Workshop on *Territorial Sovereignties and Historical Identities: The Case of the South China Sea*

Duke University, Global Asia Initiative  
May 4, 2017

Territorial conflicts among sovereign states, whether on land or sea, have been endemic since the appearance of the very idea of sovereignty in Europe. Yet as Thongchai Winnichakul and others have revealed, the very idea of a sovereign ‘geobody’ in Asia is not much more than a century old. So how are historical materials and events that do not speak to the modern notion of sovereignty utilized to make sovereignty claims? To what extent is the mobilization around historical identities the more important factor? How rapidly can these identities change? How do states and other players negotiate between relatively recent international laws, identity mobilization and assertions of raw power?

**Morning session: 10 am-12 noon**  
**Historical Identities, International Law and the Limits of Power**

How have international law and conceptions of sovereignty related to power and realpolitik historically and is there a new triangulation at this point? To what extent have historical identities (whether constructed or mobilized) played a role in this triangulation? How do states and other political players control or manage domestic constituencies in these situations?

Arnulf Becker Lorca, Brown University

**Non-Western, Asian, Chinese:**  
**Plural International Legal Cultures and the Meaning of Sovereignty**

Since the end of the Cold War, and specially since the rise of China as a world power, maritime territorial disputes have proliferated in the East China Sea and the South China Sea. There are certainly military, geopolitical as well as economic reasons behind the defense of sovereignty over islands and maritime spaces by the Philippines, Taiwan, Japan or China. But unlike maritime and territorial disputes in other parts of the world, commentators find in this case deeper cultural fractures at work. And these fractures are not simply reflecting the political and cultural antagonism between the parties involved.

Take for example the territorial dispute between China and Japan over the Diaoyudao/Senkaku islands. There is much written about the historical roots and contemporary political dimensions to the dispute. There is also much written about the legal arguments Chinese and Japanese have advanced to defend their claim to sovereignty over the islands. Although both Japan and China have committed to the resolution of their dispute peacefully, commentators however, have raised doubts about international law’s ability to offer a viable mechanism to solve the dispute. The rise of China, in fact, is seen either as a structural change that may limit international law’s potential,
for it would allow China to dictate the terms under which it will engage with a Western international legal order.

While in the context of territorial disputes between Western countries, it is not uncommon to see commentators expressing doubt regarding a state’s commitment to a ruling by an international court, in the case of disputes in the East China Sea and the South China Sea, doubt is directed at the heart of the international legal structure as a project capable of regulating disputes between states with radically different cultural and civilizational roots.

In my presentation, I will not defend international law as a project that actually offers a platform for inter-civilizational dialogue. But I will contest the idea that international law is uniquely Western. I will offer a brief account of how the international law may look like as containing not only a non-Western, but also a more specific ‘Asian’ as well as Chinese international legal tradition.

Biography

Arnulf Becker Lorca is a Visiting Faculty at the International Relations Program at Brown University. He received his SJD from Harvard Law School. His book, Mestizo International Law: A Global Intellectual History, 1842–1933, published in 2015 by Cambridge University Press was the winner of the 2016 Book Prize of the European Society of International Law.

Franck Billé, University of California – Berkeley

Sea as Land: New Deployments of the Logomap in East Asia

In the last decade, the Senkaku/Diaoyu and Takeshima/Dokdo Islands in the East China Sea have gained increasing prominence as embattled grounds for competing claims of sovereignty by Japan, China and Korea. In the South China Sea, tiny reefs and islands are being mobilized as points of articulation for claims to vast EEZs. Two common assumptions in analyses of these disputes is that they are state-driven and economically motivated. If state narratives have certainly been instrumental in promoting these issues, popular engagement is nonetheless genuine, to the point of hindering actual resolutions. Similarly, while EEZs frequently hold significant material value, such as fish stocks or oil reserves, economic assets are frequently dwarfed by the political and economic fallback of inter-state disputes. Seeking explanations purely in economic rationale does not seem therefore entirely satisfactory.

This presentation will foreground attachment to territory and in particular affective investment in boundaries and “edges,” and will argue that the current obsession with borders is intimately tied to modern deployments of territorial sovereignty. Whereas borders were previously overlapping and multiple, the modern understanding of sovereign territory as homogeneously distributed has unwittingly brought about an emphasis on the nation’s outline. As a result, small fragments of territory, to the extent that their presence has a direct incidence on the national “logomap,” have become fetishized. Though small and frequently devoid of material value, they constitute overrepresented spaces where national affect is condensed.
What we are witnessing at present, with China’s vertical map and Japan’s new map campaign, is nothing less than a visual reframing of national representation in an attempt to place maritime territory in direct equivalence with the landmass. The emergence of hydroterritorial logomaps represents here the continuation of a state logic of territorial demarcation. Whether, like in the Chinese case, it consists in locating (or creating) suitable anchorpoints, or whether, like in the Russian case, continental plates are mobilized as extensions of the national landmass, these new visualizations signal an ambition to treat maritime expanses as land, i.e. as spaces that can be fully demarcated and controlled. These developments also index the force of modern technologies in colonizing more-than-human geographies in that claims to the sea, and particularly enforcement of these claims, have been greatly facilitated by GPS, radar and other surveillance technologies. Just as technological advances made it possible to take full control of remote areas on land, modern technologies are now extending this sovereign control to the sea. They are also increasingly capable of “securing the volume” (Elden 2013), an incipient trend we can already see evolving into a more consistent view of the state as a three-dimensional entity.

Biography

Franck Billé is a cultural anthropologist based at UC Berkeley where he is Program Director for the Tang Center for Silk Road Studies. His work has been published in Environment and Planning D, Cross-Currents, Cambridge Anthropology, and Asian Anthropology, among others. His first book, Sinophobia: Anxiety, Violence, and the Making of Mongolian Identity (University of Hawai’i Press), was published in 2015. He is currently completing two book projects—one about the Russia-China border (co-authored with Caroline Humphrey), the other a theoretical reflection on cartography, territorial loss, and affective geography.

Jeffrey A. Winters, Northwestern University

Becoming Indonesia and Indonesian

“Indonesia has built-in cultural circuit-breakers against becoming a shari’a state.” That was the confident pronouncement of a prominent Jakarta intellectual in 2007 – a view held widely among secular-nationalist elites. A decade later, the automatic and passive mechanisms for maintaining a pluralist Indonesia are faltering. My presentation will explore the long struggle over the country’s territory and meaning. With major changes in Islamic politics since 1998, Indonesia faces one of its greatest challenges since the partial defeat of Islam at Independence. At stake once again is the definition of the nation and its people, and whether either will still exist as one state twenty-five years from now.

Biography

Jeffrey Winters is a professor of politics at Northwestern University. He also directs the Equality Development and Globalization Studies Program (EDGS). His recent work centers on the interplay between wealth power (oligarchy) and participation power (democracy). His book /Oligarchy/ was published by Cambridge Press in 2011. His research centers mainly on Southeast Asia and the U.S.
The Zheng He Expeditions and Geopolitics of the South China Sea

This presentation examines the territorial claims that the People's Republic of China has made in the South China Sea region through the use of historical records, including those related to the Zheng He expeditions between 1405 and 1433. It argues that the records and maps cited to support such claims are inadequate, and distortions or exaggerations of imperial China's engagement with the South China Sea region. Additionally, the presentation contends that the portrayal of Zheng He as an emissary of peace and diplomacy misrepresents the violent and disruptive nature of the Ming maritime expeditions. Through these expeditions, the Ming court, under the Yongle emperor, interfered in local disputes and attempted to control the diasporic Chinese communities in the lands in and around the South China Sea. None of these records indicate sovereignty claims or territorial extension in the South China Sea by imperial China in any period.

Biography

Tansen Sen is Professor of history at Baruch College, City University of New York. He received his MA from Peking University and PhD from the University of Pennsylvania. He is the author of Buddhism, Diplomacy, and Trade: The Realignment of Sino-Indian Relations, 600-1400 (2003; 2016) and India, China, and the World: A Connected History (forthcoming). With Victor H. Mair he has co-authored Traditional China in Asian and World History (2012). He has edited Buddhism Across Asia: Networks of Material, Cultural and Intellectual Exchange (2014). Currently he is working on a book on Zheng He’s maritime expeditions and co-editing (with Engseng Ho) the Cambridge History of the Indian Ocean, Volume 1.

Great Power Politics in the South China Sea

The South China Sea has been a crossroads of much of world trade for more than 500 years. But it has also been a critical nexus of great power rivalry since at least the late 1500s. Beginning by looking at how Portugal, Spain, The Netherlands, and Britain contested the South China Sea during the era of colonization, and continuing through ongoing migration and influence from China, and then Japan’s imperial ambitions, I will examine how the stage was set by the Second World War...
for ongoing rivalry and conflict thereafter. From the Gulf of Tonkin incidents, through to the current disputes over Fiery Cross, from the Cold War to the present tensions between the US and China, we can read much of the logic of contemporary conflict in the South China Sea from the history of earlier and longer-running contestations.

Biography

William Hurst is Associate Professor of Political Science at Northwestern University. He is the author of The Chinese Worker after Socialism (2009) and numerous articles and book chapters on Chinese politics. He is currently completing work on several projects, including two books: Ruling Before the Law: The Politics of Legal Regimes in China and Indonesia and The South China Sea: What Everyone Needs to Know.

Jessica C. Liao, North Carolina State University

What Washington Doesn’t Get about China’s One Belt One Road Initiative: The Case of Southeast Asia

Since President Xi Jinping announced the plan to connect China with countries across Eurasia with large infrastructure and other development plans, the “Silk Road Economic Belt” and “21st Century Maritime Silk Road” (also known as One Belt One Road) have reinvigorated the debate on China’s rise in Washington. Two types of discourse stand out. The first one is in line with the China threat theory, interpreting One Belt One Road as China’s most aggressive move yet as a revisionist power. According to this discourse, China aims to use the plan to enhance its influence on the South China Sea issue and rival the U.S.-led Trans-Pacific Partnership. The second discourse, on the other hand, resonates the China collapse theory, calling One Belt One Road unrealistic, over-ambitious, and doomed to failure. The paper responds to the two claims by examining China’s economic diplomacy in Southeast Asia over the past decade and how it has evolved under Xi Jinping’s term. The paper makes two arguments. First, One Belt One Road is not controlled by a monolithic Chinese state and its implementation reflects China’s domestic politics more than the Chinese leaders’ grand strategy and vision for their country. Second, in spite of the challenges it faces, One Belt One Road is making inroads in Southeast Asia as most countries in the region are pragmatic and use the plan in their own terms to complement their own economic development. Nonetheless, it remains unclear in the short to medium term whether One Belt One Road helps China over the South China Sea disputes.

Biography

Professor Liao previously taught at George Washington University and was a visiting fellow at Monash University’s campus in Kuala Lumpur. She received her Ph.D. in international relations from the University of Southern California and her M.A. in China Studies from National Sun Yat-Sun University in Kaohsiung, Taiwan. Her research focuses on Chinese foreign policy and East Asian politics. Her most recent book, Developmental States and Business Activism: East Asia’s Trade Dispute Settlement (Palgrave 2016), discusses how government-business relations in China, South Korea, and Taiwan shape the respective governments’ decisions in solving trade disputes with trading partners. Her current project examines China’s resource and infrastructure
development in Southeast Asia.

Wrap-up Dialogue and Discussion: 3.45-4.30 pm
Ted C Fishman and Prasenjit Duara