

CHAPTER I

INTRODUCTION

1.1 Background

Vietnam also known as the Social Republic of Vietnam is located in Southeastern Asia. It borders the Gulf of Thailand, Gulf of Tonkin, and South China Sea, it is also surrounded by China, Laos and Cambodia.¹ By laying down the fact that Vietnam is within the proximity South China Sea and China, speaks copiously about the on-going conflict between Vietnam and China over the South China Sea issue or also known as ‘The Sparty Islands’ dispute. Early May of 2014, a Chinese state-owned oil company placed one of their rigs into the waters that were originally claimed by Vietnam in the south of Paracel Islands; this then brewed heated conflict between two nations.²

With the bilateral tension between Vietnam and China is ascending, Vietnam in the other hand, has publicly defied China’s moves and decision regarding this matter. The way how Vietnam respond to this in international relations system, Vietnam defined their relationship with China as ‘cooperation and struggle’ meaning, Vietnam is in constant effort in maintaining the bilateral ties between them and China.³ As a matter of fact, Vietnam indicates China as a ‘comprehensive strategic cooperative partner’,⁴ which is a respectable way of Vietnam in mentioning another

¹ “The World Factbook.” *Central Intelligence Agency*, accessed September 18, 2020, <https://www.cia.gov/library/publications/the-world-factbook/geos/vm.html>.

² Sean Mirski, “The South China Sea Dispute: A Brief History.” *Lawfare*, accessed September 18, 2020, <https://www.lawfareblog.com/south-china-sea-dispute-brief-history#:~:text=In%20early%20May%202014%2C%20a,businesses%20in%20parts%20of%20Vietnam.>

³ Derek Grossman, “Reviewing Vietnam’s ‘Struggle’ Options in The South China Sea.” *The Diplomat*, accessed September 24, 2020, <https://thediplomat.com/2020/05/reviewing-vietnams-struggle-options-in-the-south-china-sea/>.

⁴ *ibid.*

nation despite the tension both nation are having. However, for Vietnam regarding the South China Sea and the bilateral cooperation are distinctive.

Like it has been stated before, in return of China's aggressive moves Vietnam has been protesting both publicly (by public statements and diplomatic protests) and on paper. One of Vietnam's efforts is by having teleconference communications with China in order to discuss solutions, which has been done by Vietnam's Foreign Minister. In addition, this communications are also done to hinder an augmented tension, diplomatic crisis or even war.⁵ Vietnam also expresses their efforts in their public statement by firmly standing on their grounds in regards to their sovereignty as well. Agreeing to cooperate in accordance with the United Nations Convention on the Law of the Sea (UNCLOS) in hopes to resolve the issue is also in Vietnam's agenda; however, these efforts have had little impact to warn China to the point where many experts stated that Vietnam's intentions and attempts resulted to meaningless pronouncements.⁶

Another effort that Vietnam have made is when Vietnam threatens China with litigation back in November 2019. The purpose of this litigation is "to gain clarity about its resource rights and to develop leverage to stop Chinese interference so that Vietnam can move forward with exploitation contracts for its offshore gas and oil deposits."⁷ In addition, this threat also comes due to the ongoing multilateral negotiations that involves the Association of South East Asian Nations (ASEAN) and China on the Code of Conduct for South China Sea, which was created in 2002.⁸ This code of conduct was seen as a 'stopgap measure' and many sides are 'jockeying' for position

⁵ Viet Hung Nguyen Cao, "Vietnam's Struggles in the S. China Sea: Challenges and Opportunities." *The Maritime Executive*, accessed September 24, 2020, <https://www.maritime-executive.com/editorials/vietnam-s-struggles-in-the-s-china-sea-challenges-and-opportunities>

⁶ *ibid.*

⁷ Peter A. Dutton, "Vietnam Threatens China Litigation Over South China Sea." *Lawfare*, accessed September 24, 2020, <https://www.lawfareblog.com/vietnam-threatens-china-litigation-over-south-china-sea>

⁸ *ibid.*

before having the final agreement that locks in a status quo.⁹ In Vietnam's perspective, that status quo must be used for the hydrocarbon resources based on the international law. With that being said, it demonstrates the way how Vietnam's acts towards China regarding the South China Sea dispute, with confrontation in order for Vietnam to protect their maritime sovereignty and rights for resources in that area, publicly advancing Vietnam's stance with the lack of China's legal legitimacy, at the same time, maintaining enough room for diplomacy.¹⁰

Confusion was also created due to the United Nations Convention on the Law of the Sea, UNCLOS, which was adopted and signed in 1982. This law was made with the reason to establish the extended maritime resource claims within the context of international law.¹¹ In the course of establishing this law, there were six nations who claimed the disputed areas of South China Sea, which are the Paracel Islands and Spratly Islands.¹² As a result, this created rising tension between the six nations. Militarization of the waters were heightened and on alert by nations that were pursuing to secure their maritime sovereignty.

During the 1970s, there were around 48 small islands that belonged to Vietnam, which in 2009 Vietnam domesticated back.¹³ Per contra, China did not accept this move kindly. They then responded with a larger reclamations on submerged areas that they have since the 1980s. Correspondingly, with the reclamations that were made by Vietnam and China throughout the years, created a three military-grade, mid-ocean airfields that bewildered the rest of the international system.¹⁴ Furthermore, China made a statement that they would not militarize the

⁹ *ibid.*

¹⁰ *ibid.*

¹¹ Greg Austin, "How did the South China Sea Dispute Begin and Where Is It Headed?" *Scroll.in*, accessed September 18, 2020, <https://scroll.in/article/968918/how-did-the-south-china-sea-dispute-begin-and-where-is-it-headed>.

¹² *ibid.*

¹³ *ibid.*

¹⁴ *ibid.*

islands to provoke the international system, specifically the countries that are involved in this dispute.¹⁵

For the past years China is known for being insistent in their foreign policy, specifically in maintaining and protecting sovereignty. As a nation, China proved to the world that they are capable. With that being said, protecting their sovereignty for their maritime zone is also one of China's priorities because the sea is China's main road for trading, or in other words, their means of economy. As the one of the main actors, China have made several claims regarding this issue.

The South China Sea covers about 3.6 million square kilometers and became one of the most critical 'commercial gateway' for a great amount of the world's economic, a strategic sub-region and plays an important function in the geopolitics of the Indo-Pacific.¹⁶ In view of the how crucial South China Sea is, UNCLOS and the 'nine-dash' line became the basis of China's claim. The dashed line enclose of an approximately 2,000,000 square kilometers maritime space, which is equivalent to about 22% of China's land area.¹⁷ This line is important to China because it also performs as China's claim to 'historical rights' of the region due to both Taipei and Beijing never taken an effective control over the region.¹⁸ However, many experts have argued that the 'nine-dash' line is rather vaguely placed, and that ambiguity leaves more than enough room for other possible interpretation, which is why this became one of the main aspects of this dispute.

¹⁵ *ibid.*

¹⁶ "South China Sea." *Lowy Institute*, accessed September 18, 2020, <https://www.lowyinstitute.org/issues/south-china-sea>.

¹⁷ *Limits in the Seas – China: Maritime Claims in the South China Sea* (United States of America, n.d) accessed September 18, 2020, <https://www.state.gov/wp-content/uploads/2019/10/LIS-143.pdf>.

¹⁸ Liu Zhen, "What's China's 'nine-dash line' and why has it created so much tension in the South China Sea?", *South China Morning Post*, accessed September 18, 2020, <https://www.scmp.com/news/china/diplomacy-defence/article/1988596/whats-chinas-nine-dash-line-and-why-has-it-created-so>.

In the year 2016 at The Hague, the Philippines brought a case in regards to part of China's claims in the region.¹⁹ However, China rejected the authority of the tribunal and the case's findings. The tribunal itself considered South China Sea as a 'semi-enclosed sea' that follows the definition given from UNCLOS. In addition, with the definition from UNCLOS, it also means that the South China Sea is a shared maritime space.²⁰ Thus, coastal states around South China Sea are expected to cooperate on every aspects starting from conservation issues to commercial exploitation.

Nations that has autocracies as their mean of ruling or government system, nationalism emerged with the existence of what is called as geopolitical thinking. In such manner, with nationalism and '*geopoliticisation*' territorial disputes comes to light as a conditioning factor as well.²¹ In addition, territorial dispute can also effects or influence a nation's perspective of nationalism. Talking about the spoken issue, China and Vietnam are involved in a territorial dispute that incorporate other nations, such as Taiwan, Malaysia, Philippines, and Brunei Darussalam. With this research, I will solely focused on the territorial dispute between China and Vietnam and how nationalism can be used as a mean of explanation by taking each nation's perspective of nationalism.

1.2 Research Questions

Based on the background that have been described above, I would like to suggest these questions:

¹⁹ Tom Phillips, Oliver Holmes and Owen Bowcott, "Beijing rejects tribunal's ruling in South China Sea case." *The Guardian*, accessed September 18, 2020, <https://www.theguardian.com/world/2016/jul/12/philippines-wins-south-china-sea-case-against-china>.

²⁰ Greg Austin, "How did the South China Sea Dispute Begin and Where Is It Headed?" *Scroll.in*, accessed September 18, 2020, <https://scroll.in/article/968918/how-did-the-south-china-sea-dispute-begin-and-where-is-it-headed>

²¹ Hannah Cotillon, "Territorial Disputes and Nationalism: A Comparative Case Study of China and Vietnam." *Journal of Current Southeast Asian Affair* 1 (2017). 51-88.

(1) What are Vietnam policies for South China Sea?

(2) What is the role of Vietnam's nationalism in territorial dispute?

1.3 Research Objectives

The objective of the research is to first define nationalism and to explain and identify how it is connected with the territorial dispute that is happening in the South China Sea, which will be focused on Vietnam and China. In addition to that, the objective of this research will also talk about nationalism and how it can effect a nation's decision making and foreign policy.

1.4 Significance of the Research

The result of this research proposal will provide discernment and insight of the territorial dispute that is happening between Vietnam and China. Moreover, this research will also identify and discuss aspects and factors that make this issue intertwined with nationalism. This research topic is significant as the topic does not only focus on the background of the issue, what causes it, how each respective government respond to the issue, the continuation and outcome of the issue, but also to view both Vietnam view in nationalism and how the territorial dispute becomes an aspect in nationalism.

1.5 Structure of Writing

The first chapter, which is the introduction, provides an overview of the main content of the thesis, which includes the background of the thesis' topic, the research question, which this thesis tries to undertake on, the purpose of the thesis, and also the objective that I would like to achieve and the importance of this thesis.

The second chapter, which is the theoretical framework, elaborates the international theory and concepts used as a framework, and research that previous literature (journal articles and textbooks) to give a deeper understanding to the topic.

The third chapter, which is the methodology, provides a thorough explanation of the research approach, method, and data collection technique used in gathering necessary and essential data for the research.

The fourth chapter, which is the discussion, is the highlight of the thesis. I will explain and discuss all the data that have been gathered regarding the territorial dispute and nationalism between Vietnam and China in a systematic method according to international relations theory and concept. In this chapter, the research question presented in Chapter 1 will be answered.

The fifth chapter, which is the conclusion, summarizes and concludes the analysis from the previous chapter. This chapter will also provide insights regarding the presented topic about the South China Sea territorial dispute, nationalism, Vietnam and China's economic relationship and ASEAN's role as regional organization.

