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South China Sea Disputes: Still No Evidence of Historical Chinese Claims

By Bill Hayton

Synopsis

Despite China's assertion of its historical claims to parts of the South China Sea, recent arguments by some commentators repeat a number of commonly-held misunderstandings about the South China Sea disputes and does not provide evidence in support of China's claims.

Commentary

DR LI Dexia and Mr Tan Keng Tat have responded to my call for supporters of the Chinese territorial claims in the South China Sea to provide verifiable evidence in support of their arguments (RSIS Commentary 3 July 2014). However their response shows just how difficult this task is likely to be. They are unable to prove any Chinese claim to any specific island made before 1909, and none of their assertions contain verifiable evidence. Some are demonstrably untrue.

Where is the proof that any pre-modern Chinese officials laid any claim to any feature in the South China Sea? There is no evidence that Zheng He or any of the other Ming Dynasty admirals did so. The same is true of the Mongol expeditionary forces a century before. Some 500 years ago seafarers generally sailed around the edges of the Sea to avoid the dangers of uncharted reefs that lay in its centre. If the authors know of documents or other evidence that prove otherwise, this is the time to make the exact references public.

Vagueness remains

There are certainly old Chinese texts mentioning 'islands' but they are vague in the extreme, unconnected to specific pieces of land and provide no proof of discovery or claim. Some are reports of accounts given by foreigners arriving in China, others refer to mystical places near the entrance to the underworld and others are copies of European maps.

Dr Li and Mr Tan make a number of other specific points. I need to turn to each one in turn.

The authors have failed to convince me that the name 'Xisha' – referring to the Paracel Islands – appeared in Chinese documents before the name 'West Sand' appeared on western maps. I am quite

prepared to accept that Europeans adopted local names for features but in this case I believe that it was the other way around. I am prepared to be proven wrong – but only if there is evidence.

The assertion that the 1887 agreement between France and China awarded the Paracels and Spratlys to China is patently untrue. The Convention (signed in Beijing on 26 June 1887) specifically concerns only the area of Indochina that French colonialists referred to as ‘Tonkin’ – the northernmost part of what is now Vietnam.

“Conventional wisdom’, not historical evidence

I would be interested to know more about the ‘stone marker’ laid in the Paracels by Chinese officials in 1902 and the 1907 Chinese naval expedition to Drummond Island. I have investigated these events and found no corroborating evidence that they actually took place. What original sources do Dr Li and Mr Tan base these assertions upon?

The more I research the Chinese claims the more I find they are based on unreferenced assertions that have been repeated for decades without critical examination. Many of these assertions have become part of the international ‘conventional wisdom’ about the South China Sea. They are found in the paper by Hungdah Chiu and Choon-ho Park to which the authors refer, in the 1976 paper ‘Disputed Islands in the South China Sea’ by Dieter Heinzig, and also in Marwyn Samuels’ 1982 book ‘Contest for the South China Sea’ upon which many international scholars have subsequently relied.

Heinzig and Samuels’ efforts were pioneering pieces of work, bringing much needed insight to the subject. But both their accounts relied in large part on articles published in Chinese Communist Party journals following the Chinese occupation of the western half of the Paracel Islands in January 1974.

One was published in the March 1974 edition of The 70s monthly (Ch’i-shi nien-tai yüeh-k’an) and two in the May 1974 edition of Ming Pao Monthly. These were clearly not neutral pieces of scholarship: they were intended to justify the invasion.

Selective quotes

In at least two instances in their commentary, the authors selectively quoted historic documents. The first concerns the letter sent by the Vietnamese Prime Minister Pham Van Dong to his Chinese counterpart in September 1958 – in response to Beijing’s ‘Declaration on the Territorial Sea’. That Declaration extended China’s claimed territorial waters out to 12 nautical miles. This move was intended to prevent United States’ ships intervening in support of Taiwanese garrisons on the islands of Jinmen and Mazu, which were then being shelled by PRC forces.

A second part of the 1958 Declaration asserts China’s claim to the features of the South China Sea. The full text of Pham Van Dong’s letter to Zhou Enlai ignores this second section while endorsing the first. The full sentence reads “The Government of the Democratic Republic of Vietnam recognises and approves the declaration made on 4 September 1958 by the Government of the People’s Republic of China regarding the decision taken with respect to China’s territorial sea.” It is true that it does not explicitly reject the Chinese claim, but it does not endorse it either.

The authors also misquote the Cairo Declaration of 27 November 1943 as follows “Japan will also be expelled from ALL other territories which she has taken by violence and greed.” This, however, was not the Declaration’s true wording.

The actual sentence reads: “...Japan shall be stripped of all the islands in the Pacific which she has seized or occupied since the beginning of the first World War in 1914, and that all the territories Japan has stolen from the Chinese, such as Manchuria, Formosa, and The Pescadores, shall be restored to the Republic of China. Japan will also be expelled from all other territories which she has taken by violence and greed.”

There is no mention of any features in the South China Sea except Formosa (Taiwan) and the Pescadores and nothing about the ‘ownership’ of the other territories from which Japan is to be expelled.

Need to break down specific claims

My assertion that “China, Vietnam and the Philippines claim ownership of large groups of islands as if they are single units” is empirically correct. I never said the Philippines claimed the Paracels or that Vietnam claimed Pratas. However both countries, like China, do claim large groups of islands as if they are a single unit.

The Philippines claims a subset of the Spratlys that it calls the Kalayaan Island Group and Vietnam claims the Paracels as the ‘Hoang Sa’ and the Spratlys as the Truong Sa. The South China Sea disputes would become easier to resolve if these grand claims were broken down into specific claims to specific features, backed up with specific evidence.

I am not waving a flag for the Vietnamese, Philippine, French or even the British claims to the features of the South China Sea. I am simply pointing out that the Chinese side has failed to put forward convincing historical evidence for its own assertions.

Rectifying this situation would require proof of actual acts of sovereignty demonstrated by agents of governments. It is my contention that these do not exist on the Chinese side before 6 June 1909 in the case of the Paracels and 12 December 1946 in the Spratlys.

Bill Hayton is the author of ‘The South China Sea: the struggle for power in Asia, to be published by Yale University Press imminently. He is also the author of Vietnam: rising dragon – published by Yale in 2010.

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