



Pawns, pirates or peacemakers: Fishing boats in the inter-Korean maritime boundary dispute and ambivalent governmentality



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ABSTRACT

Extractive activities such as oil drilling, mining and fishing often appear implicated in international maritime boundary disputes. While natural resources' crucial role as a catalyst for conflict has been well-noted in the literature, such an approach has typically assumed a contextual and passive position of natural resources with little political agency for altering the dynamics of a confrontation. This paper provides an alternative perspective in which resource activities constitute a willful agent that works in part to govern the course of the boundary dispute. Drawing on Foucault's notion of governmentality, I look at how South Korean fishing activities near a disputed maritime border between the two Koreas, called the Northern Limit Line, may be imbued with intentionality representing an indirect arm of the state's geopolitical agenda. Mobilizing the realist narrative of an immovable border and the mundane tactics of education sessions and at-sea radio communication, I suggest that the South Korean government is seeking to create subjects in fishers to reinforce the state objectives of boundary legitimization and defense of claimed waters. The analysis, however, also demonstrates an ambivalent nature of governmentality, with fishers muddling the state interventions through their own conduct and rationale. The South Korean government thus faces a delicate task of managing the fishing operation vis-à-vis the boundary dispute. Taking the seemingly innocuous resource activity such as fishing to the center stage of power relations, this paper also tables one way of engaging with maritime boundaries, one of the understudied domains in political geography.

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Introduction

Observations have been made in various seas of the world, in which ostensibly innocent civilian fishing vessels appear implicated in interstate maritime boundary disputes. These disputes occur when there are overlapping claims of jurisdiction and/or sovereignty disputes surrounding islands or rocks which can generate conflicting maritime claims. Threats of military provocations are launched at each other, and physical clashes between naval forces have not been uncommon. Yet, in all this, the activities of civilian fishing boats often appear in the storyline. For instance, both the 1999 and 2002 skirmishes in the Yellow Sea began as confrontations between North Korean and South Korean Navy patrol boats guarding their own fishing vessels near the disputed sea border (Lee, 2013; Van Dyke, Valencia, & Garmendia, 2003). The

ensuing battles resulted in more than 100 military casualties and the destruction of several naval vessels, threatening the status-quo of a precariously maintained ceasefire in the Korean peninsula (Kim & Herman, 2012). In another example, in December 2013, China's Hainan provincial government enacted a fisheries law demanding that all foreign fishing boats obtain permission to enter its domestic waters, which according to China cover nearly the entire span of the South China Sea. With other countries in the region vehemently protesting the move and the United States calling it "provocative and potentially dangerous", the seemingly innocuous exercise of a fishing-related legal apparatus has elevated political tension and rhetoric in the region (Dupont & Baker, 2014; Tiezzi, 2014). In our globalized world, where boundaries and borders arguably still matter (Newman, 2006; Paasi, 2009), these examples represent a sub-set of general occurrences that point to the entanglement of civilian fishing presence in interstate maritime boundary disputes. How can we make sense of this phenomenon? What explains fishing boats' involvement in such politically-charged and militarily-based excursion?

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A common viewpoint portrays natural resources implicated in maritime boundary disputes, such as hydrocarbon deposits and fish, as economic entities that serve as incentives for the emergence and prolongation of an interstate conflict. Often approached from a legalistic, policy or political-economic viewpoint, resources complicate boundary issues because they provide a coastal state an important economic, neo-liberal or nationalistic motivation for re-drawing and re-negotiating the border (see Bailey, 1997; Gunitsky, 2008; Park, 1978; Saguirian, 1992; Vanderzwaag, 1983). Declaration of, and insistence on, the 200-nautical mile Exclusive Economic Zone is, for instance, above all predicated on the coastal states' desire to secure sovereign rights to the resources within the zone (Bailey, 1997; Havice & Campling, 2010; Mansfield, 2001). While such explanations effectively highlight the important function of natural resources in fueling boundary re-alignment, they nevertheless treat them as situational factors that lie outside of the essential power dynamics enacting the dispute. Fishers and their vessels are seen as commercial or economic actors that get drawn into disputes, and they are, as a result, limited to a passive role conditioned by state governments' desires for development or their strategic decisions.

But can we also expand this notion by imagining the actions of fishers and fishing boats as integral to the way the maritime boundary is constructed or destabilized? What happens when we understand them with greater political meanings whose agency and entangled relations help to produce the course of the dispute? This paper argues that an opportunity to expand and politicize our understanding of marine boundary disputes emerges when fishers and fishing operations are taken as active constituents of the conflict rather than as passive backdrop.

Critical interpretations of fishers and fishing movement have been in fact the focus of several studies that examined maritime boundary issues: e.g., in the Gulf of Maine between US and Canada (Cook, 2005; Marshall, 2004), in the Palk Bay region between India and Sri Lanka (Suryanarayan, 2005), in the Celebes Sea between Indonesia and Malaysia (Adhuri & Visser, 2007), and in the South China Sea involving China, Vietnam, the Philippines and others (Dupont & Baker, 2014). In particular, inflamed by China's recent deployment of non- (or arguably para-) military tactics such as government-backed fisheries, dispatch of oil rigs and construction of airstrips, overlapping sovereignty and resource claims unfolding in the South China Sea have been frequently analyzed in the news media and by online commentaries (see, for example, Keating, 2014; Kraska, 2015; Minnick, 2014), which complement the modest but growing literature that politicizes the role of civilian fishing activities in the development and progress of maritime boundary disputes.

In this paper, I take an opportunity to further delve into fishers' active participation by examining an ongoing maritime boundary controversy between the two Koreas.¹ The study focuses on an area surrounding Yeonpyeong Islands, which are under the jurisdiction of South Korea and situated less than 4 km from the disputed boundary called the Northern Limit Line (NLL) in the Yellow Sea (see Fig. 1). The islands have thus formed a strategic base for South Korean military forces in securing sea border defense and control of the adjacent waters. Also, operating under the strict guidelines of the state and local government, the islands are home to a fleet of fishing boats targeting lucrative swimming crab in surrounding waters. Occupying much of the same marine space, the fishery's co-existence with military objectives raises questions for how the fishing activity intersects with the state's defense agenda. In particular, the study centers on whether civilian fishing presence produces the effect of reinforcing South Korean state's boundary claims in keeping with its intention of legitimizing the NLL as a *de facto* border. Fishing activities fringing the boundaries and

traversing the contested waters may constitute a dynamic agent that could carry out a strategic role in strengthening or weakening the state's position, such that it prompts the state to support or even engineer the fishers' presence in some way beneficial to them.

What emerges is seeing fisheries as a governmental project. The ways in which fishers and their fishing operations are closely attached to the state agenda in the context of maritime boundary claims is a theme alluded to in some of the earlier studies but not given sufficient exploration (see Adhuri & Visser, 2007; Cook, 2005; Dupont & Baker, 2014). Here, in providing a fuller treatment, I conceptualize the South Korean state effort to manage Yeonpyeong crab fisheries as something that activates the Foucauldian notion of governmentality (Dean, 1999; Foucault, 1991). On the one hand, this conceptualization facilitates an understanding of the state's attempt to shape the conduct of fishers and turn them into self-governing subjects to extend the official prerogative of asserting and legitimizing state boundary claims. It thus focuses on the subtly instilled power of resource users as "pawns" in enacting border reality. On the other hand, governmentality used for boundary-making may also highlight a disruptive outcome for the state. Civilian motivations and idiosyncratic fishing strategies, for instance, open up room for complicating the maintenance of governmental rationalities and techniques. Posed as a risk to the stabilization of boundary disputes rather than a boon, fishers may even become imbued with the connotation of "pirates" by frustrated state officials. Such extension of the governmentality lens to uncover fishers' own actions and concerns in relation to the state's intent would enable an analysis into the effectiveness of governmental intervention, thus potentially revealing the 'limits' of governmentality (Li, 2007; Miller & Rose, 1990). As will be shown below, the current analysis demonstrates a case of such limitations. Fishing presence around Yeonpyeong Islands is shown to both promote and undermine state control over a contested maritime space, thereby revealing the complicated role of the fishing operation as well as the messiness in the flow and exercise of power in the making of maritime boundaries.

This research draws from a review of newspaper articles, government documents and academic publications about the fisheries of Yeonpyeong Islands and the surrounding inter-Korean conflict. It also relies on 15 open-ended interviews with fishers and state personnel in the area, including fishery administrators and military officials. These interviews were conducted during a field visit in 2014 using the Korean language, in which the author has proficiency. The research is further supplemented by 225 semi-structured questionnaires conducted and analyzed in 2011–2012 as part of an ongoing examination of the governance of South Korea's coastal fisheries. Informal chats and field observation also complemented the collected data.

The paper proceeds with an account of the governmentality concept, especially as it relates to the context of maritime boundaries and the role of fishing activity. Then, I describe the study site introducing the history of the conflict, the legal ambiguity of the NLL, and the nearby swimming crab fishery. I then examine two contrasting versions of state narratives that create vastly different images of the NLL. Next, the details of governmental technologies to bring fishing presence in line with the state effort to legitimize the NLL are outlined, followed by a depiction of fishers' tendencies and demands which sees this official aim reinforced and at the same time confounded. Finally, I highlight the ambivalent effect of governmentality by discussing multiple boundary-making realities that the fishing operation may come to embody.

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