

China's Law of the Sea: The New Rules of Maritime Order

Gregory Poling

Isaac B. Kardon

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in technology, tactics, and intelligence. Although Carey makes an effort to cover both advances in ASW technology and tactics, he does not do the topic complete justice, in part because it can be reasonably argued that the large amount of pertinent material deserves another volume. Improved radar, searchlights, depth charges, ASW torpedoes, and sonobuoys are all mentioned, but could have been explored in greater detail. Carey does discuss the use of the code-breaking capabilities of ULTRA.

The Navy's war against the U-boats involved a myriad of different types of aircraft. These included PV-1 Venturas, PB4Y Catalinas, the four-engine PB4Y Liberators, and Martin PBM Mariner seaplanes. Unfortunately, Carey does not provide a detailed comparison between aircraft characteristics and lethality.

He also does not spend a great deal of time looking at internal Navy policies and politics. There are clues to potential policy and personal conflicts and evidence of naval priorities that apparently reflect a Navy decision to make the Atlantic a secondary theater of war. This is an area crying out for additional scholarship.

Sighted Sub, Sank Same painstakingly examines engagement after engagement. As a result certain surprising revelations are provided. Boredom was baked into ASW operations. Crews in lone aircraft might fly for months without a contact. When contact was made these lone aircraft would engage and the U-boats would often fight back. From time to time, the events described in *Sighted Sub, Sank Same* might more correctly be described as "sighted sub, shot down by same." There were, of course, crews that simply launched on a mission and never returned, but others reported

sightings and commencing an attack and were never heard from again. Carey also reminds the reader that U-boat crews, when they escaped a sinking boat, often leaped from one fatal situation into another. USN aircrews would report seeing survivors in the water, and even dropped inflatable rafts to them. But when the aircrews returned, the sea would be empty.

Above all, Carey reminds us that U.S. naval aviators sank eighty-three German submarines as well as the Italian submarine *Archimede* and the Japanese *I-52*. While not perfect, *Sighted Sub, Sank Same* is likely to be among the definitive sources on this matter for some time.

RICHARD NORTON



China's Law of the Sea: The New Rules of Maritime Order, by Isaac B. Kardon. New Haven, CT: Yale Univ. Press, 2023. 416 pages. \$40.

In *China's Law of the Sea: The New Rules of Maritime Order*, Isaac Kardon delivers an incisive analysis of China's transactional and often contradictory engagement with international law in general, and maritime law in particular. His long exposure to Chinese legal scholars and texts gives Kardon a unique credibility on the topic. Not only has he spent years studying the issue at the U.S. Naval War College and more recently at the Carnegie Endowment for International Peace, but he studied at Tsinghua University in Beijing and held visiting positions at the National Institute for South China Sea Studies in China's Hainan Province and at Academia Sinica in Taiwan. Kardon took full advantage of the opportunities for productive, and sometimes even candid, discussions that outsiders could have with Chinese scholars before that door

slammed shut in recent years. In other words, he knows what he is talking about.

The through line in *China's Law of the Sea* should be self-evident at this stage in China's rise as a revisionist power: Chinese leaders do not view and never have viewed international law in the same way that most of the rest of the world does. As Kardon details in the opening chapter, China's leaders maintain a Leninist interpretation of international rules, norms, and institutions. In this vision, such structures have no inherent value or permanence, and are certainly not binding on all states equally. Instead, they are reflections of power—the preferred rules of those who have it to enforce their will on those who do not. And as the balance of power changes, in this worldview, the degree of a state's compliance with law should naturally change with it.

As Kardon highlights throughout the book, but especially in chapter 2, the China that played a key role in negotiating the UN Convention on the Law of the Sea was a relatively weak state whose leaders made concessions out of necessity. They were clear even then that they did not view the rules as permanently fixed and binding, no matter what the treaty said. The China of today is no longer weak, no longer feels concessions are necessary, and believes that the rules not only can but naturally should be bent, revised, or cast aside as necessary. For anyone who has lived, worked, or signed a contract in China, this should sound familiar; it is how Chinese domestic law functions. The Chinese Communist Party is not interested in the rule of law; it prefers rule by law: the fluid, often capricious, and context-dependent application of vague rules to advance policy goals.

The larger part of the book is spent in a careful unpacking of four aspects of

China's maritime disagreements with its neighbors and external players: the rules involving maritime claims and delimitation, resource management, navigation, and dispute resolution. Each reflects in one way or another the fundamental disconnect between Beijing's approach to international law and that of most others in the international community. Kardon compares China's approach to each of these issues in the South China Sea, East China Sea, and Yellow Sea, and in relation to the other parties to the disputes: Brunei, Indonesia, Malaysia, the Philippines, Vietnam, Japan, South Korea, and, in the case of navigation rights, outside parties, including the United States.

Kardon's mission is not just to elucidate China's unique interpretations of maritime law, but to weight and categorize them. To do so, he grades each legal demand according to two criteria: Does China pursue it uniformly across its various maritime disputes, and has it done so consistently over time? In most cases, the answer to at least one of these is no, underscoring the contextual nature of law in China's worldview. More importantly, this careful sorting of China's (extra)legal claims suggests the relative salience Beijing gives to each. It points toward which changes to the prevailing legal order China considers most important, and therefore on which issues it is least likely to give way. For all China's neighbors, not to mention the United States and other like-minded partners, understanding how China weights its various efforts to revise maritime law is important to manage disputes, identify points of potential compromise, and know where to hold the line.

Whether readers approach *China's Law of the Sea* to learn more about the roots of the increasingly dangerous disputes in

the East and South China Seas, or for a sense of how China is likely to approach international laws and institutions of all sorts, they will find Kardon's analysis useful. This is a necessary addition to the bookshelf of any scholar who hopes to understand how China's rise will strain the existing rules-based order.

GREGORY POLING



America, Sea Power, and the World, ed. James C. Bradford and John F. Bradford. 2nd ed. Hoboken, NJ: Wiley-Blackwell, 2023. 496 pages. \$46.95.

While the first edition of *America, Sea Power, and the World* dates only to 2016, new lessons have been learned and new challenges to American sea power have arisen in sufficient numbers to make a new edition timely and useful. Recently retired from the Navy, John F. Bradford has partnered with his father, James, on editing the second edition, "to help improve the volume's ability to communicate with today's midshipmen and the contemporary fleet" (p. xxi). Among the four new chapters are "Toward a More Diverse Navy" and "Steaming Back into a Multipolar World," which help describe the composition of today's Navy and the adversaries it may soon be called on to confront.

All authors who contributed to the first edition have returned, providing updates and refinements to their sections as needed. Each chapter features vignettes that explore individuals and innovations related to its subject in greater depth; most first-edition vignettes have returned and fit well. However, a new vignette on Matthew Fontaine Maury replacing one on David Glasgow Farragut seems out of place in a chapter

discussing the American Civil War. It covers Maury's scientific pursuits, publications, support of proslavery naval expeditions to South America, and leadership of the Naval Observatory, but his service with the Confederate navy receives only a few concluding sentences. This vignette would be more appropriate in a previous chapter covering revolutions in naval technology and the sectional debates that swept the United States throughout the mid-1800s.

On occasion, authors do leave the reader wanting additional detail: the nature of resistance encountered by M. C. Perry at Okinawa or why a board of inquiry following the Battle of Santiago de Cuba might have ruled unfavorably toward W. S. Schley, for example. With that said, *America, Sea Power, and the World* is a textbook intended to provide a common background for students of American naval history, not necessarily an encyclopedic knowledge thereof. On that level, the book works very well. The Bradfords have brought together over two dozen scholars and diverse subject matter almost seamlessly. The result is a well-organized and easily absorbed narrative. Strategically placed citations allow a student to dig deeper when desired.

Among the changes made for the second edition was a chapter discussing World War II's Mediterranean theater separate from the Atlantic. In "Assault on Occupied Europe," Commander Stan Fisher from the U.S. Naval Academy's History Department gives an astute analysis of the challenges the Allies faced in fighting a two-ocean war. He also provides insightful material on how U.S. Army leaders were initially skeptical about the utility of naval gunfire in supporting land operations, but successes at Salerno and Naples soon changed their minds. This