume between China and Vietnam has been increasing steadily despite South China Sea disputes. Even in the regard of the South China Sea disputes since Vietnam’s adoption of two track policies there is no repeat of what happened in 1974 and 1988. There is constant Chinese irritating misbehaviour conduct in the South China Sea but it never gets out of control, and it seems Chinese knows its limit under the two track policies of Vietnam. This kind of Chinese irritating misbehaviour at the territorial conflict is not peculiar to only South China Sea case, and it frequently happens in the border conflict between India and China as well. India must have already used to with such Chinese misbehaviour.

Getting to the main findings of the study, it is revealing from the many empirical evidences that the South China Sea disputes are always affecting Sino-Vietnamese relations despite their shared political system. The people of Vietnam never forget their lost of heroes in safeguarding their national territories in two times armed clashes. The disputes affect the bilateral relations in the sense it is not reaching as per the expected level and because of the South China Sea disputes between two countries it is sometimes holding back their way forward. The most revealed evidence is that the speed of improving the Vietnam and Japan relations, slowly developing relations with U.S and India as well. But the relation never gets out of control, and it doesn’t affect much to the Sino-Vietnamese core bilateral relations. As their bilateral trade volume is increasing with 18% bigger than even combined ASEAN member states and Chinese tourists visiting Vietnam has been increasing in a recent period.

The two track policies: the ‘object of cooperation’ (doi tac) and the ‘object of struggle’ (doi tuong) has been successful in achieving the cooperative relations with China in order to develop its domestic economy. The policies are also successful in maintaining its territorial sovereignty and political autonomy because, since 1988, China has never occupied single territories under the Vietnam’s jurisdiction. The two-track policy has not been able to address the position China has taken on South China Sea disputes because Chinese claim is remained same for ‘nine-dashed line’ and not accepting Paracel Islands as disputed territory. China has

signed DOC by giving small concession in terms of multilateral approach in resolving disputes. But DOC is not a legally binding declaration, and it is meant to be confidence building measure and exercising self-restraint. Reciprocally, Vietnam's position on South China Sea disputes has not been changed, and it remains committed to claiming what they claim since long back.

The territorial disputes in the South China Sea would be remained a major irritant in Sino-Vietnamese bilateral relations. Vietnam and China are following the principles of 'step by step' approach and the 'easy-first, difficult-later' method to reach better terms on their bilateral relations irrespective of the South China Sea disputes. Right now, both Vietnam and China's efforts are being seen as managing their cooperative relations even if not resolving the South China Sea disputes. In all in, it has revealed that both Vietnam and China are successful in compartmentalizing their maritime disputes from their larger bilateral relationship.

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