

Island territorial disputes and China's 'Shelving Disputes and Pursuing Joint Development' policy

Tao Yu

Law School, Southeast University, China

yutaodream@yeah.net (corresponding author)

Bingyao Li

Law School, Shanghai University of Finance and Economics, China

Shanghai Business School, China

libingyao227@163.com

Abstract: 'Shelving Disputes and Pursuing Joint Development' (SDPJD) has for decades been China's premier policy for resolving territorial disputes, especially those regarding islands. SDPJD is, however, commonly understood to be tripartite policy, in which 'shelving disputes' and 'pursuing joint development' are made conditional upon the principle of 'sovereignty belongs to China'. Although SDPJD aims to peacefully settle China's island territorial disputes in the East China Sea (Diaoyu Islands) and the South China Sea (Spratly Islands), the policy has not been particularly successful in practice. This is in part because, whereas 'shelving disputes' and 'pursuing joint development' are cooperative in nature, 'sovereignty belongs to China' is inherently confrontational. The prominence granted to 'sovereignty belongs to China' is linked to outmoded understanding of the concept of sovereignty and the tendency for Chinese scholars and officials to regard island territorial disputes as the zero-sum games. This paper argues that SDPJD's success is dependent upon separating 'sovereignty belongs to China' from 'shelving disputes' and 'pursuing joint development' and perhaps abandoning the former principle entirely. China should pursue non-confrontation resolution to island territorial pursuits, especially in the contexts of efforts to develop a peaceful and cooperative 21st-Century Maritime Silk Road.

Keywords: China, cooperation, confrontation, islands, Shelving Disputes and Pursuing Joint Development, sovereignty, territorial disputes

<https://doi.org/10.24043/isj.129> • Received January 2020, accepted August 2020

© 2020—Institute of Island Studies, University of Prince Edward Island, Canada.

Introduction

Islands, particularly uninhabited or sparsely inhabited islands, have become key sites for territorial disputes and geopolitical conflict. From Hans Island, East Greenland, and Svalbard in the Arctic, to Rockall and the Falkland Islands in the Atlantic, to the Kuril Islands and Liancourt Rocks in the Pacific (Baldacchino, 2017; Benwell, 2016; Chung, 2019; Grydehøj,

2020b; Richardson, 2016; Rossi, 2016; Royle, 2014; Rudnicki, 2016), islands have emerged as an especially contestable kind of borderland in modern international relations. China is party to island territorial disputes in both the East China Sea and the South China Sea, and these disputes have attracted significant policy attention over the past decades.

The present paper considers the manner in which China has adhered to a policy of ‘Shelving Disputes and Pursuing Joint Development’ (SDPJD) when dealing with island territorial disputes and argues that this policy’s relative lack of practical success is related to its internal inconsistencies and outdated conceptualisation of sovereignty.

Background

SDPJD has not only been a prevalent topic in international relationships and international public law for many years among Chinese academia (Song, 2013, pp. 522-536) and beyond (Mitchell, 2016, pp. 782-815), but also a proposition by the Chinese government to resolve disputes between the East China Sea and the South China Sea countries since the late 1970s (Luo, 2011, p. 14; Shi & Ran, 2016, pp. 56-57). Since the establishment of diplomatic relations between China and Japan in 1972, sovereignty issues over the Diaoyu Islands have become one of the intractable problems damaging diplomatic relations between the two neighbors. Between 1978 and 1984, the former Chinese leader Deng Xiaoping addressed a series of talks on resolving territorial disputes over the Diaoyu Islands and other islands in the South China Sea, gradually forming the idea of SDPJD (Li, 1999, pp. 2-4).

On October 25, 1978, during a visit to Japan, Deng Xiaoping was asked a question regarding the title issues over the Diaoyu Islands, to which he responded:

In the long vision of China-Japan relations, to leave the ownership issues to the future generations is rational. If our generation cannot figure it out, leaving it to the future generations would be a proper choice. As it may be, they are savvier than us and can find feasible solutions. (Guan, 2012, p. 117)

On May 11, 1979, in a meeting with Suzuki Zenko, a member of the lower house of the Japanese Diet from the Japanese Liberal Democratic Party, Deng reiterated that “consideration may be given to joint exploitation of the resources adjacent to Diaoyu Island without touching upon the touchy question of its territorial title” (qtd. in Baldacchino, 2016, p. 22). In October 1984, when recalling his thoughts at the time of his address, Deng Xiaoping stated that “at that time, I was thinking about could we develop the project jointly without involving the sovereignty dispute between us? The joint development is nothing more than oil exploitation around the islands” (qtd. in Li, 1999, pp. 2-3). Chinese academia and the government summarized Deng Xiaoping’s words as ‘shelving disputes and pursuing joint development’. For the Chinese, however, the SDPJD policy is conceptually complex.

In February 1984, Malaysia and the Philippines invaded and occupied several islands and reefs in the South China Sea over which China had long declared sovereignty (Li, 2019, pp. 67-68). Deng Xiaoping counterattacked with a speech that “we have stated many times that China’s sovereignty is China’s forever, whether you occupy it or not” (qtd. in Cao, 2011, p. 66).

The present paper analyses and discusses SDPJD as a tripartite concept, simultaneously comprising the ideas of ‘shelving disputes’, ‘pursuing joint development’, and ‘sovereignty

belongs to China'. In order to understand these constituent ideas in a more systematic manner, Chinese scholars and officials have elucidated 'sovereignty belongs to China' as the prerequisite for 'shelving disputes' and 'pursuing joint development' (Shi & Ran, 2016, pp. 56-57; Yang, 2016, p. 74).

Chinese academics and officials have highly praised SDPJJD, firmly believing that this policy is not only the choice that China should and would stick to when reconciling relevant island territorial disputes but also that it provides a recognizable point of reference for countries around the globe in settling territorial disputes (Xin, 2013). In the context of the 21st-Century Maritime Silk Road (MSR) initiative, China may be adhering to the SDSPD in order to conciliate island territorial disputes with states along the MSR (Shu, 2015, p. 94) and recommend it to its MSR partners.

The rest of this article proceeds as follows. We begin by describing the *status quo* of SDPJJD, focusing on the analytical framework of 'cold' versus 'hot' (i.e., expectations for the policy versus failures in practice) in order to present the issues embedded in the SDPJJD policy. Next, we discuss SDPJJD in terms of its formation, logical inconsistency, and negative impacts. We proceed by further exploring the driving force behind the logical gaps in SDPJJD. Finally, we suggest a number of policies and then briefly conclude the paper.

Exploring the *status quo* of SDPJJD

An overview of SDPJJD in practice after Deng Xiaoping's era

Since Deng Xiaoping's era, the triple policy of SDPJJD has been followed in different forms by successive Chinese leaders. For example, when Jiang Zemin, President of China between 1993 and 2003, attended the Informal China-ASEAN Summit in December 1997, he advocated that "we could seek common ground while putting aside differences" (qtd. in Huang, 1997, p. 1). On August 31, 2011, Hu Jintao, who headed China from 2003 to 2013, held a meeting with then-Philippines President Benigno Aquino III and said that:

China always maintains that the South China Sea disputes should be resolved peacefully through consultation and negotiation between the parties concerned. We may shelve the disputes and actively promote joint developments in the relevant waters, which serves our common interests. (qtd. in Rao, 2011)

At the 8th Group Study Session of the Political Bureau of the CPC Central Committee in July 2013, China's current President Xi Jinping, who took office in 2013, stressed that "to safeguard China's maritime rights and interests, it is necessary to adhere to the principles of 'sovereignty belongs to China, shelving disputes, and pursuing joint development'" (qtd. in Chang & Cheng, 2013, p. 1).

President Xi has since enriched the meaning of SDPJJD. For example, on April 23, 2019, President Xi met with heads of the foreign delegations attending multinational naval activities on the 70th anniversary of the founding of the People's Liberation Army Navy and said: "The blue planet we live on is not divided into isolated islands by the ocean. Instead, it is connected by the ocean into a community of shared future," and "the Chinese army has always exalted the banner of win-win cooperation and is committed to equality, mutual trust, fairness and justice, the safety of the co-construction and sharing pattern" (qtd. in Li X.Y.,

2019). To put this passage in academic language, Xi Jinping is proposing the initiative of “a community with a shared future in the ocean,” which is a sub-concept of “the community with a shared future for mankind” (Yao, 2019, p. 138). Whatever words or terms Presidents Jiang Zemin, Hu Jintao, and Xi Jinping use to describe their policies toward the South China Sea and the East China Sea, they are essentially espousing the development and deepening of the form of SDPJD proposed by Deng Xiaoping (Yang Z. & Cai, 2020, p. 70).

Although SDPJD has been recognized and inherited by successive Chinese leaders, its implementation has not been entirely successful.

‘Hot’ SDPJD in documents

We now adopt an analytical framework of ‘cold’ versus ‘hot’ (thereby differentiating between expectations for the policy and its failures in practice) in order to present the issues embedded in the SDPJD policy.

Within this framework, the SDPJD policy is hot/successful in declarations, consensus, and other documents. Propelled by the overheated SDPJD, China has signed several documents with Japan and other countries in the East and South China Sea since the early 2000s.

On November 4, 2002, China and the Association of Southeast Asian Nations (ASEAN) countries, including Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Vietnam, signed the *Declaration on the Conduct of Parties in the South China Sea* calling for the parties to “exercise self-restraint in the conduct of activities that would complicate or escalate disputes and affect peace and stability including, among others, refraining from action [...] and to handle their differences in a constructive manner.” Even though *Declaration on the Conduct of Parties in the South China Sea* is not a binding agreement among both parties, it represents a possible starting point for the signatory countries to untie the territorial knots over the South China Sea with more specific measures (Xin, 2018).

Some Chinese scholars spoke highly of *Declaration on the Conduct of Parties in the South China Sea*, believing that its signing marked a new level of political trust between ASEAN and China (Li, 2004, p. 35) and that relevant countries would no longer be allowed to occupy islands and reefs in the South China Sea or to build military facilities, such as bunkers and airstrips, on them. It could be said that this buffering provision has established amicable conditions for avoiding the outbreak of armed conflicts (Li & Ma, 2003, p. 42). Based on such an analysis, it is famously conjectured that the conflicts surrounding the South China Sea will change from “military confrontation” to “literary battle” (Li & Ma, 2003, p. 42). That is, the stakeholders in the South China Sea will increasingly utilize the modern international dispute resolution mechanism, rather than armed means, to fight for their corresponding rights and interests.

During this period, China was also active in the East China Sea, engaging in negotiations and cooperation with Japan. The most prominent instance of this is the June 18, 2008 signing by China and Japan of *Principled Consensus on the East China Sea Issue* (*Principled Consensus*), in which the two sides “agreed to cooperate without prejudice against their legal positions during the transition period before the delimitation of the disputed sea area” (Chinese Foreign Ministry, 2008). Though many scholars are skeptical about the *Principled Consensus* due to its generality and ambiguity (Luo, 2015, p. 39), the concord between China and Japan is still deemed as a preliminary success in terms of the territorial disputes over the Diaoyu Islands, since the *Principled Consensus* has turned a case of dispute in the East China Sea into a case of cooperation, which is naturally worth praising and celebrating (Jin, 2009, p. 102).

The positive assessment of these agreements amounts to a positive assessment of the SDPJJD policy, as they were signed under its guidance. However, other scholars gauge the significance of SDPJJD in a more general sense or from a broader perspective, focusing on the application of the SDPJJD policy to other international and regional disputes, outside the South China Sea and the East China Sea. That is, SDPJJD functions as a guiding ideology for the peaceful settlement of disputes in human society globally. It is a mainstream position among Chinese researchers that:

peaceful shelving of disputes is useful to freeze the contending claims, immobilize the state of the dispute, establish the basic consensus, and provide a cooling-off period for the disputing parties, during which the parties to the dispute can strengthen cooperation to maintain peace, stability, and security and lay the foundation for the final settlement. (Huang Y., 2019, p. 124)

'Cold' SDPJJD in practice

China's SDPJJD policy has achieved a degree of success, as exemplified by the aforementioned bilateral and multilateral agreements. Whether or not these documents are legally binding, they are at least morally binding to the parties in a theoretical sense. In practice though, the emergence of territorial contention between China and its potential MSR partners suggest that the SDPJJD policy has had limited success. This is most obvious when one considers the deteriorating diplomatic situation in the East China Sea and the South China Sea after 2012.

In September 2012, the Japanese government bought Diaoyu Island and its two affiliated islets from a private individual for US\$26 million (BBC News, 2012). China immediately expressed disagreement with this purchase, accusing Japan of "playing with fire" and sending two patrol ships to reassert its claim of sovereignty over the Diaoyu Islands (Takenaka, 2012). In November 2013, the Chinese government further responded to Japan's actions by declaring an Air Defense Identification Zone (ADIZ) in the East China Sea (Burke & Cevallos, 2017), covering a large swath of airspace, including the Diaoyu Islands (Rinehart & Elias, 2015), which escalated the confrontation far beyond Chinese-Japanese diplomacy. For example, the United States "warned China it would back Japan militarily in any confrontation arising from China's latest unilateral assertion of its claims" (Tisdall, 2013). South Korea was also quick to respond to China's actions. In December 2013, South Korea immediately expanded its own ADIZ to overlap those of China and Japan. Confrontations regarding the skies over the East China Sea thus became more complex and less predictable.

Nor was the situation in the South China Sea tranquil. On January 22, 2013, the Philippines commenced proceedings before the Permanent Court of Arbitration in The Hague, the Netherlands, against China under Article 287 and Annex VII of *The 1982 United Nations Convention on the Law of the Sea* (Republic of the Philippines, 2014). These proceedings centered on territorial claims in the South China Sea (Kingdon, 2015, pp. 131-134), with intensive evaluation in terms of the legal status and impacts of China's 'nine-dash line' claim, China's infringement of the Philippines' exclusive economic zone, and China's interference with the Philippines' free navigation in the South China Sea (Nguyen, 2017, p. 294). On February 19, 2013, China categorically rejected and returned the *Notification and Statement of Claim* and reiterated its sovereignty over the disputed area (Republic of the Philippines, 2014). In response to what it saw as the Philippines' flagrant provocation and

unilateral breaching of the *Declaration on the Conduct of Parties in the South China Sea*, China strengthened its military presence in the disputed area (Roca, 2017, pp. 417–418). As some experts had predicted, “this arbitration cannot resolve the disputes between China and the Philippines in the South China Sea. Instead, it will only increase tensions and undermine peace and stability in the region” (Ying, 2016).

It is clear at present that, as a policy, SDPJD is hot (successful) on paper but cold (failed) in practice. The vast gaps between the hot and the cold call for reflection upon the problems that have beset this controversial policy.

SDPJD’s internal inconsistencies

The fundamental reason for the SDPJD’s failure in practice is the internal inconsistency embedded in the tripartite policy.

The ‘shelving disputes’ concept was formulated in the context of a desire to resolve the sovereignty dispute between China and Japan over the Diaoyu Islands during the Cold War (Yang, 2013) and to build a favorable external environment for the normalization of diplomatic relations between these two states (Sun, 2019, p. 173). Against this backdrop, China and Japan temporarily froze the disputes regarding ownership of the Diaoyu Islands, implying that China and Japan will someday ‘defrost’ this issue and address it constructively in the future. The ‘shelving disputes’ principle is thus more of a buffer than a solution to the conflict. The territorial dispute will be left untouched for a while under this bilateral consensus. Such a policy buffer has as its primary goal the pursuit of cooperation rather than confrontation.

There is as yet little to suggest agreement between China and Japan about ‘pursuing joint development’ (Guan, 2012, p. 112). It is widely accepted that China proposed ‘pursuing joint development’ unilaterally but that Japan never officially accepted this proposition. Until or unless the Japanese government formally recognizes this offer from China, it has no legally binding effect. Thus, it seems that while the agreement concerning ‘shelving disputes’ is a matter of international law (i.e., a type of bilateral treaty with binding effect over the two parties; Guan, 2012, p. 112), ‘pursuing joint development’ is not legally binding for either China or Japan. This distinction does not prevent these two states from seeking common ground and pursuing cooperation, but it is important to recognize that whereas ‘shelving disputes’ merely implies pursuit of cooperation, ‘pursuing joint development’ is a more contract-like proposition and is explicit regarding this aim. Chinese society, including policymakers, are accustomed to considering ‘pursuing joint development’ and ‘shelving disputes’ in tandem, but there is no guarantee that other actors will do the same.

‘Sovereignty belongs to China’ should be understood in the context of the Chinese government’s claims over the Spratly Islands (Ye, 2019, p. 86). This strategy was developed as a means of countering activities and occupation by other South China Sea countries in the Spratlys. In international practice, it is necessary for a state to make a clear and open objection to (rather than remaining silent about) alleged acts of sovereignty infringement if it wishes to avoid being disadvantaged in future judicial proceedings. China has learned historical lessons from its absence at the Treaty of San Francisco, which was signed in San Francisco on September 8, 1951, by the 48 victorious states of World War II and the defeated Japan, and was formally enforced on April 28, 1952. Vietnam often asserts that it made claims to the Spratlys at the Treaty of San Francisco, while China did not object to Vietnam’s claim.

Furthermore, Vietnam has always openly contended that China's silence equates to its tacit consent to Vietnam's request. China's lack of objection to Vietnam's claim was, however, at least in part because China was not invited to participate in the Treaty of San Francisco and thus could not have objected (Roca, 2017, p. 397). Although China voiced opposition outside the meeting (Shen, 2002, p. 99), Vietnam's actions created many disruptive problems for China. Regardless of such nuances though, the concept of 'sovereignty belongs to China' has the immediate purpose laying claim to territory in the face of other actors' own claims. It is thus inherently confrontational.

The above analysis shows that 'shelving disputes' and 'pursuing joint development' both promote cooperation, while 'sovereignty belongs to China' is confrontational. The combination of the three terms inevitably struggles with the paradox of its joint cooperative and confrontational nature.

The downsides of a paradoxical SDPJD

SDPJD's tripartite formula of 'shelving disputes', 'pursuing joint development', and 'sovereignty belongs to China' presents a challenge for China.

SDPJD's internal inconsistency proves self-defeating. Advancing the position of 'sovereignty belongs to China' logically places China in the unenviable position of violating international law when China and Japan are involved in potential disputes. Thus far, 'shelving disputes' still has a legally binding effect on China and Japan when it comes to the Diaoyu Islands, but 'sovereignty belongs to China' opens the possibility that the outside world, especially Japan, will regard China as conspiring to backtrack on its promise of 'shelving disputes' and to be on the brink of adopting an aggressive stance regarding the Diaoyu Islands disputes, which may constitute a violation of the bilateral agreement on 'shelving disputes'. Such a violation would not only give Japan an excuse to retaliate but also leave the international community with the negative impression that China is a dishonest country, saying one thing and doing another. This would in turn damage trust between China and countries along the MSR, which would then be more inclined to resist China's advocacy of SDPJD.

'Sovereignty belongs to China', with its potential for contributing to antagonism in a broader sense, is more a slogan or catchphrase than a convincing proof for use in territorial dispute resolution processes. One salient feature of the modern territorial dispute resolution process is the use of valid evidence to prove sovereignty over disputed territories. A party that can present convincing evidence can often obtain support from international judicial bodies, such as the International Court of Justice and the International Tribunal for the Law of the Sea. Modern territorial dispute resolution thus encourages conflicting parties to seek more valid evidence and enhance the persuasiveness of their arguments.

In contrast, all that 'sovereignty belongs to China' proves is that China disputes the claims of the other countries in question; it does not prove China's sovereignty over anything. Such unilateral declarations and emotional assertions contain elements of irrationality and nationalism. For Jennings (2002, pp. 31-32):

sovereignty is at least to a large extent a mere idea, even a myth, which has much to do sometimes with emotion, but little or nothing to do with the reality in the day-to-day life of the typical, present-day government.

As an emotional appeal, 'sovereignty belongs to China' has the potential to worsen the situation.

Moreover, from a domestic angle, 'sovereignty belongs to China' significantly hinders China's ability to be flexible when it comes to territorial disputes, implying that China must proceed in a confrontational manner from the very outset. This is because the Chinese government, like governments everywhere, wishes to gain prestige. Confrontation may be appealing as a means for countries to avoid losing prestige or even to gain prestige (Beller, 1994, p. 296). The somewhat technical issue of sovereignty thus gets reduced to fuel for popular nationalism, which could cause antagonism to spread outward from the government level to the rest of society. A cycle of stoked nationalism, which in turn forces and reinforces the government to adopt a hostile stance, risks pushing the country into confrontation, such as a war.

Finally, the international community may read the assertion of 'sovereignty belongs to China' as the ultimate goal of China's policy and may thus believe that China lacks the sincerity to shelve disputes and pursue joint development and is simply using SDPJD as a means to deceive its rivals. After identifying China's policy intentions, the international community will not sincerely cooperate with China. Instead, potential rivals will pretend to put aside disputes and develop jointly with China. Ultimately, this means that intention to resolve sovereignty disputes will not only fail in terms of the loss caused tactical maneuvering by so-called partners but will also leave the negative impression on the international community that China's words and deeds are inconsistent – that China cannot be trusted.

Why is SDPJD logically inconsistent?

Some scholars have already highlighted SDPJD's weaknesses (Guan, 2012, pp. 112-116; Tong, 2011, pp. 3-6). There are few reflections, however, on the nature of territorial disputes and on what drives the policy's incompatible elements.

Hints from the theory of zero-sum games

From the perspective of game theory, the idea of 'sovereignty belongs to China' essentially presents a zero-sum game, which assumes that China's gains or losses in sovereignty are precisely balanced by the losses or gains in sovereignty by contending nations. This is the underlying reason for SDPJD's dysfunction. It is worth noting that, for the sake of advancing our analysis, we here regard sovereignty and territory as interchangeable.

Some Chinese scholars and government officials do indeed see sovereignty disputes as having only two sides: either black or white, resembling the zero-sum games. The logic is simple: ownership of territory is significant because sovereignty over land defines that which constitutes a state (Sumner, 2004), while it is beyond our imagination for two or more states to possess sovereignty over a single territory. It is thus that competing states' interests in territorial disputes are often seen as mutually exclusive. Conventional understanding of territorial disputes as zero-sum games means that sovereignty gains by one country are precisely balanced by losses by another country. In a given territorial dispute, for each country, the sovereignty hunt is like cutting a cake, in which taking a bigger piece reduces the amount of cake available to others.

There has long been a tradition in China to understand sovereignty in a ‘take it or leave it’ paradigm. This stubborn dichotomy has a historical basis, with traditional Chinese culture placing special value on the legacy afforded by ancestors and on honoring one’s family. For example, the ancient Confucian text *The Classic of Xiao* states that “establishing oneself, practicing the way, spreading the fame of one’s name to posterity, so that one’s parents become renowned—that is the end of *Xiao*”(立身行道，扬名于后世，以显父母，孝之终也) (Zeng, 2008). Such traditional sentiments undergird concepts such as ‘sovereignty belongs to China’.

From this perspective, territory is a kind of legacy inherited from the ancestors, and it would be unconscionable for the ancestors’ descendants to give it away. Only by using and nurturing one’s ancestral legacy can one glorify one’s ancestors. If the Diaoyu Islands or the Spratlys were to be lost to others, it would bring historical shame to the present generation of Chinese. It is thus that Chinese scholars and officials are apt to devote themselves to developing China’s territory, including disputed island territories, so that they become better, more prosperous, and more useful places. Chinese traditional culture may thereby be seen as cultivating the conception of territorial disputes as zero-sum games.

Outdated understanding of ‘sovereignty belongs to China’

The SDPJD policy is still embraced by China’s current administration. Moreover, as mentioned above, President Xi Jinping has further enriched the meaning of this policy and advanced the concept of “a maritime community with a shared future.” Islands and archipelagos are reproduced throughout society and mobilized in contemporary analyses of power (Mountz, 2015, p. 639). Along these lines, one potential explanation for the present Chinese government’s emphasis on ‘sovereignty belonging to China’ may simply be that China is today more economically, militarily, and diplomatically powerful than it was in Deng Xiaoping’s time, better enabling China to claim sovereignty over disputed islands. Equally, it may be that Chinese policymakers have taken advice from university academics and think tanks to emphasize the ‘sovereignty belonging to China’ concept. However, even if these speculations in part explain the hardening of Beijing’s stance, it does not mean that it is rational to make ‘shelving disputes’ and ‘joint development’ conditional upon ‘sovereignty belongs to China’.

Both the Chinese academic community and the Chinese government currently misinterpret Deng Xiaoping’s assertion of ‘sovereignty belongs to China’. This misunderstanding is linked to changes in how international law treats territorial acquisition.

In international law, the ways of acquiring and changing territory can be categorized into a traditional mode and a modern mode. The former includes occupation of *terra nullius*, acquisitive prescription, accretion, cession, and conquest, while the latter consists of self-determination and referendum. Malaysia’s and the Philippines’s invasion and occupation of islands and reefs in the South China Sea in 1984 may in theory constitute prescription (which does not apply to *terra nullius*), that is, the “result of the peaceable exercise of de facto sovereignty for a very long period over territory subject to the sovereignty of another” (Shearer, 1994, p. 153). Successful prescription requires the following demonstrations from the claimant state:

- (1) There is “continuous and peaceful display of territorial sovereignty,” a rule established in the Island of Palmas Case, which was seminal in the handling of island territorial disputes (Heflin, 2000, p. 9).
- (2) The claimant has exercised undisturbed sovereign authority over the disputed territory in an open manner for a considerable period of time, as the Kasikili/Sedudu Island Case analyzed how “Caprivi Tribesmen have made use of the Island for a considerable number of years” (I.C.J., 1999, p. 1081).
- (3) The pre-existing sovereign authority has acquiesced to the territorial claim of the claimant state, a rule arising from the Chamizal Arbitration between the United States and Mexico, relating to the title to land situated within Texas (Allen, 2013, p. 132).

Successful prescription can only be established when all three of the above demonstrations have been met. Hence, if the pre-existing sovereign authority plans to prove that the prescription is invalid, a successful challenge from any of the above requirements is sufficient.

Deng Xiaoping’s fierce response to Malaysia’s and the Philippines’s February 1984 invasion was intended to challenge the second and third prongs of prescription, especially the third one. Deng Xiaoping wished to make it clear that China, as a pre-sovereign authority over the islands and reefs in the South China Sea, would not acquiesce to the claimant state’s territorial claim. China thus sought to defeat Malaysia’s and the Philippines’ claims of prescription in potential future procedures for the settlement of territorial disputes. This reaction from the Chinese government represented recognition of having learned lessons from China’s absence at the Treaty of San Francisco. In 1951, China was excluded from participating in the signing of the Treaty of San Francisco by the United States, United Kingdom, France, and other countries because China had not yet won a seat in the United Nations. China’s failure to participate in the treaty conference prevented it from challenging Vietnam’s claim to the Spratly Islands, which Vietnam and the outside world interpreted as a tacit endorsement of Vietnam’s claim. China’s ‘forced’ acquiescence in 1951 produced significant obstacles to China’s future claims of sovereignty over the islands. This prompted the immediate and aggressive response from Deng Xiaoping and the Chinese government in 1984.

This use of ‘sovereignty belongs to China’ as a strategy for challenging territorial acquisition by means of prescription differs from using ‘sovereignty belongs to China’ as a precondition for ‘shelving disputes’ and ‘pursuing joint development’. It is inappropriate and ineffective to bundle the three concepts together and to attempt to use ‘sovereignty belongs to China’ as a principle for ascertaining title to disputed islands. Not even Deng Xiaoping took such an absolutist approach. In October 1984, for instance, at the Conference of the Central Committee of the Communist Party of China, Deng Xiaoping (1993, p. 87) proposed:

There are two solutions to counter the encroachment of Malaysia and the Philippines: one is to reclaim the islands by force; the other is to shelve the issue of sovereignty and jointly exploit the resources of the South China Sea with these countries, which can ease the conflicts that China has accumulated with these countries in the South China Sea over the years.

Deng Xiaoping and the Chinese government ultimately adopted the second solution. Had they instead opted to emphasize ‘sovereignty belongs to China’, this would have required the lamentable use of military force.

Rethinking SDPJD

As discussed above, SDPJD is a tripartite concept consisting of (1) sovereignty belongs to China, (2) shelving disputes, and (3) pursuing joint development. The stubborn insistence that part (1) is a prerequisite for parts (2) and (3) reflects an official and scholarly idea in China that island territorial disputes are a zero-sum game. Yet such an approach dooms the SDPJD policy to failure, for the aggressiveness of part (1) is incompatible with the cooperative aims of parts (2) and (3). We thus make the following observations in the spirit of moving forward with a more nuanced and successful SDPJD policy.

‘Sovereignty belongs to China’ is not a zero-sum game

‘Sovereignty belongs to China’ is grounded in an outdated conception of sovereignty. Initially, the doctrine of sovereignty acted as the source of strength and power for the state (Jennings, 2002, p. 27). In other words, sovereignty was the starting point for the nation, and any action by the state needed to be subordinated to the imperative of sovereignty. The need to defend sovereignty could compel a state to do anything, including launching a war. This traditional conception of sovereignty is evident in the perspectives of those Chinese scholars and officials who interpret ‘sovereignty belongs to China’ as an emotional proclamation that disputed island territories are sacred and inalienable parts of China’s territory (Cao, 2011, p. 66) and as an assertion that China will “fight over every inch of land” (Zou, 2016). Such an understanding has also been present across much of the international community. During the League of Nations period in the early 1930s, for example, war was regarded as a sovereign right and a standard tool for defending sovereignty (Jennings, 2002, p. 29).

After two catastrophic world wars, however, understandings of sovereignty began to shift in global society. Notably, the international community established the United Nations (UN) in 1945, following World War II. Article 33(1) of the UN Charter states:

The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

The UN Charter thus denies a sovereign right to war, indicating that sovereignty is no longer the supreme value in the international community or, at the very least, that the value of global peace and security should not be overlooked. The diversity of values in international society has significantly weakened the absoluteness of sovereignty.

Furthermore, as the world becomes increasingly interdependent, the classic principle of state sovereignty, grounded in the political notion of the state as the incorporation of the *summa potestas* or *summum imperium* (the indisputable political power) has been gradually losing its salience. The UN Charter makes clear that a state must be peace-loving to accept all Charter obligations and the obligations of international law as developed under the Charter

(Nagan & Haddad, 2012, p. 462). This is evident in the theory and practice of international law. Within academia, it is common to accept that the development of international law in the United Nations era has moved in the direction of reinstating human protections eroded or lost as a result of the modern definition of sovereignty (Johnson, 2015, p. 627). In certain circumstances, humanitarian intervention trumps sovereignty. As Judge Hanqin Xue of the International Court of Justice states, “A result of the development of international relations in recent decades is the expanding scope of international regulations and more restrictions on sovereign rights” (qtd. in Alvarez, Trachtman, Simma, & Xue, 2013, p. 489).

This paper, however, does not argue that the concept of sovereignty be abandoned. It instead argues that, important though sovereignty may be, it can no longer be deemed inviolable or indivisible. As research within island studies has shown, sovereignty is not a binary attribute that either exists or does not exist in an absolute manner (Baldacchino, 2017, 2010; Grydehøj, 2016, 2020a; Mut Bosque, 2020). Many islands are poised between sovereignty and non-sovereignty. From assemblage theory, “‘influence’ in islands is something constructed out of multiple types of interactions (economic, political, cultural, etc.) that simultaneously emanate from multiple distant places – not all just from one metropole or another” (Davis et al., 2020). For instance, due to competitive pressure from China and America’s ‘pivot to Asia’ policy, the US-affiliated islands in the Pacific Ocean, such as the Commonwealth of the Northern Mariana Islands, American Samoa, and Guam, remain balanced between statehood, independence, and free association (Pöllath, 2018, p. 237). Notwithstanding protestations that ‘sovereignty belongs to China’, disputes over sovereignty are not necessarily zero-sum games (Baldacchino, 2016, p. 21).

Separation and abandonment of ‘sovereignty belongs to China’

We advocate that the ‘sovereignty belongs to China’ principle be separated from the SDPJD policy and no longer be seen as key to the MSR initiative. This will make SDPJD more internally consistent, will instill it with greater flexibility, and will enhance its international recognition. Such a separation is feasible because, at present, ‘sovereignty belongs to China’ is included within SDPJD as more of an emotional impulse than a logical element of the policy.

‘Sovereignty belongs to China’ should more broadly be abandoned as a principle for use in territorial disputes, except in specific circumstances in which it is employed as a means of challenging occupation and prescription by a claimant state. China does not benefit from maintaining a general and absolute ‘sovereignty belongs to China’ policy.

Abandonment of ‘sovereignty belongs to China’ is mostly a matter of altering the ways in which Chinese scholars and officials conceive of sovereignty. It is important that China give up its zero-sum game thinking and its ‘take it or leave it’ binary approach to sovereignty. Sovereignty has developed into a multilevel and multifaceted concept. Although Westphalian sovereignty undeniably exists, “there can be multiple authorities defined by policy area operating in and over any given society” (Lake, 2004, p. 108). That is, sovereignty is sometimes an inclusive term. Today’s global interconnectedness particularly in politics, economics, and environmental issues:

bears more resemblance to the type of system exemplified by the Holy Roman Empire than to the so-called Westphalian model. [...] There is a clear *de facto* trend

in international politics away from classical sovereignty and toward something closer to *landeshoheit*, territorial jurisdiction under an external legal regime shared by the actors. (Osiander, 2001, p. 283)

As a result, the globally accepted concept of sovereignty is moving away from that represented by ‘sovereignty belongs to China’.

A multifaceted implementation mechanism for the streamlined SDPJD policy

Many specialists have asserted that SDPJD is useless without a robust implementation mechanism. The fate of SDPJD thus depends on the introduction of a set of third-party judicial mechanisms, such as the International Court of Justice, International Tribunal for the Law of the Sea, or newly created international judicial mechanisms (Luo, 2011, p. 17). Game theory would suggest that decisions by the International Court of Justice or the International Tribunal for the Law of the Sea are confrontational in nature. Due to the finality of the tribunal or court judgments, all disputing parties before these bodies are incentivized to pursue more favorable judgments: once judgment has been delivered, the parties who believe their interests have been damaged will never again have the chance to obtain additional benefits from the disputed subject. This internal benefit-maximizing mechanism forces disputing parties to make strong efforts to fight for their best interests benefits before the dispute is finally settled, and such a process inevitably pushes the disputing parties toward more intense confrontation.

Undoubtedly, courts like the International Court of Justice and International Tribunal for the Law of the Sea can play a valuable and even essential role in settling these kinds of complex territorial disputes (Jennings, 2002, p. 40). However, law (i.e., the judicial mechanisms in this article) is powerless unless it is balanced by politics, economics, technology, culture, and the like (Nijman, 2002, p. 118). Hence, it is unwise to overemphasize the judicial mechanisms when pursuing the SDPJD policy, and, given the collaborative aims of the MSR initiative, it makes no sense to place exclusive focus on creating binding legal rules (Brus, 2002, p. 6). SDPJD’s enforcement mechanism should be multifaceted, including judicial enforcement, non-judicial enforcement, and other processes.

Conclusion

As a political legacy of Deng Xiaoping, the SDPJD policy still inspires scholars and officials today and is relevant to China’s foreign policy along the MSR and beyond. However, deployment of ‘sovereignty belongs to China’ as a precondition for ‘shelving disputes’ and ‘pursuing joint development’ presents difficulties due to its overly narrow conceptualization of sovereignty. Such an approach generates conflict and confrontation, not the cooperation that is SDPJD’s stated aim. An updated conception of sovereignty is necessary, one that recognizes that sovereignty now also entails responsibility in terms of maintaining world peace and security and that sovereignty need not dictate a ‘take it or leave it’ approach. It is thus necessary to separate ‘sovereignty belongs to China’ from SDPJD and perhaps even abandon it as a political principle.

Many scholars misunderstand the functional essence of international judicial resolutions, such as the International Court of Justice decisions and International Tribunal for the Law of

the Sea, hoping that such mechanisms can contribute to cooperation. We must recognize that third-party intervention from international judicial institutions has sometimes been a driving force for confrontation (Otero, 2015, p. 630). When choosing between enforcement mechanisms, it is best to avoid extremes: the SDPJD policy should be enshrined in both law and politics as well as supported by a multilayered enforcement mechanism (Beller, 1994, p. 303).

There are, of course, unavoidable limitations to this paper, especially in its analysis of why the SDPJD policy has failed in practice. This paper only considers the internal inconsistencies of the SDPJD policy, yet, in light of China's rapid military and economic development, we must assume that other circumstances are significant too. For example, it could be that China's rising military and economic strength prompts Beijing to toughen its stance concerning the SDPJD policy, which leads to SDPJD's failure in practice. Nevertheless, in interests of pursuing a focused and coherent argument, this paper has set aside military, economic, and other potentially relevant issues, worthwhile though these may be as topics for future research.

Acknowledgements

The authors sincerely thank the anonymous reviewers, editors, and Professor Adam Grydehøj for their professional and constructive comments, suggestions, and revisions. This research is funded by Jiangsu Province Social Science Foundation of China with the Project of 19FXC002, Research Base of Judicial Big Data of People's Court of Southeast University, and Research Base for Civil Prosecution of the Supreme People's Procuratorate of Southeast University.

References

- Allen, S. (2013). *International law*. Pearson.
- Alvarez, J.E., Trachtman, J., Simma, B., & Xue, H. (2013, April). Global governance, state sovereignty, and the future of international law. *American Society of International Law: Proceedings of the Annual Meeting*. Cambridge University Press.
- Baldacchino, G. (2017). *Solution protocols to festering island disputes: 'Win-Win' solutions for the Diaoyu/Senkaku Islands*. Taylor & Francis. <https://doi.org/10.4324/9781315574707-5>
- Baldacchino, G. (2016). Diaoyu Dao, Diaoyutai or Senkaku? Creative solutions to a festering dispute in the East China Sea from an 'Island Studies' perspective. *Asia Pacific Viewpoint*, 57(1), 16-26. <https://doi.org/10.1111/apv.12111>
- Baldacchino, G. (2010). *Island enclaves: Offshoring strategies, creative governance, and subnational island jurisdictions*. McGill-Queen's University Press. <https://doi.org/10.1177/1474474013478369>
- BBC News (2012, September 10). Japan confirms disputed islands purchase plan. *BBC*. <https://www.bbc.co.uk/news/world-asia-19540469>
- Beller, R.D. (1994). Analyzing the relationship between international law and international politics in China's and Vietnam's territorial dispute over the Spratly islands. *Texas International Law Journal*, 29, 293-320.

- Benwell, M.C. (2016). Encountering geopolitical pasts in the present: Young people's everyday engagements with memory in the Falkland Islands. *Transactions of the Institute of British Geographers*, 41(2), 121-133. <https://doi.org/10.1111/tran.12109>
- Brus, M. (2002). Bridging the gap between state sovereignty and international governance: The authority of law. In G. Kreijen (Ed.), *State, sovereignty, and international governance* (pp. 3-26). Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199245383.003.0001>
- Burke, E.J., & Cevallos, A.S. (2017). *In line or out of order? China's approach to ADIZ in theory and practice*. Rand. <https://doi.org/10.7249/rr2055>
- Cao, W. (2011). The shelving diplomatic policy: A new exploration into the diplomacy idea in dealing with territorial disputes. *Pacific Journal*, 1, 66-73.
- Chang, X.M., & Cheng, H.Y. (2013, August 1). We will continue to make new achievements in building China into a maritime power. *People's Daily*, 1.
- Chinese Foreign Ministry. (2008, June 18). China and Japan reached to a consensus concerning the East China Sea issues. Chinese Foreign Ministry. https://www.fmprc.gov.cn/web/fyrbt_673021/dhdw_673027/t466568.shtml
- Chung, M.J. (2019). Analysis of the territorial issue regarding the Liancourt Rocks between Korea and Japan. *The Korean Journal of International and Comparative Law*, 7(1), 1-66. <https://doi.org/10.1163/22134484-12340116>
- Davis, S., Munger, L.A., & Legacy, H.J. (2020). Someone else's chain, someone else's road: U.S. military strategy, China's Belt and Road Initiative, and island agency in the Pacific. *Island Studies Journal*, 15(2), 13-36. <https://doi.org/10.24043/isj.104>
- Deng, X.P. (1993). *Selected works of Deng Xiaoping (III)*. People's Publishing House.
- Grydehøj, A. (2020a). Svalbard: International relations in an exceptionally international territory. In K. Coates & C. Holroyd (Eds.), *The Palgrave handbook of Arctic policy and politics* (pp. 267-282). Palgrave Macmillan. https://doi.org/10.1007/978-3-030-20557-7_17
- Grydehøj, A. (2020b). Unravelling economic dependence and independence in relation to island sovereignty: The case of Kalaallit Nunaat (Greenland). *Island Studies Journal*, 15(1), 89-112. <https://doi.org/10.24043/isj.101>
- Grydehøj, A. (2016). Navigating the binaries of island independence and dependence in Greenland: Decolonisation, political culture, and strategic services. *Political Geography*, 55, 102-112. <https://doi.org/10.1016/j.polgeo.2016.09.001>
- Guan, J.Q. (2012). Comments on 'shelving disputes' over the sovereignty of the Diaoyu Islands: A perspective from international law. *Academics*, 4, 108-118.
- Heflin, W.B. (2000). Diaoyu/Senkaku islands disputes: Japan and China, oceans apart. *Asian-Pacific Law and Policy Journal*, 18, 1-22.
- Huang, Y. (2019). The peaceful non-settlement of disputes in the construction of a community of shared future for mankind. *Social Science in China*, 2, 113-136.
- Huang, Z.Q. (1997). Strengthen good-neighborly mutual trust and promote common development. *People's Daily*, 1.
- International Court of Justice [I.C.J.]. (1999). Kasikili/Sedudu island (Botswana/Namibia) Judgement. *I.C.J. Reports*. <https://www.icj-cij.org/en/case/98/judgments>

- Jennings, R. (2002). Sovereignty and international law. In G. Kreijen (Ed.), *State, sovereignty, and international governance* (pp. 27-42). Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199245383.003.0002>
- Jin, Y.M. (2009). Connotation and development trend of the principled consensus between China and Japan on the East China Sea issues. *Oriental Law*, 2, 99-109.
- Johnson, J.T. (2015). Humanitarian intervention, the responsibility to protect, and sovereignty: Historical and moral reflections. *Michigan State International Law Review*, 23, 609-634.
- Kingdon, E. (2015). A case for arbitration: The Philippines' solution for the South China Sea dispute. *Boston College International and Comparative Law Review*, 38, 129-157.
- Lake, A.D. (2004, January). Hierarchy in international relations: Authority, sovereignty, and the new structure of world politics. *Annual Meeting of the American Political Science Association, Chicago*, 2, 1-46.
- Li, H.Y., & Ma, K. (2003). China and the ASEAN have signed a declaration to jointly avoid conflicts in the South China Sea. *Journal of Southwest Militia*, 1, 44-45.
- Li, J.M. (2004). From ASEAN's South China declaration to the declaration on the conduct of parties in the South China Sea. *South and Southeast Asian Studies*, 3, 31-35. <https://doi.org/10.1016/b978-1-84334-438-4.50018-2>
- Li, Q.J. (1999). Deng Xiaoping's thought of 'joint development' and the issues over the Diaoyu Islands. *Japanese Studies*, 4, 1-12.
- Li, T. (2019). Alliance politics and territorial disputes in the east Asian security framework: China's disputes with Japan and the Philippines over Diaoyu Islands and the South China Sea. *Pacific Journal*, 27(5), 58-72. https://doi.org/10.4324/9780203168660_chapter_six
- Li, X.Y. (2019, April 23). Xi Jinping met with heads of foreign delegations attending multinational naval activities on the 70th anniversary of the founding of the PLA Navy. *People's Daily Online*. <http://politics.people.com.cn/n1/2019/0423/c1024-31045279.html>
- Luo, G.Q. (2015). The principled consensus on the East China sea issues between China and Japan and the joint development. *Legal Forum*, 1, 37-44.
- Luo, G.Q. (2011). The joint development policy and its practical effect in solving maritime disputes: Analysis and prospect. *Law Science Magazine*, 4, 14-17.
- Mitchell, R. (2016). An international commission of inquiry for the South China Sea? Defining the law of sovereignty of sovereignty to determine the chance for peace. *Vanderbilt Journal of Transnational Law*, 49, 782-815.
- Mountz, A. (2015). Political geography II: Islands and archipelagos. *Progress in Human Geography*, 39(5), 636-646. <https://doi.org/10.1177/0309132514560958>
- Mut Bosque, M. (2020). The sovereignty of the Crown Dependencies and the British Overseas Territories in the Brexit era. *Island Studies Journal*, 15(1), 151-168. <https://doi.org/10.24043/isj.114>
- Nagan, P.W., & Haddad, M.A. (2012). Sovereignty in theory and practice. *San Diego International Law Journal*, 13, 429-518.
- Nguyen, H. (2017). Principled negotiation: The final answer to the South China Sea dispute. *Texas A&M Law Review*, 4, 287-314. <https://doi.org/10.37419/lr.v4.i2.6>

- Nijman, J. (2002). Sovereignty, and personality: A process of inclusion. In G. Kreijen (Ed.), *State, sovereignty, and international governance* (pp. 109-144). Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780199245383.003.0004>
- Osiander, A. (2001). Sovereignty, international relations, and the Westphalian myth. *International Organization*, 55(2), 251-287. <https://doi.org/10.1162/00208180151140577>
- Otero, M. (2015). Problems in the Caribbean: The absence of finality to the territorial dispute in Nicaragua v. Colombia will have negative impacts in the region. *University of Toledo Law Review*, 46, 617-646.
- Pöllath, M. (2018). Revisiting island decolonization: The pursuit of self-government in Pacific island polities under US hegemony. *Island Studies Journal*, 13(1), 235-250. <https://doi.org/10.24043/isj.46>
- Rao, A.M. (2011, September 1). Hu held talks with the President of the Philippines. *Sina*. <http://mil.news.sina.com.cn/2011-09-01/0506663752.html>
- Republic of the Philippines. (2014, March 30). *Arbitration under Annex VII of the United Nations Convention on the Law of the Sea: The Philippines' Memorial: Volume I*. Permanent Court of Arbitration. <https://files.pca-cpa.org/pcadocs/Memorial%20of%20the%20Philippines%20Volume%20I.pdf>
- Richardson, P.B. (2016). Beyond the nation and into the state: identity, belonging, and the 'hyper-border'. *Transactions of the Institute of British Geographers*, 41(2), 201-215. <https://doi.org/10.1111/tran.12116>
- Rinehart, I.E., & Elias, B. (2015, January 30). *China's air defense identification zone* [CRS Report no. 7-5700]. Congressional Research Service. <https://fas.org/sgp/crs/row/R43894.pdf>
- Roca, N. (2017). Whose land is it anyway? The territorial and maritime dispute over the Spratly islands. *FIU Law Review*, 12, 391-426. <https://doi.org/10.25148/lawrev.12.2.10>
- Rossi, C.R. (2016). A unique international problem: The Svalbard Treaty, equal enjoyment, and terra nullius: Lessons of territorial temptation from history. *Washington University Global Studies Law Review*, 15, 93-137. <https://doi.org/10.1017/9781316871935.004>
- Royle, S.A. (2014). "This mere speck in the surface of the waters": Rockall aka Waveland. *Shima*, 8(1), 72-83.
- Rudnicki, J. (2016). The Hans Island dispute and the Doctrine of Occupation. *Studia Iuridica*, 68, 307-320.
- Shearer, I.A. (1994). *Starke's international law* (11th ed.). Butterworths.
- Shen, J.M. (2002). Chinese sovereignty over the South China Sea islands: A historical perspective. *Chinese Journal of International Law*, 1, 94-157. <https://doi.org/10.1093/oxfordjournals.cjilaw.a000432>
- Shi, Y.G., & Ran, L. (2016). Frontier security issues and governance innovation from the perspective of 'five development ideas'. *Study & Exploration*, 252(7), 56-63.
- Shu, X.L. (2015). The 21st Century Maritime Silk Road and China's energy diplomacy. *Global Review*, 5, 82-95.

- Song, Y.H. (2013). Conflicting outer continental shelf claims in the east and South China Sea: Proposals for cooperation and peaceful resolution. *University of Hawaii Law Review*, 35, 522-536.
- Sumner, B.T. (2004). Territorial disputes at the international court of justice. *Duke Law Journal*, 53, 1779-1812.
- Sun, Y.D. (2019). The impact of the USA in the process of China-Japan diplomatic relations and its historical enlightenment. *Journal of Central China Normal University (Humanities and Social Sciences)*, 58(5), 170-175.
- Takenaka, K. (2012, September 11). Japan buys disputed islands, China sends patrol ships. *Reuters*. <https://www.reuters.com/article/us-japan-china/japan-buys-disputed-islands-china-sends-patrol-ships-idUSBRE88A0GY20120911>
- Tisdall, S. (2013, November 25). China escalates islands dispute with Japan: The US warns Beijing it will back up Tokyo as China sets up 'defense zone' around Senkaku. *The Guardian*. <https://www.theguardian.com/world/2013/nov/24/us-warns-beijiing-island-dispute-senkanus>
- Tong, W.H. (2011). Curing the logic conflicts between 'shelving disputes' and 'joint development' in the policy concerning the South China Sea. *Journal of Ocean University of China (Social Science Edition)*, 6, 1-6.
- Xin, H.W. (2018, November 14). Li Keqiang attended the 21st China-ASEAN summit. *Xinhuanet News*. http://www.xinhuanet.com/politics/leaders/2018-11/14/c_1123714218.htm
- Xin, H.W. (2013, July 31). Maritime rights protection capabilities and prepare for various situations. *Sohu News*. <http://news.sohu.com/20130731/n383066483.shtml>
- Yang, J.M. (2013). *China's diplomacy: Theory and practice*. World Century Publishing.
- Yang, S.W. (2016). Deng Xiaoping's strategic thinking in dealing with the surrounding border disputes: Conception and challenge. *Deng Xiaoping Research*, 2, 74-81.
- Yang, Z., & Cai, L. (2020). Marine cooperation and marine public goods in the perspective of 'marine community with a shared future'. *Asia-Pacific Security and Maritime Affairs*, 4, 69-81.
- Yao, Y. (2019). International law implications of 'marine community with a shared future': Concept innovation and institutional construction. *Contemporary Law Review*, 5, 138-147.
- Ye, Q. (2019). Provisional arrangements pending maritime delimitation in the South China Sea: Practices and prospects. *The Korean Journal of Defense Analysis*, 31(1), 86-96.
- Ying, F. (2016, July 10). Why China says no to the arbitration on the South China Sea. *Foreign Policy*. <https://foreignpolicy.com/2016/07/10/why-china-says-no-to-the-arbitration-on-the-south-china-sea/>
- Zeng, Z. (2008, March). *Xiao Jing: The Classic of Xiao*. Tsoi Dug.
- Zou, C. (2016, July 13). *An inch of land is bound to defend and firmly assert sovereignty in the South China Sea*. *China Youth Daily*. http://news.youth.cn/tbxw/201607/t20160713_8274717.htm