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Editor's Comments

Dear *JTMS* Readers,

Greetings again from Seoul. As the end of another year approaches, territorial issues are as salient as ever. Not only do we have the war in Ukraine, which has become part of the regular news cycle, but now we have the war between Hamas and Israel. Both of these issues involve the assertion of two groups' claims to the same territory and, as history all too often bears out, conflict and bloodshed ensues. The *JTMS* staff sends their thoughts and sympathies to the innocents caught in the middle of these conflicts and to the families of those who have already fallen victim to violence. These conflicts provide grim reminder of the importance of *JTMS*' mission to better understand terrestrial and maritime territorial issues. With this in mind, this issue has some interesting offerings for our readers.

First, Thomas Reilly examines the ongoing causal forces of the Senkaku/Diaoyutai islands dispute between Japan and China, arguing that a domestic impetus exists to sustain the crisis while offering a reformulation of the diversionary theory of war. He amends the diversionary theory of war which argues that beleaguered states may be motivated to engage in external crises to divert domestic attention away from negative sentiment. Reilly expands the traditional bounds of the theory to include both autocratic regimes and actions short of war, which represent two impediments to the advancement of diversionary theory, while creating linkages between negative domestic conditions within China to periodic increases in the intensity of the sovereignty dispute. His article represents the first steps in a theoretically stagnant literature to transform the diversionary theory of war from one of strict warfare into a theory of foreign policy, as well as considering alternate political needs and strategies to address them, whilst also representing an alternate explanation to a commonly cited flashpoint of great power conflict.

Second, Sean O'Malley highlights potential changes to the structure of the international system that may stem from recent trends of state and non-state actor interaction with the global undersea communications cable infrastructure (GUCCI). More generally, he wishes to highlight the potential of global technological interaction capacity as an analytical tool by which to hypothesize changes in the international system. Taking a structural approach of English School theory, O'Malley expands the concept of disaggregative technological interaction capacity and offers a new qualitative method by which to analyze the flows of interaction between units and structure in the international system. His analysis demonstrates the utility of the English School concept of interaction capacity for hypothesizing potential changes to the structure of international systems.

Third, in their article, Tarique Faiyaz and Balraj Kaur Sidhu underscore the imperative to prioritize challenges associated with Illegal, Unreported, and Unregulated (IUU)

fishing and its resultant maritime security threats, focusing on the Bay of Bengal region. They advocate for enhanced regional cooperation to combat IUU fishing and foster a more robust, sustainable, and resilient blue economy. Faiyaz and Sidhu utilize a multidisciplinary approach, drawing on insights from marine ecology, international law, and regional governance. They perform an extensive review of existing regulatory and policy frameworks, particularly international fisheries instruments, to identify gaps and areas for improvement and reveal the multifaceted and interconnected threats posed by transnational maritime criminal syndicates, seriously endangering the conservation of fisheries resources. Faiyaz and Sidhu find that the region's maritime security architectures lack cooperation, collaboration, and regional integration and it is incumbent upon India to forge close collaborative ties with the various littoral states to bolster maritime security within the region.

Fourth, Mirza Zeeshan Baig, Kanwar Muhammad Javed Iqbal, Khanssa Lagdami, and Maximo Q. Mejia Jr. assess the adequacy of maritime governance for the safety and environmental aspects of domestic ferries from the perspective of a developing country by undertaking the case of Pakistan. Based on a novel approach developed for unified maritime safety onboard in response to IMO's new model safety regulation, Baig et al. employ the standard decision analysis A'WOT hybrid method to carry out the study. To this end, they consulted expert groups at various levels and fora to rationalize the internal and external factors, which were identified as strengths and weaknesses, opportunities, and threats respectively. They find that Pakistan has many opportunities for domestic ferries along with a reasonable level of strength in its governance. However, they identify gaps in several components of the basic governance framework that pertain to policy and regulation, operations, institutional arrangements, innovation and technology, the human element, economics, and performance systems related to safety and environmental protocols at sea, which is due to lack of focused attention.

Fifth and finally, Kerry Liu asserts that the China threat has risen significantly since 2020 and examines the roles of China's territory-related issues, including Senkaku Islands, Xinjiang's Uyghurs, the South China Sea, a threat of war across the Taiwan Strait, China-India border conflicts, and Hong Kong national security law, in contributing to the China threat narrative. Based on weekly Google Trends search results from May 2020 to July 2022, Liu creates a series of time series variables to measure these narratives and adopts an Autoregressive Distributed Lag (ARDL) model. Liu finds that, except for the South China Sea, all other issues are connected to the China threat by the English-speaking public. Also, the Uyghur issue has attracted the most lasting attention. These conclusions are supported by survey results and fundamental analysis.

In closing, I would like to thank our readers, our authors, and our editorial board and staff for providing the support on another great issue of *JTMS*.

Jongyun Bae
Editor

The Senkaku/Diaoyutai Islands Dispute: A Diversion in Times of Need

Thomas Reilly

Structured Abstract

Article Type: Research Paper

Purpose—The purpose of this piece is to examine the ongoing causal forces of the Senkaku/Diaoyutai islands dispute between Japan and China, arguing that a domestic impetus exists to sustain the crisis while offering a reformulation of the diversionary theory of war.

Design, Methodology, Approach—This article amends the diversionary theory of war, which argues that beleaguered states may be motivated to engage in external crises to divert domestic attention away from negative sentiment. This paper expands the traditional bounds of the theory to include both autocratic regimes and actions short of war, which represent two impediments to the advancement of diversionary theory, while creating linkages between negative domestic conditions within China to periodic increases in the intensity of the sovereignty dispute.

Findings—This paper finds that the Senkaku islands dispute remains stable and dormant for long periods of time with the dispute approaching ritualization, only to be punctuated by brief but intense spikes of attention and diplomatic fury. The findings conclude that China deliberately escalates the dispute when domestic needs arise to extract political utility to shore up concerns on the mainland. These findings are supported theoretically while illustrating the applicability of autocratic systems and lower-level actions to the diversionary theory of war.

Practical Implications—This paper represents the first steps in a theoretically stagnant literature to transform the diversionary theory of war from one of strict warfare into a theory of foreign policy, as well as considering alternate political needs and strategies to address them, whilst also representing an alternate explanation to a commonly cited flash-point of great power conflict.

Originality, Value—This paper remains one of the few to provide an alternate account

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of the continuation of the Senkaku Islands dispute, while also representing the first serious in-road to consider diversionary actions as accepted tools of foreign policy instead of a last resort due to an existential crisis.

Keywords: China, Chinese foreign policy, diversionary theory, domestic causes of conflict, international relations theory, Senkaku/Diaoyutai.

I. Introduction

For years, scholars have argued that states may engage in warfare with an external enemy to increase domestic solidarity. While the diversionary theory of war has been cited as a tool of statecraft to distract the domestic audience from various internal ills, the enduring fixation on violence and democratic states has inhibited the rigorous study of both alternate regime-types and potential diversionary tactics as well as potential catalysts that may make external conflict more attractive due to domestic issues.

The diversionary theory of war has been hamstrung by the scholarly fixation on actual warfare, and thus our current body of work regarding international diversions has been unable to help us understand actions short of war (henceforth ASW), despite such events absolutely eclipsing true wars in virtually all conflict datasets. Scholars are left with two options. Either lower-level actions are worthless for diversionary purposes and the insufficient sample size of actual wars remains our only theoretical guide, or our understanding of these unique conflicts has not evolved past sociological precepts and assumptions. These limitations are reinforced by the continued analysis of democratic states, rather than the far more numerous autocratic nations.

To further develop our theoretical understanding of diversions, the Senkaku Islands dispute offers us fruitful opportunities. I focus on Chinese attempts to generate political utility from external disputes. As the Chinese Communist Party (CCP) is not beholden to an electorate, the dispute offers us insight into alternate issues and catalysts that may make diversionary benefits necessary outside of democratic demands. Furthermore, the dispute is significant in that it has endured for decades while remaining peaceful despite brief but intense spikes of political engagement. Finally, it illustrates how a lower-level dispute, lacking the insecurity-generating effects of war can be manipulated and utilized for domestic benefits.

The findings suggest that the Senkaku Islands dispute and its occasional manipulation is diversionary in nature. It is worth distinguishing between the genesis of the dispute and its manipulation. While the issue has its roots in the aftermath of World War II and continues to this day, the intense “heating” between Japan and China can be explained by Chinese domestic unrest. Throughout the dispute, issues which cause inflammation during times of Chinese domestic duress do not evoke the same aggression and political anger during times of internal tranquility. The manipulation of the dispute on the part of the CCP, and the news surrounding it serves as a catalytic agent of disseminating diversionary utility from the dispute to the general population, which offers us an entirely different mechanism than the organic generation of threat inherent in armed conflict.

This finding suggests that the diversionary theory of war should be amended on several fronts. The first is that autocratic regimes are equally capable of diverting, but the organizational demands of their regimes and variable needs necessitate the search for alternate types and levels of external engagement given the inherent risk and unpredictability of war. Secondly, diversionary attention can be manufactured via the use of censorship media manipulation—often overlooked tools given the freedom of the press and transparency of democratic nations which rely on “organic” attention. Finally, diversionary intent is distinct from diversionary initiation, and an engaging nation may be inclined to make use of preexisting conditions as opposed to creating entirely new conflicts given the inherent vulnerability that necessitates external conflict in the first place and its commensurate risks given that ASW rarely lead to war. These amendments can begin to push diversionary theory towards a broader theory of foreign policy and regime maintenance.

This article proceeds in the following manner. First, this paper provides an overview of the development and enduring impediments to the diversionary literature. The second section discusses some theoretical amendments regarding diversionary utility, choice of dispute and capable actors. The third applies these theoretical expansions to a case study regarding the Senkaku Islands dispute between China and Japan, demonstrating the consistent use of political manipulation on the part of China to increase domestic attention towards diplomatic disputes in times of domestic duress, rather than engage in violent conflict to organically achieve the same result.

II. Diversionary Theory: Inordinate Attention, Inconsistent Progress

The idea that quarreling with an “outside” group may increase the solidarity and cohesion of the “inside” group has a great deal of intuitive consistency. William Shakespeare noted this connection, writing, “Be it thy course to busy giddy minds with foreign quarrels; that action, hence borne out, may waste the memory of former days.”¹ Anecdotal, rather than “smoking gun” evidence abound with Vyacheslav von Plehve, the Russian Minister of the Interior reportedly stating, “What this country needs is a short, victorious war to stem the tide of revolution,” prior to the Russo-Japanese war.² Initial systematic treatments of the in-group/out-group hypothesis were equally promising. Sociology generated the first mechanistic theories linking external conflict with internal cohesion, with Georg Simmel, Louis Coser and Ralf Dahrendorf codifying the early explanation of the rally effect, with Coser contending that “war with the outside is sometimes the last chance for a state ridden with inner antagonisms to overcome these antagonisms or else break up definitely.”³

Originally conceiving the scapegoat hypothesis in terms of societal and tribal-level interactions and not as politically motivated (though this soon followed), the theory enjoyed brief consistency. The mechanistic interaction between violence, resultant insecurity and increased solidarity was likened to an inevitability, with Dahrendorf stating, “it appears to be a general law that human groups react to external pressure by increased coherence” and thus “statesmen may be driven to a policy of foreign conflict—if not outright war—in order to defend themselves against the onslaught of domestic enemies.”⁴ Given that sociological pathbreaking presented the genesis of internal solidarity as nearly

guaranteed or “organic” in the face of violent conflict (devoid of political manipulation), methodological difficulties and global realities soon soured theoretical harmony once adopted by the international relations community, though the bias towards inevitable solidarity remained.

This theoretical stagnation and lack of knowledge accumulation has contributed to both the lack of acceptance and reticence to study diversionary theory as one of foreign policy, with one scholar contending, “seldom has so much common sense in theory found so little support in practice.”⁵ Ostrom and Job’s work linking negative domestic sentiment to the American executive’s propensity to engage in external conflicts was among the first mechanistic studies to spark a lively debate.⁶ Both the transparency of democratic regimes and reliable polling data provided scholars with unfettered access and a wealth of proxy measures for a demonstrable “diversion.” Democratic dominance endured, as did the fixation on the United States, with Fordham classifying the diversionary use of force as a unique strategy of the American Executive.⁷

It was not until Levy and Vakili’s pathbreaking work on Galtieri’s invasion of the Falkland Islands did nondemocratic regimes enter, though war remained at the forefront. According to their analysis, the decision to invade British territory was motivated by heightened economic issues, public strife, and a growing rift among the ruling Junta. Clearly applying the scapegoat hypothesis, the authors contend a successful seizure of the Islands would quell domestic demands on the Junta, while also increasing overall in-group cohesion amongst the ruling elite.⁸ Given this alternate diversion relied on substantive empirical analysis rather than proxy measures, it was an outlier and subsequent case studies on autocratic diversions remain rare.

Though this did little to dethrone approval ratings as a demonstrable benefit, theory was nudged toward alternate modes of “success.” Comprehensively assessing autocratic regimes, Jessica Weeks analyzes various regime types and factors relating to external conflict, though she finds several types of autocratic leaders are not necessarily beholden to internal pressures, so an existential impetus to divert, à la democratic pressures, is less convincing in such states.⁹ Furthermore, variable “audience” compositions necessitate different reasons to divert outside of election cycles. As autocratic leaders encounter unique demands on their station, their response must be tailored to address these demands. Still, some scholars contend that diversions are useless in the first place, and resources are better spent solving domestic problems, though all this confusion is maintained due to the complete lack of case studies explaining why states choose one option over another.¹⁰

There are two enduring and outdated misconceptions that the literature retains, both of which are self-reinforcing in their action. The first is the scholarly fixation on democratic regimes. Given the relative wealth, technological superiority, and opportunities to divert, using democracies as the archetype was sound. Less sound however was the oversaturation of the United States in analyses due to (or consequent) of the abovementioned features. It is impossible to measure levels of distraction. Even in early studies when the literature exhibited academic harmony, weighing polling numbers or successful elections still constitutes substantive effects, not intangible diversions. A diversion is, in essence, useless from either a democratic or autocratic standpoint if no true utility is extracted from the event. Even Levy and Vakili’s analysis of the Falkland Islands War, one of the “gold standard” cases of diversionary theory, is not definitionally a diversion at all. The end goal of the war

was to foster cohesion amongst the military Junta, not distract the populace. In a definitional sense, the original meaning does not then apply to distracting the attention of the audience, but diverting some value from conflict X to issue Y. Given the ease of measuring polling numbers or voting patterns post-conflict, and the inherent difficulty of mechanistic case studies, they remain the prime measure of diversionary success, as limited and misleading as they may be.

Accordingly, democracies have nigh-cornered the diversionary market, and within this dominance remains a set of self-reinforcing conditions that has served as a retardant to both the adoption of ASW as acceptable diversionary actions and autocratic regimes as diversionary actors. Though the early intuitive logic has exhibited remarkable longevity, quantitative advancement without commensurate theoretical evolution persists. Levy noted the potential value of smaller-scale diversions, in that they may be safer and less costly than outright war, with Morgan and Bickers, as well as Tir, all noting the potential use of ASW as potential diversionary choices.¹¹ In the scholarship, extant research lacks a clear understanding of how states may be able to extract political benefits from their usage relative to the captivation and insecurity of violence.

In this paper, the author defines diversion as the use of external engagement meant to increase or preserve political power. This paper departs from existing literature and focuses on utilitarian facets of diversionary behavior. Even in democratic regimes where external conflict may lead to higher approval ratings, this often does little to substantively increase the power of the executive as an office, nor is the regime imperiled, though they may maintain office. Autocratic regimes do not necessarily have these restrictions. In these states, diversionary actions may increase political control, necessitate censorship, grant emergency powers, or justify an expansion of the state. Distinguishing between “organic” and “inorganic” diversions is an essential difference between democratic and autocratic pursuits. Organic generation occurs separate from the state, without manipulation, wherein the domestic audience concludes that supporting the state is in their best interest because of insecurity or fear. Inorganic attention generation requires the manipulation of information, censorship, and guidance to draw the eyes of the audience towards a particular dispute, potentially magnifying issues which would otherwise generate lesser interest. Should the audience deem a diversion unworthy of attention, no benefit or support ensues.¹²

Democracies may be hamstrung in that the broader array of potential tools is outside of their reach, necessitating war as the only diversion. Given that repression and censorship is minimal, diplomatic disputes, small-scale violence and saber rattling lacks the ability to fully regale the nation, as democratic audiences may be able to assess whether these “small” issues are worth their attention. War simplifies this process due to the resultant insecurity, but ASW alone rarely has such an impact. Due to the seeming lack of utility of ASW for democratic states, compounded with the dominance of democracies generally in the diversionary literature, a comprehensive application, and more broadly, a theory of foreign policy, has remained elusive.

Risks of destabilizing state expansion are minor in democracies, possessing transparent channels of communication, minimal censorship, and access to alternate sources of information. Because of this, democracies are generally more constrained than their autocratic counterparts when it comes to potential diversionary actions. Speaking to the organic generation of the rally effect noted earlier, war is a logical choice for representative

states. The insecurity that follows warfare cuts across societal barriers as fear proliferates, whereas diplomatic disputes can be publicly assessed and potentially judged unworthy by the domestic audience of their mass attention. With war, the best chance of survival for the individual rests with the collective power of the state, thus theoretically a rally effect emerges.¹³ Concrete mechanisms linking the audience's attention to a particular diversion is a deficit within the literature, though this has been largely circumvented and ignored by continuing to focus on the organic attentions towards violent conflict.¹⁴ This reinforces the exclusivity of warfare as a democratic diversionary tool.¹⁵

The second enduring impediment within diversionary theory is the theoretical dominance of war.¹⁶ The reason for this is simple: people tend to care about war. It increases feelings of insecurity, accentuates their reliance on the nation for their continued safety and as per theory, draws the populace closer to the state for survival. In strictly "diversionary" terms, wars grab headlines and attention with an unmatched air of importance and urgency. Between 1939 and 2003 the Correlates of War Database catalogs 88 interstate wars occurring, making warfare rare.¹⁷ However, broadly defined militarized interstate disputes, which is to say ASW, drastically outnumber wars, and are often included in quantitative analyses despite a lack of theoretical justification.¹⁸ Additionally, war is pursued as a last resort in terms of regime preservation. Given the unpredictability and potentially disastrous consequences should the war be lost, such foreign policy is only pursued under dire circumstances.¹⁹

A preoccupation with democratic states and war may have caused theoretical stagnation, but autocratic states present opportunities to expand theory. Though some nondemocratic leaders may be largely immune to domestic challenges, this is not sacrosanct. The list of potential challengers and destabilizing issues is greater than what would be found in democracies, which historically have avoided internal collapse.²⁰ Autocratic states may be more flexible in their approach to domestic ills than their democratic counterparts, while domestic challenges which may exacerbate rule are myriad. Whereas democratic states utilize war and violent conflict to galvanize political power due to the inexorable attention drawn to it, autocratic states may utilize external issues more frequently in part due to their smaller scale and manageability, but also due to the ability (or need) to divert for specific, rather than existential needs.

Theory has sidestepped the acceptance of ASW. Despite calls from the literature that more nuanced methods centering on historical analysis could yield more convincing results relative to statistical methods, the field remains slanted towards quantitative studies, without commensurate theoretical justification for the inclusion of all international disputes.²¹ Suggestions to redirect focus to diplomatic, non-violent or merely threatening actions as a cheaper alternative to war exist, yet to glacial avail.²² The acceptance of ASW could sever dependence on both democratic states and warfare, while increasing our available cases and understanding therein.

Autocratic leaders are often unbound by a free press and unfettered media. Governmental control often extends into the civilian and informational spheres, allowing for the restriction or release of information, as well as its manipulation, as the government sees fit. This allows for the tailoring of international disputes as domestic needs arise, while the choice of ASW imparting less risk one would find with violent conflict. As war rarely results from any interstate dispute, low-level actions can be heated and cooled as needs

dictate. Due to the ability to choose a wider range of potential options and targets, ASW allows states to be discriminant in their strategies, utilizing targets and options so as best to capitalize on potential benefits for specific purposes, not as a last resort. Manipulation and strategic choice allow for the state to aggrandize ASW in a way to mimic the organic urgency one may find with war in a democratic nation, with only a fraction of the risk.

Variable needs aside from democratic concerns necessitate flexibility and consideration. Having considered this, actions are not necessarily invoked with diversionary intent in mind, but rather changes to a preexisting conflict can be tailored to utilitarian pursuits. Despite having a genesis in alternate issues, the Vietnam war as an offshoot of American containment policies of Cold War geopolitics is not often described as diversionary in nature due to the preoccupation with proxy measures in assessing intent, but later actions fit with this paper's substantive definition of diversionary action. It has been argued that the later escalation of the war was a result of President Johnson's efforts to court the support of more hawkish senators to support forthcoming legislation on civil rights.²³ The sovereignty dispute over Taiwan was not initiated for diversionary purposes, though subsequent escalations of the crisis have been argued as being motivated for domestic political purposes.²⁴ Diversionary intent is not static nor is contingent upon initiation, rather ongoing issues may become diversionary should an internal need arise, demonstrating almost predatory intent on the part of states. This strategy is often overlooked, though useful as it sidesteps the need to begin another unpredictable and potentially damaging crisis rather than utilize one which currently exists.

III. Cultivating Diversions: China, Japan and the Senkaku Islands

The ongoing dispute regarding ownership of the Senkaku Island chain offers a significant case by which to observe the usage and manipulation of diplomatic actions for diversionary purposes. In contrast to other cases observed within the diversionary literature, the CCP in this case is not faced with an existential crisis endangering the regime or executive. This argues against the misconception that diversions are utilized as a last-ditch effort, and instead analyzes the targeted use of small-scale, manageable tension to address more focused domestic issues. The issue of sovereignty over the island chain hinges upon two distinct claims of ownership: Japan approaches the question from an international-legal perspective, while China's claims are more historical.²⁵

Disputes in the past do not discount the possibility of resolution in the future, making the continued endurance of the dispute unique for a few reasons. The first of which is the seeming insignificance of the islands, being both militarily vulnerable and economically unimportant.²⁶ The second issue involves geopolitics in that once the Communist Party prevailed in the civil war, China diligently worked to settle disputed borders throughout the country.²⁷ The issue of sovereignty was deliberately put on hold in 1978 by Deng Xiaoping himself, contending that the current generation of leaders lacked the wisdom to properly settle the question of ownership.²⁸

Since then, the issue has remained largely benign and often forgotten. However, China has seen fit to escalate the sovereignty dispute on more than one occasion, in correlating

with domestic issues requiring the CCP's attention to ameliorate. It is worth noting that the escalations explained in the cases presented in this paper are often a response to a move by Japan. This paper demonstrates an almost singular desire to remain within the ritualized dispute management techniques by both nations, with China responding to comparable situations calmly when domestically secure, but aggressive when politically preoccupied, implying deliberate action in the dispute.²⁹ Diversionary strategies are often pursued by states facing severe economic crises, political instability or with virtually no other option to bolster the regime, but China's domestic situation and political system have been highly robust in the years since Deng, contradicting the traditional catalyst to external conflict within the literature. However, between 2010 and 2012, two distinct escalations of the dispute occurred concurrently with governmental weakness: the labor protests and public disdain for corruption of 2010, and the Bo Xilai scandal prior to the ascent of Xi Jinping. Neither situation existentially threatened the regime, but they served as impediments to stable rule and thus necessitated a response.

The enduring tenets of diversionary theory are outdated and even inapplicable for the majority of states and cases. This study expands and reformulates our understanding of the domestic impetus to conflict. While the dispute is considered ongoing since the end of World War II, both Japan and China have inflamed tensions on and off for decades. In utilizing the dispute for domestic purposes of a substantive nature, China needs not be the initiating nation or aggressor. In fact, responding to seeming sleights with increased resolve of their own helps to enhance the dispute and China's position within their own country. This interaction is enhanced via the presence of a stated rival.³⁰

IV. The 2010 Escalation

The CCP maintains stability as their prime concern above all others and have adopted a long-term strategy of performance legitimacy to ensure this. Utilizing a pattern of ostensibly achieving goals whilst raising China's collective standard of living has proven robust, though economic prosperity does not equal stability.³¹ Double-digit growth for several decades did bolster the image of the CCP, but with economic prosperity came promises of international strength—specifically promises to rectify the wrongdoings of foreign powers during the “Century of Humiliation.”³²

Shame from previous weakness and the resultant nationalist support towards the central government has been cited among the CCP's most powerful perpetuation tools, as without the communist party the country is vulnerable.³³ This has led to consistent opposition towards seemingly unjust actions as the party strives to continuously legitimate itself as the bulwark against those who would do China harm.³⁴ It is important that fervent nationalism does not grow out of control however, as anti-enemy protests can quickly evolve into anti-government protests should the response of the CCP be sluggish or lacking.³⁵ This has necessitated for decades Jiang Zemin's strategy of “yulun daoxiang” (舆论导向) which ensures expression of public grievances are properly guided to coincide with the party line.³⁶

Due to assertions that Japan has yet to offer a full apology for their crimes against China during World War II, Japanese actions occupy correspondingly larger amounts

of attention.³⁷ Given the salience of territorial issues, the ongoing dispute over the Senkaku island chain should be similarly magnified, yet both sides have exercised remarkable restraint over the decades while ensuring territorial issues do not impede economic cooperation, which remains a cornerstone of performance legitimacy. In accordance with such a strategy of mutual economic cooperation, both sides have seen fit to abide by a nearly ritualized modus of conflict resolution.³⁸ In light of slowing economic growth and President Hu Jintao's "Harmonious Society" initially failing to meet its goals, the overreliance on nationalism and history as proxy fuel for performance legitimacy has altered the sensitive dynamic between Japan and China.³⁹ This attention to nationalism, however, necessitates a mode of caution, as China is well aware that unrestrained fervor can be devastating.

The nuance of this dynamic demonstrated its variability when trawler captain Zhan Qixiong was detained by Japanese authorities while fishing in the vicinity of the Senkaku Islands on September 7, 2010. As per history, there was reason to believe he would be returned quickly, despite the captain's refusal to allow the Japanese Coast Guard to board and then allegedly ramming a Japanese vessel in the ensuing pursuit. Japan conducted the detention according to established protocols given their administration of the islands as sovereign territory.⁴⁰ Similar situations in 2004, involving Chinese activists trespassing on the islands, and 2008, which saw a similar collision and the sinking of a Taiwanese fishing vessel culminating in a Japanese apology and compensation, hopefully foreshadowed a similarly expeditious resolution, though these occurred under comparatively stable domestic circumstances.⁴¹ Prior arrangements between Tokyo and Beijing sought to curb bilateral tension, with Japan implicitly promising to minimize detention of Chinese nationals, while China curbed anti-Japanese sentiment at home to avoid diplomatic damage.⁴²

Widespread protest regarding unfit working conditions, calls for increased representation, wages and upward mobility for factory workers forced the government into confrontation with organized labor groups that shook prevailing stability.⁴³ Issues regarding governmental overreach and economic immobilization came to a head on September 10 in Yihuang county, when a family of three, opposing the local government's attempt to seize their home for development, self-immolated in protest. Noted activist Ai Weiwei sought to use the current level of anti-Japanese fervor and calls for a harder line against Japan as a catalyst to transform public outrage into anti-governmental protest.⁴⁴

Chief Cabinet Secretary of Japan Yoshito Sengoku refused to acknowledge sovereignty when pushed by Beijing's ambassador, Cheng Yonghua, who claimed the fishing was legal given the disputed nature of the islands.⁴⁵ Tokyo's continued legalistic handling publicly revealed Beijing's weakness, which resulted in the first spontaneous protest outside the Japanese embassy in Beijing.⁴⁶ The CCP's political impotence was revealed in tandem with increased public calls for retaliation against Tokyo, which led China to continue to pursue a muted resolution. Cognizant of unfettered nationalism, Beijing clamped down on anti-Japanese protests in large cities and engaged its censorship apparatus while grassroots activism in interior provinces continued outside of strict control.⁴⁷ The continued detention of the trawlers crew in contrast to past situations was inopportune, as the September 18 anniversary of the "Manchurian Incident" drew close on the wings of growing anti-Japanese sentiment, with Chinese control waning in the face of public outrage.⁴⁸

Japan soon released the 14-person crew without the captain. Though initially touted as a breakthrough in the dispute while the primary leaders of the CCP escaped criticism, the

captain's continued detention enflamed domestic anger, with many questioning the government's suppression of anti-Japanese rhetoric. The day after the anniversary of the Manchurian incident, Tokyo announced the captain was to remain detained for an additional ten days, catalyzing an uncontrollable level of anti-Japanese activism that greatly worried senior leaders of the CCP.⁴⁹ China's netizens accused Beijing of "drinking tea" with protestors to soothe the outrage as opposed to substantively delivering on their promises. Bloggers were varied in their message but consistent in anger, questioning the continued suppression of patriotism, denouncing the spineless handling of the incident in the eyes of Tokyo's legalism, and even calls for a struggle against Beijing itself.⁵⁰

Senior leaders were worried. Performance legitimacy was now a two-front promise. The Chinese economy continued to grow, but these benefits were relegated to the coasts, not the countryside, with rural and factory workers questioning Beijing's commitment to widespread prosperity. The protests and their implications were significant in that if China accommodated the demands of the laborers, China's growth strategy of cheap exports and labor would be put at risk. Consequently, nationalism had begun to grow as a source of legitimacy for some time, but now China lacked the resources to quickly respond to the labor protests, as rapid accommodation could cascade into similar concession throughout the nation. Additionally, the CCP's role as a shield against foreign humiliation was now under scrutiny.

Beginning a new crisis or militarizing the current one was unwise as the presence of Japan's relatively innocuous actions had already begun to tear at the fabric of society, and a militarized dispute would likely conflagrate internal tension. However, behaving with newfound resolution saved Beijing the task of alternate target selection, aggrandizing the issue, and directing attention. This stood in stark contrast to previous spats with Japan, as the censorship apparatus of the CCP and congruent societal stability did not necessitate breaking from the ritualized channels of dispute management. Domestic conditions had exceeded domestic capacity however, with the CCP seeking to supplement its image.

Beijing's weakness necessitated a break from previous behavior. For the first time, China engaged in the arrest of a citizen for a web post, implicitly indicating that unfettered discussion was no longer acceptable, and coverage of the captain's detention must be positive.⁵¹ Diplomatically, China began to harden, with Ma Zhaoxu, a spokesperson for the office of Foreign affairs, declaring further delays in releasing the captain would see Beijing take strong countermeasures, "for which Japan shall bear all the consequences."⁵²

China's media approach capitalized on domestic anger, with the citizenry responding positively to Beijing's reorientation from restraint to anger. Online discussion, though still guided, now occurred en masse, with media outlets ceaselessly covering the dispute. Despite signs Japan was willing to expediate the captain's return, Beijing pressed its advantage, extracting support from the dispute. Premier Wen Jiabao cancelled several high-level meetings with Tokyo, as well as arresting four Japanese citizens on charges of suspected military espionage whilst encouraging protests throughout the nation.⁵³ The CCP shifted from the desire to ritualize the dispute once more, to aggrandizing it. Japan soon relented under diplomatic and economic pressure, and Zhan was released on September 24.

The captain's return was not celebrated. Previous patterns would see the dispute cool, but China's intent was now clear as they enjoyed their newfound concert with the protestors. Emboldened by assuming the upper hand, Beijing pressed Tokyo for further

concessions to placate the populace by calling for an official apology, which Tokyo immediately rejected.⁵⁴ This move was unprecedented, as official apologies were reserved for Japan's wartime atrocities. This demand inextricably tied the issue with the "shield" offered by the CCP in asserting Chinese power, and rectifying blows to the nation's dignity. Though Japan continued to maintain ownership of the islands, Premier Wen remained resolute, enjoying great domestic support. Protests against Japan saw crowds in excess of 50,000 attendees in large cities, with demonstrations allowed to occur so long as they did not become unruly.⁵⁵ Protests accelerated at such a pace, any and all coverage of ongoing labor disputes were overwhelmed by the coverage of anti-Japanese sentiment.⁵⁶

Relations continued to sour between Japan and China, though both nations were unwilling to foster irreparable damage. Chinese protests diminished until the 26th of October when the mouthpieces of the CCP once again switched to a strategy of restraint. Given the previous inflammation, tacit acceptance and synergistic relations between protestors and the CCP, the image of China showing strength and resolution in the face of Japan was strengthened, with calls for struggle against Beijing rapidly dissipating. Protests, previously stamped out before they began, were allowed to occur as China extracted social benefits from the public's anger. Given that the external strife between China and Japan was integral to amelioration of protest and negative sentiment, devoid of an external engagement, China would have had a much more difficult time fending off domestic ills using the demonstrably failed tactics of soft repression.

V. The Challenges of 2012

The 18th Party Congress in 2012 heralded a once-in-a-decade transition in leadership for the CCP. As the stalwart shield and "best bet" for continued societal stability, transitions are carefully orchestrated, as any ripples of instability within the top leadership could translate into tremors amongst the greater populace. Corruption, which only grew during the tenure of Hu Jintao, was revealed at the highest levels as rising star and party secretary of Chongqing, Bo Xilai was enmeshed within the controversial death of Australian businessman Neil Haywood in a hotel in Bo's city on November 14, 2011. Initial coverage of his death garnered mild interest, but damaging reports began when Wang Lijun, police chief of Chongqing and previous advisor to Bo, was dismissed from his post after a falling-out with Bo and subsequently made the journey to the American consulate in Chengdu with alleged evidence implicating Bo in the death of Heywood.⁵⁷ Chongqing's party secretary subsequently ordered security forces from his city to Chengdu to prevent Wang's testimony.⁵⁸

Bo's grandiose reaction indicated a greater problem. Word had previously circulated that the popular and successful party secretary had been under watch by President Hu.⁵⁹ Bo resembled a neo-Maoist in that he espoused state-led development which abhorred the Deng era policies endorsed by Hu and his successor Jiang, their distaste made clear when the entire Politburo Standing Committee, without the current and former executive, visited Chongqing, offering warm remarks. Bo soon became a rising star in contrast to Hu's weakness. Allegations that he had ordered his bureaucratic apparatus to wiretap the president offered the executive both cause and reason to counter Bo when previously he would have been loathed impeding economic growth.⁶⁰ Netizens inferring a rivalrous relationship

regarding the installation of China's new president, with Hu seeking to remove Bo to pave the way for Li Keqiang to become the new executive, which would weaken the prospects for heir apparent Xi, whom shared a close relationship with Bo. It is said that only through the involvement of Jiang was the squabble put to rest.⁶¹

The discussion of darker party dynamics represented a clear threat to stability. The truth of this incongruous relationship was irrelevant as even a fanciful discussion of this sort was dangerous, as was Wang's continued occupation of the American consulate and Bo's overcompensation. Beijing's censorship machine began suppressing all talk regarding corruption.⁶² Discussion remained muted even as Wang was apprehended whilst leaving the American consulate, and though Bo's media appetite was diminished, an impromptu press conference on March 9 saw him justify his handling of Wang's flight as following in the footsteps of Zhou Yongkang, a politburo standing committee member famously tough on crime. Bo subsequently attended annual events in Beijing, only to be publicly denounced by Premier Wen on March 14, and lose his Chongqing position the following day.⁶³

Chinese political tradition meant Zhou's seeming link to Bo was dangerous. Zhou supported Bo's neo-Maoism in Chongqing, which if widely adopted, could disrupt China's current developmental course. This ostensible corruption was merely conjecture when Bo first implicated Zhou, but this sudden instability and revelation at a period of transition was worrying. The internal decision to strip Zhou of his position lent credence to corruption allegations, and despite imminent retirement, Zhou's ability to appoint a successor as well as his previous governing programs were removed. A resultant investigation saw Zhou sentenced whilst retired.⁶⁴ This spiraling was predictable under the pseudo-patronage system of "mishu," wherein attacks on the upper levels of Chinese leadership often result in subordinates falling from grace. If the accusations grew out of control, many feared chaos could sweep through the lower levels of the CCP in absence of "elder statesmen" such as previous Chairman Deng to settle the crisis.⁶⁵

Evidence of corruption prior to a transition necessitated a calm and measured response by Beijing as the seeming veil of competence and strength was tarnished, though this was insufficient. Japanese relations offered a fortuitous opportunity to utilize external tension yet again for internal consolidation. Less than a week after Bo and his wife were put under investigation for the death of Heywood, Tokyo Governor Shintaro Ishihara announced on April 16 prospective plans for the city to purchase three privately held islands in the Senkaku chain. Official use of said islands had occurred previously, with Tokyo leasing several in 2002, to a muted response by Beijing. Though several protestors landed upon the islands and a small demonstration occurred in Beijing outside the Japanese embassy, Beijing was not laboring under corruption allegations and the ritualized response mechanisms of the bilateral relationship largely mitigated tension.⁶⁶ Despite the anti-Japanese highs of 2010, Beijing was similarly calm, reiterating old claims but maintaining stoicism for fear of a similar outpouring of unrestrained nationalism during such a tumultuous time.⁶⁷

Beijing was unable to fight a two-front war controlling both narratives. Bo's position continued to publicly degrade at home as attacks levied against both him and Zhou led to their effective ostracization from party politics. Bo's successor Zhan Dejiang publicly noted the damage both politicians wrought to the party's image of stability and strength.⁶⁸ Given the upcoming transition and the preoccupation with a steady transfer of power, Beijing saw fit to escalate tensions with Japan in contrast to nearly identical dealings in the past,

with their hand being forced as public attention drifted to Beijing's seemingly limp-wristed response to Tokyo.⁶⁹ Tokyo was aware of Beijing's current political climate and sensitivity regarding stewardship of the islands. In response to brewing trouble, Prime Minister Noda publicly announced the intention for the government of Japan, not Tokyo, to nationalize the islands for all of Japan, not just Tokyo's local government. Given the nature of the purchase, Noda argued such a purchase could be completed smoothly and efficiently.⁷⁰

From the standpoint of regime maintenance, Beijing was faced with two options. They could rely on their sophisticated censorship apparatus to stifle discussion regarding the ongoing corruption scandal, but by now talk had exceeded their capacity to fully quiet. People had begun to demand substantive change with calls going back to 2008.⁷¹ Censorship was failing, and substantive results were necessary. While it would typically be risky to engage in external conflict, even diplomatic conflict during periods of unrest, utilizing the preexisting Senkaku dispute was wise as it had remained stable from the 2010 escalation, with rivalry dynamics in place to ensure that it remained extant while remaining manageable.⁷²

Noda's move was meant to cushion the blow of nationalization. Mayor Ishihara was a known hawk, prone to inflammatory remarks, as were the private owners of the islands. By nationalizing the islands, the central government would become Japan's sole arbiter in the dispute, predicating a return to the ritualized pattern of resolution the dyad previously enjoyed.⁷³ China initially remained committed to a measured response since April despite domestic unrest, but in the meantime the societal situation worsened, and China needed to galvanize its political situation. When the announcement on August 3 that both Bo and his wife, Gu Kaili, would be tried on August 9, put alleged corruption on full display, China began to alter the status quo. In contrast to previous attempts which were turned back, protestors from Hong Kong were allowed to leave port and sail to the largest island in the Senkaku chain. The timing and publicity were notable in that previous attempts were outlawed, while this attempt was televised to great fanfare.⁷⁴

The protestors were detained and released without incident, but the interim period of August 18 saw the most domestic criticism of the CCP for the weak-handed negotiations regarding their detention. In response, virtually all censorship of the China-Japan dispute was relaxed, with the CCP calculating patriotism would drown out criticism.⁷⁵ Protests were only curtailed the day Gu received a suspended death sentence, a perceived "slap on the wrist" of one convicted of corruption and murder.⁷⁶ The protests were a powerful distraction while the government settled the Chongqing incident, but the fact they were largely quelled even in light of more "soft" news meant that previous unrest was deemed socially functional, and not the result of uncontrollable rage demonstrating clear manipulative intent. Tensions flared soon after September 11 as Noda continued with his nationalization plans prior to the CCP's transition to avoid "punch[ing] the new [Chinese] leaders in the face." Though Beijing's analysts noted the status quo endured, the symbolism was dangerous.⁷⁷

Online discussion shifted once more, with even the patriotic "Strong Nation Forum" exhibiting an alarming number of critical posts.⁷⁸ The infighting revealed after Chongqing was no longer hidden, and the narrative escaped centralized control. Merely allowing the public to speak about Japan had failed to deliver substantive results as they demanded action. Additionally, a date for the government's transition had not yet been set, which

signaled internal instability. Xi Jinping had disappeared from the public eye for two weeks since September 1, which saw all rumored causes of his absence censored on Weibo beginning on the 6th. Such public events were crucial for continuity purposes, so his disappearance was publicly unsettling.⁷⁹ China's soft stance towards Noda's nationalization rapidly changed. Seeking to divert attention from Xi's ordeal, all references of him were purged from the internet one full day after the Noda's finalization.⁸⁰

Beijing responded with new maritime boundaries, the first covering disputed territory, which would count all Japanese entries as intrusions. ICG interviews conducted post-hoc revealed that the plan was already in place, so the timing of the revelation demonstrated political intent.⁸¹ Analysts noted nationalization changed nothing, and so a hasty unveiling of the new boundaries would similarly offer nothing substantial, though it demonstrated strength and resilience.⁸² Chinese censorship enhanced this image. Bo's corruption and the looming 18th party congress placed pressure on Beijing to conclude the protests. In tandem with censoring speculative discussion regarding Xi Jinping, the internet exploded with discussions regarding the Diaoyutai (China's name for the islands). Anti-Japanese protests and extensive media coverage soon followed online discussion, with the Chinese public once again rapidly shifting their attention.⁸³

Protests became more violent as the September 18 anniversary of the Mukden incident neared, and the government worked to mitigate damage.⁸⁴ Though China continued to remain resolute against Japan, sending hundreds of fishing vessels into the disputed waters and warning of two decades of economic pain should Japan continue its actions, the government began to directly shepherd patriotism.⁸⁵ Deliberate guidance became increasingly obvious. Protestors filing with local authorities to demonstrate for anti-corruption measures were frankly told to direct their ire towards Japan.⁸⁶ Chongqing had all but been subsumed by Japan. Utilizing this width of freedom, the trial of police chief Wang began on September 17, only to secretly conclude a day later. The government only revealed the outcome on the 24th with tangible progress addressing the suppressed calls for anti-corruption action.⁸⁷ The effect was immediate. The day after Wang was sentenced, all censorship regarding his actions or trial were removed while words relating to the dispute with Japan were blocked with increasing frequency, signifying the social function of the protests had run its course.⁸⁸

Steps to stability prior to the 18th party congress had been assured, and further announcements from the CCP regarding a coming punishment for Bo once again demonstrated competence on the part of the CCP. His name, along with his son, Bo Guagua, were de-censored on the 28th, the same day his expulsion from the CCP was announced, denoting that the CCP no longer feared anti-governmental protests.⁸⁹

VI. Conclusion

This paper demonstrates that the behavior of China at various points during the Senkaku islands dispute exemplifies the discretionary escalation of a preexisting issue to garner increased political utility and for targeted domestic purposes. China's usage of diplomatic escalations demonstrates deliberate attempts to manipulate external conflict to address both the destabilizing demands of the population and their anger over perceptions

of governmental weakness, but also to increase the width of political freedom and utility Beijing then utilized to take substantive efforts assuage concerns regarding corruption and infighting.

Given China's ability to end protests rapidly throughout both escalations, it is possible that fully engaging the bureaucratic strength of the state could have stifled anti-government movements, but this is merely a salve and not a cure. The CCP was able to make the protest socially functional through proper guidance and generated utility through the adept use of political manipulation. Though war is likely to remain theoretically paramount as a diversionary strategy, the utilization of ASW highlights the potential benefits of cheaper, more manageable, and more manipulatable actions or even alterations within ongoing actions, to target domestic issue areas, as public ire was directed away from damaging the regime, whilst Beijing used this manufactured freedom to address internal issues.

China's actions in these two periods demonstrate that diversionary behavior is not the express property of democratic regimes, nor do opinion polls and muddling through another election denote success resulting from a short-term boost of popularity. Rather, it reveals broader interactions between the international and domestic environments, especially in regimes where elections and opinion polls may not exist. Instead, this paper highlights the variable needs and catalyzing conditions nondemocratic states may face and how external action may be a valid strategy to strengthen the state's ability to respond to domestic concerns.

In summation, these findings demonstrate a sensitivity to alternate domestic demands and flexibility in approach that diverges from the near-organic status of violent conflict. Variable needs can be addressed through variable strategies that may be less costly, safer, and more susceptible to orchestration in addressing domestic pressure wherein internal mechanisms may be insufficient or ineffective in combatting strife, only to then deescalate conflict once internal divisions have been addressed. When taken together, this study offers important inroads in conceptualizing small-scale actions as offering diversionary utility along a spectrum of domestic needs.

Notes

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3. Georg Simmel, *Conflict and the Web of Group-Affiliations* (Glencoe, IL: Free 1955).
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7. Benjamin O. Fordham, "Strategic Conflict Avoidance and the Diversionary Use of Force," *The Journal of Politics* (67) (2005), pp. 132–153.

8. Jack S. Levy and Lily I. Vakili, "Diversionary Action by Authoritarian Regimes: Argentina in the Falklands/Malvinas Case," in *The Internationalization of Communal Strife* ed. Manus Midlarsky (London: Routledge, 1992), pp. 118–146.
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11. Jack S. Levy, "The Diversionary Theory of War: A Critique," in *Handbook of War Studies* ed. Manus I. Midlarsky (London: Unwin-Hyman, 1989); T. Clifton Morgan and Kenneth Bickers, "Domestic Discontent and the External Use of Force," *Journal of Conflict Resolution* 36(1) (1992); Tir, "Territorial Diversion: Diversionary Theory of War and Territorial Conflict," *The Journal of Politics* 72(2) (2010), p. 417, <https://doi.org/10.1017/S0022381609990879>.
12. *Ibid.*
13. This is still risky. The Vietnam War, despite being highly visible was massively unpopular in the U.S. Contrast this with the single largest jump in approval ratings for George W. Bush after September 11th. Attention and support, even during war, is variable.
14. Tir, 2010, p. 417.
15. David Clark, Benjamin O. Fordham, and Timothy Nordstrom, "Preying on the Misfortune of Others: When Do States Exploit Their Opponents' Domestic Troubles?," *The Journal of Politics* 73(1) (2011), p. 252.
16. This issue is compounded by growing quantitative studies in lieu of theoretical advancement.
17. Meredith Reid Sarkees and Frank Whelon Wayman, *Resort to War: A Data Guide to Inter-State, Extra-State, Intra-State, and Non-State Wars, 1816–2007* (Washington, D.C.: CQ Press 2010). Interstate wars list available at: <https://correlatesofwar.org/data-sets/COW-war>, accessed November 2, 2023.
18. The lack of theoretical explanation for variation in the dependent variable, despite inclusion of actions short of war in quantitative work has continued to widen the gap between the empirical and theoretical realm (as well as the qualitative-quantitative divide).
19. This applies to democratic and autocratic regimes alike. A democratic leader facing loss in war may be left without enough support to win a subsequent election and an autocratic leader may be run out of office or abandoned by key elites such as Leopoldo Galtieri after the loss of the Falklands War.
20. Jessica L. Weeks, "Leaders, Accountability and Foreign Policy in Non-Democracies" (Stanford University: Dissertation, 2009).
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22. *Ibid*; Morgan and Bickers, 1992, p. 25–52; Tir, 2010, p. 417. Similarly, Kilic notes the potential value of alternate options for a regime under stress. See Kilic B. Kanat, "Diversionary Foreign Policy in Authoritarian States: The Use of Multiple Diversionary Strategies by Saddam Hussein During the Gulf War," *Journal of Strategic Studies* 7(1) (2014), p. 16–32, <https://doi.org/10.5038/1944-0472.7.1.2>.
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25. See Tadayoshi Murata, *The Origins of Japanese-Chinese Territorial Dispute: Using Historical Records to Study the Diaoyu/Senkaku Islands Issue* (Toh Tuck Link, Singapore: World Scientific Publishing Co. Pte. Ltd., 2016) for the most comprehensive analysis of the dispute.
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28. Reinhard Drifte, “The Japan-China Confrontation Over the Senkaku/Diaoyu Islands—Between ‘Shelving’ and ‘Dispute Escalation,’” *The Asia-Pacific Journal, Japan Focus* 12(30) (2014), p. 10.

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Biographical Statement

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Technological Interaction Capacity: A Structural English School Analysis of Global Undersea Communications Cable Infrastructure

Sean O'Malley

Structured Abstract

Article Type: Research Paper

Purpose—The purpose of the paper is to highlight potential changes to the structure of the international system that may stem from recent trends of state and non-state actor interaction with the global undersea communications cable infrastructure (GUCCI). More generally, the paper wishes to highlight the potential of global technological interaction capacity as an analytical tool by which to hypothesize changes in the international system.

Design, Methodology, Approach—A structural approach of English School theory expands the concept of disaggregative technological interaction capacity and offers a new qualitative method by which to analyze the flows of interaction between units and structure in the international system.

Findings—The results indicate that increased flows of interaction with GUCCI by the United States are being used to obstruct changes to international structure, while increased forces of non-state actor activity may eventually alter or override system structure by dominating ownership of cables and control of data flows in the future.

Practical Implications—The analysis demonstrates the utility of the English School concept of interaction capacity for hypothesizing potential changes to the structure of international systems.

Originality, Value—This paper is unique in its proposal for expanding the concept of technological interaction capacity in English School theory and offering a new method of analysis for this capacity.

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I. Introduction

There is little doubt that international relations of state and non-state actors are influenced by the cyber¹ realities of the twenty-first century,² the breadth and depth of which are made possible in large part by the global undersea communications cable infrastructure (GUCCI). GUCCI is a term used to describe the web of more than 500 current and planned domestic and international communications cable systems that span roughly 1.4 million kilometers globally and are responsible for carrying ninety-five percent³ or more of all international telecommunications traffic.⁴ “The submarine communications cable network, a physical manifestation of transnational connectivity, is an understudied area of international relations.”⁵ Yet, in his seminal work for the English School (ES) perspective of international relations, Hedley Bull pondered global communications technology when he considered *The Technical Unification of the World* and other aspects of world society.⁶ He wrote, “There is no doubt of the existence of one important and novel factor affecting transnational relations today: the development of global communications creating an unprecedented degree of mutual awareness among different parts of the human community....”⁷ Bull’s “degree of mutual awareness” would take form as interaction capacity under a structural perspective of ES theory proposed years later.

ES scholarship has encompassed a range of perspectives, structural, functional, or historical in nature, while spanning theoretical foundations from classical realism to historical-sociological.⁸ As such, the varied approaches to ES scholarship have opened the School to some biting criticism, especially to claims that the School lacks clarity of method, theory, identifiable assumptions, or foundational principles.⁹

Despite the criticism, the structuralist approach to ES theory¹⁰ promoted by Barry Buzan and others embraces concepts that may increase theoretical clarity for critics and practitioners alike. Previously, Buzan, Jones, and Little¹¹ proposed a three-level analytical framework with a structural level of analysis at the top, an interaction level of analysis in the middle, and a unit level of analysis at the bottom. In this framework, shoving and shaping forces at the structural level play alongside those generated by interaction capacity (IC) in the middle level of analysis, and act upon units in the system that reside at the lowest level of analysis.¹² The argument made here is that IC can be more highly theorized than is currently the case in ES scholarship and that it can offer an element of predictive capability with a more defined method of analysis.¹³ If this be the case, it would be a unique contribution to the ES literature.

The approach taken here to disaggregate and investigate a systemic physical feature (i.e., IC) of the international system may seem debatable to some who follow ES scholarship. It is certainly a rarity in ES literature, even though Buzan, Jones, and Little hypothesized, “When interaction capacity moves from middling to some higher level, it does not seem unreasonable to hypothesize that the interaction variable might ... override structural effects in the overall logic of the system.”¹⁴ Currently, the physical capabilities of IC seem relegated to a minor supporting role in structural analyses as a facilitating tool of

units. However, this paper hopes to elevate the role of IC in structural analyses and impress on readers that technological IC may have some predictive value and be a crucial facet of future ES scholarship, as the shoving and shaping forces of technological IC force a reaction from units that may ultimately affect the structure of the world system. GUCCI is the vehicle for this first case study. It is hoped the approach offers something not often considered in ES literature.

II. Interaction Capacity in English School Theory

The relationship of GUCCI to ES theory and methods as first explored by Buzan and Little lies squarely in the ES concept of technological IC.¹⁵ IC has been explored in some detail in structural ES theory.¹⁶ According to Buzan and Little, IC

refers to the amount of transportation, communication, and organizational capability within the unit or system: how much in the way of goods and information can be moved over what distances at what speeds and at what costs? ... [It] captures both the physical and the social aspects of capabilities that are system- or unit-wide. These capabilities play a role in defining the dominant units, and act as a distinct source of shoving and shaping forces playing alongside those generated by structure.¹⁷

Buzan, Jones, and Little believe technological capabilities, as well as shared norms and organizations are two key aspects of systemic capabilities that determine the types and levels of interaction possible and desired in the international system and affect the ability and the willingness of units to interact.¹⁸ In this sense, IC is seen as an absolute capability in the system that “cannot be adequately expressed in unit terms.”¹⁹

Buzan and Little note how technological IC “quickly transforms conditions of interaction for all units” and “change[s] the quality and character of the system as a whole.”²⁰ According to Buzan, Jones, and Little, “There is a strong case for saying that interaction capacity ranks alongside structure as a ‘shoving and shaping’ force on the interactions of the units throughout the system. It provides the essential third leg of a full system theory (units + interaction + structure).”²¹ Yet technological IC, the physical aspects of capabilities, seems underexplored in ES literature. Buzan and Little claim, “The main question to ask of any international system is whether its interaction capacity is high or low.”²² If this be the case, there is little left to explore. Buzan, Jones, and Little already declared that the modern international system is system dominant and therefore has high IC.²³ For GUCCI specifically, there is little doubt IC is high. Newer cables are capable of transmitting hundreds of petabytes of data per second and “there are 475 of these undersea cables deployed around the world as of December 2020.”²⁴ With some claiming that communication breakthroughs of the last few decades do not compare with the fundamental breakthroughs of the nineteenth and early twentieth centuries,²⁵ it seems all had been said.

However, the analysis by Buzan and Little offers a number of concepts left unexplored when interaction capacity is seen as an aggregate. Although global IC is seen in the binary of either high or low, they concede, “there can be no doubt that the international system is marked by quite extreme uneven development in interaction capacity as in many other spheres of life.”²⁶ This is likely the outcome of their claim that “both physically and socially,

the global system was made by a small number of leading states,”²⁷ a conclusion drawn from their analysis of the revolutionary changes that have occurred in IC from the ancient to the modern era. They note more specifically that the flows of interaction sustained by IC exhibit “a centre-periphery pattern, with heavy concentrations amongst the most developed states, thinner traffic between centre and periphery, and the thinnest between units in the periphery. Some parts of the periphery are even going backward, as in those African countries that have proved unable to maintain the road and railway systems they inherited from the Europeans.”²⁸ If physical and social IC was made by a small number of states, as claimed by Buzan and Jones, and if IC manifests in heavier or thinner interaction flows between units in the system, then the logical question is whether IC should be thought of in the aggregate binary of high or low.

To be fair, Buzan, Jones, and Little seem concerned with how to categorize the level and type of IC, in order to conclude whether structural logic can occur in a system.²⁹ Reflective of such thinking, Buzan and Little claim that “structural effects vary directly according to the frequency and intensity of interaction. When interaction is high (e.g. frequent wars or regular trade amongst the units) structural effects should be strong; when it is low (e.g. infrequent and low-level conflict, sporadic and small-scale trade) structural effects should be weak.”³⁰ In this sense, IC is considered to be

aspects of absolute capability that transcend the unit level, but which are not structural in the sense of having to do with the positional arrangement of the units. They are systemic not only because they represent capabilities that are deployed throughout the system, but also, and mainly, because they profoundly condition the significance of structure and the meaning of the term system itself. This is a different quality from selective unit capabilities that have system-wide effects, such as nuclear weapons, which Waltz rightly places within the unit level.³¹

However, this is where the theoretical description of technological IC seems somewhat weak, if not problematic.

Firstly, technological IC is not evenly distributed in the system, and Buzan and Little note it is regressing in some parts of Africa. Although they claim IC “represent[s] capabilities that are deployed throughout the system,” if some units have more or less access to these capabilities, then how can positional structure of those units in the system be unaffected? This question reflects what Waltz characterized as distributional capabilities³² and what Buzan, Jones, and Little label as distributional structure,³³ whereby a system may be unipolar, bipolar, multipolar, etc. Secondly, as noted above, Buzan, Jones, and Little claim nuclear weapons are a unit-level capability, yet Buzan and Little include the rockets which carry those nuclear weapons as having “very specific and important impacts on the revolution of interaction capacity as a whole,” as they spawned “long-range, impossible to stop, delivery systems for military payloads,” which “changed the entire face of great power war and strategic thinking.”³⁴ The problem here is that knowledge of how to construct these two differing technologies is available throughout the system, but many units in the system do not have the capabilities to construct or operate either of these technologies. This being the case, how can one be system-wide IC and one be a unit-level capability? Either both are social IC as system-wide knowledge that has altered system thinking, or both are technological IC, systemic capabilities available to all units within the system, but differentiating these two technologies (as just one example) seems rather arbitrary.

This brings us to the final apparent weakness in the theoretical logic of IC. Buzan, Jones, and Little claim that “interaction capacity rests on the absolute qualities of attributive power rather than the relative weight of relational power.”³⁵ They further claim that “depending on their attributes, states can or cannot do certain things, like building a nuclear weapon, or putting 12 million men into uniform.”³⁶ They believe attributive power is not relative but absolute because “all units can increase (or decrease) their levels of it through such capability-expanding activities as technological development, industrialization, administrative efficiency, and collective identity.”³⁷ Theoretically this may be true for social IC, but some states may never attain the attributes necessary to create certain forms of technological IC, especially if blocked by the use of relative power by other states. Technological IC is the physical manifestation of transport, communications, and other types of physical IC, which logically can only be wielded by units with the capability to construct or operate such IC. Since this is the case, technological IC like GUCCI should be grounded in relative capabilities of units—the knowledge (a social IC) is systemic but the capability of use is a unit capability. If this be the case, has technological IC simply been reduced to a relative capability dependent on unit-level action, or can it still be considered independently responsible for shoving and shaping forces on structure?

While disaggregating power, Buzan, Jones, and Little conclude, “the overall pattern of distributional structure has to be related to the shifting contexts (or regimes) of non-state activity within which state capabilities are exercised.”³⁸ A methodological door is therefore opened when they write, “A case could be made for both aggregative or disaggregative conceptions of interaction capacity.... A disaggregative approach would look separately at technological and societal capabilities in the system. One advantage of disaggregation is that it enables account to be taken of the different logistical requirements of interaction in different sectors.”³⁹ A disaggregative approach certainly seems appropriate for the study of GUCCI, which, although not distributed evenly across the international system, is available for any individual or unit to access and use depending on available capabilities.

For an effective disaggregative approach toward GUCCI, one must note the disaggregation takes place at two levels. Firstly, disaggregation of the physical infrastructure demarcates responsibilities of state and non-state units involved in deployment and operation of GUCCI. Cable systems traverse the high seas, exclusive economic zones and territorial waters of sovereign states. Cable landing stations and data traffic routing equipment sit on sovereign territory and can be manipulated by any actor with access to such facilities. Secondly, analytically speaking, GUCCI is simply one aspect of the cyber realm. For most individuals, the most familiar aspect of this realm is probably *cyberspace*—a virtual global domain resulting from the interaction of people, software and services within the information environment consisting of the interdependent network of information systems infrastructures including the Internet, telecommunications networks, computer systems, and embedded processors and controllers.⁴⁰

Cyberspace aligns with IC as the definition has both social elements (the information environment) and physical elements (infrastructures). In addition to aligning with IC, Barinha and Renard note a number of characteristics about cyberspace: “It is a global domain connecting nations and citizens worldwide in a variety of manners, generating interactions and frictions between them.... Cyberspace is then comparable to other global commons, like the high seas, airspace and outer space. As such, it is considered that a minimum of

rules and regulations are required, in order to ensure access to all and avoid conflict, which can only result from diplomatic negotiations.”⁴¹ They go on to note “cyberspace’s contested nature in which its major powers promote competing visions, interests and values for the cyberspace.” These characteristics seem commensurate with the concept of IC in ES theory. Already, a number of authors have tied ES theory to current cyber issues,⁴² with Lemke and Habegger making a strong case for how the digital communication revolution allows for “a significant shift in the global opportunity structure of collective mobilization” and an “alternative site for transnational contention” all predicated on the exponential growth of digital interaction capacity.⁴³ Therefore, to answer our question above, it does appear that technological IC can independently create shoving and shaping forces that may act on structure.

It is now possible to elevate the theorizing of technological IC and IC more generally. IC encompasses system structure and units (i.e., states in the modern state system). Shoving and shaping forces from structure and from IC itself, interact with units in the system, and in turn, these units generate flows that rest upon the varying types of IC. Flows utilizing IC, between units and between units and structure, are thick or thin (in varying degrees) dependent on the capabilities of the units and dependent on the shifting contexts of non-state activity that infuse such flows. The positional structure of the system may be affected in part by the flows with which the structure interacts (see Figure 1).

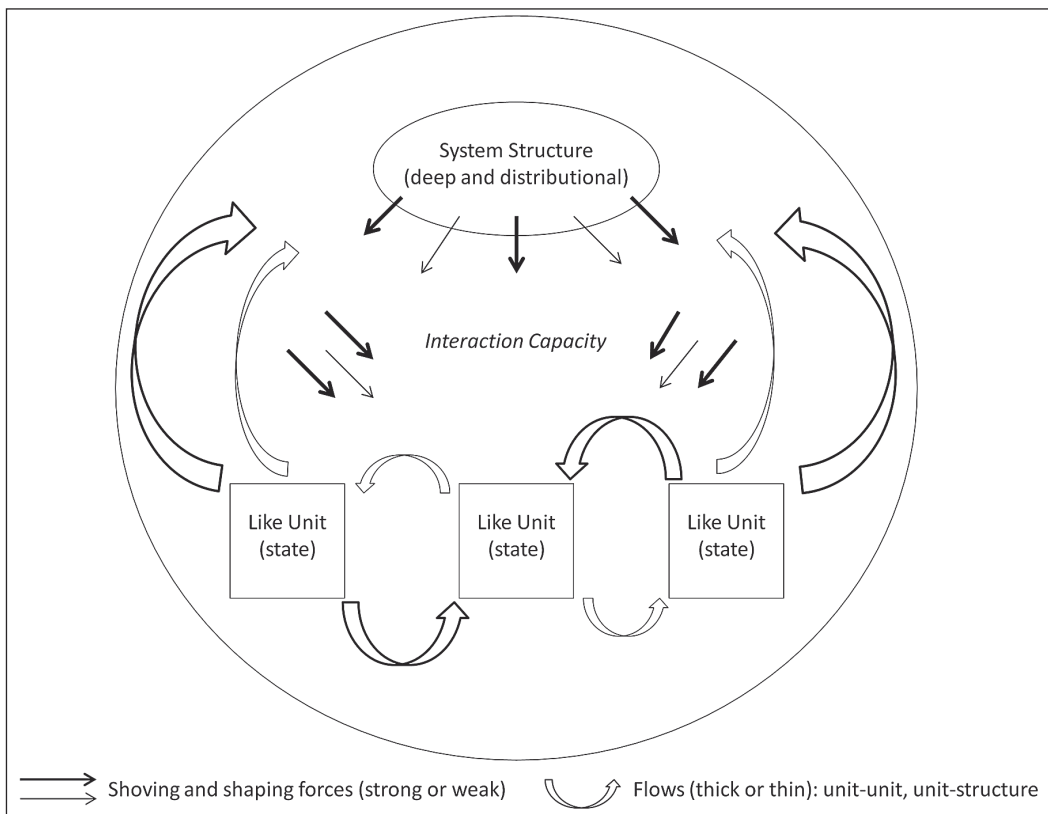


Figure 1: Interaction Capacity from a Structural Perspective

Methodologically speaking, flows can be analyzed as thickening or thinning, depending on unit or other actor appropriation or manipulation of individual types of IC. As measuring the thickening or thinning of flows in a quantitative sense would be quite difficult (flows are affected by a number of factors), historical trends or changes, as well as comparative analysis, may provide the best methods by which to gauge changes in flows.⁴⁴ Such an analysis should open insights into possible coming changes to the structure of the system.

III. GUCCI as Indispensable Infrastructure

Since the introduction of the telegraph, states have leveraged telecommunications technology to enhance their power and extend their reach across the globe.⁴⁵ Interestingly, although the importance of earlier telegraphic cables were recognized in times of war and peace,⁴⁶ the ownership, construction, and operation of the cable infrastructure was almost wholly undertaken by private companies. Supported and subsidized by states, included in and influenced by international conventions and treaties, and subject to the whims of the global marketplace and the demands of national authorities, cable companies set out to connect the world. These fundamental aspects of the cable business have changed little since U.S. President James Buchanan sent greetings to Britain's Queen Victoria over the first Atlantic cable in 1858, though the evolution of undersea cable technology has been significant.

At the component level, modern fiber-optic undersea communications cables are a fairly simple concept.⁴⁷ The basic design requires two landing stations and a cable. A cable landing station is a building that sits on a beach or slightly further inland. The station is one end termination point for the cable. On the shore of another country (for an international cable) sits another landing station that acts as the second termination point for a cable. The cable is run from one landing station to the other and rests on the sea floor between them. Cable landing stations may house one or more cables and perform three essential functions. They provide power feeding equipment for the submerged equipment; terminal transmission equipment emits wavelengths and receives communications signals arriving on the receive fiber; and a network management system monitors the system for status and errors.⁴⁸ The landing station is also the "the beginning of what is called the 'home run.' The home run is the terrestrial cable route running further inland to the telecommunications point of presence—the handoff of signals from the international to the domestic telecommunications network."⁴⁹

By purpose, design, and definition, GUCCI is critical infrastructure.⁵⁰ Besides carrying ninety-five percent or more of international voice and data communications traffic, Sechrist notes that for the United States "nearly all government traffic, including sensitive diplomatic and military orders" that must reach officials in the field traverses GUCCI.⁵¹ Landing stations are in fact so important that nearly twenty-four percent of all U.S. overseas critical infrastructure and key resources are undersea communications cable landings—seventy-one of some three hundred resources listed by the U.S. Department of State.⁵² Economically, GUCCI is just as critical. "Without GUCCI, the world's economic financial market would immediately freeze."⁵³ CLS Bank for foreign exchange settlement

set a daily record settlement for its members valued at US\$11.1 trillion in 2017 and a daily record volume of 2.58 million transactions in 2016.⁵⁴ When the Hengchun earthquake off the coast of Taiwan severed nine of eleven cables to the island in 2006, Korea's financial markets mostly halted trading of the Korean won due to communications problems.⁵⁵ Hill estimated as an industry that telecommunications "accounts for two to four percent of Gross Domestic Product (GDP) in developed countries and two to ten percent in developing countries."⁵⁶ Rauscher believes "for the most part, the countless government agencies, businesses and individuals who rely on the Internet, global supply chains and modern financial markets everyday have been able to enjoy the luxury of grossly under appreciating the contributions of this [undersea cable] industry to modern society."⁵⁷

For more than 150 years, GUCCI has fueled and responded to enormous evolutions in data communications. Today, it is arguably the world's most important global asset, without which the world's level of modernity collapses. In 2014, traffic between machines exceeded capacity exchanged between human beings⁵⁸ and "the world continues to consume ever-increasing amounts of data, with bandwidth demand projected to almost double every two years for the foreseeable future."⁵⁹

IV. GUCCI as Interaction Capacity

The shoving and shaping forces related to GUCCI that interact with states in the system come in two primary forms: (1) structural forces that stem from the rise of a potential new hegemon in the system and from the evolution of digital technology; and (2) IC forces that stem from non-state actor activity, especially demand for more digital throughput on cables and the business decisions of hyperscalers, which are large digital platform providers. The analysis that follows will focus on these current forces.

4.1 Shoving and Shaping Forces of Structure

Today's shoving and shaping structural forces come primarily from the rise of China as a hegemon in the system.⁶⁰ China's rise has led to a strategic competition with the United States, the world's global military hegemon and one of the world's economic hegemons.⁶¹ A primary focus of this strategic competition has been the dominance or control of current and future digital technologies, which stems from a somewhat conspicuous shift toward the idea of techno-nationalism by states in the system. GUCCI is one of the digital infrastructure technologies subjected to this new strategic competition.

There are three prominent ways in which the United States has recently thickened its flows of interaction on GUCCI and one way in which China has attempted to do so. Chronologically may be the best method by which to show the evolution of thickened flows, which means beginning with the case of Huawei. Huawei is a Chinese telecommunications technology company that makes digital networking components and other products. Started in 1987 by a former People's Liberation Army engineer and current Chinese Communist Party member Ren Zhengfei,⁶² Huawei grew to become the world's largest network equipment maker, holding about thirty percent of the global market in the first half of 2021.⁶³ However, "for more than two decades, U.S. government officials have raised national

and economic security concerns with Huawei, citing its ties to the Chinese government and military, preferential Chinese policies and financing that enabled its growth and expansion globally, and the potential for espionage.⁶⁴

U.S. actions toward Huawei have been varied and increased over time. U.S. government agencies have discouraged or blocked mergers, acquisitions, and financing deals involving Huawei and U.S. companies; in 2017, the U.S. Department of Defense was restricted by law from using Huawei equipment in certain networks; in 2018, other government agencies were prohibited by law from obtaining equipment, systems or services that use Huawei equipment; in 2019, the U.S. Department of Commerce added Huawei to its Entity List requiring companies to obtain an export license to export goods to Huawei; and other restrictions on 5G technology have followed.⁶⁵ Even though both the Trump and Biden administrations allowed some \$60 billion in transactions between U.S. firms and Huawei,⁶⁶ the restrictions have taken a toll on Huawei's submarine communications cable equipment business.

Huawei has the distinction of being the only submarine cable equipment manufacturer accused of espionage on behalf of a state. The suspicions and accusations have been ongoing for years,⁶⁷ with some worries most likely rooted in China's *2017 National Intelligence Law* that states companies must "support, assist, and cooperate with" China's intelligence-gathering authorities.⁶⁸ In the period of 2017 to 2021, Huawei Marine Networks (rebranded as HMN Technologies) supplied eleven systems globally, nearly twenty percent of all new systems. From 2021 to 2026, it is projected to supply four new systems of the planned 38 systems, approximately eleven percent.⁶⁹ Huawei has dropped from the second largest supplier of new systems to fourth, with its competitors ASN, SubCom, and NEC holding steady or increasing the number of systems they will supply.⁷⁰

In addition to obstructing Huawei's submarine cable business, the United States has recently begun to block the rights to land a cable and allow operations of cable landing stations and points of presence through domestic regulatory administration. States can block the operations of submarine cable installations in their territory if they have concerns regarding the cable's international landing points. In February 2020, the United States delayed licensing a Chinese majority owned cable system, Pacific Light Cable Network, that was planned to connect Hong Kong, Taiwan, the Philippines, and the United States.⁷¹ The cable license was denied in June of that same year, which caused a domino effect. Three planned trans-Pacific systems withdrew their licensing requests to land in Hong Kong, and two new trans-Pacific systems did not include Hong Kong landings.⁷² In cases such as these, cable owners must determine which landing points are most important to their planned operations and make adjustments to accommodate the concerns of states.

Lastly, what is clear in regards to GUCCI is that governance for protection, security, and industry harmonization has been left mostly to the private sector.⁷³ When it comes to security and protection, a system of maintenance agreements devised by the private sector ensures that cable ships are dispersed globally so that a damaged cable may be reached within 24 hours and repairs can commence.⁷⁴ There are currently 51 cable-laying vessels in the world, of which 21 are dedicated to club and private maintenance zones. Of the remaining vessels, 26 are dedicated to installation work and four are multi-purpose.⁷⁵ As this is the case, the U.S. government has already approved funding for a cable ship security program "to speed up repairing damage to U.S. national security-relevant submarine cables."⁷⁶

In addition, as *Reuters* reports, “SubCom [a New Jersey based company] is the exclusive undersea cable contractor to the U.S. military, laying a web of internet and surveillance cables across the ocean floor, according to the four people with knowledge of the matter: two SubCom employees and two U.S. Navy staffers.... The cable firm now works almost exclusively for the U.S. military and big U.S. tech firms.”⁷⁷

The contention here is that U.S. restrictions on the Chinese company Huawei, U.S. regulatory obstruction to the landing of certain cables in the U.S., a new cable ship security program, and a partnership with the private submarine cable laying company Subcom, all indicate that the U.S. is increasing its IC flows regarding GUCCI. These actions by the U.S. seem correlated to a new strategic competition between the U.S. and China that seems rooted in China’s hegemonic rise. Additionally, the actions seem meant to hinder or obstruct China’s rise, a rise which could potentially have long-term effects on the international system structure.

4.2 Shoving and Shaping Forces of Non-State Activity

Besides structural shoving and shaping forces that have affected China and the United States most prominently, states in the system also must contend with IC shoving and shaping forces from non-state actor activity. The biggest force shaping GUCCI is demand for more bandwidth by individuals across the globe. The demand for ever-increasing amounts of data seems largely driven by a need to share experiences and information and to receive experiences, especially through social networking platforms like Facebook, offered by Meta. Facebook has over 2 billion users,⁷⁸ 1.4 billion of whom use Facebook Groups.⁷⁹ The platform generates four petabytes of data daily.⁸⁰ It is one of seventeen social networking applications that have 300 million users or more.⁸¹ Instagram has more than 1 billion users sharing more than 95 million photos each day.⁸² The platform had 5 million videos uploaded within 24 hours of offering a video service,⁸³ while 500 million of its subscribers use Instagram Stories every day.⁸⁴ This is all of course in addition to the need of GUCCI for international economic activity, as noted above.

In response to social need, the hyperscalers Alphabet, Microsoft, Meta (formerly Facebook), and Amazon—companies that require a large amount of bandwidth on cable systems—have entered the submarine system ownership market; others may in the future as well. Unlike traditional cable owners, hyperscalers do not necessarily need cables in locations with many interconnect options, like New York or London. They often locate their data centers in regions that offer greater cost savings, and therefore, supplying new cable infrastructure to meet their bandwidth needs in these areas is of greater concern.⁸⁵ In the years 2017–2021, twenty percent of the systems that went into service were driven by hyperscalers. This is projected to increase to twenty-three percent in the period 2022 to 2024 and is expected to continue increasing beyond that.⁸⁶ As cable costs are but a fraction of the annual operating expenses of a number of hyperscalers, growth in the number of cable systems should continue. In addition, “the world continues to consume ever-increasing amounts of data, with bandwidth demand projected to almost double every two years for the foreseeable future. This demand—largely driven by a continued shift towards cloud services, continued explosion of mobile device usage and mobile technology like 5G”⁸⁷ means capacity of GUCCI will continue to grow as well. Capacity growth for greater amounts of

data transmission in the period of 2017 to 2021 had a compound annual growth rate of 18.6 percent.⁸⁸ In 2020, the average amount of global data traffic on international links was 170 tbps (terabits per second), while peak traffic was 280 tbps.⁸⁹

Moreover, ownership of cables is changing. Generally, cable systems are either multiple-owner cables or single-owner cables. Multiple-owner cables have traditionally been consortia, where numerous companies from across the globe come together and finance and manage the project through negotiation, spreading the risk among them. Single-owner cables have one or just a few owners, taking on greater risk if the project does not succeed. They usually secure funding as loans from other sources. The fact that ownership is becoming heavily skewed toward single-owner cables may be a concern.

The 2021 Submarine Cable Map from industry leader TeleGeography shows 464 cable systems and 1,245 submarine cable landing stations globally.⁹⁰ Of the more than 500 current and planned domestic and international cable systems, the vast majority are wholly or majority owned by private companies, including the more recent trend of global content providers, often referred to as hyperscalers—Amazon, Meta, Alphabet, and Microsoft among others—becoming whole or partial owners of cable systems.⁹¹ In 2011, single-owner cables comprised fifty-six percent of cable systems worldwide. However, new builds beginning in 2021 took this number to sixty-three percent and by 2024 single-owner systems will constitute a full eighty percent of all new builds.⁹² Why does this turn toward single-owner systems matter?

Single-owner systems, as private entities, have much greater control, and possibly complete control of data traffic through their cable infrastructure. This means they can route data however they choose. In 2020, Subtel Forum Analytics wrote, “The OTT [Over-The-Top] providers such as Amazon, Facebook, Google and Microsoft are completely transforming the submarine cable market. They are no longer reliant on Tier 1 network operators to provide capacity and are simply building the necessary infrastructure themselves. This is likely to have a long-term impact as the largest consumers of bandwidth are essentially exiting the market. A side effect of this is that traditional carriers may have a harder time developing a business case for new cable systems.”⁹³ In fact, GUCCI systems are generally regarded to have a lifespan of 25 years, though some are upgraded or utilized longer. It is predicted that approximately 190 systems will reach end-of-service by 2031, which is forty-three percent of all current systems. If traditional carriers have a hard time developing a business case for new systems, then the eighty percent of new builds by single-owner entities may climb higher, which means most data traffic may be subjected to manipulation and/or the trafficking priorities of single-owners. This may impact the relative neutrality of data flows compared to consortia-built systems.

There is little doubt that hyperscalers are thickening their flows on the technological IC of GUCCI. U.S.-based hyperscalers have a history of supporting U.S. intelligence agencies and the U.S. government with data sharing, but also have an interest in developing the new economic model known as surveillance capitalism.⁹⁴ As GUCCI trends more toward single-owner systems, many potentially owned by hyperscalers, there are questions to be asked concerning the future of system structure. Will these hyperscalers be helping governments maintain the status quo? Will they affect distributional structure in the system? Will they become new leaders and create a new form of structure beyond the state system?

V. Conclusion

The purpose of the presented analysis was to highlight potential changes to the structure of the international system that may stem from recent trends of state and non-state actor interaction with the global undersea communications cable infrastructure. To do this, the paper used a disaggregative approach to GUCCI and elevated the theorizing of the concept of technological IC (and IC more generally) in English School structural theory; it then proposed qualitative methods, historical or comparative, by which to analyze interaction flows of units in a system as either thickening or thinning, in order to determine potential effects on system structure.

It is nearly impossible to overstate the importance of GUCCI to modern, global society as critical infrastructure or interaction capacity. As such, there are shoving and shaping forces related to GUCCI from both structure in the international system and from non-state activity in the system that affect state interaction in the system. An analysis of GUCCI as technological IC shows increased flows from the United States on this particular type of IC as a response to structural forces in the system, most likely caused by the rise of China as a new potential hegemon. The analysis also shows significant shoving and shaping forces from non-state activity over IC, which may potentially allow IC, in the words of Buzan and Little, to “override structural effects in the overall logic of the system.”

The potential of non-state activity to gain material dominance over GUCCI as IC may certainly have future implications for the structure of the international system. The trend in growth of single-owner cable systems, and the potential crowding out of multiple-owner cables by hyperscalers’ ability to finance cable systems easily, creates the potential of a balkanised cyberspace, where a relatively small number of hyperscalers wield enormous influence in the routing and manipulation of data. It is not too difficult to imagine an infrastructure of GUCCI built and operated by a hyperscaler that does not let data travel outside of that infrastructure, or at least, routes that data around states with which it does not have positive relations. The technology available allows such routing choices to be made. A balkanization of cyberspace in such a way could create region-based cyberspaces where like-minded states and their transnational backers sever connections with other states or entities.

Such a balkanization is possible in that the opportunity to create region-based cyberspaces is afforded by the evolution of technology in telecommunications and the current trends of expansion by hyperscalers. This could have enormous ramifications for the structure of the global system, as regional systems rise and individual states lose prominence. Nonetheless, there are constraints in place to make such a creation difficult. States still have sovereign rights over their territories, and as demonstrated by the United States, they may refuse the licensing or landing of cables that do not conform to their values or national interests. Operations of GUCCI are also reliant on states adhering to international law and not disturbing the laying of cables or the transmission of communications along them. Nevertheless, states are awakening to the incredible importance of this critical infrastructure, as demonstrated by actions of the United States that appear to have thickened its flows in IC.

We can conclude that GUCCI as technological IC and the shoving and shaping forces that accompany it continue to evolve, and as such, its ability to affect structure may be very real at this point in history or in the near future. A future study covering the history of

GUCCI, from its importance as “the nerves of Empire”⁹⁵ for the British in the early twentieth century, to the growth of digital finance and fiber optic communications in the 1970s and further into the evolution of personal computing in the twenty-first century, may show how IC evolved to become a factor of potential structural change within the system. Nonetheless, ES theory has traditionally understood IC as a medium in the global system providing a conduit between regime-level agency and the structural level of the state system. Such thinking seems to have limited the exploration of IC’s potential impact through its shoving and shaping forces on the structure of the international system. This being the case, perhaps it is time to reevaluate how technological IC and technology in general are viewed by the English School.

Notes

1. Cyber refers to both information and communication networks.
2. Nazli Choucri, *Cyberpolitics in International Relations* (Cambridge, MA: MIT Press, 2012); Chris C. Demchak, “Foreword,” *Cyberspace and International Relations: Theory, Prospects and Challenges*, eds. Jan-Frederik Kremer and Benedikt Müller (Heidelberg: Springer, 2014), pp. v–ix; Jan-Frederik Kremer and Benedikt Müller (eds.), *Cyberspace and International Relations: Theory, Prospects and Challenges* (Heidelberg: Springer, 2014); Massachusetts Institute of Technology, Challenges, last revised September 21, 2020, <http://ecir.mit.edu/challenges>, accessed May 12, 2022; Massachusetts Institute of Technology, Minerva Initiative, last revised September 21, 2020, <http://ecir.mit.edu/>, accessed May 12, 2022; Milton. L. Mueller, *Networks and States: The Global Politics of Internet Governance* (Cambridge, MA: MIT Press, 2010); Thomas Rid and Mark Hecker, *War 2.0: Irregular Warfare in the Information Age* (Westport, CT: Praeger Security International, 2009).
3. This number is contested. Some authors claim ninety-five percent or more (see Karl F. Rauscher, *ROGUCCI: The Report. Proceedings of the Reliability of Global Undersea Cable Communications Infrastructure Study and Global Summit, Issue 1, rev. 1* (Dubai, UAE: IEEE Communications Society, 2010), p. 33; Justin Sherman, *Cyber Defense Across the Ocean Floor: The Geopolitics of Submarine Cable Security*, Atlantic Council (2021), p. 2, <https://www.atlanticcouncil.org/in-depth-research-reports/report/cyber-defense-across-the-ocean-floor-the-geopolitics-of-submarine-cable-security/>, accessed August 08, 2022; Ian Walden, “International Regulatory Law,” in Ian Walden (ed.), *Telecommunications Law and Regulation*, 5th ed (Oxford: Oxford University Press, 2018), p. 802, while Ruggeri claims 99 percent (Yves Ruggeri, “Forward,” in José Chesnoy [ed.], *Undersea Fiber Communications Systems*, 2d ed. (London: Academic Press, 2016), p. xxiv, and Bergano believes it to be 99.999 percent for typical Internet traffic (Neal S. Bergano, “Foreword,” in José Chesnoy [ed.], *Undersea Fiber Communications Systems*, 2d ed. (London: Academic Press, 2016), pp. xxvii–xxviii).
4. See Submarine Telecoms Forum, *Industry Report 2021/2022*, Issue 10 (2021), pp. 13, 28, <https://subtelforum.com/products/submarine-telecoms-industry-report/>, accessed August 14, 2022; Submarine Telecoms Forum, *Submarine Cable Almanac*, Issue 40 (November 2021), p. 10, <https://subtelforum.com/products/submarine-cable-almanac/>, accessed February 4, 2022.
5. Lane Burdette, “Leveraging Submarine Cables for Political Gain: U.S. Response to Chinese Strategy,” *Journal of Public and International Affairs* May 5 (2021), para.1, <https://jpia.princeton.edu/news/leveraging-submarine-cables-political-gain-us-responses-chinese-strategy>, accessed August 12, 2022.
6. Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, 2d ed. (New York: Columbia University Press, 1995), pp. 263–271.
7. *Ibid.*, pp. 269–270.
8. See Andrew Linklater and Hidemi Suganami, *The English School of International Relations: A Contemporary Reassessment* (Cambridge, UK: Cambridge University Press, 2006), Introduction and Chapter 1, <https://doi.org/10.1017/CBO9780511491528>.
9. See Mark Bevir and Ian Hall, “Interpreting the English School: History, Science and Philosophy,” *Journal of International Political Theory* 16(2) (2020), p. 121, <https://doi.org/10.1177/1755088219898884>; Dale C. Copeland, “A Realist Critique of the English School,” *Review of International Studies* 29(3) (2003), p. 427, <https://doi.org/10.1017/S0260210503004273>; Martha Finnemore, “Exporting the English School?”

Review of International Studies 27(3) (2001), p. 509, <https://doi.org/10.1017/S0260210501005095>; William A. Callahan, "Nationalising International Theory: Race, Class and the English School," *Global Society* 18(4) (2004), Abstract, <https://doi.org/10.1080/1360082042000272436>; Robert W. Murray, "The Need for an English School Research Programme," in Robert Murray, ed. *System, Society, and the World: Exploring the English School of International Relations*, 2d ed. (E-International Relations Publishing, 2013), pp. 116–117.

10. Barry Buzan, *From International to World Society? English School Theory and the Social Construction of Globalization* (Cambridge, UK: Cambridge University Press, 2004).

11. Barry Buzan, Charles Jones, and Richard Little, *The Logic of Anarchy: Neorealism to Structural Realism* (New York: Columbia University Press, 1993), under "Systemic Capabilities," <https://doi.org/10.7312/buza93756>.

12. Buzan, Jones, and Little 1993, under "Systemic Capabilities," figure 4.2; Barry Buzan and Richard Little, *International Systems in World History: Remaking the Study of International Relations* (Oxford: Oxford University Press, 2000), p. 81.

13. For an argument against an analytical level called interaction capacity see WiZ Haut and Robert H. Lieshout, "The Limits of Theory: Detecting Contemporary Global Change and Predicting the Future of the States System," in Robert H. Lieshout, Kees van Kersbergen, and Grahame Lock (eds.), *Expansion and Fragmentation: Internationalization, Political Change and the Transformation of the Nation-State* (Amsterdam University Press, 1999), pp. 43–70. <http://www.jstor.org/stable/j.ctt46n03w.6>.

14. Buzan, Jones, and Little 1993, under "Systemic Capabilities," para.21.

15. Buzan and Little 2000, pp. 287–288.

16. Buzan, Jones, and Little 1993, under "Systemic capabilities"; Buzan and Little 2000; Barry Buzan and George Lawson, *The Global Transformation: History, Modernity and the Making of International Relations* (Cambridge, UK: Cambridge University Press, 2015); Barry Buzan, *An Introduction to the English School of International Relations: A Societal Approach* (Cambridge, UK: Polity Press, 2014).

17. Buzan and Little 2000, pp. 80–81.

18. Buzan, Jones, and Little 1993, under "Systemic Capabilities," para.2.

19. *Ibid.*, under "Systemic Capabilities," para.3.

20. Buzan and Little 2000, p. 82.

21. Buzan, Jones, and Little 1993, under "Systemic Capabilities," para.23.

22. Buzan and Little 2000, pp. 80–81.

23. Buzan, Jones, and Little 1993, under "Systemic Capabilities," figure 4.1.

24. Sherman 2021, p. 6.

25. Buzan and Little 2000, p. 288; Buzan and Lawson 2015, p. 96.

26. Buzan and Little 2000, p. 297.

27. *Ibid.*

28. *Ibid.*

29. Buzan, Jones, and Little 1993, under "Systemic Capabilities," para. 10.

30. Buzan and Little 2000, p. 85.

31. Buzan, Jones, and Little 1993, under "Systemic Capabilities," para. 9.

32. Kenneth Waltz, *Theory of International Politics* (Long Grove, IL: Waveland Press, 1979), pp. 97–99.

33. Buzan, Jones, and Little 1993, Figure 3.3.

34. Buzan and Little 2000, p. 286.

35. Buzan, Jones, and Little 1993, Chap. 13, para. 17.

36. *Ibid.*, Chap. 4, para. 4.

37. *Ibid.*

38. *Ibid.*, Chap. 13, para. 15.

39. *Ibid.*, under "Systemic Capabilities," para.10. By "different sectors," it seems Buzan, Jones, and Little meant aspects of the international system affected by absolute IC, for example finance, trade, diplomacy, intelligence gathering, etc. However, the argument here is that technological IC can be disaggregated further and expanded as a methodological tool of inquiry.

40. The definition provided is a combination of multiple definitions of the term cyberspace provided by the Computer Security Resource Center of the Information Technology Laboratory of the National Institute of Standards and Technology, an office of the government of the United States. <https://csrc.nist.gov/glossary/term/cyberspace>, accessed November 2, 2023

41. André Barrinha and Thomas Renard, "Cyber-Diplomacy: The Making of an International Society in the Digital Age," *Global Affairs* 3(4–5) (2017), p. 357, doi.org/10.1080/23340460.2017.1414924.

42. Barrinha and Renard 2017; Mattia Cacciatori, "The English School, Cryptocurrencies and the Technological Foundations of World Society," *Cambridge Review of International Affairs* 33(4) (2020), pp. 477–479, doi.org/10.1080/09557571.2020.1785122; Tobias Lemke and Michael W. Habegger, "A Master Institution of World Society? Digital Communications Networks and the Changing Dynamics of Transnational Contention," *International Relations*, advanced online publication (2017), doi.org/10.1177/0047117817747666; Dimitrios Stroikos, "Engineering World Society? Scientists, Internationalism, and the Advent of the Space Age," *International Politics* 55 (2017), pp. 73–90, doi.org/10.1057/s41311-017-0070-8; Jodok Troy, "International Society's Challenge of Targeted Killings by Drones," *International Politics* 55 (2018), pp. 712–726, doi.org/10.1057/s41311-017-0112-2.

43. Lemke and Habegger 2017, pp. 2–3.

44. For a historical and comparative analysis involving interaction capacity, albeit IC that is absolute and not disaggregated by flows, see Charles Butcher and Ryan Griffiths, "War, Interaction Capacity, and the Structures of State Systems," *International Theory*, 13 (2020), pp. 372–396, <https://doi.org/10.1017/S1752971920000019>.

45. For historical analysis of cable infrastructure see Daniel R. Headrick, *The Invisible Weapon: Telecommunications and International Politics 1851–1945* (Oxford: Oxford University Press, 1991); Bruce J. Hunt, *Imperial Science: Cable Telegraphy and Electrical Physics in the Victorian British Empire* (Cambridge, UK: Cambridge University Press, 2022); Robert Hanbury, Imperial Telegraphic Communication, 83 Parl. Deb. H.C (4th ser.) May 22, 1900, cc997–1011, <https://api.parliament.uk/historic-hansard/commons/1900/may/22/imperial-telegraphic-communication>; George Peel, "The Nerves of Empire," in *The Empire and the Century* (London: John Murray, 1905), https://en.wikisource.org/wiki/The_Empire_and_the_century, accessed August 12, 2022; Edward Sassoon, Imperial Telegraphic Communication, 83 Parl. Deb. H.C (4th ser.) May 22, 1900, c.974, <https://api.parliament.uk/historic-hansard/commons/1900/may/22/imperial-telegraphic-communication>.

46. Headrick 1991, pp. 110–134; Sassoon 1900; Hanbury 1900.

47. An example of a simple cable would be the newly laid 155km CrossChannel Fibre cable. This span is a direct-connection cable link that runs along the sea floor of the English Channel. One end of the cable terminates at the Brighton Cable Landing Station, in England's southern coastal city of Brighton, while the other end terminates at the Veules-les-Roses Cable Landing Station, in Veules-les-Roses, France (see TeleGeography, <https://www.submarinecablemap.com>, accessed February 7, 2022). The cable has 96 fibre pairs with a data capacity of 192 Pbps (petabits per second) (see TeleGeography, Submarine Cable Map [2021], <https://submarine-cable-map-2021.telegeography.com/>, accessed February 4, 2022). An example of a complex undersea cable network is the Asia Pacific Gateway cable. The cable has eleven landing stations in eight different countries. Along the main stretch of cable are branch units (transfer points) that allow shorter spans of cable to run in a different direction so they may connect to a landing station ashore. If a person in Tokyo, Japan, wishes to send a message to Hanoi, Vietnam, the data will travel south along the main stretch of cable, but before reaching the southernmost station in Singapore, a branch unit off the coast of Vietnam will redirect the data in a more northerly direction to the landing station in Danang, Vietnam (see TeleGeography, <https://www.submarinecablemap.com>, accessed February 7, 2022). The Danang Landing Station will forward the data on domestically.

48. José Chesnoy, "Presentation of Submarine Fiber Communication," in José Chesnoy (ed.), *Undersea Fiber Communications Systems*, 2d ed. (London: Academic Press, 2016), pp. 9–10, <https://doi.org/10.1016/B978-0-12-804269-4.00001-5>.

49. Sean O'Malley, "Vulnerability of South Korea's Undersea Cable Communications Infrastructure: A Geopolitical Perspective," *Korea Observer* 50(3) (2019), p. 321, <https://doi.org/10.29152/KOIKS.2019.50.3.309>.

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51. Michael Sechrist, *Cyberspace in Deep Water: Protecting Undersea Communication Cables*, Harvard Kennedy School (2010), p. 4.
52. WikiLeaks, *Request for Information: Critical Foreign Dependencies: Critical Infrastructure and Key Resources Located Abroad*. Canonical ID: 09STATE15113_a. U.S. Department of State, February 18, 2009 (2010), https://www.wikileaks.org/plusd/cables/09STATE15113_a.html, accessed July 13, 2019.
53. Rauscher 2010, p. 33.
54. Wikipedia contributors. CLS Group, last edited March 15, 2021, https://en.wikipedia.org/w/index.php?title=CLS_Group&oldid=1182731393, accessed June 17, 2022.
55. Michael Sechrist, Chintan Vaishnav, Daniel Goldsmith, and Nazli Choucri, “The Dynamics of Undersea Cables: Emerging Opportunities and Pitfalls,” in Elke Huseman and David Lane (eds.), *Proceedings of the 30th International Conference of the System Dynamics Society* (System Dynamics Society, 2012), <https://dspace.mit.edu/handle/1721.1/141753>, accessed February 5, 2023.
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57. Rauscher 2010, p. 18.
58. Chesnoy 2016, p. 4.
59. Submarine Telecoms Forum, *Industry Report 2021/2022*, Issue 10, p. 28.
60. Related to China’s rise see Mark Beeson, “Hegemonic Transition in East Asia? The Dynamics of Chinese and American Power,” *Review of International Studies* 35(1) (2009), pp. 95–112, <https://doi.org/10.1017/S0260210509008341>; Beverley Loke, “China’s Rise and U.S. Hegemony: Navigating Great-Power Management in East Asia,” *Asia Policy* 14(3) (2019), pp.41–60, <https://doi.org/10.1353/asp.2019.0032>; Rosemary Foot, “China’s Rise and U.S. hegemony: Renegotiating hegemonic Order in East Asia?” *International Politics* 57 (2020), pp. 150–165, <https://doi.org/10.1057/s41311-019-00189-5>; Beverley Loke, “The United States, China, and the Politics of Hegemonic Ordering in East Asia,” *International Studies Review* 23(4) (December 2021), pp. 1208–1229, <https://doi.org/10.1093/isr/viaa096>.
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65. *Ibid.*, pp. 12–34.
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67. Michael Carroll, “Huawei, South Korea 5G Deal Worries U.S. Politicians,” *Mobile World Live*, March 13, 2017, <https://www.mobileworldlive.com/featured-content/top-three/huawei-south-korea-5g-deal-worries-us-politicians/>, accessed October 31, 2022; Minh Jung, “Korea Right to Be Cautious About Huawei as Security Threat: Experts,” *The Korea Times*, September 3, 2018, https://www.koreatimes.co.kr/www/tech/2018/09/133_254927.html, accessed October 31, 2022; Catherine Shu, “New Defense Bill Bans the U.S. Government from Using Huawei and ZTE Tech,” *Techcrunch*, August 14, 2018, <https://techcrunch.com/2018/08/13/new-defense-bill-bans-the-u-s-government-from-using-huawei-and-zte-tech/>, accessed October 31, 2022.
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73. Notable exceptions are (1) the 1884 *Convention for the Protection of Submarine Telegraph Cables* (“1884 Cable Convention”); (2) the 1958 *Geneva Convention on the High Seas*; (3) the 1958 *Convention on Continental Shelf*; and (4) the 1982 *United Nations Convention on the Law of the Sea* (UNCLOS). For

an excellent overview of legal instruments see Daria Shvets, “The International Legal Regime of Submarine Cables: A Global Public Interest Regime,” PhD diss., Universitat Pompeu Fabra, Barcelona (2020), p. 119, <https://www.tdx.cat/handle/10803/671344> and Tara Davenport, “Submarine Cables, Cybersecurity and International Law: An Intersectional Analysis,” *Catholic University Journal of Law & Technology* 24(1) (2015), pp. 57–109. Otherwise, private protection falls to the International Cable Protection Committee (ICPC), a private, non-profit organization with more than 185 members in over 65 countries and represents 98 percent of the world’s subsea telecom cables (see the ICPC homepage at <https://iscpc.org/>).

74. Maintenance agreements are either global or zone. Zone agreements are comprised generally of multiple cable owners of a particular region that have joined an agreement to facilitate post-installation maintenance. Private maintenance agreements are often contracted by a cable owner with the cable system installation company to provide post-installation maintenance. The function of these agreements is to ensure timely dispatch of cable maintenance and repair ships when damage has occurred. Zone agreements exist as the North America Zone Agreement, Atlantic Cable Maintenance & Repair Agreement, Mediterranean Cable Maintenance Agreement, Southeast Asia and Indian Ocean Cable Maintenance Agreement Extended and the Agreement for the Maintenance of Pacific Ocean Cable Systems in the Yokohama Zone. There is also the Pacific and Indian Ocean Cable Mutual Agreement comprised of the North America, Yokohama, and Southeast Asia zones agreements (see Shvets 2020, pp. 218–223).

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Tackling IUU Fishing, Transnational Organized Crime (TOC) and Maritime Security Threats in the Bay of Bengal: The Role of India and Regional Cooperation Under International Law

Tarique Faiyaz and Balraj Kaur Sidhu

Structured Abstract

Article Type: Research Paper

Purpose—This article underscores the imperative to prioritize challenges associated with Illegal, Unreported, and Unregulated (IUU) fishing and its resultant maritime security threats, focusing on the Bay of Bengal region. It advocates for enhanced regional cooperation to combat IUU fishing and foster a more robust, sustainable, and resilient blue economy.

Design, Methodology, Approach—The study utilizes a multidisciplinary approach, drawing on insights from marine ecology, international law, and regional governance. It involves an extensive review of existing regulatory and policy frameworks, particularly international fisheries instruments, to identify gaps and areas for improvement.

Findings—The research reveals the multifaceted and interconnected threats posed by transnational maritime criminal syndicates, seriously endangering the conservation of fisheries resources. The region's maritime security architectures lack cooperation, collaboration, and regional integration. It is incumbent upon India to forge close collaborative ties with the various littoral states to bolster maritime security within the region. India can become the regional leader by providing necessary assistance and capacity building by reinforcing the maritime security capabilities of these states. The existing international legal framework is complex and unwieldy, and its implementation lacks effectiveness.

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Moreover, it identifies a deficiency in established maritime security architectures in the region, where cooperation and collaboration are lacking.

Practical Implications—The article calls for establishing a regional and global order of maritime governance through enhanced cooperation and partnership to address IUU fishing and related maritime security concerns. It highlights the practical implications of such collaboration, including preserving marine resources, promoting economic sustainability, and safeguarding coastal and fishing communities.

Originality, Value—This article contributes original insights by emphasizing the interconnected nature of IUU fishing threats, their impact on maritime security, and the prospects of a regional and global order at sea. It underscores the importance of regional cooperation and policy improvement in addressing these challenges, thereby offering value to scholars, policymakers, and stakeholders in the maritime domain.

Keywords: Bay of Bengal, blue economy, international law, IUU fishing, maritime security, regional cooperation, TOC

I. Introduction

Oceans are the common heritage of humankind and shared developmental space.¹ They are indispensable for maintaining national, regional, and global order, safety, peace, and tranquility. They also provide food, economic, and job security sources to millions of the coastal communities that depend on them. Hence, it becomes necessary to protect and preserve the ocean's ecosystem.² Most of the international maritime trade takes place through ocean routes³ and reaches global markets through the maritime infrastructure developed by the coastal states.⁴ The Bay of Bengal is highly dependent on maritime trade and fisheries, which contribute significantly to the economic growth of the littorals. It is an essential source of protein-based food globally regarding affordability as the global population grows.⁵ Depleted fisheries resources has suddenly become an existential threat for many, especially the communities that depend primarily on coastal economies for survival.⁶ As per an estimate, around 45 million people work as fishers, and globally, approximately 180 million people, including women, are employed in the fishing industry.⁷ Out of the total global fish production of around 180 million tons, 34 percent of the production shares comes from Asia, with major players like India and Bangladesh. About 14 million fishers are engaged in direct or indirect employment in the fisheries sector in India⁸ and Bangladesh,⁹ respectively. This region is also prone to law enforcement challenges, disorder,¹⁰ and illegal trading due to the lack of a comprehensive governance system,¹¹ adversely affecting the extensive growth of the blue economy.¹² The blue economy encompasses diverse and well-established marine sectors, including maritime security and sustainability under international treaties. It traverses beyond the narrow conceptions of economic growth only.¹³ In India, various burgeoning sectors such as marine renewable energy, saltwater desalination, seabed exploration, deep seabed mining, marine biotechnology, and the provision of specialized Information and Communications Technologies (ICT) services comprise the blue economy.¹⁴ India's blue economy Policy of 2020 defines the term blue economy as:

“a subset of the national economy comprising of the entire system of ocean resources and man-made economic infrastructure in marine, maritime and the onshore coastal zones within India’s legal jurisdiction, which aid in the production of goods and services and have clear linkages with economic growth, environmental sustainability and national security.”¹⁵

The Food and Agriculture Organization (FAO) has reported an alarming increase in the volume of IUU fishing worldwide.¹⁶ IUU fishing has become a “global crisis”¹⁷ encompassing a network of other TOC¹⁸ that results in international conflicts¹⁹ severely threatening the sustainability of fish stocks²⁰ and the livelihood of fishing communities.²¹ Yarwood²² critiques the tendency to ignore the individual as the referent object of security, arguing that it is the responsibility of the state to ensure the safety of the people who reside within its borders. In the context of maritime security, security for coastal communities would entail ensuring the safety of seafarers as well as the sustainable exploitation of the resources in the maritime domain.²³ By emphasizing the human security implications of unsustainable exploitation of the fisheries resources resulting from IUU fishing and understanding how coastal communities’ responses to these livelihood threats might impact national security, she explores the synergistic interaction between the state-centric and human-centric dimensions of security and underscores the centrality of effective state institutions in providing human security.

Growing trends emphasize that IUU fishing should be considered a criminal activity and should be dealt with through criminal sanctions.²⁴ The “illegal” in the IUU realm has been deemed “as a fisheries resource management problem rather than an egregious criminal act.”²⁵ At the same time, the “unreported” and “unregulated” seem to be administrative infringement.²⁶ Against this backdrop, this article looks into maritime security issues vis-à-vis IUU fishing as a TOC and the challenges in achieving sustainable fisheries.

II. Defining Maritime Security

The concept of security is multifaceted and complex, making it a subject of wider debate amongst academic and intellectual circles.²⁷ Security also means freedom from any danger.²⁸ Klein asserts that there is no universally accepted definition of maritime security because there are complex and varying disputes relating to conflicting jurisdictional claims among the coastal states.²⁹ Fisheries crime vis-à-vis the maritime security paradigm is not universally embraced, and its assimilation into regional policy frameworks has occasionally encountered opposition.³⁰ The categorization of IUU fishing as a constituent threat to maritime security has been debated. Bateman has aptly characterized the challenge posed by the lack of consensus among regional nations in the Asia-Pacific regarding the definition of maritime security as an inherent “wicked problem” of fundamental nature.³¹ Maritime security involves “protecting a state’s land and maritime territory, infrastructure, economy, environment and society from certain harmful acts occurring at sea.”³² According to Galani and Evans, the concept lacks a singular definition, as it comprises a convergence of threats and actions by state and non-state entities.³³ The multifaceted, evolving, and often imprecise nature of the definitions and the concept of “maritime security” have been expounded upon by Rahman.³⁴ The inherent complexity involved in comprehending maritime security poses challenges when endeavoring to establish collaborative frameworks

among a diverse range of stakeholders. The term could also be defined as “the stable order of the oceans subject to the rule of law at sea.” The definition of maritime security provided by the tri-service Naval Operations Concept 2010 that guides U.S. maritime strategy:

“Those operations conducted to protect sovereignty and resources, ensure free and open commerce, and to counter maritime-related terrorism, transnational crime, piracy, environmental destruction, and illegal seaborne immigration.”³⁵

This definition has a complex correlation with maritime environmental safety and maritime security of coastal communities.³⁶ Under international law, maritime security comprehensively encompasses global and human security³⁷ within its ever-expanding fold.³⁸ Thus, a workable definition of maritime security could be:

“Protection of common interests in the maritime domain by filling in the policy gaps and providing a common ground for cooperation among regional players through effective maritime strategy with a holistic risk management policies.”³⁹

Fisheries crime is a pressing global concern that has led to the question of whether it involves a novel idea of criminal activity.⁴⁰ On August 9, 2021, the United Nations Security Council (UNSC) president issued a “Maintenance of international peace and security” statement reiterating the Council’s commitment to maritime security.⁴¹ The gravity of the situation demanded urgent attention and concerted efforts from the international community to combat and address the challenges posed by such crimes at sea.⁴² Analyzing the above discussions, we understand that there is a general consensus that security is the common denominator.

III. IUU Fishing, TOC, and Maritime Security Threats in the Bay of Bengal

IUU fishing adversely affects marine ecosystems,⁴³ and if left unabated, can be an existential threat to sustainable fisheries.⁴⁴ It can take place in coastal waters, in the EEZs, on the high seas, or in areas that fall under the jurisdiction of Regional Fisheries Management Organizations (RFMOs).⁴⁵ RFMOs are regional bodies established by countries to manage fish stocks in a particular region. It can take many forms, including fishing without a license, exceeding fishing quotas, using prohibited gear, and fishing in protected areas.⁴⁶ These organizations have established various tools to combat transnational maritime crimes, such as regional registers of fishing vessels authorized to fish in their respective areas of competence, IUU vessel lists, transshipment regulations, boarding and inspection procedures, vessel monitoring systems (VMS), trade-related measures and sanctions, port state measures or catch documentation schemes, etc.⁴⁷ The Bay of Bengal region does not have any RFMOs to check IUU fishing. The Bay of Bengal Programme-Intergovernmental Organization (BOBP-IGO),⁴⁸ a regional fisheries advisory body, is a nodal agency for providing sustainable fisheries in the region. Its main objective is to promote the responsible development of fisheries governance and to institutionalize a framework for sustainable fisheries management in the region. It comprises four contracting parties: Bangladesh, India, Sri Lanka, and the Maldives. IUU fishing often takes place in secrecy and uses techniques such as falsifying catch reports, concealing their identities, and evading detection

by authorities.⁴⁹ Fish stocks are rapidly declining globally, triggering a possible threat to peace and economic security, leading to competition,⁵⁰ and causing an imbalance in the ecological strata and structural system of the Bay of Bengal.⁵¹ The ever-growing demand for fish and changes in people's dietary habits globally⁵² also leads to overfishing and IUU fishing.⁵³ Industrial-scale illegal fishing and legal overfishing are also imminent threats to marine ecosystems linked to maritime crime in the coastal state maritime zones of the Bay of Bengal.⁵⁴ As with all transnational maritime crimes, it is practically impossible to estimate the total value of the IUU catch as it is not reported in the official government fishery records data.⁵⁵ Ian Urbina describes the illicit seafood trade as “a thriving global business that generates an estimated \$160 billion in annual sales.”⁵⁶ The challenges of “transshipment” also pose a significant threat to estimating the actual data due to the lack of proper mechanisms of monitoring, control, and surveillance (MCS) systems,⁵⁷ which are needed in the Bay of Bengal—a recent report from 2018 shows an estimated total of 4.56 million vessels are engaged in fishing globally.⁵⁸ Transshipment also poses transparency challenges regarding the documentation of the total catch and other supply-chain logistics.⁵⁹ Globally, “around 90% of the world's fish stock is now fully or overfished,”⁶⁰ and gross revenues generated at \$8.9 and \$17.2 billion annually.⁶¹ The predictable annual economic cost of IUU fishing catch is between \$10 and \$23.5 billion worldwide.⁶² With an annual financial loss estimated at \$26–50 billion, IUU fishing is more pervasive than it appears.⁶³

The littorals of the developing block suffer the most of these losses, with an estimated \$2–15 billion USD worth of fish accounting for nearly 65 percent of their total fish resources caught illegally.⁶⁴ The Asia Pacific Fishery Commission's (APFIC) draft report of 2015 estimates that IUU catch by foreign vessels in Asian countries ranges between 2.1 million to 2.5 million tonnes, worth \$3.7 billion to \$5.2 billion USD annually.⁶⁵ This report also identified 33 hotspots in Asia for illegal fishing by foreign vessels, with just six accounting for more than 80% of all illegal fishing.⁶⁶ The total loss per annum in the Asia-Pacific region is to the tune of 5 billion USD.⁶⁷ According to the assessment report conducted in 2015 by the Bay of Bengal Large Marine Ecosystem (BOBLME), a regional program aimed at improving the management of marine ecosystems and fisheries in the Bay of Bengal, the total worth of IUU fishing catches ranged from \$3.35 billion to \$10.40 billion annually.

Moreover, unreported fishing activities were estimated to be between \$1.35 billion and \$2.7 billion annually.⁶⁸ Notably, another report suggests that the Asian region suffers a total loss of around \$6 billion to \$20.75 billion annually, between 4.5 and 14.4 million tons of illegal catch.⁶⁹ By 2019, the situation in and around the “APFIC area” (excluding the South China Sea) had deteriorated further, with the estimated total illegal fishing landings totaling 6.6 million tonnes (MT) worth \$23.3 billion.⁷⁰

Due to multiple jurisdictional and procedural lacunae, these illicit criminal networks go undetected.⁷¹ In the year 2020, the United States Coast Guard speculated that IUU fishing is the single biggest threat to global maritime security, replacing piracy.⁷² The United Nations Convention against Transnational Organized Crime (UNOTC) comprehensively defines TOC, the nature of which is transnational, involves an organized criminal group, and is considered a “serious crime.”⁷³ The major components of TOC include: the crime spans multiple jurisdictions. The crime occurs in one jurisdiction, but extensive pre-crime activity in another state constitutes “substantial participation” in the crime. Even if the crime occurs in one state, it has severe repercussions in another.⁷⁴ IUU fishing also has

a direct nexus⁷⁵ with maritime security and encompasses transnational fisheries crime.⁷⁶ While there are links between IUU fishing and human rights abuses, and with IUU fishing organized crime, Mary Mackay et al. stress that addressing all human and environmental violations are important.⁷⁷ Three distinct business models operating within the world's oceans offer clarity on maritime criminal activities, which explain why certain crimes, such as forced labor, are associated with illegal fishing while other crimes, such as trafficking or smuggling, are less likely.⁷⁸ By disentangling these crimes, solutions can be better focused on to reduce illegal behavior on the sea and protect those vulnerable to fisheries exploitation, enhancing livelihoods, social well-being, and the sustainability of global fisheries.

The UNGA Resolution no. 65/37 categorically speaks about the continuing problem of TOC at sea and its relation to other illicit activities that take place with it. The UNGA resolution no. 64/72 on sustainable fisheries highlights the association between IUU fishing and TOC.⁷⁹ As per a 2020 UNGA resolution, IUU fishing is a possible threat to maritime security, and there is a growing concern regarding criminal prosecution and punishment of the rogues involved.⁸⁰ A report by INTERPOL suggests that fisheries crime can be said to encompass all the crimes committed in the fisheries sector.⁸¹ Thus, maritime security threats due to IUU fishing remain among the most unpalatable challenges.⁸² It is a significant facilitator of poaching and illicit trade in contraband, which undermines maritime, environmental, and economic security and the sovereignty of coastal states.⁸³ Maritime security is among the most crucial facets of a sustainable and resilient blue economy.⁸⁴ Given the ever-growing maritime security threats, the international community ensures better security at sea for crime-free trading and economic activities through a policy and legal framework at the international level to address this critical issue outlining the measures, obligations, and cooperation mechanisms mandated by these laws to combat IUU fishing effectively.⁸⁵ The heterogeneous nature of these crimes, coupled with the inherent challenges in addressing offenses that traverse boundaries, underscores the necessity for a comprehensive, cohesive, and effectively implemented international legal framework to adequately combat them. However, the conceptualization of TOC in the maritime domain remains ambiguous and subject to debate.⁸⁶ Regrettably, the existing international legal framework is intricate and unwieldy, and its implementation lacks effectiveness. Moreover, the lack of clarity regarding the extent and characteristics of these crimes has resulted in a research and academic gap, hindering the formulation of a concerted international policy response.

IV. IUU Fishing and Maritime (*In*)security: Analysis of the International Legal Framework

This part of the article discusses the relevant international legal frameworks to combat the devastating practices of IUU fishing. UNCLOS,⁸⁷ also known as the "Constitution of the Oceans,"⁸⁸ is one of the earliest regimes to recognize the need for regional cooperation and collaborative efforts toward maritime security threats.⁸⁹ The preamble addresses the problems of biodiversity and the conservation of marine living resources, identifying the issues of the ocean in general.⁹⁰ The challenges of IUU fishing and the

resultant maritime security threats are a “tragedy of commons.” It is futuristic to include and address maritime crimes, security challenges, and potential threats relating to maritime security issues.⁹¹

Article 61 obligates the coastal states to define the total allowable catch (TAC) in their EEZ, consider the resultant effects of fishing on the harvested species, and take measures for their restoration.⁹² No single state can have a particular state-centric plan; the states must come together to safeguard their common interests. Article 87 establishes the “Freedom of the High Seas,” which includes various freedoms for all states to navigate and use the resources in international waters, including the freedom to fish.⁹³ Moreover, it should also consider the interests of coastal states concerning specific fish stocks and the special obligations established for straddling stocks and highly migratory species.⁹⁴ Under Article 93, the states must render assistance in protecting the marine environment. Article 117 establishes an obligation to collaborate in managing and preserving resources,⁹⁵ while Article 118 mandates the conservation and management of living resources and the utilization of international fisheries commissions.⁹⁶ Article 119 stipulates that parties must consider “any internationally recommended minimum standards” as they apply measures to conserve living resources.⁹⁷ Article 192 of UNCLOS entails that the flag state is under a “duty” to adopt measures to secure adherence to regulations and deter IUU fishing by vessels under its flag.⁹⁸ Article 235(3) says, “States shall cooperate in the implementation of existing international law and the ongoing progress of international law.”⁹⁹ Despite these efforts, there are still complexities and practical problems in managing and conserving fisheries. In the summary of its second Report of Session 2021–22, the House of Lords recently highlighted that UNCLOS is not perfect for global needs; it has lost its relevancy in the 21st century, and there is a pressing need to update it.¹⁰⁰

V. The Challenges of Enforcement Under International Fisheries Law

Enforcement is a significant challenge and “weak point” that permeates all aspects of international law, but it becomes particularly arduous in the maritime realm. UNCLOS exhibits deficiencies in effectively addressing maritime security threats. As a result, it was necessary to develop binding legal frameworks within the Food and Agriculture Organization’s (FAO) domain. This endeavor established two significant instruments: the Compliance Agreement 1993¹⁰¹ and the United Nations Fish Stocks Agreement (UNFSA) 1995.¹⁰² The primary responsibilities outlined within the former pertain to the necessity for vessels engaging in fishing to obtain authorization, along with the duties of the flag states. The latter seeks to strengthen the states by establishing and enhancing fisheries regimes accordingly. UNFSA is implemented exclusively for fisheries management and calls on the states to ensure the exchange of information on sustainable fishing.¹⁰³ It provides conservation and management measures for highly migratory and straddling fish stocks found in EEZs and adjacent high-seas areas by creating RFMOs. It stipulates that states seeking to fish in areas regulated by an RFMO must join the relevant organization and adhere to its conservation and management measures (CMMs).¹⁰⁴ The UNFSA places significant emphasis on the dedication of states

to the preservation of natural resources in global waters, particularly within the established framework of RFMOs.¹⁰⁵ RFMOs aim to promote the long-term conservation and sustainable use of fishery resources and, in some cases, protect the ecosystems in which these resources are found. These intergovernmental organizations hold annual meetings where fisheries management decisions are made, relying on advice from scientific advisory bodies. The CMMs adopted by RFMOs cover a wide range of measures, such as setting total allowable catches, limiting fishing effort, regulating gear types, and addressing the by-catch of non-target species.¹⁰⁶ UNFSA is implemented exclusively for fisheries management and calls on the states to ensure the exchange of information on sustainable fishing.¹⁰⁷ It is of utmost priority that all the littorals in the Bay of Bengal become parties to the UNFSA for a better cohesion of ideas to combat IUU fishing. The UNFSA marked a shift in the international policy framework in that it introduced the precautionary principle. Thereafter, the first international treaty that is legally binding and explicitly designed to tackle IUU fishing is the Agreement on Port State Measures to Prevent, Deter, and Eliminate IUU Fishing (PSMA).¹⁰⁸ It provides “measures to combat IUU fishing should build on the primary responsibility of flag states and use all available jurisdiction under international law, including port state measures, coastal state measures, market state related measures, and measures to ensure that nationals do not support or engage in IUU fishing.”¹⁰⁹ The Code of Conduct for Responsible Fisheries (CCRF) further complements these measures for Responsible Fisheries,¹¹⁰ which work with the fishing provisions of the UNCLOS. Within the FAO voluntary scheme, the Code, principles, standards, and behaviors for responsible fisheries practices are set out with the goal of long-term conservation, management, sustainable use, and the growth of living marine resources in the form of an action framework.¹¹¹ The Code was introduced in 1995 and was adopted voluntarily by more than 170 members of the FAO. The obligations required of states for the Code to be effective include that states must incorporate the Code’s principles and goals into their national fisheries policies and legislation. Furthermore, states must encourage the fishing industry to implement codes of good practice that are consistent with the Code.¹¹² Destructive fishing practices must be prohibited in all states and only vessels permitted to fish in accordance with regulations and laws must be ensured in all states.¹¹³ The Code provides measures for the avoidance of overfishing, including regulating the size of the fishing fleet and also encouraging use of fishing gear that does not result in the catch of by-catch species and species which are endangered.¹¹⁴

VI. Issues of National Security: Maritime Challenges and Priorities in India

India is growing significantly in fisheries as it has the largest EEZ of 2.02 million sq. km and an enormous shoreline of 7,516.6 km.¹¹⁵ This unique geographical positioning gives it both a potential for blue growth and, at the same time, makes it vulnerable to illicit criminal activities.¹¹⁶ The “Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976,”¹¹⁷ is instrumental in combatting IUU fishing. Consequently, India upholds its sovereign rights, encompassing fishing rights, within these defined waters, adhering to both domestic and international maritime legal frameworks.

The “Maritime Zones of India (Regulation of Foreign Vessels) Act, 1981,”¹¹⁸ is significant in overseeing foreign fishing vessels within India’s maritime zones and related domains. It grants authority to the Indian Coast Guard to intercept and board foreign fishing vessels as deemed necessary, and to seize and detain such vessels, inclusive of their fishing gear, equipment, stores, or cargo, along with any fishing gear abandoned by these vessels. The littorals have yet to implement a domestic legal framework based on international legal regimes, which impedes achieving maritime security in the region.¹¹⁹ Likewise, India also lacks a comprehensive maritime security policy or law to implement and enforce the protection of its maritime domain.¹²⁰ The Merchant Shipping Bill of 2016 aims to improve transparency and effectively manage maritime shipping affairs; however, it failed to identify and address maritime security concerns.¹²¹ The National Policy on Marine Fisheries 2017 categorically talks about combating IUU fishing¹²²:

India being a party to several International Agreements/Arrangements to deter, prevent and eliminate Illegal, Unreported and Unregulated (IUU) fishing, the Government will establish a sound mechanism both at the port and at sea to ensure that the Indian fishing fleet does not engage in any IUU fishing within its own EEZ, high seas and EEZs of other nations.¹²³

The Marine Fisheries Regulation and Management Bill of 2019 has delineated the definition of IUU fishing.¹²⁴ Furthermore, this legislation includes provisions specifying penalties for both domestic and foreign fishing vessels involved in IUU fishing activities.¹²⁵ In a complementary vein, the National Policy on Marine Fisheries of 2020 addresses with notable emphasis the predicament of IUU fishing carried out by Indian fishers, whether within the national jurisdiction or beyond, in violation of domestic laws or international agreements to which India is a signatory.¹²⁶ The policy document also underscores the imperative of cooperative engagements in fisheries management, either through bilateral or regional channels, with India’s maritime neighbors.¹²⁷ It explicitly encourages government action in accordance with this imperative. The Indian Marine Fisheries Bill, 2021,¹²⁸ aims to promote the livelihood and socio-economic well-being of traditional and small-scale fishers in India. The Bill proposes that “the Central Government shall, in consultation with the State Governments, maintain a system of monitoring, control and surveillance to support fisheries management and ensure safety and security of fishing vessels and fishers at sea.”¹²⁹ Furthermore, the Central Government is required, after engaging in consultations with the State Governments, to promulgate a National Plan of Action as developed by the FAO, commonly referred to as the IPOA-IUU, which functions as a fundamental framework intended to supervise measures for the governance of IUU fishing activities in both the EEZ and the high seas.¹³⁰ This framework encompasses a multitude of aspects, which may include a comprehensive evaluation of the magnitude and intricacies associated with tackling the problem of IUU fishing.¹³¹ Recently, on January 31, 2023, the Maritime Anti-Piracy Act 2022¹³² was promulgated “to give effect to the UNCLOS relating to repression of piracy on high seas and for matters connected therewith or incidental thereto.”¹³³ It defines piracy and aims to “boost India’s credibility as a partner in eradicating piracy and bolster India’s global standing and maritime security.”¹³⁴ Together, these laws constitute the fundamental domestic legal framework governing India’s maritime zones and establish the national maritime security apparatus to combat IUU fishing perpetrated by foreign vessels.

India needs to invest more in maritime industries for its future blue economy. In 2012, the United Nations Environment Program (UNEP) introduced the concept of “green economy in blue world,” highlighting the crucial significance of the marine environment as a fundamental component for a much-needed paradigm shift in the bioeconomy. This new approach, termed the “blue economy,” was coined by the Pacific Small Island Developing States (SIDS) and emphasized the urgent need to integrate and prioritize sustainable practices within marine ecosystems.¹³⁵ The blue economy can be described as a methodical approach to harnessing ocean resources, where short- and long-term economic activities are harmoniously integrated. This integration is guided by principles that prioritize social inclusion, environmental sustainability, and innovative practices both on and around the sea.¹³⁶ It is within the denominational conception of the national interest of any state to achieve the ideals for prioritizing and securing its vulnerable maritime borders. There is a growing need for India to direct its attention and engage as a strategic partner in the Bay of Bengal region. Notably, this will require developing and enabling institutions at the domestic level to deal with the issues at hand comprehensively.

VII. The Institutional Mechanism for Dealing with Maritime Security Threats: The Role of the Indian Navy and the Coast Guard

India’s interest lies in gaining an extended degree of pre-eminence in the wake of China’s growing hegemony in the region, as it has once again emerged as a dominant player in the realm of IUU fishing.¹³⁷ India started the Sagarmala Program of 2015 for port-led economic development in the maritime domain¹³⁸ to improve comprehensive security.¹³⁹ The program provides training to build infrastructure in shipbuilding, capacity building in maritime logistics, enhancing port, and development other relevant areas of the marine economy to develop a comprehensive blue economy.¹⁴⁰ The Indian Navy and Coast Guard provide innovative solutions, like the Joint Operations Centre and Coastal Security Scheme networks to enhance maritime security by securing its shipping and shore installations.¹⁴¹ They have started putting defense and security systems to help provide comprehensive security.¹⁴² The Integrated Underwater Defense and Surveillance Systems (IUHDSS) have also been used to trace and thwart any terrorist operation underwater.¹⁴³ Complete scanning of cargo is done through the installation of radiation sensors.¹⁴⁴ Various other initiatives include enhancing security measures by installing devices for surveillance.¹⁴⁵ India has implemented a strategy aimed at fostering a sense of community among the littoral nations of the Bay of Bengal region.¹⁴⁶ The strategy involves regular naval exercises and patrols along the Sea Lines of Communication (SLOC), with participation from other nations via initiatives such as MILAN, the Indian Navy’s multilateral biennial naval exercise.¹⁴⁷ Improving Maritime Domain Awareness (MDA) and enhancing capacity building in information gathering and sharing is a significant challenge¹⁴⁸ and India has signed several defense and security agreements, conducted joint naval exercises, and established networks for enhancing MDA.¹⁴⁹ The Indian Maritime Doctrine of 2016 presents a more constrained interpretation of Maritime Domain Awareness (MDA), characterizing it as “the awareness of the position and intentions of all actors, whether they are one’s own, hostile, or neutral,

within the dynamically evolving maritime domain within areas of strategic interest.”¹⁵⁰ Broadly, MDA comprises two fundamental components: “situational awareness,” rooted in observable and known information, and “threat awareness,” rooted in the anticipation or suspicion of potential threats.¹⁵¹ In essence, MDA represents a comprehensive state of knowledge concerning the maritime environment, which necessitates near-real-time updates and continual maintenance. This, however, remains an ideal that states can only aspire to attain but never wholly achieve. States can, at best, endeavor to sustain a credible level of near-constant “situational awareness” and issue specific “threat warnings” within their designated areas of interest, albeit for limited durations. The Indian “Information Fusion Centre”¹⁵² and the National Committee on Strengthening Maritime and Coastal Security (NCSMCS)¹⁵³ facilitate collecting, gathering, extrapolating, analyzing, and sharing of information from and to all the countries contiguous to the Indian Ocean to respond to an immediate maritime security. As the challenges of maritime security become increasingly apparent in today’s globalized world, nations are recognizing that their economic and security interests are interconnected and reliant on their ability to cooperate through regional organizations. Endeavors executed and implemented in several nations through collaborative efforts between naval entities and non-governmental organizations can also serve as best practices.¹⁵⁴ The coastal states must work towards the common goal and help share relevant information in fighting IUU fishing through regional cooperation.

VIII. Regional Cooperation as an Effective Mechanism

The emphasis on collaboration in the maritime domain ushers in a primary objective of international legal frameworks to foster collaboration in order to attain communal objectives to address emerging maritime security challenges.¹⁵⁵ There has been a growing trend among states to emphasize the importance of a “rule-based order” in global discussions.¹⁵⁶ The Bay of Bengal has become strategically important for India as a mechanism to strengthen its relationships across the region. The regional association, such as the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), is well-positioned to tackle regional challenges, including ecosystem-based fisheries management.¹⁵⁷ The ensuing “BIMSTEC way” places paramount importance on consensus-building and diplomatic accommodation as fundamental principles for resolving disputes and fostering security cooperation. Within the larger context of the Indo-Pacific maritime strategy, BIMSTEC’s importance as a promising sub-regional alliance has gained momentum.¹⁵⁸ Moreover, the region faces IUU fishing challenges, making issues like sustainable utilization of the Bay’s marine resources a shared priority among BIMSTEC member countries.¹⁵⁹ Technological solutions such as blockchain for trade logistics management and drone surveillance of the oceans can prove to be viable and instrumental means in tackling these issues.¹⁶⁰ However, BIMSTEC needs collaboration and the spirit of multilateralism in the shared interest and common good over and above the private good through capacity building.¹⁶¹ India should avoid assuming a domineering posture and, instead, present itself as a collaborative and equal partner among other BIMSTEC member countries, fostering better regional integration.¹⁶² Fisheries are transboundary, so cooperation is needed through

regional fisheries bodies to manage fisheries resources successfully.¹⁶³ India also asserts the importance of the “Association of Southeast Asian Nations (ASEAN)” in creating a peaceful and sustainable ocean economy in the region.¹⁶⁴ The IPOA-IUU also mandates in absolute terms, that the countries need to establish a wide-ranging, coordinated, and integrated action towards eliminating IUU fishing.¹⁶⁵ The IPOA-IUU “toolkit” is important to address and counter actions involving vessels engaged in IUU fishing.¹⁶⁶ It outlines the concept of “port access” and provides a detailed account of the data that a coastal state needs to gather, along with the steps involved in identifying instances of IUU fishing.¹⁶⁷ In addition to the various regional organizations focused on fisheries management, the Indian Ocean Tuna Commission (IOTC)¹⁶⁸ is tasked with maintaining a specialized IUU vessel database and overseeing the conservation and sustainable use of highly migratory species of tuna and similar fish species in the Indian Ocean and adjacent waters. Additionally, the commission supports developing member States (as well as cooperating States) to bolster their compliance capacities through focused capacity-building initiatives. Moreover, the BOBLME, focuses on the joint management of specific fisheries species. The Indian Ocean Rim Association (IORA),¹⁶⁹ an intergovernmental organization, operating at the ministerial level, fosters regional collaboration to address fisheries-related concerns, specifically addressing IUU fishing. IORA’s action plan spanning 2017 to 2021 primarily perceives IUU fishing as a fisheries management problem and not as a fisheries crime, creating an opportunity to expand the scope past fisheries management. A strategic alignment between domestic efforts to combat IUU fishing and established regional norms and institutions could significantly fortify maritime security within the region.

IX. Conclusion and the Way Forward

The security conversations will be incomplete unless we acknowledge the overwhelming presence of all the prominent criminal players who exploit the resources at a very granular level. Ocean ecosystems are fragile and face transnational maritime security threats from criminals who exploit the protective shield of sovereignty, thereby affording themselves a sanctuary from which they can act with impunity.¹⁷⁰ There is a general lack of legally binding international instruments in all ocean regions to provide integrated coverage at the regional level for fisheries and biodiversity conservation. Existing tools for conservation lack effective compliance and enforcement mechanisms at global and regional levels. There is also a general lack of coordination amongst the different institutions due to their diversity. The UNCLOS is silent on the general obligations of states regarding maritime security and climate change. The lack of clarity is sometimes an impediment for the states in “providing peace and order.”¹⁷¹ Thus, one of the most critical requirements for the littorals is to strengthen a more robust MCS regime in vulnerable regions,¹⁷² which requires immediate cooperation in technological advancement.¹⁷³ Maritime security was addressed in the first coastal security workshop of BIMSTEC held in November 2019.¹⁷⁴ Sensitization and awareness of the local groups, highlighting the weak target spots, and developing local-level community-based surveillance mechanisms can be applied through the imposition of a seasonal ban on the fishing of viable and significant species.¹⁷⁵ Despite the establishment of regional economic cooperative organizations like the BIMSTEC, their

capabilities to address maritime challenges are inadequate.¹⁷⁶ The divergent and narrow priorities among the littoral states of the region underscore the concept of a Hierarchy of Relevance, wherein issues crucial to one nation might not hold the same importance for others. Consequently, vital concerns related to robust maritime governance and security have not received due attention within existing multilateral platforms such as the IORA, BIMSTEC, and the SAARC.¹⁷⁷ India should prioritize its marine fisheries for a prosperous coastal economy. It will require a top-down approach by sensitizing the local fisher and coastal communities and all other necessary and needed support from government agencies in empowering the coastal communities about the importance of conservation of fishing zones. One way is to make these communities aware through various awareness programs and community-based interactions. Effective and timely exchange of information, maritime domain awareness, and training of surveillance personnel are ways maritime security can achieve its full potential. Thus, this is a wake-up call for the Bay of Bengal littorals to work collectively to keep security threats at bay. To effectively address maritime security challenges, the importance of increased cooperation and coordination among all stakeholders, including states, international organizations, and the private sector cannot be stressed enough. There are significant obstacles to the establishment of a collaborative, joint initiative for the preservation and governance of fisheries resources within the region. One is that the BOBP-IGO and the BOBLME do not have the effective mandates and there is not enough participation in the BOBP-IGO from all the eight Bay of Bengal countries. As a consequence of these complexities, the region currently lacks an RFMO with a well-defined mandate. The proactive establishment of RFMOs has the potential to effectively serve multiple significant objectives. One such objective is the centralization and fortification of the precautionary approach, which, despite its importance, has not yet garnered complete acceptance as a universally recognized principle of customary international law.¹⁷⁸ Thus, the establishment of new RFMOs presents a significant opportunity for fishing states to cultivate enhanced models for collaborative decision-making regarding conservation and management measures. Notably, there is a pressing need for progress in implementing an ecosystem-based fisheries management approach.¹⁷⁹ Thus, the BOBP-IGO has the potential to become an effective RFMO with a regional commitment to protect and manage the coastal and marine environment of the Bay of Bengal. Reforming the domestic legal framework to comply with international standards as there is no fisheries law in place after the amendment of the Fisheries Act 1897¹⁸⁰ in 2015.¹⁸¹ India should promulgate a new Fisheries Act, which will provide a clear and coherent legal framework consistent with international law, introducing well-designed sanction schemes with serious penalties to effectively deter IUU fishing. Ratification of the PSMA is urgent to fully enable the implementation of these provisions under the domestic regime. Creating NPOA-IUU, the political commitment for combating IUU fishing, setting up a dedicated “Central Organization” for Combating IUU Fishing should be high on India’s agenda.

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Maritime Governance Analysis for Safety and Environmental Aspects of Domestic Ferries: A'WOT of a Developing Country

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Structured Abstract

Article Type: Research Paper

Purpose—This paper aims to assess the adequacy of maritime governance for the safety and environmental aspects of domestic ferries from the perspective of a developing country by undertaking the case of Pakistan.

Design, Methodology, Approach—Based on a novel approach developed for unified maritime safety onboard in response to IMO's new model safety regulation, the standard decision analysis A'WOT hybrid method was employed to carry out the study. Expert groups were consulted at various levels and fora to rationalize the internal and external factors, which were identified as strengths and weaknesses, opportunities and threats respectively.

Findings—The results are similar to the majority of developing countries in the Asia-Pacific region. The business-as-usual case reveals that Pakistan has many opportunities for domestic ferries along with a reasonable level of strength in its governance. However, there are gaps in several components of the basic governance framework that pertain to policy and regulation, operations, institutional arrangements, innovation and technology, the human element, economics, and performance systems related to safety and environmental protocols at sea, which is due to lack of focused attention.

Practical Implications—Measures are identified to overcome the challenges by

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converting them into strengths and harnessing the opportunities for best practices and sustainable governance.

Keywords: A'WOT; domestic ferry; environmental aspects; governance; IMO model regulation; maritime safety; policy

I. Introduction

Domestic navigation and water transportation are considered practical and economical for moving goods and passengers.¹ The domestic passenger ferry is a national economic and social enabler through the lens of the maritime economy, primarily for emerging economies. It contributes significantly toward national revenue generation through the promotion of maritime tourism and social-cultural activities.² The ferry has the potential to widen the supply chain and worker spending effects which promote other associated segments of the economy.³ Nevertheless, due to the complex nature of domestic ferry operations, one single incident may bring disastrous consequences. The incidents of Dona Paz (Philippines 1987), Herald of Free Enterprise (UK 1989), Estonia (Baltic Sea 1992), Al Salam Boccaccio (Red Sea 2001), Prince Ashika (Tonga 2009), and Sewol (South Korea 2014) have shaken the world with enormous social, economic, and environmental damage. Occurrences of such ferry incidents are not rare, but the consequences in terms of human lives and the degradation of the marine environment can be devastating to economic growth and society.⁴ Therefore, tackling the accident rate and improving maritime safety has captivated the interest of policymakers, the scientific community, and international organizations.⁵

At the same time, passenger ferries today are subjected to a vast array of national and international obligations, regulations, and standards, which cover every aspect of ship construction and operation, especially safety, high service quality, efficiency, and user satisfaction.⁶ However, the business-as-usual case of domestic ferry services in developing countries reflects low adherence to all such protocols compared to developed countries.⁷ Currently, Pakistan has a small domestic ferry sector including inland waterways. However, Pakistan's coastline of 1000 km, especially the Western coastline, offers a wide range of opportunities and potential for the new proposed outlook of the ferry services to domestic and international routes by a government that will open alternate routes and provide access to maritime transport for goods and passengers.

Key safety and environmental aspects and related challenges are reportedly linked with factors such as the human element, inadequate capacity of actors on planning and strategy, operational aspects vis-a-vis traditional and substandard practices, lack of technology and innovation about safety equipment, lack of stakeholder engagement and shortcomings in governance mechanisms.⁸ The capacity to cope with these challenges is further aggravated by overloading due to the profit-oriented approach of boat owners; poor adherence to operational safety culture, including negligence in respect of safety and weather conditions; reliance on traditional knowledge about weather conditions; lack of community awareness on safety; lack of proper training and education; inadequacy of crews' skills; human elements related to safety management; emission and noise control aspects; poor adherence to the annual survey and audit protocol; registration aspects; monitoring; navigational aids in channels or on coasts; lack of coordination between organizations or with

enforcement agencies; and lack of any centralized data collection, especially about accidents for any lessons learned or marine casualty investigation regime.⁹ This has also led to a weakening of inter-agency collaboration and enforcement. Additionally, the weak enforcement of maritime protection regulations and inter-agency collaboration in developing countries have frequently led to ferry disasters.¹⁰

Weak governance in developing countries significantly hampers safety in the domestic ferry sector, a challenge not negligible in Pakistan. Stakeholders emphasize the subpar safety and environmental conditions in Pakistan’s domestic ferry services compared to other developing nations. To address these issues and advance the sector, effective governance is essential. Despite existing legal frameworks, the domestic ferry domain in Pakistan is complex and often disregarded, complicating matters further. The study evaluates the status of domestic ferry governance in Pakistan concerning safety and evolving international standards, offering innovative approaches to policymakers. This study fills a knowledge gap and offers a unique approach to policymakers in Pakistan and other developing countries to enhance maritime safety and governance within the ferry sector.

II. Literature Review

Maritime stakeholders contend that domestic ferry services in Pakistan exhibit inadequate safety and environmental standards in comparison to their counterparts in other developing nations. Significantly enhancing this sector’s safety and performance remains a formidable task, one closely tied to the establishment of a robust governance framework. The increased research attention and a growing number of studies underscore the vital role of ferry safety, environmental regulations, and governance standards, as illustrated in Table 1. These studies provide invaluable insights into improving safety and governance within the ferry sector.

Table 1: Key studies on domestic ferry safety

Focus of the study	Methodology	Key Findings
Risk Assessment of Navigation Safety for Ferries	Fuzzy AHP approach, risk-matrix model	This investigation addresses a pressing concern for improved safety measures and risk assessment within the ferry sector
Safety Behavior in Ferry Transport	Exploratory and confirmatory factor analysis, structural equation modeling	Examined the effect of safety training, safety knowledge, and safety management on employees’ safety behavior at ferry services
Increased Safety for Community in Ferries Transportation	Research, Data Analysis	Highlights the importance of safety in ferry transportation and its role in connecting regions while emphasizing the necessity for safety measures to prevent and handle ship accidents

Focus of the study	Methodology	Key Findings
Trends, Causal Analysis, and Recommendations from 14 Years of Ferry Accidents	Research, Causal Analysis, Recommendations	<ul style="list-style-type: none"> • Examines common factors contributing to accidents • Highlights issues like substandard vessels, overcrowding, and inadequate training • Offers recommendations for enhancing ferry safety in developing countries
Modernizing Governance of Passenger Vessel Operations in the Canadian Arctic	Governance and Permitting Evaluation	<ul style="list-style-type: none"> • Describes the complexity of the multijurisdictional governance framework involving federal, territorial, and local governments • Discusses issues in information sharing and coordination among various governmental departments

Transitioning to a review of global literature, several studies emphasize the significance of safety and governance within the ferry sector. For instance, Hsu et al. (2022) conducted a comprehensive risk assessment of navigation safety in ferry operations, providing valuable insights that can be applied to improve safety performance within the sector.¹¹ The other study accentuates the role of safety behavior among ferry service employees, drawing from insights gained in Indonesia.¹² Sa'atun and Panggabean's (2021) research stresses the significant role of safety in ferry transportation, particularly in fostering social well-being.¹³ While Weisbrod et al study has exposed the challenges faced in implementing and improving safety, a reflection of the issues encountered in Pakistan's domestic ferry sector.¹⁴ Meagan Greentree (2023) provides valuable insights into uncoordinated governance, relevant not only in the context of Canada's Arctic but also as a reflection of the complexity of governing passenger vessel operations in Pakistan.¹⁵ Furthermore, Tehsin's work explores the potential of inland water transport in Pakistan as an alternative mode of transportation, offering insights applicable to improving ferry safety and efficiency within the country.¹⁶ These studies collectively underscore the global significance of safety and governance within the ferry sector, providing a foundation for understanding the unique challenges facing Pakistan's domestic ferry operations.

The existing literature illuminates the substantial shortcomings in safety, environmental standards, and overall governance within domestic ferry services in developing countries, Pakistan included. These inadequacies emphasize the pressing need for improvements in these areas. Nevertheless, there remains a distinct absence of comprehensive studies addressing the unique challenges and complexities of Pakistan's domestic ferry sector. This knowledge gap deters the development of tailored strategies for enhancing safety and governance. The current study is designed to fill this void by focusing on the specific challenges encountered by Pakistan's domestic ferry operations. By drawing from global insights and best practices, the research aims to provide context-specific recommendations and strategies for elevating safety and governance within the country's domestic ferry sector.

The unique contribution of this study lies in its tailored approach to the specific issues faced by Pakistan and its potential to serve as a model for other developing countries with

similar challenges in their ferry operations. In doing so, this research addresses the crucial need for enhancing safety and governance in Pakistan's domestic ferry services and offers a valuable blueprint for the maritime community at large.

III. Methodology

This study was conducted with a combination of different qualitative and quantitative methods to examine the current status of domestic ferry governance from a safety and environmental perspective at federal and provincial levels. Before determining the best suitable method for the analysis against the problem statement related to the case of maritime governance, a wide range of available literature was scrutinized through content analysis for subsequent application of an in-depth situational analysis exercise.¹⁷ The objective was to identify a unified maritime safety approach (Figure 1) for domestic ferry services in the context of the recent IMO "Model Regulations on Domestic Ferry Safety." This novel approach to unified maritime safety onboard entailed the need to employ a standard decision analysis A'WOT hybrid method, for the creation and addition of new knowledge through a case study of a developing country, i.e., Pakistan.

A'WOT is a weighted matrix of SWOT (strengths, weaknesses, opportunities, and threats).¹⁸ A'WOT is a unique application that combines a qualitative technique (i.e., SWOT) with a quantitative scoring technique (i.e., simple multi-attribute rating technique, or SMART) of the Multi-Criteria Decision Analysis (MCDA) method. SWOT presents a fundamental foundation for A'WOT-based alternative tactics for each SWOT factor and is considered strongly suited for strategic situational analysis in research studies related to decision sciences. A'WOT, a blend of SWOT and AHP (analytic hierarchy process), has also been utilized in several research studies that ultimately supported strategic planning and decisions. However, due to the complexities and drawbacks of the AHP method, recent studies now use the SWOT method in combination with SMART instead of AHP.¹⁹ SMART is a well-instituted practice used to supplement MCDA in social and management sciences²⁰ and several SMART approaches have subsequently been created.²¹

Based on the approach as outlined in Figure 1, literature review, qualitative content, and situational analysis, the identification of the SWOT factors was done through focus group consultation. Focus group consultation is a small group consultation facilitated by experts. These consultations help to determine which issues are of most concern for a community or group and assist in determining the best solutions for dealing with them.²²

Therefore, in the context of this study, twelve experts from various government and private sector organizations, international non-governmental organizations, multinational enterprises, and corporate sectors, directly or indirectly involved in the maritime sector based in Islamabad, Karachi, and Malmö, Sweden, participated in the consultation held online via Zoom session. To avoid any biases, experts were divided into four groups of three members each. Experts from each group floated their ideas, various emerging issues, and concerns. These diverse ideas helped in identifying SWOT factors for the study, which were subsequently prioritized after discussions with experts. Subsequently, considering the importance of expert knowledge, the maritime expert groups were also consulted at various levels and fora to rationalize the internal and external factors, which were identified as

strengths and weaknesses, and opportunities and threats, respectively. The SMART version draws on a fixed number of points, i.e., 100, that are allocated to all decision elements compared to the A'WOT framework. The breakdown of the SMART score is classified in terms of individual SWOT factors and their respective SWOT groups (i.e., strengths, weaknesses, opportunities, and threats).²³ The evaluation score is interpreted with the expert's knowledge of a business case.

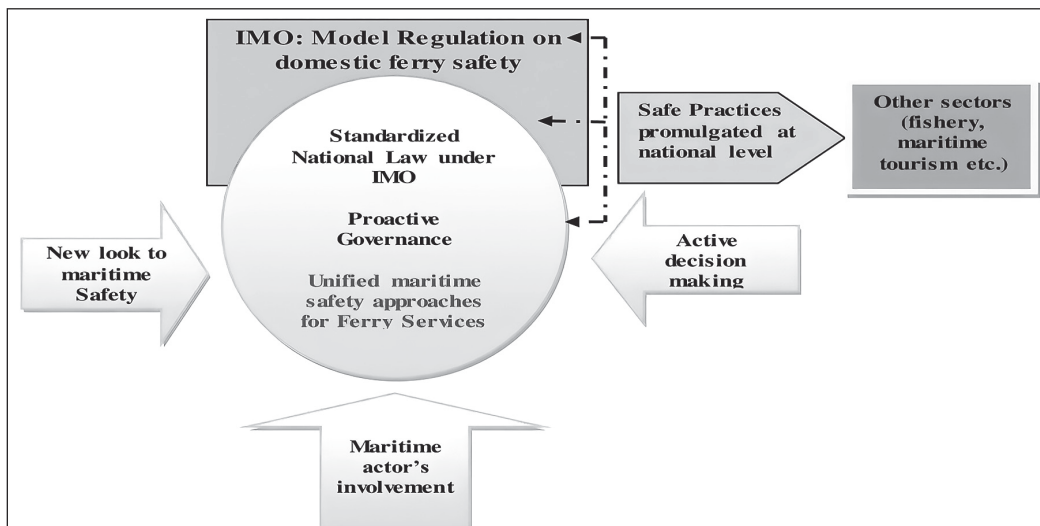


Figure 1: Unified Maritime Safety Approach for Domestic Ferry Services

IV. Results

Based on a unified maritime safety approach under the emblem of IMO's new model regulation, the A'WOT-based governance index to the mainstream business-as-usual case of safety and environmental aspects related to domestic ferry services in Pakistan is presented in Table 2. It is expected that the outcome of this study will add valuable knowledge on this significant issue that is not focused on assertively in developing countries and is apparently neglected in the case of Pakistan. Figure 2 illustrates the overall governance index in terms of percentage scores attained by different SWOT groups. Additionally, Figure 3 displays an overview of the standing of individual SWOT factors.

Table 2: A'WOT of domestic ferry governance in Pakistan for safety and environmental aspects

SWOT Group	Overall Priority	SWOT Factors	Priority's Score
Strengths	33	S1: Merchant Shipping Ordinance, 2001	10
		S2: PMSAs and PCG Act	2
		S3: Establishment of JMICC (Joint Maritime Information Coordination Center) to work more systematically, particularly for safety-related coordination	1.5

SWOT Group	Overall Priority	SWOT Factors	Priority's Score
		S4: Regulatory entities	1.5
		S5: Law enforcement agencies (LEAs)	1
		S6: Member State of IMO & UNESCAP	1
		S7: Environmental Protection Acts	2
		S8: Visible recreational activities	1.5
		S9: Government's initiative for the development of the ferry sector	10
		S10: Passengers ferry union support	2.5
Weaknesses	29.5	W1: Shortcomings in policy and regulation	10
		W2: Gaps in the implementation of existing safety & environmental regime	5
		W3: Inadequate coordination mechanism among government actors for safe operations of the ferry	2
		W4: Traditional & substandard ferries	2
		W5: Lack of community awareness	1.5
		W6: Inadequate capacity of actors	1.5
		W7: Lack of stakeholders' engagement	1
		W8: Inadequate adoption of technological innovation	2
		W9: Lack of ferry accident database; Limiting factor to strategizing policy, planning, and implementation	2
		W10: Lack of standardized terminals and relevant infrastructure	1
		W11: Lack of marine spatial planning	1.5
Opportunities	14.5	O1: Rise in maritime tourism under CPEC	2
		O2: IMO model regulations on domestic ferry safety	2
		O3: National growth prospects by uplifting maritime sectors	3
		O4: Likelihood of Joint Ventures (JVs) and Public Private Partnerships (PPPs)	1.5
		O5: Incentive for electric ferry transportation	1.5
		O6: Potential of ro-ro transportation	2
		O7: Expansion of KS&EW (Shipyard)	2
		O8: Social media platform for promotion of the ferry services	0.5
Threats	23	T1: Increase in ferry accidents at sea	4
		T2: Increase in environmental pollution	2
		T3: International pressure due to non-compliance with IMO requirements	2
		T4: Disruption to navigation at sea and harbor routes	2
		T5: Unavailability of standardized infrastructure or terminal	7
		T6: Discouraging factors for the attraction of investments (Local and foreign)	6

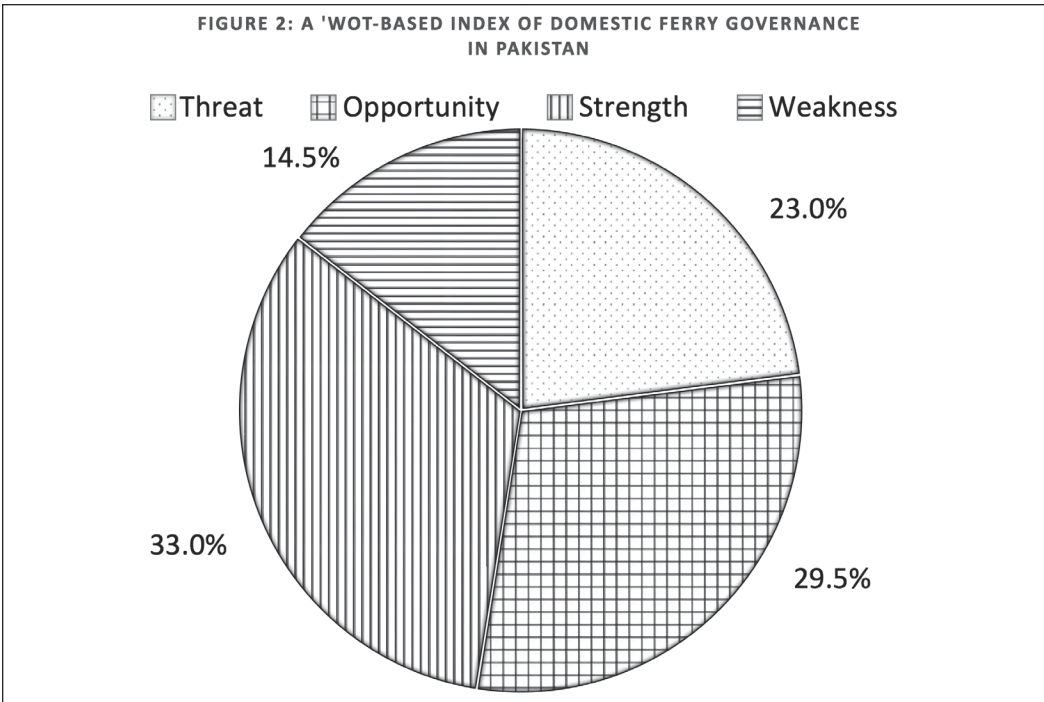


Figure 2: A'WOT-based index of domestic ferry governance in Pakistan

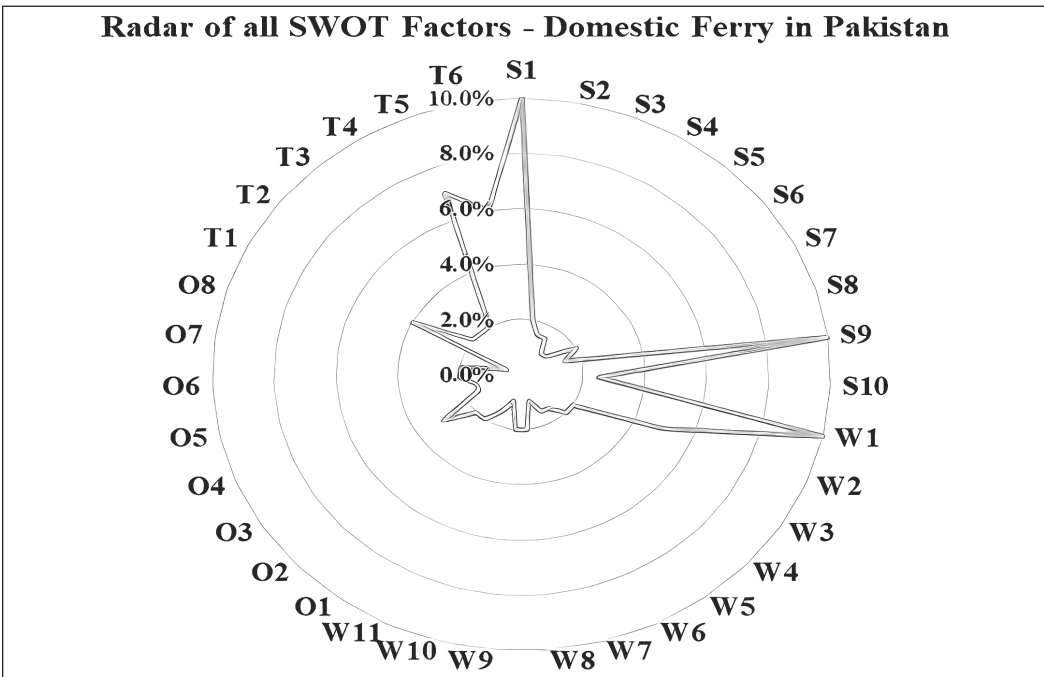


Figure 3: A'WOT based priority index of all SWOT factors

V. Discussion

5.1 Domestic Passenger Ferry—Policy and Regulation

The International Maritime Organization (IMO) envisions a series of initiatives as a crucial step in reducing maritime accidents at sea, primarily through amendments to the International Convention for the Safety of Life at Sea (SOLAS). While SOLAS applies to passenger ships engaged in international voyages, it does not extend to passenger ferries that operate exclusively within national waters, often referred to as non-SOLAS or non-convention vessels.²⁴ These non-SOLAS ferries are subject to compliance with national (domestic) regulations.²⁵

In Pakistan, passenger boats fall under the purview of national law. The development of the “Model Regulations on Domestic Ferry Safety” by the IMO is seen as a catalyst for standardizing ferry operations.²⁶ Rather than acting in isolation, international legislation, especially the IMO model safety standard, holds the potential to complement and bolster national regulations. Consequently, strong local policies can enhance the operational efficiency of the ferry sector and promote a unified approach to maritime safety and environmental measures.

It is a welcome strength that two legal frameworks exist and govern domestic ferries (inland and at sea). These are the Pakistan Merchant Shipping Ordinance (MSO), 2001,²⁷ and the Inland Mechanically Propelled Vessels Act, 1917.²⁸ The provincial transport authority and Federal Ministry of Maritime Affairs/ port & shipping wing (Karachi) act as the regulatory entities for the domestic ferry sector in Pakistan and possess various functions to ensure the implementation of the international maritime conventions, agreements, and standards; thereafter, the national law is officially announced as a regulation under the MSO, 2001 and inland Mechanically Propelled Vessel Act, 1917. The presence of these legislative frameworks provides the necessary foundation for implementing the IMO Model Regulations, aiming to harmonize standards and create a “level playing field.” This process, often termed “domestication,” can play a pivotal role in enhancing safety standards in alignment with the newly adopted international standards by the IMO (SI, 4).

5.2 Current Institutional Arrangements—Domestic Passenger Ferry

After the 18th amendment to the Pakistan Constitution, the responsibility for regulations about domestic passenger ferries was divided. The Federal Ministry of Maritime Affairs, Directorate General Ports and Shipping took charge of regulations, while the provincial transport authority (PTA) became responsible for ferry operations along the coastal belt. As a result, the domestic ferry sector falls under the jurisdiction of both federal and provincial authorities. Mukherjee (2002) pointed out that many countries, especially developing countries, contain maritime legislation in numerous pieces of outmoded and archaic legislation.²⁹ Similarly, national laws concerning passenger ferries include the absence of unified instructions, outdated regulations, and the division of responsibilities among decision-makers at federal and provincial levels. This fragmentation leads to a lack of focus and coordination, which poses significant challenges for water transportation stakeholders. This lack of coordination thus supplements the advantage of a profit-oriented mindset to

play in between, becoming a severe issue of overloading and promoting fewer safety standards and environmental control measures.³⁰ The respondents claimed that currently, the domestic ferry sector is under confusion about unified ownership for effective focus and sustainable shipping (W1). In the incident of the South Korean ferry Sewol, which capsized on April 15, 2014, claiming 300 passengers, including a large number of students,³¹ analysis exposed a lack of ownership and expertise that limited maritime safety and proactively invested in the prevention of accidents.³² In response, senior maritime experts suggested that the Government of Pakistan (GoP) could use the IMO model standard as a benchmark to unify the scattered national policies regarding safety and environmental aspects. This unification would establish a sustainable governance mechanism for domestic ferries. Furthermore, the Pakistan Navy's establishment of the Joint Maritime Information Coordination Center (JMICC) is seen as a significant step toward improving coordination of maritime safety in both domestic and international transportation. JMICC serves as a central body for disseminating information to all maritime actors operating in Pakistani waters (S3). The decision-makers can take huge advantage of circulating information regarding weather alerts, safety regulation amendments, safety awareness, and improved environmental measures.

5.3 Promising Opportunity—Domestic Passenger Ferry

Internationally, the IMO has the primary responsibility for technical safety, security, and pollution prevention related to shipping activities. The government of the Member States have to implement standards as part of their national law. Being a Member State of IMO, Pakistan has the obligation to employ the newly adopted standard for the safety of domestic ferries.³³ However, it can be foreseen that a lack of federal and provincial collaboration among maritime actors may delay the domestication of the IMO standard to transform the national framework of safety in Pakistan, including full improvement of navigation and communication equipment, LSA, crew training, safety management system, and shore side support provisions (T3). Generally, the risk of accidents involving non-convention vessels is much higher due to low safety standards, as these vessels are not governed under the IMO safety and environmental protection regime. These accidents indicate less attention from the international community, the poor focus of the governments, and the neglectful behavior of the administration (federal and provincial). Therefore, this sector calls for improvement in safety provisions.³⁴ The recent adoption of the IMO model regulation³⁵ provides an opportunity for the GoP as a Member State of IMO to revise the national law to harmonize the domestic ferry sector before the commencement of ferry services at a higher level. These amendments will also eliminate unseaworthy boats as well as streamline crew competence and step towards sustainable shipping (O2).

5.4 Maritime Policy and Governance Performances Related to Safety and Environmental Protocols at Sea

The presence of Law Enforcement Agencies (LEAs) to maintain order at sea, such as the Pakistan Maritime Security Agency (PMSA) under the PMSA Act, 1994,³⁶ and the Pakistan Coast Guard (PCG) under the PCG Act, 1973,³⁷ is an encouraging aspect for effective

enforcement. The PMSA, functioning under the Ministry of Defense with a focus on maritime disaster control and marine environment preservation, and the PCG, operating under the Ministry of Interior with an emphasis on anti-smuggling efforts, both hold the authority to inspect vessels and take action against ferries endangering maritime safety in Pakistani waters (S2). Moreover, there's a noted issue of differing priorities and coordination challenges between these agencies.³⁸ This challenge of inter-agency coordination is not unique to Pakistan. A World Bank report on the Republic of the Philippines (1983) highlighted similar problems, such as overlapping powers leading to resource wastage, inefficiency, shortages of skilled personnel, and outdated equipment, which weakened national maritime enforcement capacity.³⁹ However, the current Philippines study yielded better enforcement, regulatory, and governance mechanisms that resulted in improved domestic ferry services.⁴⁰ Additionally, Sakalayan (2006) highlighted the weakness in developing countries towards enforcement due to a lack of communication and vigorous implementation by maritime authorities, which often provide an opportunity for ferry operators to hold the whole domestic ferry operation hostage in form of strikes for approving illegal demands such as adherence of inadequate regulations, non-adherence of safety equipment and utilization of substandard boats, etc.⁴¹ This further worsens the maritime governance outlook. The lack of engagement and cooperation among all ferry sector stakeholders in Pakistan undermines innovation, safety, and community trust. Dysfunctional interaction and poor communication in safety enforcement increase the risk of maritime accidents, as evidenced in the Sewol ferry accident investigation (W7,8).⁴² Respondents indicate that, concerning inter-agency coordination, the domestic ferry sector in Pakistan faces challenges in terms of collaboration, capacity building, and synergy among federal, provincial, and LEAs, which collectively weaken the performance of maritime governance concerning safety and environmental protection at the national level (W3).⁴³

5.5 Environmental Aspects

In line with international countries, Pakistan National Shipping Corporation has taken several initiatives to reduce its carbon footprint and encourage the use of sustainable fuels including the institution of environmental laws for seagoing vessels to minimize the emission of air pollutants.⁴⁴ However, the environment is considered a multidisciplinary notion, where the laws and policies are the central means by which it has to be effectively managed for sustainable results. Against this backdrop, to strengthen the federal and provincial environmental execution, the National Climate Change Policy, 2012, Provincial Environmental Policy Act, 1997, and the National Maritime Policy, 2002 dealt with maritime transportation.⁴⁵ Moreover, the harmonization of recent IMO model regulation provisions at a national level for domestic ferries may enable cross-sectional jurisdiction to restrict unlawful activities that threaten the environmental aspects and maritime safety of the ferry, passengers, and crew (O2). Indeed, this domestication is expected to improve the current state of affairs (S7). The senior respondent briefed that the low interagency and maritime stakeholder collaboration, less political will, and overlapping of jurisdictions often obstruct effective enforcement (W3).⁴⁶ To improve the operational environmental capacity, the rapid sharing of information is determined as a relatively “low-cost” mechanism.⁴⁷

5.6 *Marvels to the Blue Economy—Domestic Passenger Ferry*

Maritime transport, including passenger and freight services, is being extended to both national and international destinations, with proposed routes like Karachi to Muscat, Dubai, Chahbahar, and Karachi to Gwadar, supplementing the holistic integrated planning of all modes vision of the National Transport Policy.⁴⁸ A recent study has shown new patterns of transportation routes, and vessel traffic in the Indian Ocean region, therefore the ferry services can facilitate these services to increase trade volume in the region.⁴⁹ This start will also unfold the economic opportunities and domestic passenger and freight services over a longer term (S9). Despite challenges such as the COVID-19 pandemic, domestic ferries have maintained continuous safe operations, even when international ferry passenger-carrying industries have suffered significant declines.⁵⁰ However, integration of ferry terminals with ports through CPEC development opens the door to a new era of economic growth, supporting both passengers and freight transportation and creating opportunities for the hotel industry and coastal tourism (O1).⁵¹ The senior maritime expert agreed that these activities stimulate direct (employment for the crew, shore staff, etc.), indirect (terminal or port activities, modal transport, etc.), and induced effects (coastal tourism, hotel industry, local business, rest houses, etc.) for substantial business development and, thus, uplift the local economy. Simultaneously, these developments impose significant environmental pressures. Ships and ports contribute to emissions, accident risks, pollution events, underwater noise, marine litter, and the introduction of invasive species, primarily via ballast water discharges (T2).⁵²

5.7 *Domestic Passenger Ferries and the Need to Understand the Operational Challenges*

The senior expert emphasized that there is a dire need to understand the quantum of challenges with the domestic ferry to unearth the associated potentials such as inadequate terminals, safe ferry activities, enforcement of marine spatial planning (MSP), etc. In addition, there will be added pressure on the coastal area due to increasing population drift and maritime transport activities. These issues are very challenging and require federal and provincial collaboration to improve the sustainability of coastal livelihood (T4). Consequently, to govern these activities, integrated MSP must be undertaken to avail environmentally friendly maritime activities (W11).⁵³ The inadequate maritime transport infrastructure and scarce hinterland connections often result in extended delays, increased costs, and low shipping connectivity.⁵⁴ Currently, the lack of state-of-the-art ferry terminals in coastal cities may limit the initiative for the commencement of ferry services (passenger and freight) in Pakistan. Although the GoP has tasked Karachi port, Port Bin Qasim, and Gwadar port authorities to establish the requisite infrastructure, to date it is only the allocation of the wharf area at the port that has been undertaken, which necessitates suitable development. Moreover, the opening of new routes for the ferry sector with an amalgamation of international routes will increase ferry traffic, air, and noise pollution, cargo operations, and increased ferry turnover with a capacity for loading and unloading cargoes, vehicles, and motorcycles at the same time, thus also requiring standardized terminals to handle ferry services efficiently (T5).⁵⁵

5.8 Capacity Building to Kick Off the Ferry Sector—Governance Aspects

Currently, domestic ferry operations are confined to Karachi Harbor, including nearby coastal areas, and inland waters, such as the Indus River and lakes. However, the initiation of CPEC activities is likely to expand ferry services to other coastal cities, potentially posing challenges for inter-provincial cooperation. Furthermore, the decentralization of domestic ferry governance from federal to provincial levels under the 18th Amendment has resulted in limitations in organizational capacity and technical resources within provinces.⁵⁶ However, management *viz-a-viz* growth of the ferry sector requires centralized legislation and authority to monitor (W1). With the construction of the new terminal at Port Bin Qasim as per the CPEC expansion plan, the trade volume is expected to rise shortly. This will kick off the inception of the to-and-fro, ro-ro (roll on/roll off) ferry services in Pakistan. In comparison to other cargo types—railways, aviation, and road—the ro-ro passenger ferry can be a cost-effective, convenient service and at the same time play a larger role in socioeconomic development.⁵⁷ Considering its economic growth, Pakistan critically needs an additional form of transportation to harmonize the carrying capacity of the existing system of roads and railways; in addition, the scope of activities under CPEC through Gwadar Gateway would add more traffic and an anticipated influx of tourists accessing maritime-related recreational activities.⁵⁸ This opportunity aligns with Baird's assertion that "any country with a long coastline suffering from acute road congestion and continuous road traffic growth should explore the potential for fast freight ferry services, similar to the Japanese model."⁵⁹ Consequently, the introduction of an additional mode of transportation within domestic waters may become a necessity to maximize port facilities, alleviate road congestion, and mitigate port-related externalities (O6).

5.9 Human Elements and Organizational Aspects

The inception of the ferry services (domestic and international) operations on new routes makes this sector a commercially viable option. However, the increase in transport activities in the form of ferry services may threaten the coastal flora and fauna, and any marine accident would have an impact on the coastal community's well-being and social fabric. The integrity of maritime safety is linked with regulated passenger vessel operations, and any failure of regulatory bodies or organizations can lead to a disaster.⁶⁰ In recent years, lack of enforcement in developing countries, due to a shortcoming of local authorities, has led to non-compliance by ferry operators, resulting in turn in the loss of human lives and the loss of breadwinners to their families (T1).⁶¹ This also raises questions about policy and regulatory compliance. One of the maritime experts emphasized that this is the right time for the maritime ministry to recruit and prepare manpower at the MMD (Mercantile Marine Department) office for this huge upcoming ferry sector in Pakistan. Generally, ferry crews rely on overrated knowledge of the water channels while operating to different destinations to transfer passengers and goods. Additionally, the ignorance of both ferry crews and passengers when it comes to safety adherence has proven to be equally concerning. This attitude reflects the traditional substandard practices and inadequate training and skills (W4).⁶² Moreover, one maritime expert further suggested that lack of knowledge stimulates human element-associated causes that can be overcome with the

collaboration with CPEC vocational schools in coastal cities; hence education and training for the ferry crew can be improved.

5.10 Operations of the Domestic Ferry—The Potential Economic Aspects

The development of Pakistan's maritime transport sector and its economic prospects are evident through a range of recreational activities in coastal cities, including scuba diving, pleasure trips, water sports, and sightseeing. These leisure activities aim to boost coastal engagement and stimulate socio-economic growth. Initiatives such as the establishment of a green shipyard in Gwadar, the declaration of the year of the blue economy, and hosting events like the Pakistan International Maritime Exhibition and Conference (PIMEC) demonstrate a commitment to maritime development.⁶³ Inland water transport is promoted as an affordable and eco-friendly mode, offering potential as a key element in intermodal transportation. These efforts reflect a strong commitment to a thriving maritime transportation sector in Pakistan. Timely development of passenger ferry regulations in line with IMO standards will enhance safety, standardization, and sustainability in the maritime sector (S8).⁶⁴ Government acceptance of these regulations will promote maritime awareness and reduce sea blindness. Additionally, the growth of ferry services, in tandem with coastal tourism, acts as a significant attraction for the sector (T5). Investment in coastal tourism to spur the domestic ferry sector in the coastal belts of Pakistan has the potential to develop state-of-the-art infrastructure and services that can lure Joint Ventures (JVs) and Public Private Partnerships (PPPs). This is vital for economic development and job creation (O4). However, a few elements act as discouraging factors such as a lengthy procedure to acquire NOC, overlapping federal and provincial policy and authority, etc. (T6). Increased engagement of both private and government actors is vital for sustainable maritime planning. A participatory decision-making process among these stakeholders is crucial for developing successful industry strategies.⁶⁵

5.11 Technology and Innovation Aspects

The adoption of technology and innovation greatly enhances safety training, procedures, and management, thereby contributing to improved ferry safety.⁶⁶ Prasetiawan et al (2021) advocated that in the world of a competitive environment, traditional shipping needs a pragmatic shift to promote the safety and the information technology of the modern world.⁶⁷ Conversely, the lack of technology integration negatively affects domestic ferry performance. Traditional wooden boats are notably deficient in life-saving appliances (LSA), and passengers often fail to wear life jackets. In the unfortunate event of an accident, victims lack floatation devices, and these small boats cannot send distress alerts using technologies like the emergency position indicator radio beacon (EPIRB) or portable radio beacon to maritime rescue coordination centers (W8).⁶⁸ Moreover, the absence of state-of-the-art standardized terminals becomes a hindrance to a robust integrated safety enforcement regime with the advent of new routes and advanced ferries. Presently, the designated wharf berths lack integrated technology for monitoring overloading, ensuring passenger safety, facilitating ship-shore communication for weather alerts, handling emergencies, providing technical support, and sharing passenger and freight data. As the

world shifts towards the electrification of domestic ferries, terminals should be equipped with high-tech provisions to reduce environmental externalities (W10). Digitizing the ferry terminal and connecting all stakeholders can streamline various operational aspects, including ticketing, passenger and cargo handling, schedule information, modal transport management, and safety procedures such as weather or distress alerts, technical assistance, and security measures (O3).

Pakistan's membership in IMO and UNESCAP, and its role as a dialogue partner in the ASEAN Regional Forum, contribute to strengthening national, regional, and international collaborations. This engagement fosters the standardization of capacity-building efforts aimed at environmentally friendly policies, technologies, and innovations (S6).⁶⁹ The adoption of batteries in domestic ferries aligns with global trends and could offer a green solution to reduce emissions. The government of Pakistan has already shown support for environmental solutions in the road transport sector and encouraged electric car usage through tax policies. Similar support can be extended to the ferry sector to promote ecotourism and environmentally friendly sea transportation. Electric vessels have the potential to significantly reduce greenhouse gas emissions, noise pollution, and improve vessel maintainability.⁷⁰ Moreover, the use of alternative fuels in combination with onshore power has the potential to further reduce emissions by up to 23% (NO_x) and 17% (CO₂) in domestic ferries.⁷¹ The government can encourage the use of alternative fuels, such as LNG, electrification, or battery fuel cells, by offering tax incentives, thereby contributing to the goal of a zero-emission policy and potentially reducing the use of traditional wooden boats (O5).

5.12 Maritime Safety—Policy Aspects for Multi-Sector Engagement

Multi-sector involvement, including academia, civil society, the private sector, and the research community is key to strengthening constructive dialogue, and collaboration with public authorities to facilitate sustainable maritime transport efforts.⁷² The maritime respondent stated that maritime academia and research institutes may be harnessed to identify the forthcoming challenges in the maritime sector and support the engagement of maritime authorities in supporting flourishing maritime activities. Thus governments, research institutes and universities, and international organizations need to collaborate for the provision of customized maritime safety-oriented education and training programs.⁷³ The presence of numerous trade unions can influence the development of standardized regulations and promote the safety, wealth, and health of crew and passengers.⁷⁴ The existence of trade unions in Pakistan can play a significant role in motivating ferry operators to use standardized vessels, and in building community awareness to promote safety in the coastal community (S10). Therefore, maritime actors need to engage and collaborate with all quarters in adopting novel solutions for the improvement of the ferry sector.

5.13 Few Elements Can Promote Economic Aspects

Weisbrod et al have associated the high rate of domestic ferry fatalities and accidents with several factors, including substandard vessels, overcrowding, inadequate crew training, and more critical issues such as corruption and a lack of regulatory support.⁷⁵ This situation also reflects a lack of engagement by maritime actors, including transport unions,

owners, operators, and the community. This gap compromises boat maintenance, surveys, and safety equipment audits (W2). Furthermore, the domestic shipyard is considered essential for its role in sustaining national maritime transport. However, in the present world, a radical shift in shipbuilding has been observed.⁷⁶ In several developing countries, second-hand passenger ferries are poorly modified for profit, reducing their stability and rendering them unsuitable for local sea weather conditions, resulting in significant human and environmental losses.⁷⁷ The recent upgrade of the Karachi shipyard presents business opportunities for private actors in the state-of-the-art construction and repair of passenger ferries (O7). In this context, the Government of Pakistan may consider offering soft loans to support domestic ferry operators, promoting indigenous construction tailored to the country's sea weather conditions. This move aligns with new IMO model safety requirements, providing sustainability and a fresh perspective for the ferry sector.

The role of print and social media cannot be denied for community awareness towards the promotion of maritime safety and issues related to environmental protection in the ferry sector. The communication integration mechanisms to keep the community aware of the development initiatives may reduce the impact on the environment. The community will also highlight the shortcomings and distributed responsibilities in terms of safety.⁷⁸ The engagement of ferry unions to engage the coastal community may increase community awareness (O8). The change in awareness for local communities to give more attention to safety significantly endorses value to human lives and economic flow.⁷⁹ Furthermore, Kee et al endorsed that the public should ask for a safety certificate from the crew before boarding to improve the safety regime (W5).⁸⁰ These few initiatives can contribute to improving safety awareness.

VI. Key Findings

The Government of Pakistan's ambition to expand ferry services to other coastal cities reflects the continuous growth of the maritime sector and shipping activities. However, various challenges affecting maritime actors, including operations, policy, regulation, the human element, technology, and economics, could hinder progress if not properly addressed. In the current context, maritime safety plays a pivotal role in advancing the maritime sector.

While existing policies and acts governing the ferry sector, such as MSO, 2001, and the Inland Mechanically Propelled Vessel Act, 1917, remain in place, they are outdated and fragmented due to divided responsibilities between federal and provincial decision-makers. Therefore, the provision of IMO model regulations for domestic ferry safety standards presents an opportunity to harmonize national laws and policies, bringing maritime actors together to address longstanding safety concerns in Pakistan.

Similarly, several environmental laws apply to the ferry sector, but their overlapping jurisdiction often hinders the effective prosecution of unlawful acts in coastal waters. The study has revealed weak institutional coordination among maritime decision-makers and law enforcement agencies at the national level. Therefore, domesticating the IMO model regulation can bridge the gaps created by decentralized governance under the 18th Amendment, leading to improvements in capacity building and resource skills.

The activities related to the CPEC anticipate the expansion of ferry operations to Pakistan's coastal cities. The study emphasizes the need for state-of-the-art ferry terminals with smart connectivity to various stakeholders. These high-tech terminals can support a zero-emission policy, allowing ferries to use alternative fuels combined with onshore power to significantly reduce emissions, minimizing the need for traditional wooden boats.

Furthermore, the study highlights the potential business opportunities created by the recent upgrade of the Karachi shipyard, especially for private actors involved in state-of-the-art ship construction and repair, including ro-ro ferries. To support this, the Government of Pakistan could consider offering soft loans to encourage indigenous ferry construction tailored to local sea weather conditions, fostering economic growth and innovation within the ferry sector.

VII. Conclusion

The outcome of this study is novel as its analysis contributes to the knowledge on a pertinent topic that is not well attended to in developing countries and neglected in the case of Pakistan. The study has examined the strengths and weaknesses of the national governance system regarding safety and environmental aspects of domestic ferry services put forward opportunities to overcome/eliminate these weaknesses and highlighted the upcoming threats. The study results revealed that the situation of the domestic ferry sector in Pakistan is similar to the majority of developing countries in the Asia-Pacific region. The business-as-usual case divulges that Pakistan has many opportunities for domestic ferries along with a reasonable level of strength in its governance. It is identified that the interest of the government in the restart of the ferry services (domestic as well as international routes) in Pakistan will open a new business avenue in the maritime sector. With the integration of ferry terminals with ports through CPEC development, the new era to boost the economy will start in the shape of the ro-ro ferry service where, in addition to passengers, freight can also be transported.

In other words, by utilizing the effective water-borne transport system, CPEC activities can be beneficial both in terms of future maintenance and upfront costs. However, the study has found that, due to a lack of attention, there are gaps in all components of the basic governance framework that pertain to policy and regulation, the human element, institutional arrangements, operations, technology and innovation, the capacity of actors, and practice and performance systems related to safety and environmental protocols onboard. With the decentralization of governance from federal to provincial under the 18th Amendment, the regulation of ferries has become more problematic and complex. The recent adoption of the IMO model safety regulation for the domestic ferry is a louder call to standardize national law and is likely to provide a very good reason to harmonize the existing governance framework at the federal and provincial levels in Pakistan.

This will enable Pakistan to unify the maritime safety approaches and will provide sustenance to economic growth, and a new outlook for the ferry sector not only in Pakistan but also in other developing countries in the Asia-Pacific region. In a nutshell, the outcome of this study provides a baseline and would help in devising effective governance mechanisms in terms of policy, legal instruments, strategy, and institutional frameworks for

the operations of domestic ferries. Future studies would be able to utilize this information in decision-making, policy development, and planning specific to the sectoral economy related to the domestic ferry. It will also help in generating discussions and stimulating further studies at the national and international levels.

Notes

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China's Territory (Disputes) and the China Threat: An Empirical Analysis from the Perspective of the English-Speaking Public

Kerry Liu

Structured Abstract

Article Type: Research Paper

Purpose—The China threat has risen significantly since 2020. This study examines the roles of China's territory-related issues, including Senkaku Islands, Xinjiang's Uyghurs, the South China Sea, a threat of war across the Taiwan Strait, China-India border conflicts, and Hong Kong national security law, in contributing to the China threat narrative.

Design, Methodology, Approach—Based on weekly Google Trends search results from May 2020 to July 2022, this study created a series of time series variables to measure these narratives. This study adopts an Autoregressive Distributed Lag (ARDL) model.

Findings: In particular, this study finds that, except for the South China Sea, all other issues are connected to the China threat by the English-speaking public. Also, the Uyghur issue has attracted the most lasting attention. These conclusions are supported by survey results and fundamental analysis.

Originality, Value—This study contributes to knowledge of the China threat and to academia as well by presenting a (still) new quantitative method for international relations.

Keywords: China threat, Google Trends, South China Sea, Taiwan Strait, Uyghur

I. Introduction

The China threat has risen significantly recently. For example, according to a survey conducted by the Pew Research Centre (Sliver, Huang, and Clancy, 2022), negative views of

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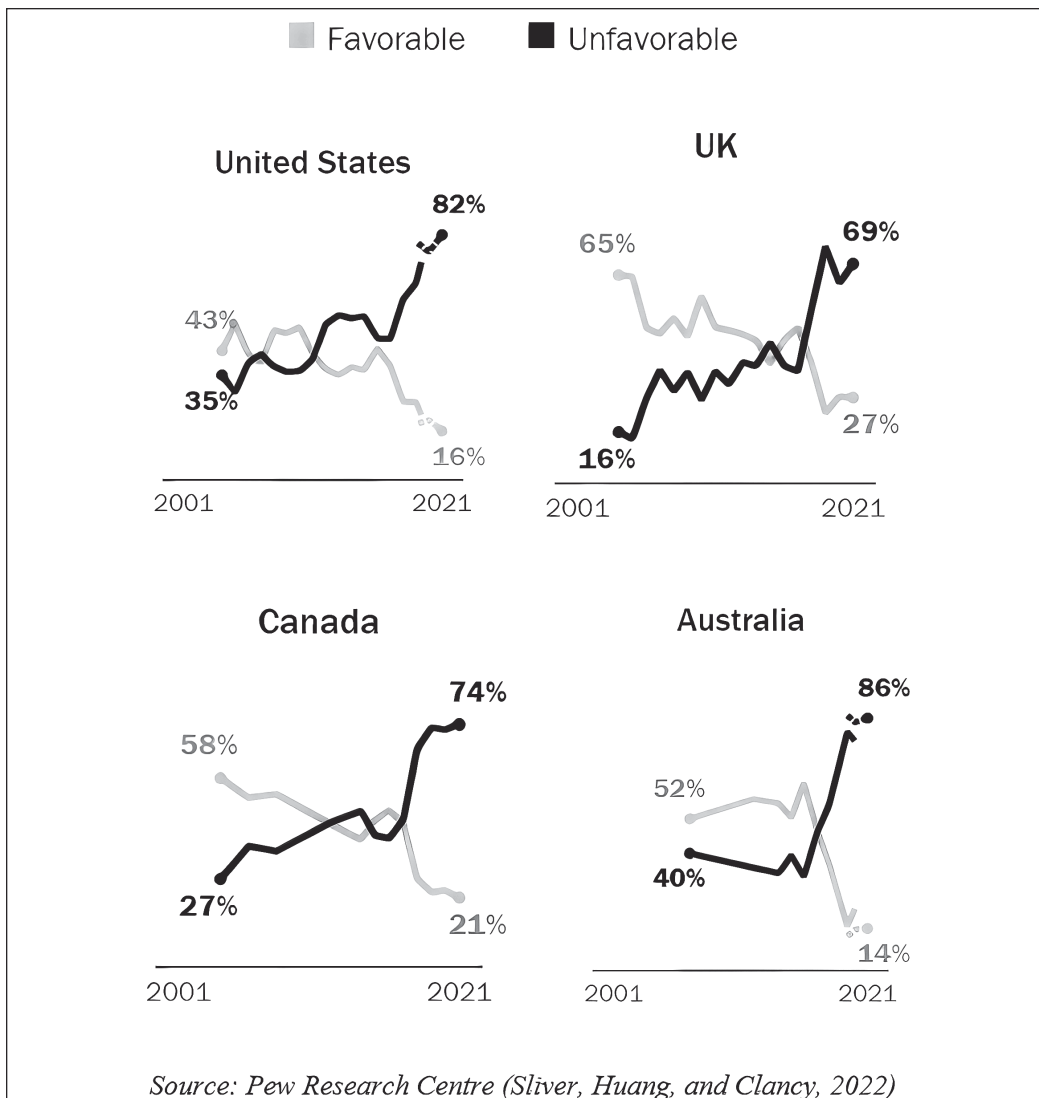


Figure 1. Percent with a(n) _ view of China in the US, the UK, Canada, and Australia.

China remain at or near historic highs in many countries. Figure 1 shows the trend of global public opinion of China in four core English-speaking countries, i.e., the United States (US), the United Kingdom (UK), Canada, and Australia, during 2001 to 2021.

Figure 1 shows that negative views of China shot up in 2020. Besides these four (native) English-speaking countries, unfavorable views are at or near their historic highs in many of the developed countries and even in some developing countries (see Sliver, Huang, and Clancy, 2022, for more details). For example, Turcsányi et al., (2020)¹ examined Czech public opinion on China during the Covid-19 pandemic and found that it has a predominantly negative view of China and the Czech Republic is one of the most China-negative countries in Europe.

As Goodman (2021)² argued, the most recent public discourse in many countries, especially in the US, the UK, Australia, and across Western Europe, has shifted to concerns

that China represents a threat to the world. The contents of the new China threat have also changed. While previously, China mainly represented an economic challenge to the world by distorting labor and capital costs, China is now considered a strategic and military threat to the peace of the world.

The definition of “China threat” refers to a perception or narrative that is based on negative emotions, concerns, or uncertainties about China’s rise as a global power (see Section I for details). The unfavorable views of China, such as concerns about geopolitical factors, economic competition, human rights concerns, ideological differences, and diplomatic and military considerations, could be considered contributing factors to the perception of the China threat. These factors may shape how some individuals view China’s rise and perceive it as a potential threat or challenge to various interests, values, or norms.

Besides the survey studies discussed before, some scholars have also examined various aspects of the China threat (see Section II: Literature Review for more details). This study examines the roles of China’s territory-related issues in contributing to the China threat narrative during May 2020–July 2022 and provides some fundamental explanations.

The structure of this paper is as follows. Section II reviews relevant literature on the China threat. Section III introduces Google Trends as the data source, including its nature and its role in measuring a narrative. Section IV introduces the research design. Section V presents the variables, including the dependent variable, China threat, and a series of independent variables. Section VI presents the modeling and the results. Section VII concludes this paper.

II. Literature Review

The term “China threat,” according to Vangeli (2018),³ refers to fatalistic narratives and reflections about the future of the world that are motivated by apprehension, uncertainty, and fear in response to China’s ascent. Although the “China threat” theory can be examined from multiple levels of analysis, the focus of the debate often revolves around power politics and the future of China’s intentions and capabilities as a rising global power.⁴

There is a long history of the China threat. As China’s economy expanded quickly in the early 1990s, the possibility of a China threat was already a passionately debated subject in the US.⁵ The China threat issue can be categorized as ideological, economic, and military.⁶ Yang and Liu (2016)⁷ further detailed the contents of these three thematic dimensions into sixteen subcategories. Goodman (2021)⁸ examined the most recent China threat since 2017. One new dimension is that China conducts extensive overseas influence operations in other nations.

From the perspective of China, Yan Xuetong, a Chinese professor of international relations at Tsinghua University, has argued that the “China threat,” especially the ideology dimension, is driven by factors such as China’s rising self-confidence and the diminishing strength gap between China and the US.⁹ Zhu (2020)¹⁰ argued that due to domestic political polarization, the left, center, and right factions in the US are unanimously calling for a hard-line stance against China. They are framing China as the biggest external threat and using it as a scapegoat for the country’s internal political turmoil. Additionally, by emphasizing the “China threat,” they are emotionally trying to increase social and political cohesion within the US.

Previous research on the China threat has primarily concentrated on qualitative, conceptual, and descriptive studies. For example, Song (2015)¹¹ used three models, i.e., incorporation setting, episteme domain, and significant modality, to perform a discursive securitization of China's threat. Song (2005)¹² concluded that the securitization process primarily aims to provoke a reaction from the audience rather than genuinely identifying the cause of the "China threat." Consequently, this approach may inadvertently transform the perceived threat from China into a self-fulfilling prophecy. Rogelja and Tsimonis (2020)¹³ examined the discursive creation of a China threat narrative by European think tanks. The authors criticized this approach, arguing that it hampers factual analysis, blurring the line between genuine concerns and exaggerated threats, ultimately undermining nuanced discussions about China-European interactions and Chinese investments in Europe. Vangeli (2018)¹⁴ and Pavlievi (2018)¹⁵ examined the resurgence of the China threat theory in Europe, using the 16+1 mechanism as an example but no empirical evidence was found. Pavlievi and Kratz (2018)¹⁶ examined the China threat theory by using China's high-speed railway diplomacy in Southeast Asia as an example and concluded that this initiative lacks the intent and capability to support such a hostile and extensive agenda towards the region. Goodman (2017)¹⁷ looked at the China threat narrative in Australia through social, economic, and foreign posture lenses and concluded that it could serve as a strategic tool during elections, but China's significant role in the Australian economy has compelled Australian leaders to adjust their stance once in office.

A few empirical studies have used cross-sectional survey data to examine the China threat. For example, Miller and Taylor (2017)¹⁸ used spatial economic data and survey analysis to examine the relations between trade and peace in relation to the China threat narrative in Australia and found that outgroup hostility, not economic interdependence, is the key factor in shaping voters' fears of a Chinese security threat. Jung and Jeong (2016) used survey data to examine the factors affecting South Koreans' China threat perception and found that South Koreans' attitudes toward China are primarily shaped by bilateral relations rather than broader security considerations. As discussed in the introduction section, Silver, Devlin, and Huang (2020)¹⁹ and Silver, Huang, and Clancy (2022)²⁰ conducted surveys on the China threat. But the latter two studies only provide descriptive analysis without conducting regressions.

Most recently, a few of the author's studies (not cited but available upon request) have also used time series data to examine the China threat.

The contributions of this study are threefold. First, this study examines the roles of China's territory-related issues in formulating the China threat narrative. These issues may be classified as military or ideological ones. While there are certainly other factors, such as Chinese inference in other countries' domestic affairs or economic coercion,²¹ the territory-related nature means that, from the viewpoint of econometric modeling, the omitted variable bias may be greatly reduced or even become insignificant. Second, while previous studies on these topics, such as a threat of war across the Taiwan Strait or the China-India border dispute, focus on the policy side, this study focuses on the narrative (measurement) perspective. Third, this study adopts weekly time series data and modeling. While survey data such as Silver, Devlin, and Huang (2020)²² and Silver, Huang, and Clancy (2022)²³ also examined these issues, the survey questions are fixed. That is to say, we cannot conduct a survey on historical opinions. Also, these survey results are of low frequency,

usually on a yearly basis. As a continuation of the author's work, this study further contributes to academia by exploring the implementation of time series modeling in international relations.

III. Data

Google Trends and its uses in international relations were thoroughly introduced in several the author's articles (not cited but available upon request). Since this data source and method are still new, in this section, Google Trends is further introduced.

3.1 Introduction

Google Trends (<https://trends.google.com/>) is a Google product that looks at the popularity of Google search queries across various regions and languages. Its attributes include anonymity, topic categorization, and aggregation. Google Trends offers real-time data for the last 7 days, daily data for the past 8 months, weekly data for the past 5 years, as well as monthly data for a longer period. Data with a higher frequency could indicate that the relations between variables are more sensitive. While Google Trends just uses samples of Google searches, this is sufficient because Google processes a lot of queries every day. Additionally, Google Trends search results are normalized to a query's time and location and displayed on a scale of 0–100, with each point on the graph divided by the highest point, or 100. As a result, regions with similar levels of interest in a phrase can have radically different total search volumes. After normalizing the data, it is possible to compare queries across time periods and regions. In a nutshell, the data show search interest in relation to the highest point on the map for the specific region and time period. A score of 100 indicates that the term is the most popular, a score of 50 indicates that it is half as popular, and a score of 0 indicates that there are insufficient data to assess the term's popularity.

3.2 Studies on Google Trends

Google Trends started in 2004 and was made public in 2006. It has been applied in various fields by many studies. In a review article, Jun, Yoo, and Choi (2018)²⁴ conducted a network analysis of 657 research papers that used Google Trends between 2006 and 2017. They came to the conclusion that Google Trends has been applied in fields such as information systems or computer science, health care, and economics and finance. Its applications in political science, however, are relatively limited. Google Trends has been employed in political science to gauge issue salience or attention.²⁵ Google Trends was also utilized in several studies for forecasting, with varying degrees of success.^{26, 27}

From the viewpoint of communications, Google Trends is considered a gauge of the public agenda, i.e., those issues that the public believes are most important.²⁸ They did not, however, look at the informational content of Google Trends queries. Based on empirical evidence, Maurer and Holbach (2016)²⁹ further concluded that media coverage is closely correlated with Google Trends. Ripberger (2011)³⁰ also validated this link using a variety of policy topics like health care, global warming, and terrorism covered by the *New York*

Times as examples. Oehl, Schaffer, and Bernauer (2017)³¹ also discovered, based on empirical evidence, that Google Trends (and survey data) and the empirical metrics of media salience and politicization are closely matched. According to Dearing, Rogers, and Rogers (1996),³² the agenda-setting effect “is not the result of receiving one or a few messages but is due to the aggregated impact of a very large number of messages, each of which has a different content but all of which deal with the same issue.” So, in essence, Google Trends can be interpreted as a measurement of the aggregated effects of agenda-setting, i.e., policy, media coverage, and individuals’ issue attentiveness, on the general public.

3.3 Narrative Measurement

Narratives are “discourses with a clear sequential order that connect events in a meaningful way ... and ... offer insights about the world and/or people’s experiences of it.”³³ Being different from arguments, which “have premises and conclusions,” narratives contain “beginnings, middles, and ends.”³⁴ A thorough evaluation of research on theoretical and methodological issues relating to narratives in international relations was undertaken by Hagström and Gustafsson in 2021.

However, the topic of how to measure a narrative was not addressed by the previous studies. The effect of the narrative on the general public, including how big, is a crucial topic, even though the construction of a narrative has been the subject of numerous research. The media is one of the primary sources of information about foreign affairs for non-specialists, according to the media system dependency theory.³⁵ For instance, media coverage has mostly made us aware of the China threat. A greater intensity of China’s aggressive policies or actions may lead to more publications or analysis of the China threat. Furthermore, more reports or studies might lead to more people searching online. There is a strong positive correlation between the degree of issue salience (as measured by the intensity of media coverage) and the level of attention it will receive from the general public and the policy makers.³⁶ This is the justification behind utilizing Google search activity to gauge a narrative. While a narrative and the caliber and/or frequency of articles and perspectives are strongly related, they are not entirely correlated. Google Trends may be able to measure the true and aggregated impact of international events on the general public.

The “China threat” as a constructed image or narrative is based on fundamental assumptions about what China is and wants. It may be driven by certain perceptions or interpretations of China’s rise, which are shaped by various factors and motivations. It may be different from the “China threat” as measurable negative public perceptions or search results for the term. In this study, the use of Google Trends results for the term “China threat” serves as a proxy variable to assess public perception on this topic.

IV. Research Design

In this section, the research design is explored, encompassing the countries covered, the issues examined, the methodology employed, and the diagnostic methods utilized.

Regarding the countries covered, this study focuses on English-speaking countries (public).³⁷ This choice has three reasons. First, while the (core) English-speaking countries,

more broadly, the Western world, made and are committed to the rules-based international order, China has been frequently accused of not following these rules. As a result, China is more likely to be considered a threat to these countries, including by their governments and the public. Second, these countries have the fewest data availability issues. While China's public relations in the Global South have also partially deteriorated, survey-based public opinions in many of these countries are not available due to the changes caused by the Covid-19 pandemic (Silver, Huang, and Clancy, 2022), thus making it difficult to validate against Google Trends results. Also, these (core) English-speaking countries have the highest internet penetration rate. As a result, Google Trends can measure the public agendas to the greatest extent. Third, English is the most-spoken language in the world. From the viewpoint of research, the choices of key phrases are less challenging than non-English ones.

This study examines the roles of China's territory-related issues in contributing to the China threat narrative during May 2020 to July 2022. In particular, these issues include the Senkaku Islands dispute between China and Japan, the issue of Uyghurs in China's Xinjiang region, the South China Sea issue, a threat of war across the Taiwan Strait, the China-India border conflicts, and the implementation of Hong Kong National Security Law. It is noted that it is certain that additional factors also contribute to the formulation of the China threat narrative. Since all these issues are territory-related, from the viewpoint of econometric modeling, the omitted variable bias may be greatly reduced or even become insignificant. The choice of the time period from May 2020 to July 2022 echoes the recently rising China threat since 2020. The justification of the time caesura can be found at the beginning of Section 4. The novel contribution of this study is the use of weekly Google Trends data to measure a narrative, and as a result, time series modelling is adopted in this study.

In terms of modelling, the ARDL (autoregressive distributed lag) model is adopted to examine the roles of China's territory-related issues in contributing to the China threat narrative. ARDL models are standard least-squares regressions with lags of both the dependent variable and explanatory variables as regressors. That is to say, the dependent variable is a function of its own lagged past values as well as current and past values of the other explanatory variables. ARDL models are applicable for both non-stationary time series and times series with mixed order of integration. They are helpful in separating short-run dynamics from long-run relationships.

Various tests, as outlined in Section 5 and detailed in Appendix 8, must be conducted to demonstrate the acceptability of the model specification. These tests include coefficient diagnostics, residual diagnostics, and stability diagnostics.

V. Variables

In this section, the dependent variable, i.e., the China threat, and the independent variables, including the Senkaku Islands, Uyghurs, South China Sea, a threat of war across the Taiwan Strait, the China-India border conflict, and Hong Kong National Security Law, are introduced. The time period is from the week of 3 May 2020 to the week of 31 July 2022. There are two reasons for choosing the starting date. First, as discussed at the beginning

of this paper, the China threat rose significantly in 2020. Second, two of the six independent variables started in June 2020. In particular, the Hong Kong National Security Law was enacted in June 2020 after the discussion on it heated up in May 2020. Also, several skirmishes happened between China and India in May and June 2020. Google Trends peak checks fulfill the dual purpose of validating the chosen key phrases and providing background information.

5.1 Dependent Variable

Besides “China threat,” “China rivalry” is another possible key phrase. In addition, the Trump-Pence administration during 2017 to 2021 described China as a competitor, a challenger, and a threat.³⁸ The Biden-Harris administration has since 2021 defined China as a competitor.³⁹ However, from the viewpoint of the public, “China threat” is the most popular (see Appendix 1).

The dependent variable is the worldwide narrative on the China threat. It is noted that China can also be narrated as a threat in other ways, such as Chinese influence. This study only examines the direct narrative of the China threat. Future studies can further examine the relations between the China threat narrative and the Chinese influence narrative, including similarities, differences, and causalities. Below, Figure 2 shows the search results, which are defined as the (normalized) volume of the China threat narrative worldwide.

Figure 2 shows that the largest peak in the China threat narrative happened in the week of 3 July 2022. The surge of search interest in China threat was driven by multiple events. First, on 7 July 2022, the heads of the FBI (Federal Bureau of Investigation) and MI5

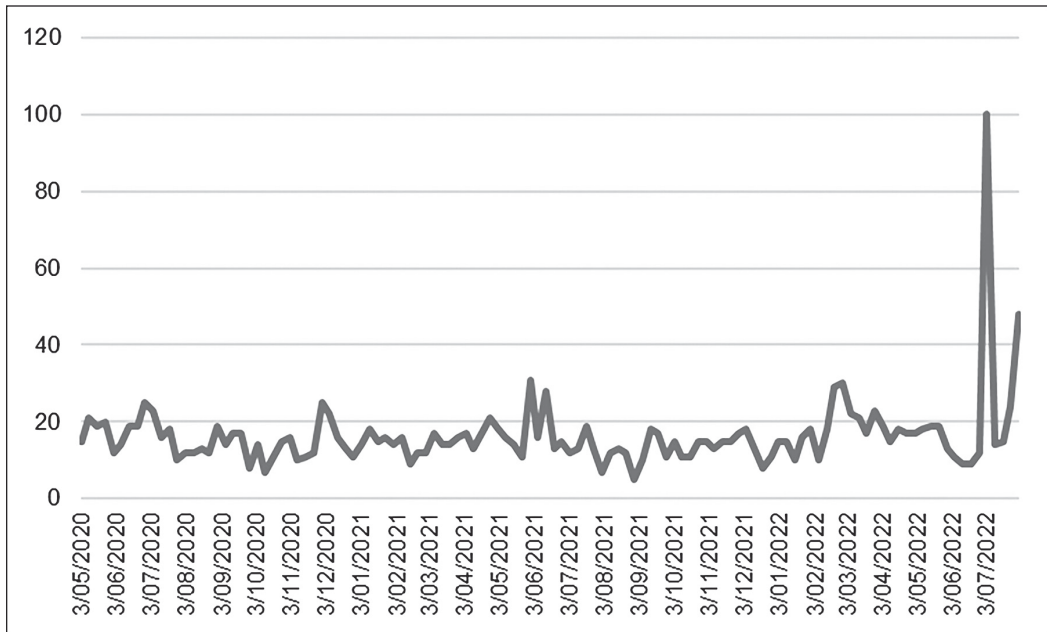


Figure 2. Search results for “China threat,” Google Trends weekly data, 3 May 2020–31 July 2022, worldwide.

(Military Intelligence, Section 5) jointly warned that China poses the biggest long-term threat to the security of the US, the UK, and their allies. This news was extensively covered by the media.^{40, 41, 42, 43, 44} Second, NATO (North Atlantic Treaty Organization), a 30-country security grouping, approved a new blueprint for the next decade, condemning China for the first time in its more than 70-year history⁴⁵ (7 News, 2022). Third, according to a poll, a vast majority of Australians see China as a military threat to their country.⁴⁶

5.2 Independent Variable

In this part, six independent variables are introduced, including the issues of the Senkaku Islands, Uyghurs, the South China Sea, a threat of war across the Taiwan Strait, the China-India border conflict, and the Hong Kong National Security Law.

5.2.1 SENKAKU ISLANDS

The Senkaku Islands are a group of uninhabited islands in the East China Sea under the administration of Japan. They are named in mainland China as the Diaoyu Islands. Since the 1970s, China has regularly made diplomatic and militarized threats against the disputed islands.⁴⁷ As the status quo is that this territory is under Japan’s control, China’s actions, if any, may draw close international scrutiny because of the danger of arousing the China threat perception.⁴⁸

Regarding the choice of key phrases, both “senkaku islands” and “Diaoyu islands” were tried. As the former is more popular (see Appendix 2), “senkaku islands” was chosen as the key phrase. In addition, since this study looks at the China threat narrative mainly

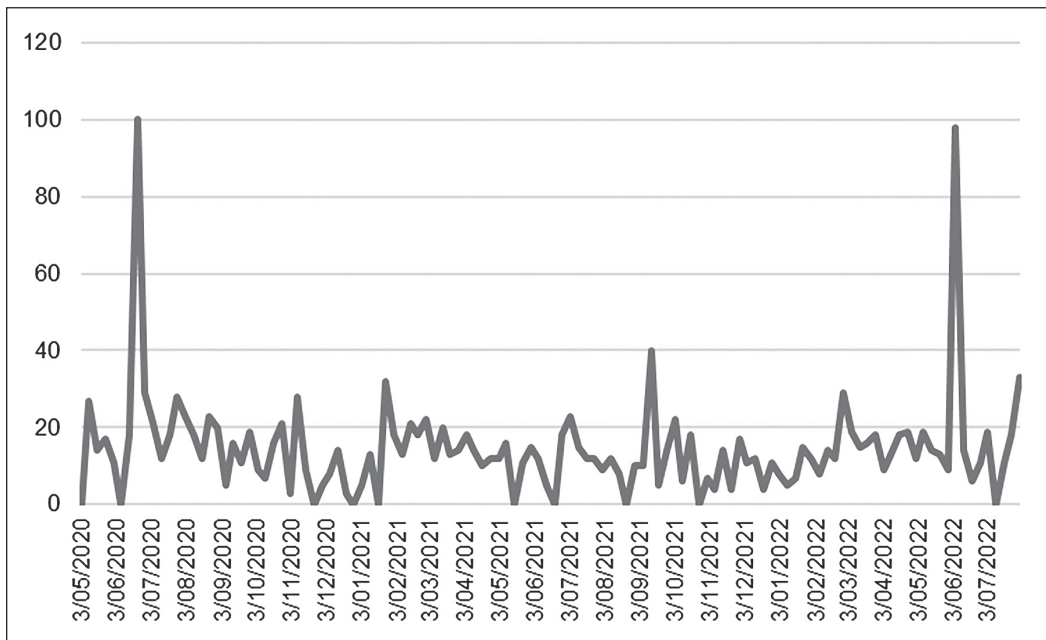


Figure 3. Search results for “Senkaku Islands,” Google Trends weekly data, 3 May 2020–31 July 2022, worldwide.

from the perspective outside of China geographically, the key phrase “senkaku islands” is assumed to be more appropriate than “Diaoyu islands,” which is mainly used by mainland Chinese. Figure 3 shows the search results, which are defined as the (normalized) volume of the worldwide narrative on the Senkaku Islands.

Figure 3 shows that the largest peak of the narrative on the Senkaku Islands happened in the week of 21 June 2020. The surge of search interest was primarily driven by a local Japanese government’s renaming of an administrative area that includes the Senkaku Islands. For example, the *Japan Times* (2020)⁴⁹ covered this news. Aspinwall (2020)⁵⁰ reported the response from the Taiwanese authority. SCMP (2020)⁵¹ focused on the response from mainland China. According to a report, Murukesh (2020)⁵² mentioned that China sent 67 ships to the Senkaku Islands during April-June 2020. Lendon (2020)⁵³ argued that this Japan-China island dispute could be Asia’s next military flash point.

5.2.2 UYGHURS

The Uyghurs are natives of China’s Xinjiang Uyghur Autonomous Region. Since 2017, it is argued that Xinjiang “has witnessed the largest forced incarceration of an ethno-religious minority anywhere in the world since the Second World War: upwards of one million Uyghurs and other Turkic Muslims have been forced into internment camps for ‘re-education’ and ‘thought transformation,’ or into high-security prisons, or situations of forced labour.”⁵⁴ It is further argued that China is conducting a genocide^{55,56} through a population optimization strategy.⁵⁷ The United Nations Human Rights Office concluded that “the extent of arbitrary and discriminatory detention of members of Uyghur and other predominantly Muslim groups” “may constitute international crimes, in particular crimes against humanity.”⁵⁸ At the same time, “China justified them as a sort of vocational training program to assist Uyghurs in participating in the Chinese economy.”⁵⁹

Please note that Xinjiang can hardly be treated as a territorial dispute or conflict. It is more an issue of a defined territory. Muslims in the camps are not necessarily separatists, and there are no claims or disputes about Xinjiang being under China, but there is wide-scale human rights abuse. Since this factor is statistically significant in contributing to the China threat narrative (see Section 4 for details), the inclusion of this variable can reduce the omitted variable bias, if any.

Uyghur can also be spelled as Uygur. While “Uyghur” is slightly more popular than “Uygur” (see Appendix 3), the results using “Uyghur” as the key phrase are dominantly from China. At the same time, the results using “Uygur” as the key phrase are dominantly from Turkey and other Central, Western Asian, and neighbouring countries such as Azerbaijan, Uzbekistan, Cyprus, and Kyrgyzstan. Since this study looks at the China threat narrative mainly from the perspective outside of China geographically, the key phrase “Uygur” was chosen. If “Uyghur” was chosen, preliminary results show that its relations with the China threat narrative are insignificant. This may reflect the different opinions regarding the Chinese government’s policy toward Uyghurs between mainland Chinese and non-mainland Chinese. Future studies may further examine this issue on a regional basis. Figure 4 shows the search results, which are defined as the (normalized) volume of the worldwide narrative on Uyghurs.

Figure 4 shows that the largest peak of the narrative on Uyghur happened in the week of 18 April 2021. The surge of search interest was primarily driven by two events. First, on 22

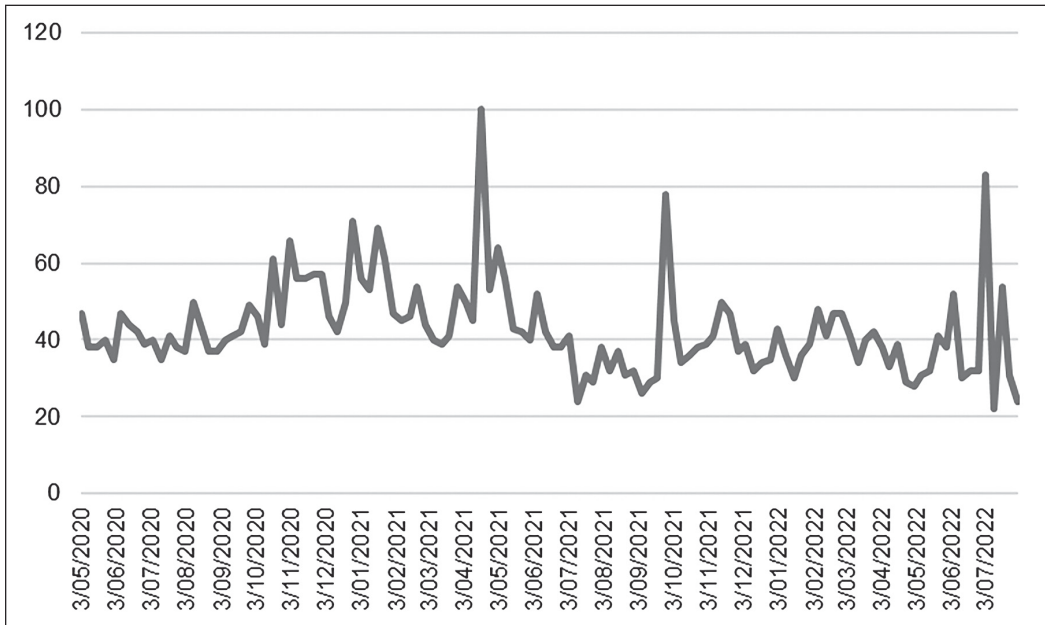


Figure 4. Search results for “Uyгур,” Google Trends weekly data, 3 May 2020–31 July 2022, worldwide.

April 2021, the British parliament described the situation in Xinjiang as genocide, calling for the government to take action.⁶⁰ Second, according to a report jointly released by Stanford Law School’s Human Rights & Conflict Resolution Clinic and Human Rights Watch, the Chinese government has committed—and continues to commit—crimes against humanity against Uyghurs and other Turkic Muslims.⁶¹

5.2.3 SOUTH CHINA SEA

The South China Sea is a region of enormous geopolitical and economic significance. According to an estimate conducted by the Centre for Strategy and International Studies, around \$3.4 trillion in trade passed through the South China Sea in 2016. These estimates accounted for 21 percent of global trade in 2016.⁶² The South China Sea is also rich in natural resources, including about 190 trillion cubic feet of natural gas and 11 billion barrels of oil.⁶³ Also, there are fishing rights in this region. At the same time, Mainland China, Taiwan, Vietnam, Malaysia, Brunei, and the Philippines have competing territorial and jurisdictional claims over this region.⁶⁴ Glaser (2012)⁶⁵ concluded that the risk of conflict in the South China Sea is significant. In particular, China has become more assertive in the South China Sea, resulting from the growth of its outsized military power⁶⁶ and its heightened nationalism.⁶⁷ Morton (2016)⁶⁸ argued that China’s rising presence in the South China Sea is becoming a key source of escalating tensions, leading to a spiral of conflict with the US and other neighboring Asian countries. As argued by Storey (2020), since the onset of the Covid-19 pandemic, as a result of China’s assertion of its jurisdictional claims, the US has escalated its condemnation of Beijing’s activities and military build-up in the South China Sea.

An alternative to the South China Sea is the Spratly Islands. However, the latter is far less popular. As a result, the “South China Sea” was chosen as the key phrase. Figure 5

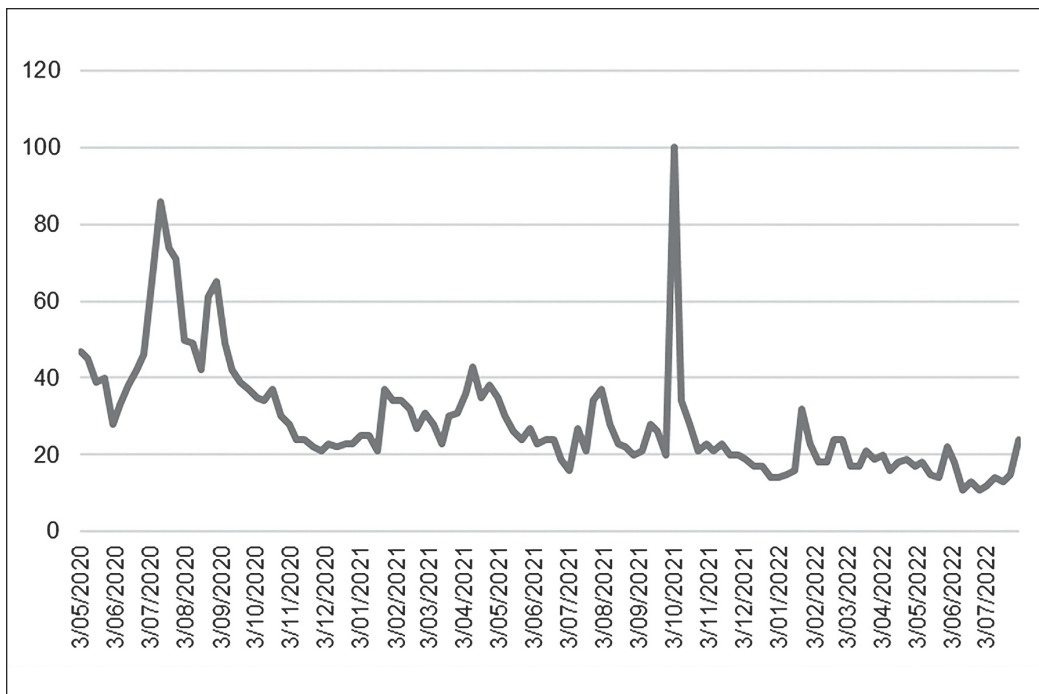


Figure 5. Search results for “South China Sea,” Google Trends weekly data, 3 May 2020–31 July 2022, worldwide.

shows the search results, which are defined as the (normalized) volume of the worldwide narrative on the South China Sea.

Figure 5 shows that the largest peak in the narrative on the South China Sea happened in the week of 3 October 2021. The surge of search interest was primarily driven by two events. One is that on 2 October 2021, a US nuclear submarine hit an “unknown object” while submerged in the South China Sea, injuring a number of sailors. This story was extensively covered by international media.^{69, 70, 71, 72} The other news is that Malaysia said it summoned China’s ambassador to protest against the “presence and activities” of Chinese vessels in Kuala Lumpur’s exclusive economic zone in the South China Sea.⁷³ The second largest peak in the narrative on the South China Sea occurred during the week of 12 July 2020. The surge of search interest was mainly driven by a report on US Secretary of State Mike Pompeo’s saying that China’s pursuit of offshore resources in parts of the South China Sea is “completely unlawful.”⁷⁴ The US has been opposing China’s claims, but it was the first time it called them illegal.

5.2.4 TAIWAN STRAIT

“Taiwan has been governed independently of China since 1949, but Beijing views the island as part of its territory. Beijing has vowed to eventually ‘unify’ Taiwan with the mainland, using force if necessary.”⁷⁵ Since Taiwan’s President Tsai Ing-wen came into power in 2016, tensions across the Taiwan Strait have risen. China has ramped up political and military pressure on Taiwan. While some analysts believe that the US and China could go to

war over Taiwan,⁷⁶ many do not. The restraining factors include economic interdependence between the People’s Republic of China and the US, domestic pressures in both countries, and a strong military deterrence from the US in the region.

In terms of the choice of key phrases, while “taiwan strait” is more general than “Taiwan war,” the results generated by the former are fewer than those by the latter (see Appendix 5). The term “Taiwan war” is assumed to more accurately reflect war sentiment across the Taiwan Strait and is more directly related to any China threat. Below, Figure 6 shows the search results, which are defined as the (normalized) volume of the worldwide narrative on a threat of war across the Taiwan Strait.

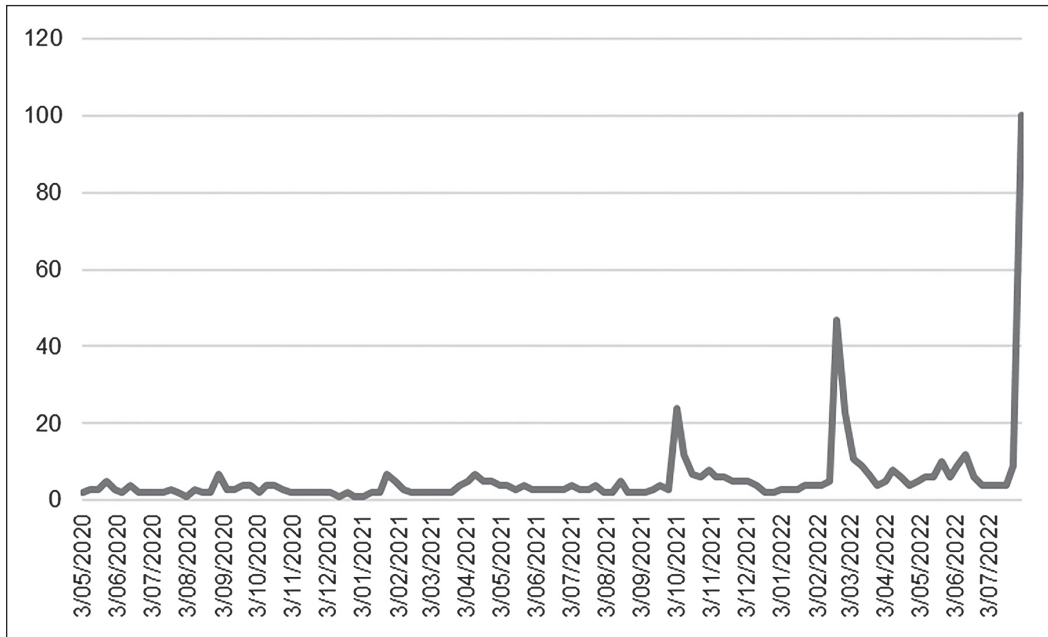


Figure 6. Search results for “Taiwan war” Google Trends weekly data, 3 May 2020–31 July 2022, worldwide.

Figure 6 shows that the largest peak in the narrative about a threat of war across the Taiwan Strait happened in the week of 31 July 2022. The surge of search interest was primarily driven by the event that US politician Nancy Pelosi, who formerly served as the Speaker of the U.S. House of Representatives, visited Taiwan on 2 August 2022. After Pelosi’s departure, Mainland China commenced military exercises encircling Taiwan from 4 to 7 August 2022. The visit and military exercise were extensively covered by international media.^{77,78} This was later called “the fourth Taiwan Strait Crisis.”⁷⁹

5.2.5 CHINA-INDIA BORDER CONFLICT

China and India have a border dispute over the sovereignty of several pieces of territory. In 1962, a war broke out between China and India in disputed areas. The war ended when China declared a ceasefire in November 1962 and announced its retreat to its alleged “Line of Actual Control.” There was a brief border clash in 1967 and several potential

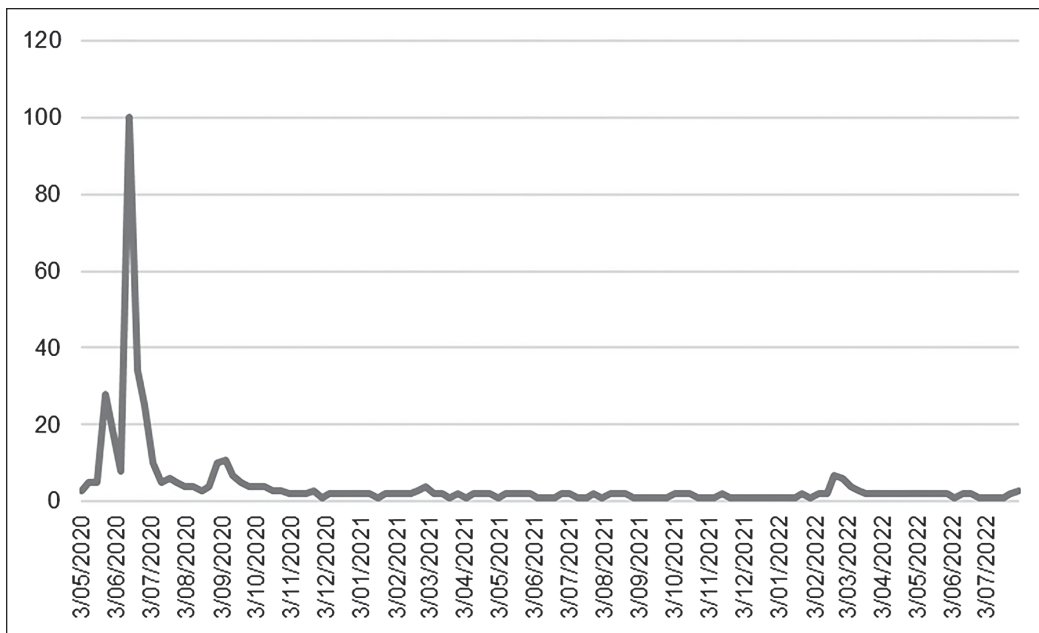


Figure 7. Search results for “China India war” Google Trends weekly data, 3 May 2020–31 July 2022, worldwide.

conflicts in 1987 and 2013. In June 2020, several skirmishes happened between China and India, resulting in dozens of deaths on both sides. As argued by Sharma (2020),⁸⁰ while all these border conflicts can be seen in the context of enduring China-Indian strategic rivalry and differing perceptions of the border, the 2020 clash is “China’s desperate attempt to use the humanitarian crisis of Covid-19 to advance its geopolitical goals in the Indo-Pacific region,” and “the deadly clash has shattered India’s illusions of a friendly China.”

Various key phrases, including “China India skirmish,” “China India conflict,” “China India dispute,” “China-India clash,” and “China India war,” were tried. While the pattern of results is generally consistent, suggesting that they may describe something very similar, the last key phrase, i.e., “China India war,” generates the most results. As a result, it was chosen as the key phrase. Figure 7 shows the search results, which are defined as the (normalized) volume of the worldwide narrative on the China-India war.

Figure 7 shows that the narrative on the China-India war peaked during the week of 14 June 2020. The surge of search interest was primarily driven by a China-India skirmish that happened in June 2020. In particular, starting on 5 May 2020, Chinese and Indian troops engaged in skirmishes at locations along the China-Indian border. The fighting on 15–16 June 2020 resulted in the deaths and captives of both Chinese and Indian soldiers. This conflict attracted extensive media coverage.^{81, 82}

5.2.6 HONG KONG NATIONAL SECURITY LAW

The Hong Kong National Security Law, officially the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative

Region, is national security legislation concerning Hong Kong enacted by the Chinese Standing Committee of the National People’s Congress in June 2020. It is argued that this law, together with “electoral reforms” in 2021, means the abandonment of the city’s liberal-democratic constitutional model and the independence of the city’s courts, law enforcement, and legislative process was compromised,⁸³ and it is part of the process of “mainlandization” of Hong Kong. As a result, some local political activists have either escaped or been arrested and imprisoned.⁸⁴

When a centralizing state penetrates a new area, it will pose threats to the existing local culture, customs, and interests of the people living there.⁸⁵ Specifically, “Chinese mainlandization is an ongoing threat that targets a marginalized group in Hong Kong: those who identify as Hong Kongers as opposed to Chinese.”⁸⁶ It “represents the greatest threat to human rights in the city’s recent history.”⁸⁷

It is noted that Hong Kong is legally a part of China, just like the Uyghurs issue. Since this factor is statistically significant in contributing to the China threat narrative (see Section 5.2.4 for details), the inclusion of this variable can reduce any omitted variable bias, if present.

Below, Figure 8 shows the search results, which are defined as the (normalized) volume of the worldwide narrative on Hong Kong National Security Law.

Figure 8 shows that the largest peak in the narrative on Hong Kong National Security Law happened in the week of 28 June 2020. This timing is consistent with the date of the legislation and implementation of this law. In particular, on 30 June 2020, this law was passed by China’s Standing Committee of the National People’s Congress and came into force the same day. It has been extensively covered by international media.^{88, 89, 90}

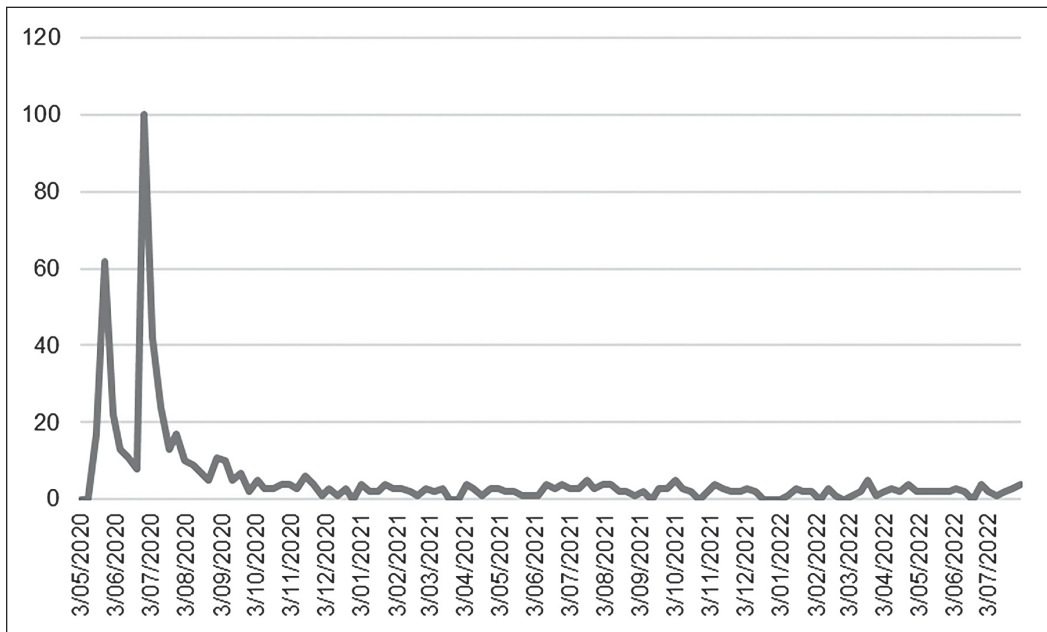


Figure 8. Search results for “Hong Kong national security law” Google Trends weekly data, 3 May 2020–31 July 2022, worldwide.

VI. Results

The China threat can take different forms, including military and ideological (and economic) ones. Specifically, China has regularly made militarized threats against the Senkaku Islands. China has become more assertive in the South China Sea as a result of its growing military power. China has ramped up military pressure on Taiwan, including an aggressive response to Pelosi's Taiwan visit. China used the humanitarian crisis of Covid-19 to advance its geopolitical advantages in its border conflict with India. Thus, it is hypothesized that the narratives on these issues within the English-speaking world can cause military threats from China to be perceived by the public. Also, the Hong Kong National Security Law means the abandonment of the city's liberal-democratic constitutional model and the compromising independence of the city's courts, law enforcement, and legislative process. There is wide-scale human rights abuse in Xinjiang. Thus, it is hypothesized that these issues cause ideological threats from China to be perceived by the English-speaking public.

In this section, the ARDL model is adopted. Unit root tests (Augmented Dickey–Fuller tests) show all data are stationary (see Appendix 8). Several variables are taken in the natural log forms, aiming to reduce the issues of residual normality and non-linearity. There are also potential multicollinearity issues. One way is to standardize the variables by subtracting the mean. Below, Table 1 shows the results of the ARDL modeling.

Table 1. The Roles of China's Territory-related Issues in Contributing to the China Threat Narrative

Dependent Variable: China Threat (the natural log of the normalized volume of the China threat narrative. See part 5.1 for details). Independent variables: Senkaku Islands (the natural log of the normalized volume of the Senkaku Islands narrative; see part 5.2.1 for details), Uyghurs (the normalized volume of the narrative on Uyghurs; see part 5.2.2 for details), South China Sea (the normalized volume of the narrative on the South China Sea; see part 5.2.3 for details), Taiwan Strait (the normalized volume of the narrative on a threat of war across the Taiwan Strait; see part 5.2.4 for details), China-India border war (the normalized volume of the narrative on China-India border war; see part 5.2.5 for details), and Hong Kong National Security Law (the natural log of the normalized volume of the narrative on Hong Kong National Security Law; see part 5.2.6 for details).

A. Short-Run Coefficients

Sample period: 3 May 2020–31 July 2022. Included observations: 112 after adjustments. Maximum dependent lags: 8 (Automatic selection). Model selection method: Akaike info criterion (AIC). Dynamic regressors (8 lags, automatic): JP XJ SCS TW IN HK. Fixed regressors: C @TREND. Selected Model: ARDL(3, 0, 0, 6, 0, 0, 0). White heteroskedasticity-consistent standard errors & covariance

Variable	Coefficient	p-values
China Threat(-1)	0.199	0.014
China Threat(-2)	-0.149	0.244

Variable	Coefficient	p-values
China Threat(-3)	-0.133	0.193
Senkaku Islands	0.063	0.095
Uyghurs	0.010	0.078
Uyghurs(-1)	-0.001	0.715
Uyghurs(-2)	-0.003	0.180
Uyghurs(-3)	0.003	0.239
Uyghurs(-4)	0.007	0.060
Uyghurs(-5)	0.0002	0.942
Uyghurs(-6)	0.009	0.018
South China Sea	0.003	0.393
Taiwan Strait	0.008	0.015
China-India border war	0.006	0.018
Hong Kong National Security Law	0.189	0.019
C	-0.511	0.004
@TREND	0.007	0.020
Adjusted R-squared	0.340	

B. Long-Run Coefficients

Variable	Coefficient	p-values
Senkaku Islands	0.058	0.100
Uyghurs	0.023	0.000
South China Sea	0.002	0.366
Taiwan Strait	0.008	0.055
China-India border war	0.005	0.013
Hong Kong National Security Law	0.175	0.004
C	-0.472	0.000
@TREND	0.007	0.001

Various tests (see Appendix 2) show that the model specification is acceptable. For example, coefficient diagnostics show that the variance inflation factors for major variables' coefficients are generally smaller than 5, except for two, being 6.3 and 7.7. As the rule of thumb for big variance inflation factors is 5 or 10, it means that the multilinearity issue can be generally ignored. Residual tests, including correlogram of standardized residuals and correlogram of standardized residuals squared, show no existence of serial correlation. The Kurtosis value is 4.18, showing a slight normality issue. The White heteroskedasticity-consistent standard errors & covariance are adopted to deal with the presence of heteroskedasticity. The Ramsey RESET test shows no existence of a non-linear functional form. The ARDL bounds test shows the existence of long-run relations (it is noted that the differences are that short-run relations include lag information, which is largely noise). The Adjusted R-squared is 34 percent, indicating a relatively large explanatory power.

As discussed in part 2.2, Google Trends results can be interpreted as the effects of agenda-setting on the general public. The results presented in Table 1 show that the English-speaking world believes that these territory-related issues, including Xinjiang's Uyghurs, HK National Security, China-India border disputes, China-Japan Senkaku disputes, and a threat of war across the Taiwan Strait, can cause the China threat. These conclusions are supported by fundamental analysis. For example, in terms of policy agenda, according to Goodman (2021),⁹¹ in the US, the bipartisan Strategic Competition Act 2021, the Endless Frontier Act, and the Meeting the China Challenge Act, which were then combined as the newly named United States Innovation and Competition Act 2021, were passed to provide policy and funding in this new cold war against China. The first two paragraphs of the Strategic Competition Act clearly indicate the nature of the China threat. In the UK, some Members of Parliament (MPs) formed the China Research Group, advocating the China threat.⁹² In Australia, some bipartisan MPs grouped themselves as the "Wolverines," working to highlight the China threat.⁹³ In terms of the media agenda, the English-speaking media may also play a significant role. For example, regarding Western media, Singaporean scholar and diplomat Kishore Mahbubani said that "(Don't look at) this region through the lenses of the Anglo-Saxon media (or) you will completely misunderstand what's happening in East Asia because they have a very jaundiced, black and white view."⁹⁴ From the perspective of China, it is possible that (China's) "own actions often undermine the narratives it seeks to promote. Its domestic human rights abuses and aggressive foreign policy stances undercut the positive story that Chinese diplomats and state media are trying to tell..."⁹⁵ It may also be helpful for China to review its policies toward these issues and/or China's story-telling practice for the English-speaking audience.

In particular, among all China's territory-related issues, the Uyghur issue has attracted the most lasting attention (up to six lag orders, i.e., the effect of one particular Uyghur-related issue on the China threat can last as long as six weeks). According to a survey by Silver, Huang, and Clancy (2022),⁹⁶ more respondents rated China's human rights policies as a very serious problem than they did the other three issues, which were China's military power, economic competition with China, and China's involvement in each country's domestic politics. In particular, a median of 79 percent considers China's policies on human rights very or somewhat serious. Seventy-two percent say that China's military power is a serious problem. Also, 66 percent and 59 percent consider economic competition with China and China's involvement in politics in their own countries very or somewhat serious. The Uyghur case may have been covered more extensively and frequently than others. This may help explain why the Uyghur issue performs differently from others.

Also, the coefficient of *Senkaku Islands* is marginally significantly positive within a 10 percent confidence level. In the long run (no lag orders), this effect has become marginally insignificant. As discussed in part 5.2.1, as the Senaku Islands are under the control of Japan, China's actions may be considered as intending to change the status quo. However, the largest peak of the search interest was driven by a policy initialized by Japan. During the sample period, no major confrontational activities from China were reported. This may help explain why it is only marginally significant.

Also, the threat of war across the Taiwan Strait is significantly associated with the China threat. This conclusion is also supported by the survey results. For example, according to the Gallup Survey (2022),⁹⁷ in 2004, around 23 percent of the American public

believed that the conflict between mainland China and Taiwan was a critical threat to the vital interests of the US. In 2021, this fraction has increased to 30 percent.

Table 1 shows the coefficient of *South China Sea* is insignificant within a 10 percent confidence level for both short-run and long-run relations. In fact, in terms of the role of contributing to the China threat narrative, the South China Sea issue is the only exception. These insignificant relations may be the result of the significance of other variables. In order to test this hypothesis, univariate Granger causality tests (see Appendix 6) were conducted. The results show that the relations between the China threat narrative and the South China Sea narrative are always insignificant. If an alternative key phrase “Spratly Islands” was used, although it is much less popular than “South China Sea” (see Appendix 4) and is mainly used by the Southeast Asian public, Granger Causality tests show that these relations are still insignificant (see Appendix 7). It is noted that these insignificant relations happened during this specific sample period, i.e., May 2020–July 2022. As Goodman (2021)⁹⁸ stated, there have been no military engagements in the South China Sea since 1988. While it is true that China developed military bases, naval facilities, and airstrips, and built artificial islands in the Paracels and Spratly Islands, it also made efforts to develop the Scarborough Shoal off the Philippine coast. They all happened during 2013–2018. No major similar events were reported during the sample period. Furthermore, on one hand, there may be genuine (legal or practical) concerns over the threat posed to freedom of navigation by China,⁹⁹ or this threat may be overstated.¹⁰⁰ On the other hand, from the viewpoint of the general public, it may be difficult to consider China’s actions (if any) a threat when the Western powers sent their naval ships to China’s neighboring waters, which are probably thousands of miles away from their home country. For example, as discussed in part 5.2.3, the largest peak of the narrative on the South China Sea is related to an accident of a US submarine in the South China Sea. It may be hardly connected to the China threat. It is also possible that the South China Sea issue is so well known and discussed by the media for so long, that it no longer correlates with the search for China threat.

VII. Concluding Remarks

The China threat has risen significantly since 2020. This study examines the roles of China’s territory-related issues, including Senkaku Islands, Xinjiang’s Uyghurs, the South China Sea, a threat of war across the Taiwan Strait, China-India border conflicts, and Hong Kong national security law, in contributing to the China threat. The reason why only these issues are chosen is that, while other factors may also potentially contribute to the China threat, these factors may be of low correlation with these territory-related issues, and as a result, the omitted variable bias may be mitigated or disappear. Based on weekly Google Trends search results from May 2020 to July 2022, this study created a series of time series variables to measure the narratives. This study contributes to knowledge of the China threat and to academia as well by presenting a (still) new quantitative method for international relations.

In particular, this study finds that, except for the South China Sea, all other issues are connected to the China threat by the English-speaking public. This conclusion is supported by fundamental analysis, including an intensifying confrontational policy stance from Western countries such as the US, the UK, and Australia, and the media agenda. The

exception of the South China Sea may only be applied to the specific sample period. Also, the Uyghur issue has attracted the most enduring attention among the English-speaking public, which is consistent with survey results. From the perspective of China, the conclusions may show that it may be helpful to either review China's relevant policies and/or re-evaluate China's story-telling practice in the English-speaking world.

From the viewpoint of academia, this study contributes to the literature by introducing a (still) new data source that has the potential to generate rich time series data, and as a result, univariate or multivariate time series modeling with high-frequency (monthly, weekly, or daily) data in international relations becomes feasible. This study can be considered as another example of how Google Trends is used in international relations, along with a number of the author's works (not cited but available upon request).

This study also has limitations. First, this study mainly covers the English-speaking public around the world who can access the Internet and Google. Second, the conclusions may be restricted to this particular time period, i.e., from May 2020 to July 2022. As shown in Figures 6 and 7, the public's interests in the China-India conflict and Hong Kong national security law have gradually diminished. Their roles in contributing to the China threat narrative may become insignificant in the future. At the same time, the Taiwan issue may become more prominent. Third, there are also spatial constraints. For example, it makes more sense if the Indian public is more interested in the China-India conflict than the Senkaku Islands issue. Some new variables may also emerge for different regions. Applying these conclusions, which are based on the whole English-speaking world, to individual regions or countries should be taken cautiously.

There are plenty of other issues that can be conducted in the future. For example, the time series pattern of the China threat may be an interesting issue. The rise and fall of the China threat narrative may be the combined result of China's domestic and foreign policies, media coverage, as well as changes in the geopolitical environment. A variety of variables need to be figured out. Also, while this study only examines the English-speaking world, the non-English-speaking world can be further examined. Goodman (2017)¹⁰¹ conducted some comprehensive analyses of the China threat in Australia. Future studies can also focus on a specific region. Factors such as the context, practices, norms, cultures, social identities, and so on, which may hardly change in a short time frame, may be important variables in a cross-sectional analysis.

Declarations

- Funding: This research did not receive any specific grants from funding agencies in the public, commercial, or not-for-profit sectors.
- Conflicts of interest: none
- Availability of data and material: The datasets used and/or analyzed during the current study are available from the corresponding author on reasonable request

Appendix 1: Granger Causality Tests

The Granger causality test is a method used to determine how much of the present y can be explained by past values of y , and then whether including lagged values of x can

improve the explanation’s accuracy. Because all variables are time series data, they must be examined for stationarity. Augmented Dickey-Fuller tests (not reported, but available upon request) show that all variables are stationary.

China Threat represents the normalized volume of the “China Threat” narrative worldwide (see Figure 1). *South China Sea* is the normalized volume of the South China Sea narrative worldwide (see Figure 2). *Spratly Islands* represents the normalized volume of the Spratly Islands narrative worldwide using the key phrase “Spratly Islands.”

Time period: 3 May 2020–31 July 2022. Frequency of data: weekly. Obs: 112–117

Null Hypothesis	Lag Order 1	Lag Order 2	Lag Order 3	Lag Order 4	Lag Order 5	Lag Order 6
<i>South China Sea</i> does not Granger Cause <i>China Threat</i>	13.2%	18.6%	26.5%	41.6%	59.9%	71.7%
<i>Spratly Islands</i> does not Granger Cause <i>China Threat</i>	94.9%	99.0%	81.7%	95.8%	96.3%	97.2%

Appendix 2: Variable and Model Fit Tests

A. Unit Root Tests (Augmented Dickey-Fuller test)

Null Hypothesis: Variable has a unit root.

	t-Statistic	p-values
China Threat	-9.432	0.000
Senkaku Islands	-10.060	0.000
Uyghurs	-4.690	0.000
South China Sea	-3.339	0.015
Taiwan Strait	-3.921	0.003
China-India border war	-3.977	0.002
Hong Kong National Security Law	-12.518	0.000

B. variance inflation factors (VIFs)

Variable	VIF
China Threat (-1)	1.636
China Threat (-2)	3.790
China Threat (-3)	1.600
Senkaku Islands	2.260
Uyghurs	7.714
Uyghurs (-1)	2.016
Uyghurs (-2)	3.032
Uyghurs (-3)	1.826
Uyghurs (-4)	3.672

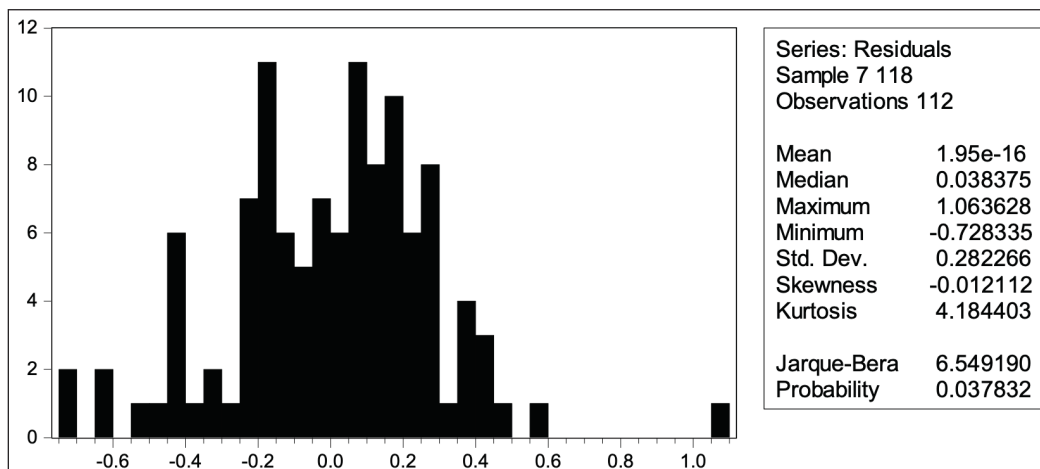
Variable	VIF
Uyghurs (-5)	1.673
Uyghurs (-6)	1.889
South China Sea	3.713
Taiwan Strait	5.118
China-India border war	1.813
Hong Kong National Security Law	6.264

C. ARDL Bounds Test

Included observations: 112. Null Hypothesis: No long-run relationships exist

Test Statistic	Value	k
F-statistic	5.460	6
Critical Value Bounds		
Significance	I(0) Bound	I(1) Bound
10%	2.53	3.59
5%	2.871	4
2.5%	3.19	4.38
1%	3.6	4.9

D. Residual Tests—Normality Test



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Book Reviews

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2023:

- Bensman, Todd. (2023). *Overrun: How Joe Biden Unleashed the Greatest Border Crisis in U.S. History*. Post Hill Press.
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The Development of the Law of the Sea by UNCLOS Dispute Settlement Bodies

Lan Ngoc Nguyen. Cambridge University Press, 2023. ISBN(Hardback):9781108845632. 336pp. (available from Nov. 2023) ISBN(Digital): 9781108980296. 328pp.

The United Nations Convention on the Law of the Sea (UNCLOS) provides for the settlement of disputes by states, which can choose from a variety of dispute settlement mechanisms such as the International Tribunal for the Law of the Sea (ITLOS); the International Court of Justice (ICJ); arbitral tribunal as set out in Annex VII; or special arbitral tribunal under the same provision. The bodies under the convention are at times referred to as UNCLOS Dispute Settlement Bodies; in the book under review, it is evident that UNCLOS dispute settlement has been integral in the further evolution of law of the sea and in the process providing the tides of consistencies to dispute settlement on the international waters. It is no wonder that in recent times there are various works on UNCLOS dispute settlement.¹

In this book, Nguyen uses selected areas of the law of the sea to offer an assessment and contribution of how UNCLOS tribunals operates in those areas.² In this regard, for Nguyen, given the origins of UNCLOS, in its latest reincarnation, the most notable innovations are “the introduction of two new maritime zones; the EEZ and the Area; the concept of the continental shelf beyond 200 nm; the regime of island and rocks, a dedicated Part XII on the protection and perseveration of the maritime environment and a compulsory dispute settlement” (p. 13). Since there is a treasure trove of literature out there on these issues, stating them and reassessing them hardly adds anything new to the literature and its importance lies in the fact that it relies on formal legal discourse to ascertain whether there is value in the judgments regarding principles of law or if the UNCLOS judgments made matters better or worse for want of a better term.

The book consists of seven chapters and each chapter contains their distinctive form of reasoning on the development of the law of the sea. Barring the introduction, which contains the same gymnastics of a PhD from which the book developed, the second chapter deals with the obligations of coastal states, starting with the preconceived notion that their rights are often not so clear cut especially in regards to exclusive economic zones (EEZ). Hence, that chapter focuses on sovereign rights and jurisdictions, UNCLOS obligations and historic rights. The chapter (and most of the book) relies on the cases *Chagos Marine Protected Area*³ and *South China Sea*⁴ to argue that both cases show elements of “continuity and departure from existing case law.”⁵ The context of existing case law the chapter refers to are those where the issue of “historic title” for instance has been raised in relation to Article 298 UNCLOS.

The third chapter deals with flag states’ rights in an attempt to discover how UNCLOS tribunals have expounded on the rules regarding flag states. The third leg of the chapter, which discusses flag states’ duties under UNCLOS, is appealing, especially the part of the discussion dealing with illegal, unregulated and unreported (IUU) fishing. This part of the discussion relies on the *Advisory Opinion on IUU Fishing*⁶ where ITLOS said, inter alia, flag

states must deter IUU fishing through due diligence. The chapter found that there is onus on flag states to ensure that their vessels avoid IUU fishing in the EEZ of another state even if the tribunal's analysis was flawed.

The fourth chapter addresses the issue of maritime delimitation and maritime entitlement, and the closeness of both concepts. The discussions on maritime entitlement in the chapter are worthy of reading in that to some degree, the level of reasoning is adequate. Having set aside the distinction between entitlement to a continental shelf, both inner and outer; or that of rocks and insular features, the discussions, with some good measure, exposed how UNCLOS tribunals interpreted Article 121(3). The main takeaway from this part of the discussion on maritime entitlement in the chapter is that despite limited State practice in the area, novel interpretative methods suggests that there are ways to improve the development of the law of the sea.

The fifth chapter covers protection of the maritime environment. A hallmark of the chapter is perhaps what seems like a case for advocacy or perhaps where the author breathed new life in the discussions, especially when addressing the issue of "duty to cooperate."⁷ On marine pollution, for instance, the chapter states that the duty to cooperate is "part of general international law"⁸ with concrete obligations. Other familiar themes are also addressed in the chapter such as the environmental impact assessment and the precautionary principle.

The sixth chapter deals with procedural rules in dispute settlement in relation to contentious jurisdiction and advisory jurisdiction.⁹ Discussing in particular Part XV of UNCLOS the chapter concludes that the "case law on Part XV is not one of great coherence."¹⁰ This is not a surprising statement from the author given that majority of the discussions in the previous chapter tend to draw similar conclusions, even if at the expense of repetition through words such as "inconsistencies." Nevertheless, this is an interesting chapter, one that this reviewer finds to be well thought through and where the book perhaps excels in its contribution to the literature.

The seventh and final chapter is both an assessment and a concluding chapter in that it focuses on what is effectively in the title of the book. The focus is "development of the law of the sea" and for instance, a contribution that the author mentions by UNCLOS tribunals is "a strong footprint" in the development of procedural rules. Another point that should be mentioned, as it pertains to this last chapter, is the role of state practice, and the author suggests that due to dynamism in state practice and new developments on the use of oceans in modern times, perhaps the role of other actors are as just as important as the state.

There is no general conclusion in the book and the issues covered are found in most discussions on the law of the sea. Hence, those on coastal states, flag states, maritime delimitation, protection of the maritime environment are easily found in the general literature on the law of the sea.¹¹ This raises the question of where to identify the focus of the book. The discussions on procedural rules are perhaps the strength of the book whilst organizationally, the last chapter seems to be a mixture of introduction, analysis and conclusion all combined. But given that the author wove through the cases of the UNCLOS tribunals searching for "development of the law of the sea" through examination of the major cases, the reader will be satisfied the book is an interesting read.

—P. Sean Morris, University of Helsinki

Notes

1. The classic is perhaps, Natalie Klein, *Dispute Settlement in the UN Convention on the Law of the Sea* (Cambridge University Press, 2005).
2. Lan Ngoc Nguyen, *The Development of the Law of the Sea by UNCLOS Dispute Settlement Bodies* (Cambridge University Press, 2023).
3. *Chagos Marine Protected Area Arbitration (Mauritius v United Kingdom)* (2015) RIAA XXI 359.
4. *The South China Sea Arbitration Between the Republic of the Philippines and the People's Republic of China (Philippines v China)* (2016) RIAA XXXIII153.
5. Nguyen 2023, p. 63.
6. Request for Advisory Opinion submitted by the Sub-Regional Fisheries Commission (Advisory Opinion, 2 April 2015) ITLOS Reports 2015.
7. Nguyen 2023, p. 164.
8. *Ibid.*, p. 173.
9. A new development in this area is the Commission of Small Island States (COSIS) claims on climate change as submitted in 2023; Request for an Advisory Opinion submitted by the Commission of Small Island States on Climate Change and International Law (Request for Advisory Opinion submitted to the Tribunal) (Order 2023/4), June 20, 2023.
10. Nguyen 2023, p. 244.
11. In lieu of a literature listing, see Donald Rothwell and Tim Stephens, *The International Law of the Sea*, 3d ed. (Bloomsbury 2023); Yoshifumi Tanaka, *The International Law of the Sea*, 4th ed. (Cambridge University Press, 2023); Robin Churchill, Vaughn Lowe and Amy Sander, *The Law of the Sea*, 4th ed. (Manchester University Press, 2022).

Call for Papers

JTMS Summer/Fall 2024 Issue Call for Papers

The *Journal of Territorial and Maritime Studies (JTMS)* is soliciting submissions for its Summer/Fall 2024 issue. *JTMS* is an interdisciplinary journal of research on territorial and maritime issues sponsored by the Northeast Asia History Foundation with editorial offices hosted by Yonsei University in South Korea. The journal provides an academic medium for the announcement and dissemination of research results in the fields of history, international law, international relations, geography, peace studies, and any other relevant discipline as they pertain to terrestrial and maritime territorial issues. The journal covers all continental areas across the world, and it discusses any territorial and maritime subjects through the various research methods from different perspectives; moreover, practical studies as well as theoretical works, which contribute to a better understanding of terrestrial and maritime territorial issues, are encouraged.

For consideration in the Summer/Fall 2024 issue, Manuscripts should be submitted electronically to jtms@yonsei.ac.kr by February 1, 2024. Submitted papers should include four major sections: the title page, structured abstract, main body, and references. The title page should contain the title of the paper, the author's name, the institutional affiliation, and keywords. To be considered, manuscripts must follow the *JTMS* style guide available on our website. A length of maximum 9,000 words is preferred for an article, including endnotes, and approximately 2,000 words for a review. Inquiries may be sent via the email address provided above. Our style guide and other journal information may be found on our website at: <http://www.journalofterritorialandmaritimestudies.net/>

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The blog of the *Journal of Territorial and Maritime Studies* welcomes submissions for blog entries. This forum is intended to discuss topics related to recent territorial and maritime news, research, and policy. It is hoped that this blog will help bring a fresh perspective on how to deal with territorial and maritime issues and the complexities these issues present.

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Format: Research should be saved as Microsoft Word document formatted Times New Roman, 12 point font, double-spaced. There should be generous margins, no right-hand justification, and pages numbered consecutively.

Title Page: Title page must include (1) the title of the paper, (2) author's contact information including name, affiliation, address, phone number, fax number, email address (3) A structured abstract (see samples below) and few key words of the paper.

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Tables & Figures: Insert each table or figure on a separate page at the end of the text. Indicate the position of the table or figure in the text (e.g., Insert Table 2 here). The page containing the table or figure should be placed after the page that first references the table/figure in the text. Authors have the responsibility of providing high quality figures and images in tiff format and a resolution of 800 dpi or higher. Supporting materials may be submitted as hard copies for scanning or through e-mail submission. Please forward all materials to the editor.

Endnotes: Use full citation endnotes with no bibliography or reference list. Endnotes should be brief, used sparingly, and consecutively numbered with subscript Arabic numbers. Please convert all footnotes to endnotes.

Book

1 Robert Jervis, *The Meaning of the Nuclear Revolution: Statecraft and the Prospect of Nuclear Armageddon* (Ithaca, NY: Cornell University Press, 1989), p. 167.

2ND NON-CONSECUTIVE ENDNOTE

2. Jervis 1989, p.160

CONSECUTIVE ENDNOTE

3. Ibid. p.50

Journal

2 David Karl, "Proliferation Pessimism and Emerging Nuclear Powers," *International Security* 21(3) (1996–97), p. 89.

Website

3 Sangwon Yoon and David Lerman, "Hagel Calls on North Korea to Tone Down Rhetoric," *Bloomberg News*, April 11, 2013, <http://www.bloomberg.com/news/2013-04-10/south-korea-braces-for-possible-missile-test-from-north-today.html>, accessed January 21, 2014.

Legal Case Citations

Maritime Delimitation and Territorial Questions between Qatar and Bahrain (Qatar v. Bahrain), Merits, Judgment, I.C.J. Reports 2001, pp. 101102, para. 205

Non-consecutive Citations:

ICJ Reports 1978, supra note 18, p. 50, para. 102

Newspaper Article

4 Andrei Lankov, "Stay Cool. Call North Korea's Bluff," *New York Times*, April 9, 2013.

Footnote

5 The classic optimist-pessimist debate can be found in Scott Sagan and Kenneth Waltz, *The Spread of Nuclear Weapons: An Enduring Debate*, 3d. ed. (New York: W. W. Norton & Company, 2013). For detailed surveys of the literature more generally, see Peter Lavoy, "The Strategic Consequences of Nuclear Proliferation: A Review Essay," *Security Studies* 4(4) (1995), pp. 695–753; and Francis Gavin, "Politics, History and the Ivory Tower-Policy Gap in the Nuclear Proliferation Debate," *The Journal of Strategic Studies* 35(4) (2012), pp. 573–600.

One File: Submit the paper as one file in the following order: Title, Structured Abstract, Text, Endnotes, Tables and Figures, and Biographical Statement.

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Article Classification: JTMS categorizes articles into 6 of the following classifications: Research Paper, Viewpoint, Technical Paper, Conceptual Paper, Case Study, and General

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The article title page must include a structured abstract with 4–5 of the following sub-headings: (1) Purpose, (2) Design/Methodology/Approach, (3) Findings, (4) Practical Implications, (5) Originality/Value. The structured abstract, including keywords and article classification, must be 200 words or less.

Structured Abstract Samples

SAMPLE 1:

Article Type: Research Paper

Purpose: Some scholars imprint an academic discipline by their contribution to the manner in which people think and research, namely, by putting forward novel concepts and insights. The purpose of this paper is to examine the impact of Sumantra Ghoshal's work on the study of subsidiaries and multinational enterprises and organizational formats for foreign operations.

Design, Methodology, Approach: A bibliometric study on Bartlett and Ghoshal's well-known book *Managing Across Borders: The Translational Solution* is performed to assess its impact in international business (IB) research. The entire record of publications in the top leading IB journal, Journal of International Business Studies (JIBS), is examined.

Findings: Theoretically supported, Ghoshal's work was keenly influenced by his corporate experiences and his constant questioning of the dominant theories and assumptions. The analyses in this paper show the impact of the work on the "transnational solution," namely, on the understanding of multinationals and subsidiaries, thus being one of the most notable contributions for IB research over the past 20 years.

Practical Implications: Useful for graduate students and in writing a literature review, this paper presents an interesting manner to examine a scholar's and a theory's impact on a discipline.

Originality, Value: This paper presents an extensive bibliometric analysis of research published over a time-span of 22 years in international business studies.

SAMPLE 2:

Article Type: Research Paper

Purpose: While many studies on institutional environment have primarily focused on the influence of the host country environment, limited insights have been offered on how the different dimensions of home institutions affect firm internationalization. This paper aims to fill this gap by investigating the effects of regulatory institutions at home.

Design, Methodology, Approach: Using country governance quality to proxy quality of regulatory institutions, this study attempts to reveal how regulatory institutions at home facilitate a multinational enterprise's (MNE's) international expansion and why the influence differs in different country clusters. Using hierarchical linear modeling and cluster analysis, proposed hypotheses were tested with a three-year panel 511 firms from 38 countries.

Findings: The results provide substantial support for authors' hypotheses that MNEs with high governance quality at home are more engaged in internationalization than those with low governance quality at home. Moreover, differences in institutional effect do exist between country clusters.

Practical Implications: This study provides evidence that while country difference exists, governance quality at home can facilitate MNE's expansion into foreign markets. This finding will help managers of any MNEs to consider country-level factors and evaluate the governance quality at home before committing resources into foreign operations.

Originality, Value: Building on the institutional environment literature, this theory and results make original contributions by underscoring how the consideration of regulatory institutions at home can significantly improve understanding of institutional influence on MNEs. The findings have important implications for both international business researchers and managers of MNEs.