

“A Line Without a Legend”:

The Origins and Meaning of China’s Dashed Line in the South China Sea

Eric Hyer
Brigham Young University

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Preface

This paper draws from a document titled “A Line Without a Legend: The Creation of the Republic of China’s Dashed-Line Map, 1945-47” obtained while on a research trip in Taiwan during the summer of 2017. With no author attribution, the paper has a note: “Draft for Discussion Purposes/Not for Public Release.” The document draws on over 5,000 pages of primary source material in Taiwan from the National Archives Administration of the National Development Council, Academia Historica, the Ministry of Foreign Affairs Archives held by the Institute of Modern History at Academia Sinica, the Chiang Kai-shek Archives, records from the Ministries of Foreign Affairs, Interior, and National Defense, and the Taiwan Provincial Administrative Executive Office.

Introduction

The dashed line on contemporary Chinese maps that dips deep into the South China Sea skirting the coastline of Vietnam and the Philippines Palawan Island, and extending as far south as the coast of East Malaysia, has always provoked much debate. Both the People’s Republic of China (PRC), as well as the Republic of China (ROC) on Taiwan, assert the historical legitimacy of the dashed line as China’s maritime boundary in the South China Sea. Nevertheless, the 2016 Law of the Sea arbitral tribunal determined that there is no legal basis for the dashed line and

there is no evidence that China had historically exercised exclusive control over the waters or resources within the dashed line. Not surprisingly, both the People's Republic of China (PRC) and the Taiwan government rejected the ruling.

The origins of the dashed line and its significance have been rather obscure. There is earlier scholarly research that touches on the history of the South China Sea and sheds light on these questions.¹ Based on the document used for this paper, hopefully, the origins and implications of the dashed line boundary will become clearer.

Asserting a Claim to the South China Sea

Within a month after the end of World War II, the ROC actively began to assert its claims to the four island groups in the South China Sea (Paracel, Pratas, Macclesfield Bank, and Spratly). The Taiwan Provincial Executive Office sent a team to Woody Island in the Paracels in October 1945. The team surveyed the island and laid a stone tablet. In May 1946, the ROC sent a team to the Pratas Islands. The motivation for these early moves to establish the ROC's presence on the islands in the South China Sea were concerns over French intentions to return to Indochina and the Philippines expressed interest in the Spratlys. Archival documents make clear that the military occupation of Paracel and Spratly islands received consideration at the highest levels of government and the military and was a priority for Chiang Kai-shek.

¹ Marwyn Samuels, *Contest for the South China Sea* (New York and London: Methuen & Co., 1982); Ulises Granados, "Chinese Ocean Policies Towards the South China Sea in a Transitional Period, 1946-1952," *China Review* vol. 6, no. 1 (Spring 2006): 153-181; _____, "The South China Sea and its Coral Reefs During the Ming and Qing Dynasties," *East Asian History* nos. 32/33 (December 2006/June 2007):109-28; _____, "Japanese Expansion into the South China Sea: Colonization and Conflict, 1902-1939," *Journal of Asian History* vol. 42, no. 2 (2008):117-42; Chris P.C. Chung, "Drawing the U-Shaped Line: China's Claim in the South China Sea, 1946-47," *Modern China* vol. 42, no. 1 (2016):38-72.

The archival documents available make clear that the ROC government moved decisively in late 1946 to occupy militarily (*jieshou* 接收) islands in the Paracel and Spratly groups.

Chiang Kai-shek was personally involved in the decision and showed persistent interest in the success of the mission. On October 5, 1946, Chiang ordered the Ministry of National Defense to take control of islands in the Paracels and Spratlys. On December 17, Chiang was informed that the ROC navy had occupied (*jinzhu* 進駐), Woody Island (Paracels) on November 28, and Taiping Island (Spratlys) on December 12. Prior to these expeditions and naval occupation, the ROC engaged in discussions over the scope of its claims in the South China Sea and began to craft maps to assert these claims.

While some scholars have speculated that a map (*Zhongguo Nanhai gedaoyu tu* 中國南海各島嶼圖) issued in 1935 included a dashed line delimiting the ROC claim to the South China Sea, this map has no lines encompassing islands of the South China Sea.² While the map does not make any cartographic indication of claims, discussions of the committee producing the map indicated the working assumption was that the islands were Chinese territory. However, other maps did have lines delimiting the South China Sea. The *New China Constriction Atlas* published in 1936 included a South China Sea map with a demarcation line, but this was not an “official” government-issued map.³ The first government-produced map, crafted in 1946, with a dashed line delimiting the South China Sea was the “Location Sketch Map of Islands in the South China Sea” (*Nanhai zhudao weizhi luetu* 南海諸島位置略圖) developed for the pending

² *Journal of the Land and Water Maps Inspection Committee* vol. 2 (April 1935).

³ Granados, “Chinese Ocean Policies Towards the South China Sea in a Transitional Period, 1946-1952,” *China Review*, 175, fn. 5.

naval occupation of islands in the South China Sea detailed above.⁴ The discussion leading up to the military occupation and the publication of the dashed line map focused on establishing control over the islands for military considerations and the economic value of the islands. At a September 1946 meeting, the representatives of the Ministry of Interior, the Ministry of National Defense, and the General Headquarters of the Navy, determined to observe the delimitation on the location sketch map as the scope of the pending naval occupation and placement of markers indicating China's claims (*woguo lingtu* 我國領土). Also decided was that the takeover would not be announced publically until the completion of the operation.

The documents on the debate and decisions regarding the military occupation make clear that the navy "garrisoned Woody Island in the Paracels and Taiping Island in the Spratlys" to prove that "sovereignty over all islands is all ours." The reasons for 1946 naval operation was that "the scope of this nation's territory (*benguo guojing fanwei* 本國國境範圍) urgently must be established." The reason for occupying the main islands in each group was that "the islands in the Paracel and Spratly Archipelagos are numerous, so we landed on each place, in order to prove our sovereignty and prevent other countries from coveting them and incidents from occurring over them." However, there was a public relations rationale for the occupation too: "At this time, the masses of the entire country are interested in the Paracels and Spratlys. We should publicize and stir up the masses' consciousness of the South Sea and establish the scope of the nation's territory."

The Republic of China Claims

The scope of the dashed line on the map eventually published was still under consideration in early 1947. Government documents assert that the rationale for China's

⁴ See Chung, "Drawing the U-Shaped Line: China's Claim in the South China Sea, 1946-47," 63.

sovereignty over the islands is that “The Paracel Archipelago is 100-200 nautical miles from our port of Yulin, Hainan. Our warships and fishing boats frequently go there. Sovereignty over the whole should be ours (*qi quanbu zhuquan ying shu wo* 其全部主權應屬我). This is perfectly justified. We should announce that the entirety belongs to us.” While officials believed that China’s claim to the Paracels was obvious, they were more circumspect in the case of the Spratlys. They recognized that an assertion of sovereignty was questionable and needed further research: “the breadth of the Spratly Archipelago is extremely large. Its most important island, Taiping, is over 500 nautical miles from Yulin harbor, but it is only over 200 nautical miles from the Philippines. Therefore, it seems we should further research the scope of the public announcement (*gongbu fanwei si ying jiayi yanjiu* 公佈範圍似應加以研究).

The Ministry of National Defense submitted a draft map to the Executive Yuan for approval in August 1947. The government approved the map ordered publication. The Office of Territory (*fangyusi* 方域司) of the Ministry of Interior published the revised “sketch” map in early 1948 as *Location Map of the South China Sea Islands* (*Nanhai zhudao weizhitu* 南海諸島位置圖). The reasons given for publication of the map were to raise public consciousness of China’s sovereignty over the South China Sea and notify other countries of China’s claims.

The dashed line delimitation is unique on Chinese maps. Most remarkable is that this map (see attached map) is the only map that uses a dashed line to assert a boundary. Other boundaries use a continuous line-dot — · — · — pattern or a bone-dot - · - · - pattern to delimit national boundaries. This is possibly an attempt to reflect the claim to the islands and not the surrounding sea—historic waters—but there is no legend on the map to define the meaning of the dashed

line.⁵ The dashed line delimitation of the South China Sea remains the style used on most PRC maps published today.⁶ However, the number of dashes has changed. While the PRC adopted the ROC maps, beginning in 1952, PRC maps deleted the two dashes in the Gulf of Tonkin in order to mollify Vietnamese who claimed that a Sino-French treaty delimited the Tokin Gulf with a straight line, and not the now customary equidistance line. Thus, since the early 1950s, the delimitation is referred to as the nine-dash line (*jiuduanxian* 九段线).

The fact that ROC documents on the development of China's South China Sea claims stress that it is the land features that are valuable for military purposes and economic reasons, bolsters the interpretation that the dashed line indicates island claims and not a claim to the surrounding sea; there is no evidence of the ROC asserting vast maritime claims beyond the then norm of the three-mile territorial waters limit surrounding islands.⁷ This policy of claiming features within the nine-dash line continues today, with no indication that the PRC asserts vast claims the surrounding waters of the South China Sea.

Conclusions

The contemporary political and legal controversies surrounding the South China Sea are vexing. China's (and Taiwan's) position on the South China Sea is more historically nuanced than the contemporary debate recognizes. This history of China's evolving claims and control

⁵ Chung, "Drawing the U-Shaped Line: China's Claim in the South China Sea, 1946-47" analyzes the "historic right" and "historic waters" issue.

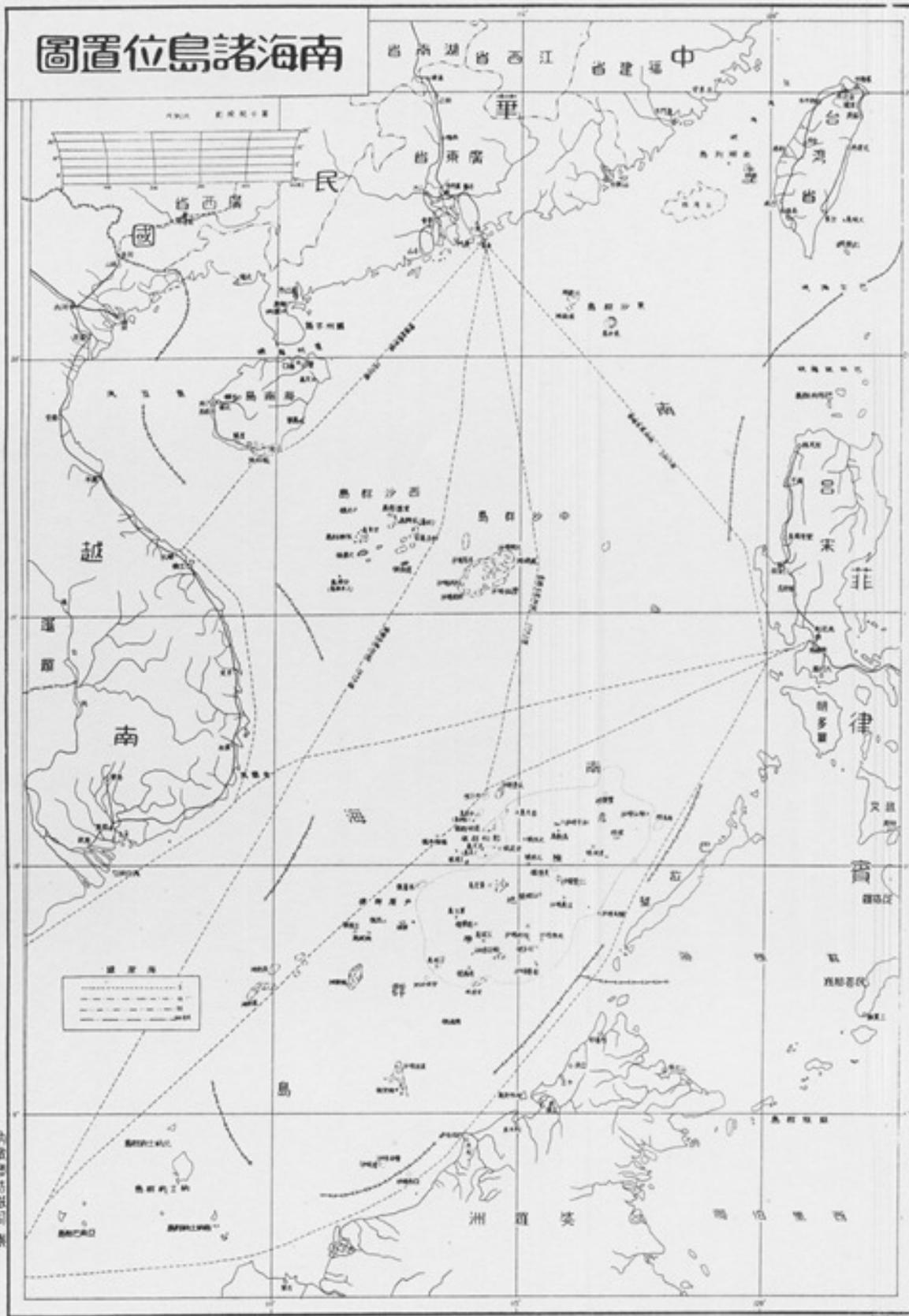
⁶ A recent article presents research on a 1951 publication *Zhonghua Renmin Gonghe Guo xin ditu* that includes a map with a solid U-shaped line encompassing the South China Sea. See Tang Danling, Liu Yupeng, Hao Xaioguang, Wu Changxia, Wang Sufen, and Yan Yuwei, "Gouji xian he xingzhengqu xian biaooshi Nanhai U-xing haijiangxian de ditu" (A newly discovered historical map using both national boundary and administrative line to represent the U-boundary in the South China Sea), *Kexue Tongbao* vol. 63, no. 9 (2018): 856-64.

⁷ See Granados, "Chinese Ocean Policies Towards the South China Sea in a Transitional Period, 1946-1952," *China Review*, 174; Chung, "Drawing the U-Shaped Line: China's Claim in the South China Sea, 1946-47," 44-45.

does not bolster its current position in light of the United Nations Convention on the Law of the Sea (UNCLOS) and the more recent arbitral tribunal decision dismissing the nine-dash line as a legitimate historical claim. Moreover, the decision determined that the features the PRC and Taiwan occupy do not qualify as islands and therefore do not enjoy the derivative benefit of expanded territorial rights accorded to legitimate islands. However, as claimants attempt to resolve the complex multilateral dispute, acknowledging the history of China's claims is important to developing negotiating strategies that will hopefully lead to a resolution in the future and diminish the potential for conflict in the regions.

图丙 2

圖置位島諸海南



南海諸島領土範圍

说明：本图是根据原图缩小复制 <http://www.nansha.org.cn>