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An Inquiry into the East Asian Maritime Security Order: Can Disorder be Turned into Order?

The construction of maritime security order of East Asia has become a heated issue in the international security field. Since modern times, the maritime security order of East Asia has been mainly manipulated by western nations outside the region. With the wave of the implementation of the unification of East Asia and China's peaceful development, the East Asian nations demand the change of the unreasonable and unjust maritime security order manipulated by the western nations, and they need a type of maritime security order to meet their own requirement. What type of maritime security order do East Asian nations need? What is the foundation of the maritime security order? What actors should exert positive functions? What role should the western nations play? The author tries to answer these questions.

I. The Foundation of Maritime Security Order of East Asia

In order to recognize the maritime security order of East Asia, we need an objective understanding and definition. Moreover we should objectively observe the foundation of the construction of maritime security order, and reasonably judge and determine the elements of the construction, so as to analyze a just and reasonable maritime security order.

First of all, let's discuss the origin of maritime security order. First of all, we need to define maritime security order. Maritime security order is a norm and institution formed by the international actors' effective management and use of sea. The norm and institution must be in the interest of nations using the sea and the whole interest of international community. Moreover, it's the real and just reflection of power structure of nations using the sea. In the international community, the actors are often nations, especially big powers, whose role of the use and management of sea, which is the crucial element of the construction of maritime security order. In addition, international institution plays a more and more essential role in the form of maritime security order. International legal system, in particular, can not only regulate but also institutionalize maritime security order.

We need to recognize the foundation of forming the suitable type as we observe the construction of maritime security order. Only by objective and reasonable analysis on the foundation of construction of maritime security order, can we design a good framework of constructing the reasonable maritime security order. What are the objective elements of maritime security order? The following covers most of the key points.

Firstly, the foundation of geography. Certain geographical environment is the objective and real foundation of constructing the maritime security order. Nations are in certain geographical locations on Earth among which are three types of nations: island nations in ocean, nations with land and sea, inland nations. Island nations are ocean nations and depend on ocean the most, such as Japan and the U.K. Nations with land and sea are quite diverse. For example, two-ocean nations like the U.S. and Australia, land nations with long coasts like Russia, France, China and India, etc. Inland nations don't have coasts and are completely blocked. Moreover, humanity and economic-geographical condition have direct impact on the relations between nations and the sea. The bound between the nation's population, industrial structure and foreign trade and sea also determines the degree of closeness of the relation between the nation and the sea.

Secondly, the foundation of regional powers. The world maritime security order is determined by power structure in international community. Maritime security order in certain regions is determined by the relations of nations in the region and the power structure of regional nations determines the type and nature of their relations. If the regional maritime security order cannot reflect the regional power structure, the order may fall for its lack of reason and just.

Thirdly, the foundation of balance of sea power and land power. All regions on Earth have issues on relations between sea and land. Although the traditional geo-politics focuses on the confrontation and conflict of sea power and land power, and has caused a series of confrontation and conflict among nations since modern times, under the grand background of the unification of regional cooperation and in the term of present days of post cold war era, the structure of the confrontation between sea power and land power no longer reflects the relations of coordination and cooperation of nations within the region. Chinese scholars emphasize on "balance of sea power and land power" – new geo-politics theory when they discuss East Asia regional cooperation.¹ It states that the national economy and security of ocean nations and land nations are bound with each other, and they both have the right to use and develop sea in a reasonable way with bilateral coordination on a win-win basis.

Fourthly, the foundation of coordination of world sea power and land power. Since modern time, global hegemonic powers often control sea and regard its security as the nations' security interest. However, the security interest of sea of the global hegemonic powers and regional powers are different. The global hegemonic powers should respect the security interest of sea of regional powers, and the regional powers should also understand the need of global hegemonic powers. If the relations and interests between the two can be properly coordinated,

¹ Liu Jianguo, "Geo-strategy requires balance of sea power and land power theory," (Di Yuan Zhan Lue Xu Yao Hai Lu He He Lun地缘战略需要海陆和合论), StudyTimes, April 24, 2006.

we may successfully coordinate the regional security order of sea, or the conflict would be aroused if the two were confronted with each other. Globalization of international relations and the regional unification are the two main streams of the global social development on present days. It determines that the ultimate interest of global hegemonic powers and regional powers can be coordinated and shared.

Fifthly, the foundation of international institution and law. One of the most significant features of the international relations after the cold war is that the global and regional international institutions have strengthened the coordination and cooperation among nations, and nations regulate their behaviour according to the international norm and laws. Among them, the *U.N. Charter* is the most widely accepted norm by international society, and U.N. and other regional organizations play very important role in preserving the international and regional security including the security of sea. "*U.N. conventions on the law of the sea*" and agreements by member states of other international organizations serve as the foundation of preserving the maritime security order.

Generally speaking, the East Asian seas have taken the role as the platform for the regional integrity of our countries and their inhabitants. "The seas and oceans are not merely a huge habitat and economic area, not only the route of transportation that keeps the world's economy alive and not just a supplier of food, raw materials and energy; they also constitute a large gateway for threats of all kinds."² If the elements above could be well fulfilled, the interests of sea of different levels would be coordinated, and the rights and benefits of sea of nations would be well respected and obtained, and the reasonable and just regional maritime security order would be constructed on these bases. Anyway the above mentioned are the reasonable and ideal goal which requires mankind and regional nations' long term pursuit.

Therefore, as a reasonable and just maritime security order, it must obtain the following. Firstly, it has the feature of objectivity. It should fit the geographic environment, and it should be up to the regional powers to determine the regional maritime security order. Secondly, it has the feature of reason. The construction of maritime security order should reflect the interests of ocean nations and land nations, for they both have equal rights to use the sea in a reasonable way. Thirdly, it has the feature of balance. It should reflect the positions and functions of global powers and regional powers rather than the hegemonic politics type of order. Fourthly, it has the feature of justice. The local international relations are regulated by many international norms and laws, and the *U.N. convention of the law of the sea* is the important legal document serving as the foundation of construction of maritime security order. Fifthly, it has the feature of institution.

2 Rear Admiral Gottfried A. W. Hoch, "National and International Approaches to Maritime Security" in M. H. Nordquist, R. Wolfrum, ed., *Legal Challenges in Maritime Security*, Vol. 12, Brill Academic Publishers, 2008, p. 82.

Global and regional multilateral cooperation mechanism is the foundation of the construction. Sixthly, it has the feature of stability. When the marine rights and interests of the regional nations are secured by institutions, the framework of marine development will be maintained.

However, due to the fact that some nations acquired huge benefit from the unreasonable old international order, the current East Asia maritime security order is far from satisfaction, especially the hegemonic powers often try to preserve the interests at their own will. The expansion of colonization, power politics and hegemonic behaviour constructed the current maritime security order, especially in East Asia. Therefore, as a responsible rising power, China hopes to change the unreasonable maritime security order with the joint efforts from the relevant nations in the region.³

In September 2005, at the 60th anniversary of U.N., Chinese president Hu Jintao clearly proposed the idea of a “Harmonious World”. Later on in the APEC Summit in November 2006, he put forward the idea of constructing a “Harmonious Asia-Pacific Region”. Further on, the Chinese government, on the basis of the idea of “Harmonious World”, explicitly brought up the idea of “Harmonious Sea” in the navy review on the 60th anniversary of the founding of the P.R.C. “Harmonious Sea” means that on the basis of the aforementioned, mutual respect and understanding, mutual coordination and cooperation, and also on the basis of mutual benefit and a win-win situation, marine using nations should establish a harmonious maritime security order. On the 33rd World Ocean Peace Conference cum the 50th anniversary of the I.O.C. (Intergovernmental Oceanographic Commission), Chinese vice Foreign Minister pointed out that China had always demonstrated the establishment of a harmonious maritime security order, an order which was based on the *U.N. Convention on Law of the Sea*. It was an order asking for the harmonious relationship among coastal and non-coastal nations and also the harmonious relationship between mankind and nature.⁴

From China’s point of view, harmonious maritime security order should have the following characteristics. First of all, peace rather than force. It emphasizes maintaining the stability and peace of sea and solving the disputes through peaceful means. Diplomatic negotiation is an effective way to solve disputes, while military threat and the use of force are unwise choices because that will break the peaceful and cooperative atmosphere. Secondly, coordination rather than contradictory. Although nowadays nations emphasize the development and utilization of sea and the preservation of marine rights and interests, many

3 Ju Hailong, *China’s Maritime Geo-Security*, (Zhong Guo Hai Shang Di Yuan An Quan Lun 中国海上地缘安全论), China Environmental Science Press, 2004.

4 Assistant to Foreign Minister, China always proposes to establish the harmonious maritime security order, http://www.china.com.cn/news/2010-09/03/content_20856407.htm.

problems aroused by the development and utilization still remain unsolved, especially problems on marine territorial disputes and maritime demarcation issues. China believes that although disagreements exist, under the background of globalization and regional cooperation, nations should respect each others' security concerns and interests and coordinate with the spirit of compromise in the marine affairs. Thirdly, cooperation rather than confrontation. China proposed the "shelving disputes and seeking common development" to address the existing maritime disputes among nations. Also, to enhance the level of the marine cooperation on the basis of mutual coordination, let the sincerity of cooperation solve existing disputes. Finally, a win-win situation rather than a zero-sum. It is the common interests of all nations to maintain marine peace and stability in order to reach regional coordination and cooperation. In all, a win-win situation can be made through mutual understanding, promotion of cooperation and co-exploration.⁵

The establishment of a fair and reasonable maritime security order in the East Asian Region is the basis and pre-condition for establishing a harmonious sea in this region. East Asian nations carry the same responsibility to construct and maintain the maritime security order within the region. While nations outside the region, instead of producing confrontations and conflicts, should play an active and contributing role. Since East Asia is the core of the whole Asia Pacific region, big nations in Asia Pacific region should make joint efforts in constructing a peaceful and cooperative East Asian sea.

II. The Disorder of East Asian Seas and Its Origin

According to the definition of maritime security order and the analysis of its ideas, the author believes that since modern times there hasn't been a stable and reasonable maritime security order in East Asia.⁶ For a long time, the sea has been

5 Zhang Shiping, *China's Sea Power*, (Zhong Guo Hai Quan 中国海权), China Daily Press, 2009.

6 When the maritime security order is discussed, we should make clear the real implication of maritime security. But the maritime security is not an easily defined concept because there are so many facets involved. They range from issues of freedom of navigation, safety at sea, natural occurring hazardous phenomena, including tsunamis and undersea volcanoes, piracy and armed robbery, smuggling in the various forms, including humans, to matters of pollution and the irresponsible extraction of valuable resources. However, the obvious factor in maritime security is an economic dimension in respect of trade. Freedom to trade and the unfettered movement of shipping are a vital part of the growth of economic efficiency and effectiveness of the international trading system. See Peter Cozens's paper entitled with "Maritime Security and Oceans Policy", in Natalie Klein, Joanna Mossop, Donald R. Rothwell, eds., *Maritime Security : International Law and Policy Perspectives from Australia and New Zealand*, Taylor & Francis, Inc., 2009, pp. 157-158. And we could get some information of Maritime security concept from the working paper, given by the Council for Security Cooperation in the Asia-Pacific(CSCAP), Study Group on Facilitating

in colonizing fights, power politics and hegemonic dominion without a real order. How can we observe the special circumstance? The author would like to propose his own analysis together with his deep concern.

East Asian seas have been effectively used by the regional nations since ancient times. In the history of around 2000 years, except for few cases, the sea was used in a peaceful way. We could argue that during that period of time the East Asian nations used the sea in the way of effective use and management. There weren't many conflicts and wars.

However, since the western colonizers arrived in East Asia, the sea has been in continuous conflicts and wars. Since modern times, due to the global expansion of western colonialism through the sea, western colonizing powers dominated and managed seaway in order to control the sea. The power transition of western nations was mainly through the result of fighting wars on the sea so as to change the managers of maritime security order. During that period of time, the maritime security order was dominated and preserved by western colonizing powers. It's a kind of maritime security order that fitted the interest of colonizing expansion, and it's an illegal maritime security order manipulated by invading nations and was imposed onto the ruled nations

The whole East Asian history was full of "blood and fire" in the East Asian seas brought by western powers. As early as the first global voyage of Magellan to the Philippines, the West opened fire on the Asians and slaughtered local people. The Portuguese illegally occupied Chinese Macao and did not return it until ten years ago (Dec. 20th, 1999). The veteran "sea coachman" and the Spanish colonists launched a colonial war in Taiwan, China. In hundreds of years after that, European powers, the United States and other Western powers went to East Asian waters one after the other. With the "gunboat diplomacy", they actively expanded their colonies. East Asia was almost completely colonized. Of particular note, when the big oriental country China was invaded by Western powers again and again, the sea was used as the convenient channel for the exploitation on China. In Two "Opium Wars", Sino-French War, Sino-Japanese War and the Eight-Power Allied Forces' Invasion, invaders all broke down the Chinese national security gate from the sea. Portugal and Britain invaded China from the South China Sea, and occupied Macau and Hong Kong. Western powers invaded Guangzhou from the South China Sea, Zhejiang and Shanghai from the East China Sea, Shandong from the Yellow Sea, even the capital city Beijing from Bohai Sea through Tianjin. In the Sino-Japanese War, Japan defeated Chinese Beiyang Fleets in the Yellow Sea and occupied Taiwan and its subsidiary, Diaoyu Island while France and Germany tried to invade South China

Maritime Security Cooperation in the Asia Pacific, Memorandum No. 13, "Maritime Knowledge and Awareness: Basic Foundation of Maritime Security", No. 11, 2007.

Sea Islands.⁷ Being invaded and carved up again and again, Chinese people's homes and country were broken down, and the whole Chinese nation were on the edge of distinction. Obviously, a sea controlled by western powers brought China with catastrophes.⁸

During the two world wars in the first half of the twentieth century, Britain, Japan, Russia and the United States all fought for the East Asia Seas. On the contrary, China owns the sea but was with no sea defense, not to mention national security. China's territorial waters were directly controlled entirely by foreign warships. Besides, foreigners in China enjoy "the right of inland navigation". Their warships could enter China's inland and directly go deep into the inland areas of China. During WWI, Japanese Navy easily disembarked onto Chinese territory from the East Sea and occupied Shandong Province. This caused the "Shandong Issue", which became a national security problem in China. During WWII, Japan occupied the coastal area in China and controlled the whole East Asian Seas. As a result, China could not obtain any external assistant material from the sea. The only ways to make external contact were via Myanmar land or even through "Hump" air line on top of the Himalayas. That is to say, China without sea defense will be arbitrarily exploited by foreign powers.⁹

During the cold war, the U.S. and Russia tried to control the sea in the world, and the U.S. dominated the maritime security order in East Asia. Western nations, like the U.S., implemented the Rimland Theory by Nicholas Spykman, and constructed the long battle line from Pacific, Indian Ocean, to the Atlantic to restrain Russia. In 1950, U.S. Secretary of State Gooderham made a famous address "Cordon Sanitaire", drawing a line between the Aleutian Islands, the Korean Peninsula, Japan, and the Philippines, so as to block East Asian continent within the first island chain. This Cold War "bamboo curtain" for the United States hegemonic "Pacific Internal Lake" erected a barrier. During the cold war the United States led the hegemony in the Pacific maritime order, forming the customary cognitive template, which took it for granted that the world's oceans, including the East Asian seas, should be controlled by the U.S. In 1986 the U.S. Navy officially announced the efforts to control 16 highlighted points of the trade routes, reflecting the U.S. desire and objectives to control the world's oceans including several important arteries within the East Asian seas. From the U.S. perspective, East Asian seas should be led by the U.S., and the U.S. should be

7 In 1883 the Qing government condemned German expedition's entering into the Nansha Islands; in 1887 the Sino-French Boundary Treaty confirmed that the Xisha and Nansha Islands belonged to China; in 1907 the Qing government paid 130,000 Chinese Yuan to Japanese merchants to take back the Dongsha Islands and Reefs.

8 Liu Zhongmin, *The History and Analysis of China's Modern Coast Defense*, (Zhong Guo Jin Dai Hai Fang Si Xiang Shi Lun 中国近代海防思想史论), China Ocean Press, 2006, p.180.

9 Ju Hailong, *China's Sea Power Strategy*, (Zhong Guo Hai Quan Zhan Lue 中国海权战略), Shi Shi Publishing House, 2010, pp.5-9.

responsible for the Seas of East Asian waters, East Asian nations should coordinate with the U.S.'s security interest of sea.¹⁰ Under the premise of East-West confrontation during the cold war the hegemony of the United States on the East Asian seas was given the status of legitimacy.¹¹

It should be recognized that the order of the Seas of East Asia in modern times has not really been formed. Western powers fought for the seas under the logic of hegemonic marine competition. During the cold war, the U.S. dominated the marine control. It seemed that the formation of a Western-led management was of good reason. In fact, East Asian maritime order during this period was in an unreasonable state of injustice, because it reflected the colonial order, power politics states and hegemonic powers' needs and interests, ignoring the real needs and interests of East Asian nations.¹² Consequently, the western powers, especially hegemonic power of the United States, have always taken their values and national interests as a standard to access the requirement of East Asian maritime security, which is not consistent with the interests of East Asian nations and management of maritime security order.¹³ From East Asian nations' view, this is a sea of disorder.¹⁴ From the above we can see that since modern times East Asian nations and peoples have been conquered and controlled by Western colonists; and in contemporary cold war era, they have been carved up by Western hegemonic powers. Therefore, we can conclude that this part of the ocean was always controlled and dominated by Western powers. East Asian nations cannot independently handle and manage the affairs within their own region, nor can they effectively develop and explore the East Asian seas, which is a sort of "East Asia tragedy."

10 Christian-Marius Stryken, "The US Regional Maritime Security Initiative and US grand Strategy in Southeast Asia" in Kwa Kwa Chong Guan and John Skogan, eds., *Maritime Security in Southeast Asia: (Routledge Security in Asia Series)*, Taylor & Francis, Inc., April 2007, pp. 134-145.

11 Zhang Haiwen, "Is It Safeguarding the Freedom of Navigation or Maritime Hegemony of the United States?—Comments on Raul (Pete) Pedrozo's Article on Military Activities in the EEZ", *Chinese Journal of International Law*, Vo. 9, No. 1, March 2010, pp. 31-47.

12 Su Hao, *From Dumbbell to Olive Community: Asia-Pacific Security Cooperation*, (Cong Ya Ling Dao Gan Lan: Ya Tai An Quan He Zuo Yan Jiu从哑铃到橄榄：亚太安全合作研究), World Knowledge Press, 2003, p. 48.

13 "Planning and addressing maritime security therefore require not only ongoing attention to 'core values' of the state but also a capacity to respond to emerging or unanticipated threats." (Donald R. Rothwell, "Maritime Security in the Twenty-First Century", in Natalie Klein, Joanna Mossop, Donald R. Rothwell, eds., *Maritime Security : International Law and Policy Perspectives from Australia and New Zealand*, Taylor & Francis, Inc., 2009, pp. 242-243.

14 An Australian scholar have got the similar conclusion, "we still lack good order at sea in Southeast Asia.....The region lacks good order at sea." See Sam Bateman's paper of "Building Good Order at Sea in Southeast Asia: the promise of international regime" in Kwa Kwa Chong Guan and John Skogan, eds., *Maritime Security in Southeast Asia: (Routledge Security in Asia Series)*, Taylor & Francis, Inc., April 2007, p. 97.

III. The Quest for Constructing East Asian Maritime Security Order

After the cold war, the East-West confrontation has become non-existence, and the cold-war structure of severe opposition between big powers has disappeared as well. From East Asian nations' perspective, the situation of the East Asian seas being controlled and dominated by Western powers should be put to an end, and this part of the sea should be developed and explored by its owners—the East Asian nations.¹⁵ East Asian nations, together with nations outside the region, should abide by the logic and rules concerning maritime security order construction, so as to build up a proper East Asian maritime security order. China has made positive attempts in East Asian maritime security cooperation, and taken some practical measures to preserve maritime security.

There are two totally different trends in the course of East Asian maritime security order construction. On the one hand, the rising of East Asian nations is changing the power structure of Asia-Pacific area. The U.S., China, Japan and Russia have formed a quadrilateral big power framework, shaking the U.S.'s sole dominance in this region. China's rising, in particular, became the driving engine for the East Asian area by connecting Northeast and Southeast Asia into a whole. In recent decades, in answer to the waves of globalization and regional unification, East Asian nations have carried out various multilevel and multilateral cooperation, and the regional cooperation unification is already under way. The seas within the region, including Yellow Sea, East China Sea, South China Sea, have become the platform for bilateral and multilateral economic cooperation and non-traditional security cooperation.¹⁶ East Asian nations are also pursuing maritime security cooperation, so as to make joint efforts to respond to non-traditional security challenges. East Asian nations have realized the necessity of a stable and harmonious East Asian maritime security order, and have begun to quest for constructing bilateral and multilateral maritime non-traditional security cooperation framework.

On the other hand, the "East Asia tragedy" is still going on. The condition of East Asian nations being carved up and broken up has not been eradicated.¹⁷ East Asian nations haven't been able to fully explore and use East Asian seas, nor to effectively and actively participate in controlling and managing it, not to speak of getting involved in constructing East Asian maritime security order. In the

15 Guo Xinning, *A Study on the Multilateral Security Cooperation in Asia-Pacific Region*, (Ya Tai Di Qu Duo Bian An Quan He Zuo Yan Jiu 亚太地区多边安全合作研究), Shi Shi Publishing House, 2009.

16 Ji Guoxing, *China's Maritime Security and Sea Area Domination*, (Zhong Guo De Hai Yang An Quan He Hai Yu Guan Xia 中国的海洋安全和海域管辖), Shanghai People's Publishing House, 2009, p.125.

17 Dai Xu, *The C-Shape Encirclement—China's Breakout in face of Internal Disturbance and Foreign Aggression*, (C Xing Bao Wei – Nei You Wai Huan Xia De Zhong Guo Tu Wei C形包围——内忧外患下的中国突围), Wen Hui Publishing House, 2010.

shadow of “East Asia tragedy,” marine hegemonic powers are still making efforts to maintain their dominance in the Pacific basin, regarding East Asian nations’ rising as a “threat” to their status, and provoking the already relaxed maritime disputes among East Asian nations.¹⁸ As a result, the calm and quiet East Asian seas become turbulent and chaotic, as the nations concerned are at swords’ points, and even on the verge of military conflict.

It’s obvious that these two trends are heading to totally different directions. One is unification, the other is division; one is coordination, the other confrontation; one is cooperation, the other conflict. The latter is the logical continuation of power politics that has existed in East Asia for hundreds of years, while the former is East Asian nations’ quest for new maritime security order to end the “East Asia tragedy.” Rationally, we should choose the former, and throw away the latter. East Asian nations should construct a fair and reasonable East Asian maritime security order through coordination to promote mutual cooperation, for it will not only reflect marine rights and interests of East Asian and Asia-Pacific nations, but will be in agreement with the trend of development of international relations. We should be aware that “the oceans and seas of the world are the ‘global commons’ where a careful balance is necessary between different uses of the sea, as well as between the interests of different parties.”¹⁹ Based on the above analysis, we can put forward the following propositions concerning the construction of maritime security order in East Asia, as well as the whole Asia-Pacific area.

Firstly, East Asian nations should directly participate in the design and management of maritime security order in East Asian seas, which should fully reflect East Asian nations’ rights and interests. The existing East Asian regional cooperation platform—“10+3”(ASEAN + 3) can develop negotiations concerning maritime security affairs. Besides, nations closely related to East Asian seas can take part in discussions about maritime security management within the framework of “East Asian Summit.” The U.S., which is quite influential in East Asian maritime affairs, may well exert active functions in this framework. The “ASEAN Regional Forum” should also play an important role in the discussion of maritime security cooperation in the whole Pacific region. Only in this way can we eliminate the possibility of East Asian nations’ being broken up by hegemonic powers, bridge over doubts and suspicions among East Asian nations, and handle maritime security issues in a peaceful and coordinative way on the platform of East Asian multilateral cooperation.

18 Su Hao “Games Americans Play”, China Daily, 08/07/2010 p.5.

19 Sam Bateman’s paper of “Building Good Order at Sea in Southeast Asia: the promise of international regime” in Kwa Kwa Chong Guan and John Skogan, eds., *Maritime Security in Southeast Asia: (Routledge Security in Asia Series)*, Taylor & Francis, Inc., April 2007, p. 98.

Secondly, East Asian regional power structure is the key element in constructing the regional maritime security order. At present, the nations that are playing important roles in East Asian marine affairs are the U.S., China, Japan, Russia and ASEAN nations. However, the actual management of maritime security affairs does not reflect this power structure, for China is completely blocked within the first island chain and cannot preserve fixed marine military powers in the open sea. In other words, China's outward deployment of its navy is always regarded as "China threat." This is a misleading viewpoint, a selfish mentality to preserve the interests of marine hegemony. Maritime security order should at least be jointly constructed by the above mentioned nations and organizations. As a big power in this region, China's reasonable share in the sea power should be recognized and respected.

Thirdly, there are certain actual geographical differences between China and Japan—the two important nations in East Asia. Japan is a typical island nation pursuing sea power, while China is a nation with land and sea, mainly pursuing land power. Some international scholars hold that Japan, as an island nation, should have more rights to develop in the sea, whereas China should focus on its development in the land.²⁰ The two should just take what it needs, otherwise conflicts may arise. This is the traditional geopolitics standpoint that contradicts sea power and land power. In fact, China is also a nation of sea power. China, with its huge population, also needs to develop by fully exploring the marine resources. Japan attempts to take sea power as an excuse to obtain more marine resources. It controlled China's Diaoyu Island, unilateral lined out a so-called "midline" in East China Sea, and marked an exclusive economic zone of 200 sea miles around Okinotorishima Island, all of which are actions ignoring China's fair and just sea power. Japan should respect China's history and natural rights in East Asian seas, make mutual adjustment and coordination with China, so as to realize the "balance of sea power and land power," thus laying a favourable foundation for constructing a stable East Asian maritime security order.

Fourthly, as a global sea power nation, the U.S. should fully understand and respect the status and functions of regional big powers, such as China and Japan, in East Asian seas. China's rise and its increasing influence on the sea do not endanger the U.S.'s sea power. Actually, the two share many common needs and interests in East Asian seas, as well as the oceans in the whole world. There exist broad possibilities of cooperation between China and the U.S., like preserving a peaceful and stable maritime security order, safeguarding the international sea-routes, combating pirates and other crimes on the sea, responding to natural calamities on the sea, and salvage, etc. China takes a positive attitude towards the propositions put forward by the U.S., such as Proliferation Security Initiative

20 James Manicom, "Japan's Ocean Policy: Still the Reactive State?", *Pacific Affairs*, vol. 83, No. 2, June 2010, pp. 307-326.

(PSI), Container Security Initiative (CSI), and Global Maritime Partnership Initiative (GMPI).²¹ China and the U.S. may well coordinate and cooperate in non-traditional security issues in East Asian seas.

Fifthly, East Asian nations should carry out bilateral and multilateral institutional maritime security cooperation on the basis of the “U.N. conventions on the law of the sea.” Almost all East Asian nations have signed the “United Nations Conventions on the Law of the Sea,” and accepted the basic legal principles of the sea. Moreover, in answer to their own demands, East Asian nations have also developed a series of practice and institutional construction of multilateral and multilevel maritime security cooperation, contributing a lot to the building of a stable maritime security order.

As a big power in East Asia, China is playing an increasingly important role in maritime security affairs in this region. Since modern times, China’s sea power was too weak to correspond with its status as a big power. With the development of its economy, China is also expanding its rights and interests abroad. China needs a suitable naval power to protect its rights and interests abroad, which is fair and reasonable. Being a peaceful and inward strategic culture and under the guidance of the policy of friendship and partnership with neighbouring countries, China desires to develop regional cooperation and regional unification on the basis of mutual respect and mutual benefit, so as to create a favourable maritime security environment.

As a matter of fact, China has participated in more and more maritime security coordination and cooperation in East Asian seas, and has been exerting a positive and important role.²² China took part in multilateral cooperation mechanism concerning East Asian maritime security in three levels. The first, regional multilateral security cooperation mechanisms. China, together with other East Asian nations, joined a series of Asia-Pacific multilateral security cooperation mechanisms, including “East Asian Regional Forum,” “Council for Security cooperation in the Asia-Pacific (CSCAP),” “Asian Security Summit-Shangri La Dialogue,” etc. The second, the sub-regional maritime security arrangement of South China Sea. China does not oppose international multilateral discussions concerning South China Sea. China has always actively participated in the “Workshops of Managing the Potential Conflict in the South China Sea (WMPC).” China and ASEAN nations issued the “Declaration on the Conduct of Parties in the South China Sea” in 2002. China, Vietnam and the Philippines

21 In April 2007 during his visit to Washington, Commander of the Chinese Navy Wu Shengli discussed the possibility of China’s participation in the “Global Maritime Partnership Initiative” with high-ranking officers of the Pentagon and advanced generals in the American army.

22 Mingjiang Li, “China’s growing willingness for military in East Asia: recent developments and future prospects”, *Journal of Contemporary China*, Vol. 19, No. 64, March 2010, pp. 293-299.

signed the “Tripartite Joint Marine Seismic Undertaking Accord in the Agreement Area in South China Sea” in 2005, making positive attempts to “engage in common development” in South China Sea. In March 2010, the writer attended “China-ASEAN Defense and Security Dialogue” where the two sides examined all possibilities of preventing crimes on the sea and discussed disaster relief. East Asian maritime security cooperation has developed some substantial arrangement in some fields. The third, the management of specific maritime security issues. The coastal guard institutions of China and other 16 Asian nations have agreed on adopting the standard of “the Regional Maritime Security Initiative” in order to enhance cooperation and coordination with each other, and promote cooperation and coordination of information collecting and sharing, and relief conduct in response to pirates and armed hijacking.²³ The “Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ship in Asia,” taking effect on September 4, 2006, was the first inter-governmental maritime security cooperation mechanism in Asia with 16 member nations and organizations, including China, Japan, South Korea, India, and ASEAN, etc. They have further established regional “Governing Council of the Information Sharing Center,” paving the way for practical cooperation.²⁴ After sending a convoy fleet to Somali in 2008, China actively participated in and presided over the international conference—Shared Awareness and Deconfliction (SHADE) to deal with the anti-pirate issues.²⁵ It’s obvious that China, as well as other East Asian nations, has been promoting the construction of maritime security cooperation mechanisms of various levels, laying the foundation for building regional maritime security order.

In the meantime, China has unilateral taken the responsibility of safeguarding ships and boats in the neighbouring seas, and has made institutional arrangement accordingly. In January 2006, the Chinese government officially issued the “National emergency response plan for search and rescue on the sea”—China’s first policy concerning humanitarian rescue on the sea. China has established the legal system for marine rescue, has joined in and signed international pacts and agreements, and has responsibly and successfully performed its corresponding international humanitarian obligations. The pacts and agreements China participated in and signed include “Geneva Convention,” “The United Nations Convention on the Law of the Sea,” “International Convention for the Safety of Life at Sea (SOLAS), 1974,” “The International Civil Aviation Covenant,”

23 “Regional Maritime Security Initiative of Asian Nations”
<http://www.fjjt.gov.cn:8000/ShowArticle.asp?ArticleID=544>。

24 “Regional Cooperation Agreement on Combating Piracy and Armed Robbery Against Ship in Asia”, <http://www.fmprc.gov.cn/chn/pds/ziliao/tytj/tyfg/t410597.htm>。

25 Stephen Chen and Greg Torode, “PLA given nod to lead anti-piracy operations: Beijing approval clears way for historic role”, South China Morning Post, Sep 22, 2010.

“International Convention on Maritime Search and Rescue, 1979,” “International Convention on Salvage, 1989,” “Sino-US Agreement on Maritime Search and Rescue,” and “Sino-DPRK Agreement on Maritime Search and Rescue.” These documents are the legal basis for China to get involved in international maritime security cooperation. More importantly, China has established the maritime search and rescue system, and has played an important role in safeguarding the East Asian seas, and searching and rescuing ships in distress. China has salvaged ships of Vietnam, South Korea, and some other countries wrecked by windstorms. China has also carried through many marine search and rescue exercises with sea power nations, such as the U.S., the EU, Japan, South Korea, Vietnam, and so on, to strengthen the marine search and rescue cooperation between China and the international community.

We can conclude from the above that East Asian nations have already been constructing a proper maritime security management mechanism, and China, together with its neighbouring countries, has positively and responsibly participated in the quest for building a stable and peaceful maritime security order. The construction of this type of East Asian maritime security order does not exclude nations outside the region, and in fact, the U.S. is a major member of most of the mechanisms and plays important roles. However, it is regrettable that recently the U.S. strengthened bilateral maritime military security cooperation with some East Asian nations, and as a result produced suspicions and splits between China and its neighbouring countries, even bred potential confrontations and conflicts, turning the apparently peaceful and cooperative maritime security order into turbulence and turmoil. It seems that the negative logic of “East Asia Tragedy” has revived. This is not in agreement with the trend of the stable and peaceful maritime security order in East Asia. East Asian nations should avoid the negative impact brought about by the changes in the U.S. policies, should instead urge the U.S. to exert positive functions in constructing a maritime security order of mutual trust and mutual benefit among East Asian nations. A stable East Asian maritime security order not only conforms to basic interests of East Asian nations, but will eventually bring huge interests and benefits to the U.S. and other big powers outside the region, because a stable and peaceful East Asia will carry opportunities of development and prosperity to the whole world.

Conclusion

For the purpose of preserving the long-term peace, development and prosperity in East Asia, we must safeguard regional maritime security, which requires a fair and reasonable maritime security order as precondition. East Asian maritime security order should conform to the actual East Asian international relations, that is, East Asian nations play the major role in the construction of maritime security

order which can well reflect power structures of East Asian nations, manifest the collective interests of East Asian nations, realize coordination between sea power nations and land powers nations in the region, and balance the maritime security interests of global big powers and regional big powers. However, up until now the “East Asia tragedy” brought about by Western nations expansion and domination is still extending. The hegemony countries outside the region regard East Asia as a part of the Pacific order they dominate. A regional maritime security order that really corresponds with East Asian nations’ rights and interests has not yet been established.

East Asian nations should get rid of the shadow of “East Asia tragedy” and freely handle and manage their own affairs. On the contrary, at present the mass media of some East Asian nations still keep the habit of maintaining traditional security relations with western nations outside the region, and even try to please the U.S. to confront China which is making positive contribution to stability and development in East Asia. This is a loss of status. In fact, the U.S. and other western nations have different cultural background, value preference, and benefit orientation from East Asian nations. Specifically, the U.S. desires a US-led East Asian maritime security order to match its national security interest framework, which requires some medium- and small-sized East Asian nations to subordinate to the U.S., and expands the U.S.-controlled sea space as far as possible toward the border of East Asian continent. The consequence is that it restricted some East Asian nations’ flexible strategic choice, and reduced China’s reasonable sea space. It also caused the split and confrontation among East Asian nations, thus bringing turbulence and chaos to East Asian seas.

As a matter of fact, in the past decade, East Asian nations have already started the process of regional cooperation unification. They have carried out all kinds of regional, sub-regional, mini-multilateral and bilateral international cooperation at all levels. East Asian seas became the significant bond connecting East Asian nations, and also the platform for realizing regional cooperation. It is of the common interest of East Asian nations to maintain peace and stability in East Asian seas. For this purpose, these nations have been pursuing the construction of a stable and systematic East Asian marine management that conforms to international laws and norms, and reflects the common interest of its member nations, so as to pave the way for building a fair and reasonable East Asian maritime security order. As a responsible power, China is likely to continue to maintain its positive posture towards maritime cooperation in East Asian seas.²⁶ Keeping to its principle of “shelving disputes and carrying out joint development”, China tries its best to preserve the stability and security in East Asian seas under the condition of maintaining the status quo, and takes more and

26 Mingjiang Li, “China’s growing willingness for military in East Asia: recent developments and future prospects”, *Journal of Contemporary China*, Vol. 19, No. 64, March 2010, p. 309.

more important roles in the events of safeguarding the sea lanes and rescue and assistance management at seas in concert to its increment of the national capacities, which will input the new positive element to the building of the maritime security order in East Asian seas. Therefore, the East Asian nations, together with big power outside the region, could endeavour to change the disorderly marine management in East Asia into a maritime security order that corresponds to the collective interests of East Asian nations, as well as Asia-Pacific nations.