

H-Diplo|Jervis Forum Review Essay of Jiye Kim. *The Future of the South China Sea: Disputes and Negotiations*. University of Michigan Press, 2026. ISBN: 9780472077786.

Editor: Diane Labrosse

Commissioning Editor: Seth Offenbach

Production Editor: Christopher Ball

Jiashu Hu, Purdue University

Maritime orders are written twice. The first script is physical: steel, tonnage, and patrol schedules, the visible substance of sea power at work. The second is textual: the agreements, drafts, and declarations through which states tell one another, and themselves, what the water means. The scholarship on the South China Sea (SCS) has mostly read the first script. Marwyn Samuels read the Chinese claim as a modified irredentism; Ian Storey and Carlyle Thayer assembled an inductive record of incidents and rhetoric across two decades; Leszek Buszynski traced the turn toward regional norms after the 1990s and, writing with Christopher Roberts, gave the field both the effective-occupation reading of the Paracels question and the blunt maxim that power can shape law; Feng Zhang described what he saw as an exceptionalism in the way Beijing announces principles before it negotiates, and later traced the reception of the 2016 arbitral award.¹ What this rich conversation has left comparatively unread is the second script: the negotiating record itself, and what its evolving language discloses about what China has actually sought at the table.

This is the script that Jiye Kim sets out to read in *The Future of the South China Sea: Disputes and Negotiations*. The reading is patient, philological, and rewarding. The corpus runs from the two rival 1999 drafts of a code of conduct, one Chinese and one Philippine, through the 2002 Declaration on Conduct of Parties in the South China Sea (DOC), which was concluded with the Association of Southeast Asian Nations (ASEAN) and its 2011 implementation guidelines, to article counts from *Qiushi* and *China's Foreign Affairs* yearbooks (16, 20, 104, 120). It is, necessarily, a corpus of what was signed and released (93), and Kim treats each document as text, process, and context, using process tracing to register which clauses were retained, omitted, or newly added across successive drafts (20). The organizing frame is the “orange quarrel” of negotiation theorists Roger Fisher and William Ury, in which two parties contest one fruit while wanting different parts of it, which the book adopts as its template for separating the stated positions from the underlying interests (1-2).² From this apparatus Kim draws her central claim,

¹ Marwyn S. Samuels, *Contest for the South China Sea* (Methuen, 1982); Ian Storey and Carlyle A. Thayer, “The South China Sea Dispute: A Review of Developments and Their Implications since the 2002 Declaration on the Conduct of Parties,” in K. V. Kesavan and Daljit Singh, eds., *South and Southeast Asia: Responding to Changing Geo-Political and Security Challenges* (Institute of Southeast Asian Studies, 2010); Leszek Buszynski, “The South China Sea: Oil, Maritime Claims, and U.S.-China Strategic Rivalry,” *Washington Quarterly* 35:2 (2012): 139-156, DOI: <https://doi.org/10.1080/0163660X.2012.666495>; Leszek Buszynski and Christopher B. Roberts, “The South China Sea: Stabilization and Resolution,” in Buszynski and Roberts, eds., *The South China Sea Maritime Dispute: Political, Legal and Regional Perspectives* (Routledge, 2015), 187-208; Feng Zhang, “The Rise of Chinese Exceptionalism in International Relations,” *European Journal of International Relations* 19:2 (2013): 305-328, DOI: <https://doi.org/10.1177/1354066111421038>; Zhang, “Assessing China’s Response to the South China Sea Arbitration Ruling,” *Australian Journal of International Affairs* 71:4 (2017): 440-459, DOI: <https://doi.org/10.1080/10357718.2017.1287876>.

² Roger Fisher and William Ury, with Bruce Patton, *Getting to Yes: Negotiating Agreement without Giving In*, 2nd ed. (Penguin Books, 1991).

that the official position of the People's Republic of China (PRC) and its bottom-line policies have moved apart, with seven decades of publicly indisputable sovereignty coexisting with four decades of flexible, interest-driven bargaining, and that it is in the space between the two that China's evolving underlying interests can be observed (7, 163). The book thus extends, at monograph length, the author's earlier journal work on shelved versus invalid sovereignty and the framing discourses of the disputes.³ It stakes that framework on the explicitly forward question of how the disputes will unfold over the next 30 years (7).

Kim builds the answer along two threads. The first follows official principles onto the negotiating table. Kim reconstructs the scaffolding of Chinese diplomacy from the 1954 Five Principles of Peaceful Coexistence through the twin operating principles of indisputable sovereignty and pragmatism, which have been joined since June 1984 by the formula of shelving disputes and pursuing joint development (4-5, 25-31). The demonstration that this scaffolding does real work comes at the level of the clause. China's 1999 draft confined the disputed object to the Spratly Islands and located resolution in consultations among the sovereign states that were directly concerned; the Philippine draft answered with sovereign equality; and the distance between the two phrasings, Kim shows, is the distance between two theories of what international law is for (63-66). The same chapter-level care marks the treatment of Taiwan, which the book reads strictly inside the frame of the One China Consensus: barred from the United Nations Convention on the Law of the Sea (UNCLOS) and from the DOC, Taipei has preserved its claim through administrative practice instead, above all the continuous administration of Taiping (Itu Aba) Island. In Kim's account this is why its position as a claimant in the disputes has proved durable even as cross-strait flexibility narrowed (45-46, 53).

The second thread treats institutions as utilitarian shelter. The narrative situates the DOC where it belongs chronologically and causally, inside the era of China's institutional embedding that culminated in accession to the World Trade Organization in 2001. Kim reads the DOC as a negotiation of norms in which China conceded the multilateral form and in return insulated the disputes from extraregional intervention and from what the book calls, quoting the Chinese government's own term for foreign criticism, the "China threat theory" (19, 114-116).

The UNCLOS chapter follows the same utilitarian logic to a finer grain. China ratified UNCLOS in 1996 while stating, in its accompanying declaration, that a coastal state may require advance approval or prior notification for the passage of foreign warships through its territorial sea. In 2006 it filed a declaration under Article 298 that removed from the compulsory procedures every category of dispute the article allows states to exempt, sea-boundary delimitation and historic titles among them. The book is careful to note that 36 other parties have also taken this step (43-44, 131-132). On the 2016 arbitral award the book's register stays strictly descriptive: Kim describes the internal Chinese debate over whether to participate and reports the analysis that the award's sweeping character blunted its practical effect (128-129). The thread closes with a mirror held up to the other side of the table: in 1995 the US State Department declined to attach the United States–Philippines Mutual Defense Treaty to the maritime disputes, and in 2021 US Secretary of State Antony Blinken attached it explicitly. This juxtaposition shows the treaty text

³ Jiye Kim and Daniel Druckman, "Shelved Sovereignty or Invalid Sovereignty? The South China Sea Negotiations, 1992–2016," *The Pacific Review* 33:1 (2020): 32-60, DOI: <https://doi.org/10.1080/09512748.2018.1535520>; Kim, "Disputed Waters, Contested Norms: Framing Discourses on the South China Sea Disputes," *Pacific Affairs* 90:2 (2017): 297-305, DOI: <https://doi.org/10.5509/2017902297>.

standing still while the alliance's activation follows the movement of great-power interest (91, 104-105).

It is precisely because the book reads the textual script so closely that its handling of the physical one invites a question. Kim offers the drafts as a barometer of underlying interests; the pressure system that moved the needle, which was the growth and decline of comprehensive national power and the maritime reach that was built on it, enters the analysis mainly as background. The classical literature on sea power argues otherwise: Alfred Thayer Mahan rooted naval strength in production and commerce, Halford Mackinder supplied the continental counterpoint, and between them they described rather exactly the sequence the narrative outlines, which involves a continental state that turned seaward once internal consolidation was achieved and trade interests had matured (6, 75).⁴ Kim's analysis includes the trend markers, from the growth of official SCS scholarship (16), to the administrative build-out on specific features (134). Standard statistical and governmental sources outside the book document the underlying trajectory of the productive base and the fleet it sustains.⁵ Bargaining theory gives the point its bite: parties set their reservation points, the floor below which they will not settle, based on their expectations of where the balance is heading, and a claimant who anticipates a more favorable balance tomorrow prices agreement differently today.

The narrative occasionally gestures at measurement without committing to it, as when its claim that coercive episodes track relatively urgent economic interests sits beside the work of four scholars whom Kim herself canvasses—Brendan Taylor, You Ji, Bill Hayton, and Xuetong Yan—who expressed doubt that the urgency was ever there (74-75). An explicit indicator, whether import dependence or chokepoint exposure at the moment of decision, would have provided a verifiable number where the book now has an assertion. Rather than a request for authorial forecasting, this involves the writing of expected capability paths into the model of every claimant's reservation point. The payoff is immediate: the shelving-and-joint-development formula has held for four decades while much of the surrounding language shifted (4, 119). On this reading it held because deferral, which involves putting the dispute aside and cooperating where cooperation is possible, is the natural settlement among parties who believe that the balance is still moving; bargaining theory predicts exactly that.

Two reservations, both of which concern the vantage from which the book is written, deserve fuller expression. The first involves framing. The opening page introduces China as “the most willful power” among the littoral states, and describes its security policies as having been configured as cooperative, status-quo-oriented, or aggressive (1). The passive voice leaves the configuring authority unstated, and the typology appears before the evidence that would support it. The quotation marks wrapped around named policy programs such as “smile diplomacy” lend an ironic register that is unnecessary: the book's own notes show these to be documented initiatives (4). The Thucydidean assumption that a rising power produces fear in its neighbors (8)

⁴ Alfred Thayer Mahan, *The Influence of Sea Power upon History, 1660–1783* (Little, Brown, 1890); Halford J. Mackinder, “The Geographical Pivot of History,” *The Geographical Journal* 23:4 (1904): 421-437, DOI: <https://doi.org/10.2307/1775498>.

⁵ World Bank, *Purchasing Power Parities and the Size of World Economies: Results from the International Comparison Program 2021* (World Bank, 2024), <https://www.worldbank.org/en/programs/icp/brief/ICP2021>; Ronald O'Rourke, *China Naval Modernization: Implications for U.S. Navy Capabilities—Background and Issues for Congress*, CRS Report RL33153 (Congressional Research Service, updated 2025), <https://crsreports.congress.gov/product/pdf/RL/RL33153>.

sits uneasily beside the book's table of ASEAN attitudes, which records responses ranging from balancing to accommodation (106). These reflexes derive from the field at large, and they matter because the book's most original comparative moment points the other way.

Chapter 2 opens by defining the virtues of diplomacy as Western scholarship describes them (25); chapter 3 then stages an illuminating encounter between Shicun Wu's account of sovereignty inside the Sinocentric tributary order and Buszynski's account of a frontier zone converted into national territory (78-80).⁶ That encounter shows exactly what a second civilizational baseline yields, and the book stops one step short of supplying it. English-language scholarship now covers both the interstate diplomacy of the pre-Qin states system and the relational and *tianxia* frameworks of contemporary Chinese International Relations (IR) theory, and would have furnished the missing standard of comparison.⁷ The omission is a limitation. In this study of how China negotiates, the diplomatic tradition in which China's own negotiators are schooled is a conspicuous absence.

The second reservation concerns time. It can be phrased as the question of the temporal direction in which the book's criteria run. Kim qualifies the Caribbean analogy that she reports from Toshi Yoshihara, James Holmes, and Robert Kaplan with one geographic caveat about the multiplicity of straits (85-86),⁸ yet the deeper disanalogies, such as the density of littoral claimants, the web of external alliance commitments, the layered legal orders of a decolonized and post-UNCLOS littoral, go unstated; without them analogy slides from structural illumination toward one-to-one transfer. Kim invokes the criterion the book carries over from the work of Buszynski and Roberts that a claim of this kind can be supported in law where continuous and effective occupation is satisfactorily demonstrated. It does so only with reference to the historical record (63, 153). The criterion is, however, time-indexed, and a study oriented toward the future might also have examined its forward operation against the administrative facts the book itself records for features held since 1974 and since 1988 (3, 132, 134).

This reviewer raises the question not to adjudicate it but to ask that the book's chosen framework run in both directions. Chronological care matters at the small scale too: chapter 6 compresses the 1974 Paracels clash, in which Chinese and South Vietnamese naval forces fought over the western Paracels, into a single agentive clause that attributes hundreds of casualties, on both sides combined, to a Chinese attack (153), whereas chapter 5's coding of the same case registers a multi-actor threat environment (152). A sentence situating the clash within that decade's deteriorating bilateral relationship would have matched the care shown elsewhere. The

⁶ Shicun Wu, *Solving Disputes for Regional Cooperation and Development in the South China Sea: A Chinese Perspective* (Chandos, 2013); Leszek Buszynski, "The Origins and Development of the South China Sea Maritime Dispute," in Buszynski and Roberts, eds., *The South China Sea Maritime Dispute*, 1-23.

⁷ Victoria Tin-bor Hui, *War and State Formation in Ancient China and Early Modern Europe* (Cambridge University Press, 2005); Xuetong Yan, *Ancient Chinese Thought, Modern Chinese Power*, ed. Daniel A. Bell and Sun Zhe, trans. Edmund Ryden (Princeton University Press, 2011); David C. Kang, *East Asia Before the West: Five Centuries of Trade and Tribute* (Columbia University Press, 2010); Yaqing Qin, *A Relational Theory of World Politics* (Cambridge University Press, 2018); Tingyang Zhao, *Redefining a Philosophy for World Governance* (Palgrave Macmillan, 2019).

⁸ Toshi Yoshihara and James R. Holmes, "Can China Defend a 'Core Interest' in the South China Sea?," *Washington Quarterly* 34:2 (2011): 45-59, DOI: <https://doi.org/10.1080/0163660X.2011.562082>; James R. Holmes, "Strategic Features of the South China Sea: A Tough Neighborhood for Hegemons," *Naval War College Review* 67:2 (2014): 1-22; Robert D. Kaplan, *Asia's Cauldron: The South China Sea and the End of a Stable Pacific* (Random House, 2014).

documentary genealogy opens, in effect, with the intrusions of the 1930s and the map of 1947 (68-69, 77), which passes over the late-Qing turn to modern maritime administration, including the 1909 naval expedition to the Paracels, which the legal-historical literature treats as the claim's administrative beginning.⁹ For this reviewer, who is trained in geodesy and remote sensing, this last gap is the most visible of all. A claim becomes measurable once it takes visible physical form: a fleet arrives on station, an administration begins to operate, a feature changes shape, and only then do words on paper truly touch the chart. The 1909 expedition mattered in exactly this way, converting text into presence on the water. Few facts in contemporary IR are as directly observable from orbit as the transformation of a reef.

These reservations involve the edges of a considerable achievement. *The Future of the South China Sea* gives scholars of negotiation analysis and Chinese foreign policy the most systematic reading yet of what the SCS parties have committed to paper. Students of the law of the sea will profit from its UNCLOS chapter, and graduate courses on Asian security will find in the reconstruction of the passage from the DOC to the Code of Conduct (COC), which remained unfinished when the book closes, a clear, thoroughly documented account to build on (118-123, 162-163). Kim is careful about prediction, and her arguments carry real force. The collation beneath them, which is systematic, comprehensive, and exact, is solid. Readers who follow its model can extend the corpus and reach judgments of their own.

This is the book's lasting service. It offers instruction on how to read the agreements produced by a contested sea, the signed instruments and the drafts that never won acceptance alike, as evidence of interests rather than as press releases. What those agreements record does not stand still: the balance of maritime strength and the actual conduct of states on the water keep changing with the growth and decline of national power, and each generation of texts has tended to confirm, after the fact, the balance that produced it. The book's own pairing of 1995 with 2021 already displays this sequence (91, 104-105). *The Future of the South China Sea* therefore offers two things at once: a method for reading such documents, and a rough fix, in the surveyor's sense, on where the present moment sits in a longer history.

Jiashu Hu is a PhD student in the Bowen School of Construction at Purdue University and a Graduate Research Fellow in the Law and Conflict (LAC) Lab, Department of Political Science. Trained as a geomatics engineer at the University of Stuttgart, he is developing a framework for the use of multi-source remote sensing in the analysis of international relations, with particular attention to the measurement of territorial and maritime disputes. His book reviews have appeared through H-Net.

⁹ Keyuan Zou, "China's U-Shaped Line in the South China Sea Revisited," *Ocean Development & International Law* 43:1 (2012): 18-34, DOI: <https://doi.org/10.1080/00908320.2012.647483>.