

Claiming “Chineseness” or Not? : Understanding Taiwan’s Inconsistent Involvement in China’s Maritime Disputes in East Asia¹⁾

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「チャイニーズネス」の有無 ——東アジアにおける中国の海洋紛争への 台湾の一貫性のない関与に対しての理解——

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The present literature on territorial and maritime demarcation disputes in East Asia has not paid due attention to how these disputes are taking place under region-wide postcolonial conditions, let alone why the relevant claimants do what they do under such conditions. This article suggests that the fluidity and relationality of postcolonial national identity should be taken more seriously. To make sense of Taipei’s divergent approaches to Beijing’s territorial and maritime border disputes in the East and South China Seas despite their essentially identical claims, it is argued that the former has distanced itself from the latter over the Senkaku/Diaoyutai issue, for being associated with “China” would not help Taiwanese to face Japan, the former colonizer that discredited the islanders’ Chineseness from the position of modernity. At the same time, this embarrassing Chineseness can be self-empowering when facing Southeast Asian claimant states, without which Taiwan would have been dwarfed by their land size and population. This, in turn, explains why Taipei formed a de facto united front with Beijing in the South China Sea disputes, at least during the Beijing-friendly Ma Ying-jeou administration. Nevertheless, the aforementioned foreign policy as an identity strategy also indicates that decolonization processes in Taiwan remain incomplete.

今までの東アジアにおける領土と海洋の境界紛争に関する文献は、地域全体の植民地独立後の状況下で、これら紛争がどのように発生したのかに関心を寄せることはなかった。本稿では、植民地独立後の国家アイデンティティの流動性と関係性をより真摯に受け止めなければならないことを示唆している。北京の東シナ海、南シナ海の領土・領海境界紛争に対する台北の多様なアプローチを理解するため、本質的に同一な主張にも関わらず、前者は後の尖閣諸島（釣魚台）問題から乖離していると主張しており、台湾人を「中国」と関連することは、入植者であり近代化の立場から「チャイニーズネス」を信用していなかった日本と直面する手立てにはならないといえる。同時に、この恥ずべきチャイニーズネスは、東南アジアの主張国家に直面したとき自己強化の手段となり得る。それがなければ、台湾はその土地の大きさと人口によって矮小化されていたと考えられる。これは、同様に北京に対して親和的であった馬英九政権時代に、台北が南シナ海の紛争で事実上の共同戦線を北京と形成したことを説明している。それにもかかわらず、前述のアイデンティティ戦略としての外交政策は、台湾の脱植民地化が完遂していないことを示している。

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Introduction

Literary critic Kuan-Hsing Chen has rightly noticed that the slow and incomplete decolonization process in East Asia is inseparable from the lack of the corresponding “de-Cold War” and “deimperialization” processes there, which in turn works to reproduce a realist region that vindicates the realist logic of power politics.²⁾ Recognizing the imperative of overcoming this triple challenge for a more equitable and sustainable peace in East Asia, this research offers an empirical inquiry into the actual interplay between the aforementioned triple forces and the relevant local agents. To be specific, it is necessary to investigate the extent to which the legacy of Japanese colonialism, the Cold War regional structure and the U.S. hegemony underpinning it actually reinforce each other, for their operation does not take place in a geocultural vacuum.

To illustrate, this study will examine in detail Taiwan’s inconsistent involvement in the People’s Republic of China’s (PRC) ongoing maritime disputes in the East and South China Seas, for the island’s status as a former Japanese colony, an “unfinished business” of the Chinese Civil War consolidated by the Cold War, and a *de facto* U.S. security protectorate provides us with a case *par excellence* to substantiate Chen’s insight. As will be shown, Taipei has been neutralized from the PRC-Japan row over the Diaoyu/Senkaku Islands since 2013 in part because the island’s colonial Japanese experience has been serving as an important reference point to demonstrate its “non-Chineseness” in the formation of Taiwanese identity. On the other hand, a claim of “Chineseness” provides Taiwanese policymakers and the public a like with a self-empowering strategy in the face of the much larger Southeast Asian claimants without formally aligning with Beijing. This is done through assigning Vietnam (a U.S. strategic partner) and the Philippines (a U.S. ally) to the “margins” of Chinese civilization and confronting them from an imagined righteous and higher position. However, Taiwan’s strategic appropriation of such (non-)Chineseness perhaps indicates not so much its exercise of an enlightened agency as a variation of the continued imperialization of the island’s subject, be the imperial center Chinese, Japanese, or U.S.

A context about Taiwan’s involvement in the PRC’s territorial and demarcation disputes in maritime Asia is in order. Maritime security issues associated with the PRC have been grabbing the headlines since the past decade, both because its fast-growing capabilities have led to a popular perception of the “power shift” in East Asia and the subsequent U.S. attempts to “rebalance” its priorities there,³⁾ and because it is the commonly known claimant state that has concurrent territorial and demarcation disputes in the East and South China Seas.⁴⁾ The PRC is nevertheless a lone claimant state with little support from other regional stakeholders. In its territorial dispute with Tokyo, Beijing’s claim has been met with a renewed U.S. security pledge related to the Japanese-held islands.⁵⁾ Although Hanoi and Manila have not been able to enlist

backing from the Association of Southeast Asian Nations (ASEAN) and its member states as a whole for their respective claims, they have managed to bring in extraregional major powers, notably the United States and Japan, in the forms of arms transfer and joint military drills to counterbalance China's growing presence in the South China Sea.⁶⁾ Understandably, China's continued isolation in maritime disputes is not merely detrimental to its international image. The isolation also makes China appear unreasonable, which, in turn, could lead to the further discrediting of its claims, as seen in the recent South China Sea arbitration case where China was confronted with international legal pressure.⁷⁾ Getting political supports from relevant actors in maritime Asia will no doubt help mitigate (if not fully alter) negative international perceptions that a mighty, rule-breaking China is flexing its muscle and pushing its neighbors around. The question remains : getting supports from whom?

Counterintuitive as it may appear, Taiwan, which was often represented by the international media as the PRC's archenemy at least until the late 2000s, has the potential to ameliorate the latter's isolation in the ongoing maritime disputes in the East and South China Seas,⁸⁾ for three reasons. First, Beijing and Taipei make essentially the same claim that the Diaoyu(tai) Islands were discovered, named, and used by the Chinese dating back to the Ming Dynasty (1368-1644) and they were ceded to Japan, as Taiwan's "appertaining islands," under the Treaty of Shimonoseki that concluded the Sino-Japanese War (1894-1895).⁹⁾ Since Taipei's ownership claim amounts to its affirmation of the "One China" principle (there exists only one China of which Taiwan is a part), Beijing can benefit from Taipei's involvement in the islands dispute as long as such involvement does not entail that Taiwan is a sovereign state actor. Second, the PRC's claims in the South China Sea stem from the "Location Map of South China Sea Islands" published by the ROC Ministry of the Interior between 1946 and 1948 (hereafter the 1947 map).¹⁰⁾ Taipei's upholding of the 1947 map is therefore crucial for Beijing to maintain its claims. Third, relations across the Taiwan Strait were expanding and intensifying on an unprecedented scale under the Ma Ying-jeou administration (2008-2016) of the Kuomintang (KMT, Chinese Nationalist Party). China has been Taiwan's top trading partner and largest source of trade surplus, and Taipei and Beijing have concluded dozens of agreements to facilitate their functional cooperation in terms of freer movements of personnel, goods, services, and capital across the Strait.¹¹⁾ It seems only natural for the PRC to intensify its push for some sort of cross-Strait political cooperation.¹²⁾

Following this introductory section, the next two sections will look at how Taiwan responded to the Sino-Japanese row over a collision incident near the Senkaku Islands in 2010 and their subsequent "nationalization" and to the rising tensions in the South China Sea since the Scarborough Shoal standoff in 2012. While Taiwan has been neutralized from the PRC-Japan island dispute following the conclusion of its fisheries agreement with Japan in April

2013, Taipei has turned down Washington's suggestion to ditch the 1947 map or redraw more realistic maritime boundaries. Having identified this apparent discrepancy between Taipei's limited cooperation with Beijing in the South China Sea and the lack thereof over the Senkakus, the fourth section will illustrate that Taiwan's inconsistent participation in the PRC's maritime disputes is due as much to Taipei's geopolitical considerations as to the island's incomplete decolonization. From a realist perspective, Taiwan's involvement in the disputes runs the risk of damaging its relationship with Japan (East China Sea) and the United States (South China Sea) and the roles they might play in a militarized cross-Strait conflict, but such a perspective does not take into account Taiwan's psychological need to balance its relationship with China (the estranged self-turned-Other) and Japan (the former colonizer and a symbol of modernity) as well as the island's appropriation of "(non-)Chineseness" as an identity strategy.

Taiwan's responses to China's maritime disputes in the East China Sea

The deterioration of Sino-Japanese relations is a relatively recent phenomenon.¹³⁾ Since the normalization of the Japan-PRC relationship, both Tokyo and Beijing have sought to keep the lid on the Senkaku Islands, which are administered by the former but also claimed by the latter, so as not to harm their overall bilateral (especially economic) relations. Nevertheless, the nationalist genie in the bottle was released by a contingent incident in 2010. On September 7, the Chinese trawler *Minjinyu* 5179 collided with two Japanese coastguard vessels, which were attempting to make the trawler leave the disputed waters. In response, Japanese coast guards boarded the Chinese trawler; the captain and his crews were arrested the following day for "obstructing the duties of public officials" and "illegal fishing."

The Chinese government swiftly reacted with a series of diplomatic protests: the Japanese ambassador to China was summoned for no less than six times between September 8 and 19. Understandably, Beijing wanted to avoid the impression that Japan had the jurisdiction to indict the trawler's captain (hence possessing effective control over the Senkaku Islands and undermining China's claim under international law). Until then, the Japanese government had not applied domestic law in waters around the disputed islands, including even the landing of some Chinese "Bao-Diao" ("defending the Diaoyus") activists in 2004 who damaged Japanese property on the island.¹⁴⁾ Following the trawler captain's arrest, Beijing also cancelled or suspended several official and non-official bilateral exchanges, detained four Japanese nationals in Hebei Province under the charge of entering a military zone without authorization and of videotaping military targets, and allegedly halted China's export of rare earth materials to Japan for nearly two months.¹⁵⁾ In the end, the *Minjinyu* 5179 and its crew were released on September 13, and the Prosecutor's Office announced the release of the trawler's captain without charges on September 24, on the grounds that further investigation would bring adverse effects "on the people of Japan and the future of Japan-China relations."¹⁶⁾

Although no personnel from Taiwan was involved in the collision incident directly, two Taiwanese Bao-Diao activists were allowed to board the fishing boat *Ganen 99* on September 13,¹⁷⁾ which almost reached the disputed waters the next day before being blocked by Japanese coast guard vessels. Before the *Ganen 99*'s departure, Japan's representative to Taiwan Imai Tadashi was summoned by vice foreign minister Shen Lyu-shun. Shen told Imai that ROC citizens' activities in waters near the Diaoyutais were under the ROC's sovereign jurisdiction and their safety would be protected by the ROC government. He also asked the Japanese side not to interfere with the Bao-Diao activity and expressed his concerns over the "recent and frequent appearance of Japanese public vessels and aircraft" in the disputed area.¹⁸⁾ However, Shen did not only repeat Taipei's claim but also reassure Imai about the importance that the Ma administration placed on the Taiwan-Japan relationship. A press release issued on the same day indicated the non-official, spontaneous nature of the *Ganen 99*'s action and threatened to revoke Hong Kong and Macao activists' entry permit and prohibit them from entering Taiwan in the future should they board the boat.¹⁹⁾ In its press conference on September 14, the ROC foreign ministry similarly denied the connection between its summoning Imai and the PRC's diplomatic protests and any collaboration between Taiwan and China against Japan.²⁰⁾

Another round of tensions arose in 2012 after Tokyo Governor Ishihara Shintaro proposed to purchase parts of the Senkaku Islands from their private landlord and develop them. Until then, the Japanese government maintained an annually renewed lease on them and forbade Japanese from landing on the islands. As Ishihara's fund-raising campaign was gaining momentum and his development plan was deemed outright provocative for China, the Noda Yoshihiko administration sought to preempt the maverick governor by purchasing the islands instead.²¹⁾ The "nationalization" move itself was nevertheless seen by Beijing as a violation of the status quo that worked to shore up Tokyo's effective control over the disputed islands.²²⁾ This move, then, set in motion a series of violent anti-Japanese demonstrations in major Chinese cities unprecedented in Japan-PRC relations and frequent appearance of Chinese patrol vessels and surveillance aircraft in the surrounding waters and airspace. A mass boycott movement of Japanese goods and services led to a slump in Japanese exports to China and in Chinese tourists to Japan, which was estimated to lower Japan's economic growth in fiscal year 2012 by up to 0.6 percent.²³⁾

With the increasing number of aerial and maritime near-misses and without hotline-like conflict-prevention mechanisms between them, in January 2013, Chinese warships were said to have pointed their fire-control radar at a Japanese helicopter and a destroyer in close distance in the East China Sea. The Sino-Japanese relationship was so tense that some media described them as being on the brink of war.²⁴⁾ The PRC foreign ministry in April referred to the Diaoyus as a part of China's "core interests," a term normally associated with Xinjiang, Tibet, and Tai-

wan, for the first time.²⁵⁾ Unabated, Beijing proceeded to include the islands into its self-declared East Sea Air Defense Identification Zone (ADIZ) in November. To make matters worse, Japanese Prime Minister Abe Shinzo's visit to the Yasukuni Shrine in December 2013 offered more munitions to the PRC government's diplomatic and media warfare that fused this territorial dispute with Japan's World War Two-related "history issue," framing the latter's control of the Diaoyu Islands as "a challenge to the victorious outcome of the war against fascism and a challenge to the postwar international order."²⁶⁾ The frequency of entries by Chinese public ships into the 12-nautical-mile waters around the Senkaku Islands (i.e. Japanese-defined territorial waters) eventually began to drop in October 2013 and has stayed stable since then, which might indicate Beijing's intention to signal de-escalation.²⁷⁾

Before the islands' "nationalization" took place, Bao-Diao activists from Taiwan and Hong Kong again attempted to land on the Diaoyutais. The latter managed to do so on August 15, 2012 and carried with them PRC and ROC flags upon landing. As with 2010, Taipei tolerated Bao-Diao activities as a way to extract Tokyo's recognition of the existence of a sovereignty dispute over the Senkakus, while avoiding the impression that it was teaming up with Beijing at the expense of Taiwan's relations with Japan (and, by extension, the United States). On the one hand, the ROC government asserted that the appearance of the ROC flag was consistent with its sovereignty claim to the islands and described Japan's arrest of these Hong Kong activists as "unhelpful for regional peace and security" and demanded their immediate release. On the other hand, Taipei denied its connection with Beijing and these activists (justifying Taiwanese coast guards' supply of food and water to them on the "humanitarian" ground) and downplayed the display of the PRC flag as a matter of "freedom of expression."²⁸⁾

Since August 2012, Taipei had started promoting President Ma's "East China Sea Peace Initiative" (ECSPI) based on the principle that "while sovereignty is indivisible, resources can be shared." The initiative called upon all parties concerned to "replace confrontation with dialogue, shelve territorial disputes through negotiations, formulate a Code of Conduct in the East China Sea and engage in joint development of resources."²⁹⁾ Although the Japanese government did not henceforth change its position that "no dispute exists" over the Senkaku Islands, the non-coercive nature of the ECSPI made it possible for Tokyo to reciprocate while using policy concessions to neutralize Taipei from the bigger Sino-Japanese row. The result was the signing of the Japan-Taiwan fisheries agreement in April 2013,³⁰⁾ which avoided the territorial issues in the designated waters by specifying that flag-state jurisdiction be applied. Despite its Beijing-like description of the Diaoyutais as a territory "surreptitiously occupied" (*qiezhan*) by Japan,³¹⁾ Taipei's decision to conclude a fisheries agreement that in effect discourages Taiwanese fishing boats from entering the Japanese-controlled 12-nautical-mile belt of waters surrounding the Diaoyutai Islands (hence acquiescing in Japan's effective control over them) has distanced itself

from the PRC’s maritime dispute with Japan.³²⁾

Taiwan’s responses to China’s maritime disputes in the South China Sea

Territorial and maritime demarcation disputes have smoldered in the South China Sea for decades,³³⁾ but tensions among the claimants themselves and with some extraregional states have turned more severe since 2011, which could lead to militarized conflicts if not properly managed. In this regard, how Taiwan responds to the PRC’s (and other concerned parties’) strategic behavior in the region are not inconsequential for (de-)escalating tensions there. After all, Taiwan controls both the largest island group in the South China Sea (Tungsha/Paratas Islands) as well as the largest natural high-tide feature (Taiping/Itu Aba) in the Spratly Islands. Itu Aba hosts a renovated airstrip that can accommodate C-130 Hercules military transport aircraft and an enlarged pier that allows 3,000-tonne naval frigates and coastguard cutters to dock there ; it is also the only high-tide feature with its own stable fresh water supply, making a long-term presence possible. Moreover, Taiwanese coast guards regularly patrol the area and Taiwan’s fishing industry is one of the largest in the Pacific. To borrow from Lynn Kuok’s words, excluding Taiwan from South China Sea code of conduct negotiations and cooperative activities among the claimants inevitably weakens the efficacy for managing the South China Sea dispute, since an important “road user” is not included in the making of relevant rules of the road.³⁴⁾

Although such exclusion is largely attributable to the PRC’s uncompromising position on Taiwan’s international/legal status (and to ASEAN member states’ resulting fear of offending China over the Taiwan issue), it is worthy of note that, unlike Manila and Hanoi, Taipei has *never* explicitly objected to, much less challenged, Beijing’s actions in the South China Sea. On April 10, 2012, the Philippine Navy’s flagship *BRP Gregorio del Pilar* was sent to inspect the activities of eight Chinese fishing boats anchored near the Scarborough Shoal. Filipino sailors claimed to find illegally harvested coral and live sharks in one vessel, and attempted to return the next day to arrest the Chinese fishermen. However, two China Marine Surveillance vessels later arrived in the area, blocking the Philippine crew from boarding to detain the fishermen.³⁵⁾ Since then, China continued to maintain its presence there and has erected a barrier to the entrance of the shoal after Philippine vessels withdrew.³⁶⁾ In addition to various belligerent commentaries in the Chinese media,³⁷⁾ Beijing in May 2012 tightened its quarantine regulations on Chinese import of Philippine fruits such as bananas — an important pillar of the Philippines’ external trade — and suspended tours to the Philippines citing safety concerns,³⁸⁾ both of which could be seen as its coercive moves to alter Manila’s behavior over the Scarborough Shoal.

Similar to the *Minjinyu* 5179 collision incident, Taiwan was not a party directly involved in the 2012 shoal standoff, but the way it asserted its sovereignty claim reinforced, not alleviated, an old concern among ASEAN member states that Taipei and Beijing might cooperate to

defend the disputed islets/rocks against another claimant's attack or to bolster claims to the South China Sea.³⁹⁾ In its press release concerning the aforementioned standoff, the ROC foreign ministry simply restated that the disputed shoal belongs to the Chungsha/Macclesfield Islands, which, together with the Spratly/Nansha, Paracel/Shisha and Pratas Islands and their surrounding waters, fall under the ROC's "indisputable sovereignty"; it also refuted "all claims to sovereignty over, or occupation of, these areas by other countries" and called on the parties concerned to "exercise self-restraint" and to "refrain from adopting unilateral measures that threaten the peace and stability of the region".⁴⁰⁾ While this statement could be read as a mild criticism against both Beijing and Manila without mentioning their name, curiously, the text did not address the Scarborough Shoal as "Minzhu-jiao" ("Democracy Reef" in Chinese), the name that appeared on the ROC Ministry of Interior's 1947 map. Rather, it followed the PRC's re-naming in 1983 (i.e. Huangyan-*dao*, meaning island), which added to a false impression that the object of dispute is not a few tiny rocks (each just about large enough to stand on) but a high-tide feature fitting the UNCLOS definition of an island.⁴¹⁾ Similarly, some Taiwanese legislators' sudden visit to Taiping Island on April 30 and proposals to expand defense capabilities there was justified on the grounds of an alleged Vietnamese shooting at Taiwanese coast guard vessels in the Taiping's vicinity on March 22,⁴²⁾ but from the perspective of other concerned parties these moves worked to Beijing's overall advantage in the South China Sea.⁴³⁾ Indeed, Taiwan's subsequent live fire drill on Taiping Island was perceived by the PRC positively, "conducive to the Chinese nation's common protection of sovereignty over the Nansha."⁴⁴⁾ As an editorial of *Global Times* put it: "[It] came at a right timing. The Taiwan authorities has always indicated that it will not directly cooperate with the mainland over territorial disputes; however, East Asian [countries'] interpretations of this drill are nuanced, and its implications are of course not that simple."⁴⁵⁾

In early May 2014, the state-owned China National Offshore Oil Corporation (CNOOC) moved its oil rig *Haiyang Shiyou* 981 into disputed waters near the Paracel Islands and was about 120 nautical miles off the coast of Vietnam. The placement of the rig led to protests and demands by Hanoi that it be withdrawn, and the deployment of a Vietnamese flotilla to the area. A series of skirmishes between PRC and Vietnamese public vessels culminated in the sinking of a Vietnamese ship before the removal of the drilling platform in mid-July. Considering the still ongoing tensions in the South China Sea, China's unilateral move to introduce its oil rig into these disputed waters was qualitatively different from its previously reactive behavior and was thus more destabilizing. The placement prompted violent protests across Vietnam targeting Chinese (and other East Asian foreign-owned) business that killed one, injured hundreds, and led to property losses worthy millions of dollars. Compared with the U.S. State Department's description of Beijing's move as "provocative and unhelpful,"⁴⁶⁾ ROC Ministry of Foreign Affairs merely expressed its "serious concern" over "recent confrontations in the waters

off the Paracel Islands” without even mentioning the PRC;⁴⁷⁾ in fact, it only scrambled to differentiate Taiwan from China by distributing “I am Taiwanese” stickers to Taiwanese businessmen in Vietnam in the wake of the aforementioned anti-Chinese protests.

Against this backdrop, a sort of “correlation” between the PRC’s demonstration of its administrative control in the South China Sea and the ROC’s upgrading of its infrastructure on Itu Aba became more discernable in 2014, as seen for instance in the former’s adding a school to Woody/Yongxin Island and the latter’s building a new pier on Taiping Island.⁴⁸⁾ To be sure, Taiwanese officials had repeatedly ruled out the possibility of cross-Straits cooperation over the South China Sea,⁴⁹⁾ but their denial did little to undo the “spill-over” effect of Taipei’s development work and defense buildup on Taiping Island that was seen by Beijing as strengthening *Chinese* sovereignty there.⁵⁰⁾ With the PRC’s land reclamation activities and construction of military installations gaining international attention since late 2014, it is intriguing that security discourse in Taiwan was more concerned with the growing “Vietnamese threat” to the Spratly outpost,⁵¹⁾ even though Taipei was clearly aware that Hanoi’s reclamation and deployment on Sand Cay/Dunqian Sand Island was no match to Beijing’s in the same area.⁵²⁾

Taiwan’s ambivalent attitude on the South China Sea issues in relation to the PRC has prompted (former) officials and think tank researchers in the United States to call for Taiwan to abandon or clarify its expansive claim.⁵³⁾ Washington’s logic is that “if the inventors of the position [i.e. the ROC] clarify the dashed line to mean something different from what the PRC is now saying, that will ultimately undermine the PRC’s claims to sovereignty or historic waters up to the dashed line.”⁵⁴⁾ To some extent, Taipei had sought to clarify its position through the Academia Historica’s “Exhibition of Historical Archives on the Southern Territories of the Republic of China,” whose title indicated a focus on land rather than maritime claims. President Ma also affirmed at the opening ceremony the existence of the “land-dominates-the-sea” principle in the Law of the Sea, hence acknowledging that maritime claims begin with land.⁵⁵⁾ However, this clarification was weakened by his mentioning of the “intertemporal law” principle, which could be seen as an attempt to buttress the legal status of the dashed line or “historic rights” to virtually everything therein on Beijing’s behalf.⁵⁶⁾ Ma later adopted a tactical argument against the charge that Taiwan’s South China Sea claims were identical to that of mainland China’s by pointing to the fact that the PRC was not in existence in 1947 when the ROC made the sovereignty claim; moreover, he resorted to the 1947 map for basing Taiwan’s claims while addressing participants of the International Law Association and American Society of International Law Asia-Pacific Research Forum.⁵⁷⁾

It is therefore unsurprising that Taipei’s “South China Sea Peace Initiative” (SCSPI),⁵⁸⁾ which was based on the widely praised 2012 ECSPI, was given the cold shoulder by Washing-

ton. The U.S. government was frustrated with Taipei's call on claimants to exercise restraint on the one hand and silence about Beijing's unilateral actions that could escalate tensions on the other. Worse, from Washington's viewpoint, Ma agreed to meet with President Xi Jinping in Singapore (the first summit-like meeting between leaders of Taiwan and mainland China since the end of the Chinese Civil War) at a time when the United States resumed "freedom of navigation and overflight" operations and sought to build up international pressure against the PRC over the South China Sea.⁵⁹⁾ President Ma's sudden visit to Taiping Island in January 2016 despite prior U.S. opposition was criticized by the State Department as a "frankly disappointing" and "unhelpful" unilateral action that "could possibly raise [tensions]".⁶⁰⁾ Before the end of his presidency, Ma, a Harvard-trained international lawyer, waged a legal war against the Philippines that asked the Permanent Court of Arbitration to rule on some of China's claims under UNCLOS.⁶¹⁾ Rebutting Manila's assertion that Itu Aba is not an island but a rock, the ROC government invited domestic and foreign journalists to visit Taiping Island on March 23 and the president held a press conference personally upon their return to Taipei.⁶²⁾ Although this appeared to be a desperate move by an internationally unrecognized actor to defend its sovereignty, the move provided Beijing with a potential legal cover under UNCLOS when Washington just carried out another round of freedom of navigation operation by sailing an aircraft carrier strike group within 12 nautical miles of artificial islands constructed by China.⁶³⁾

Making sense of Taipei's inconsistent involvement in Beijing's maritime disputes

Taken together, the previous two sections indicate that considerations of cross-Straits relations have profoundly conditioned Taiwan's territorial and maritime claims in the East and South China Seas, to the extent of clouding its otherwise cordial (or, rather, submissive) relationships with Japan and the United States. To be sure, Taipei's express abandonment of the Diaoyutai claim or the dashed line would lead to concerns about whether the government is moving away from the "One China" principle, which in turn could be interpreted as an act of declaring Taiwan's *de jure* independence — a *casus belli* for Beijing. In other words, it would be a strategic suicide for Taipei to do so without securing a more explicit and stronger commitment from the United States to Taiwan's defense.⁶⁴⁾ Still, the question remains as to why the "One China" principle-affirming Ma administration adopted different approaches to the PRC's maritime disputes.

From a realist perspective, one might point out that the material structure of the international system in East Asia ultimately determines Taiwan's strategic alignment behavior. Given the PRC's fast-growing capabilities and its refusal to renounce the use of force in pursuing its unification with Taiwan,⁶⁵⁾ even the Beijing-friendly KMT government could not ignore the worst-case scenario, i.e. the loss of Taiwan as an autonomous (albeit isolated) actor in the international arena and the ROC's last territory. On the other hand, Taiwan's limited capabilities

mean that the island must cultivate relations with major powers to keep the PRC in check at peacetime and to intervene should a shooting war break out in the Taiwan Strait. In addition to Taiwan’s long-standing and better known security ties with (or dependence on) the United States,⁶⁶⁾ Japan has been the most noticeable potential balancer in the region, because of its advanced military capabilities (the navy in particular), geostrategic needs to secure its energy imports through the southern sea lanes of communication, and its own rivalry with China (especially under a “proactive pacifist” Abe administration that legalizes Japan’s exercise of collective self-defense away from the Japanese homeland).⁶⁷⁾ The possibility of the Japanese participation in a U.S. intervention in the Taiwan Strait has been further opened up, considering that U.S. military bases in Japan would be among the primary targets of the first-wave Chinese strikes should such a cross-Strait conflict break out. Furthermore, Tokyo demonstrated necessary flexibility in the aftermath of the Senkaku Islands’ “nationalization” by responding to Taipei’s EC-SPI positively;⁶⁸⁾ as a result, the latter was able to conclude a fisheries agreement with Japan (which by 2012 had been negotiated for 16 rounds but to no avail) that yielded tangible gains for Taiwan’s fishing industry, and Ma could declare diplomatic victory without resorting to the PRC card.

Although the Philippines should have been another potential security partner for a Taiwan facing the same systemic imperative, its lack of material capabilities means that the latter has few strategic incentives to pursue a more reconciliatory approach to South China Sea issues, which in turn adds to China’s advantage. The military spending of the Philippines in 2014 (\$3,292 million) was less than that of Taiwan’s one-third (\$10,244 million),⁶⁹⁾ which suggests that Manila depends even more on Washington for deterring Beijing than Taipei does. Unlike Japan, moreover, the Philippines did not maneuver its tensions with Taiwan into a “three-win” situation as a U.S. ally. Following the 2013 *Guangdaxing* 28 incident where an unarmed Taiwanese fisherman was shot dead by personnel on a Philippine government vessel in the overlapping EEZs of the two countries,⁷⁰⁾ Manila under Taipei’s economic sanction eventually complied with the latter’s demands, including a formal apology and compensation. Yet it took more than two and a half years for the two sides to merely conclude a damage control-type agreement on law enforcement cooperation in the disputed EEZs.⁷¹⁾ By ignoring Taipei’s SCSP, Manila missed a golden opportunity to neutralize Taiwan from the Sino-Philippine territorial disputes. Rather than signing a fisheries agreement comparable to the 2013 Japan-Taiwan deal, the Philippine government asserted in its South China Sea arbitration case that no high-tide feature of the Spratly Islands (including the Taiwan-controlled Itu Aba) could meet the UNCLOS definition as an island, hence further pushing Taipei to align with Beijing.

Nevertheless, these aforementioned material capabilities and interests would not have gained their meanings and significance without being perceived by Taiwan’s policymakers and

general public *as such* ; their perceptions are in turn shaped by the island's fluid, postcolonial identity under the triple legacies of Japanese colonial rule, Chinese Civil War, and the U.S.-led Cold War in Asia.⁷²⁾ The separation of Taiwan from mainland China means that the former's assumed "Chineseness" is neither stable nor complete ; rather, it makes it possible for Taiwanese to switch between different legacies as sources of identity formation and appropriate them selectively when facing different (real or imagined) audiences, without feeling apparent contradiction.⁷³⁾ Following this postcolonial psychoanalysis, Taiwan's involvement in the PRC's maritime disputes is not an entirely irrational behavior, for its conforming to the "One China" principle represents an attempt to soothe its increasing estrangement from China against which Taiwan defines its own emerging nation-statehood. During this process of "becoming Taiwanese," "Chineseness" can take a back seat or be enlisted, depending on the ontological security need.⁷⁴⁾

Since the island's colonial Japanese experience has served as an important reference point to demonstrate its "non-Chineseness" in the formation of Taiwanese subjectivity (which has been a self-defeating strategy for a former colony), it follows that Taipei is constantly under an imagined Japanese gaze, feeling the need to show that its relationship with Tokyo remains intimate despite the PRC-Japan row. Indeed, even when being recalled in protest of Tokyo's move to nationalize the Senkaku Islands, Taiwan's representative to Japan still described Taiwan-Japan ties as "at their best in 40 years" to legislators.⁷⁵⁾ While identity politics has impeded Chinese self-identification in Taiwan concerning the East China Sea dispute, a claim of "Chineseness" has provided Taiwanese policymakers and the public with an "empowering" strategy in the face of Southeast Asian claimant states. This is to the extent that in the Taiwanese mindset it rarely occurs to them that the size of Taiwan is actually dwarfed by that of the Philippines or Vietnam in terms of landmass and population. Similar to an infamous statement by then-PRC Foreign Minister Yang Jiechi at the July 2010 ASEAN Ministers Conference that "China is a big country and other countries are small countries, and that's a fact,"⁷⁶⁾ Taiwanese tend to assign their Southeast Asian neighbors to the "margins" of Chinese civilization and look at them through a hierarchical lens. This was the psychological basis on which the ROC government insisted on "punishing" the Philippines with high-profile economic sanction and military exercise following the *Guangdaxing* 28 incident, despite President Benigno Aquino's dispatch of his envoy to Taipei to convey his "deep regret and apology over the unfortunate and unintended loss of life" to "the people of Taiwan."⁷⁷⁾ What behind the bellicose (and derogatory) rhetoric of various Taiwanese legislators and netizens was, in a nutshell, a paternalistic attitude wanting to teach their "junior," "small" and disrespectful neighbor a lesson.⁷⁸⁾ In the final analysis, appropriating "Chineseness" in this way has proven counterproductive, as Taipei's subsequent failure to further distance itself from the U-shape line not only reinforces a region-wide perception that it has been reduced to a "big country's proxy" in the South China Sea but also undermines the process of de-imperialization in Taiwan.

Notes

- 1) Regarding various disputed high-tide features in the East and South China Seas, this research refers to their different names interchangeably without the intention of endorsing any claimant’s position.
- 2) Kuan-Hsing Chen, *Asia As Method: Towards Deimperialization* (Durham: Duke University Press, 2010).
- 3) Linus Hagström and Björn Jerdén, “East Asia’s Power Shift: The Flaws and Hazards of the Debate and How to Avoid Them,” *Asian Perspective* 38(3) (2014): 337-62; and Yoichiro Sato and See Seng Tan, ed., *United States Engagement in the Asia Pacific: Perspectives from Asia* (New York: Cambria Press, 2015).
- 4) Taiwan (also known as the Republic of China, ROC) is also a claimant of the Senkaku/Diaoyutai Islands (along with Japan and the PRC) and in the South China Sea (with the PRC, the Philippines, Vietnam, Malaysia, and Brunei), but this fact is often overlooked because none of these claimants diplomatically recognize the ROC on Taiwan. Yet Taiwan’s lack of such recognition does not mean that it has no meaningful roles to play in these maritime disputes. See Bonnie Glaser and Jacqueline Vitello, “Taiwan’s Marginalized Role in International Security: Paying a Price,” report of the Center for Strategic and International Studies (CSIS Freeman Chair in China Studies), January 2015; and Michael Mazza, “To Fix the South China Sea, Look to Taiwan,” *The National Interest*, February 1, 2016. See also Ian Storey and Cheng-Yi Lin, ed., *The South China Sea Dispute: Navigating Diplomatic and Strategic Tensions* (Singapore: ISEAS - Yusof Ishak Institute, 2016).
- 5) “Kerry Renews U.S. Pledge to Japan Security, Including East China Sea Islets,” Reuters, April 27, 2015.
- 6) “US-Philippine War Games Begin as China Warns US,” *Taipei Times*, April 5, 2016; and Prashanth Parameswaran, “Japan, Philippines to Finalize New Military Aircraft Deal for Five TC-90 s,” *The Diplomat*, May 4, 2016.
- 7) Republic of the Philippines, “Notification and Statement of Claim on West Philippine Sea,” No. 13 -0211, January 22, 2013, accessed January 2, 2018, <http://www.philippineembassy-usa.org/uploads/pdfs/embassy/2013/2013-0122-Notification%20and%20Statement%20of%20Claim%20on%20West%20Philippine%20Sea.pdf>; Vietnam Ministry of Foreign Affairs, “Remarks by MOFA Spokesperson Le Hai Binh on the South China Sea Arbitration Case,” December 11, 2014, accessed January 2, 2018, http://www.presscenter.org.vn/remarks-by-mofa-spokesperson-le-hai-binh-on-the-south-china-sea-arbitration-case_t608c67n60311tn.aspx; and Permanent Court of Arbitration, “In the Matter of the South China Sea Arbitration Before an Arbitral Tribunal Constituted Under Annex VII to the United Nations Convention on the Law of the Sea Between the Republic of the Philippines and the People’s Republic of China: Award,” *PCA Case No 2013-19*, July 12, 2016.
- 8) Lynn Kuok, “Tides of Change: Taiwan’s Evolving Position in the South China Sea and Why Other Actors Should Take Note,” *The Brookings Institution East Asia Policy Paper* 5 (May 2015): 8 -9.
- 9) According to this perspective, Chinese sovereignty over the islands should have been restored following the end of World War Two and Japan’s subsequent renunciation of all claims over Taiwan in the San Francisco Peace Treaty. People’s Republic of China State Department Press Office, “*Diaoyudao shi Zhongguo de guyou lingtu* [Diaoyu Islands Are China’s Inherent Territory],” 2012, accessed January 2, 2018, <http://www.scio.gov.cn/zfbps/ndhf/2012/Document/1225272/1225272.htm>; and Republic of China Ministry of Foreign Affairs, “*Diaoyutai lie yu shi Zhonghua Minguo de guyou lingtu* [Diaoyutai Islands Are the Republic of China’s Inherent Territory],” 2012, accessed January 2, 2018, https://www.mofa.gov.tw/News_Content.aspx?n=C641B6979A7897C0&sms=60ECE8A8F0DB165D&s=26CF6ADBA824644B.
- 10) The 1947 map contains eleven dashes that enclose much of the South China Sea and is seen as the predecessor to the controversial nine-dashed line map, which was a product of Beijing’s removal of

the two dashes originally depicted inside the Gulf of Tonkin as a good-will gesture toward Hanoi during the Cold War period. U.S. Department of State, Bureau of Oceans and International Environmental and Scientific Affairs. *Limits in the Seas No. 143 ; China : Maritime Claims in the South China Sea*, December 5, 2014, accessed January 2, 2018, <http://www.state.gov/documents/organization/234936.pdf>.

- 11) Richard C. Bush, *Uncharted Strait : The Future of China-Taiwan Relations* (Washington, D.C. : Brookings Institution Press, 2013).
- 12) Bo Zhao and Xueyi Xu, “General Secretary Xi Jinping Meets with Taiwan Peaceful Reunification Groups,” Xinhuanet, September 26, 2014, accessed January 2, 2018, http://news.xinhuanet.com/politics/2014-09/26/c_1112641354.htm.
- 13) Karl Gustafsson, “Routinised Recognition and Anxiety : Understanding the Deterioration in Sino-Japanese Relations,” *Review of International Studies* 42(4) (2016) : 613-33.
- 14) The 2004 landing incident reportedly led to a secret “confidence-building measure” agreement between Beijing and Tokyo where the former would prevent its citizens from landing on the islands and the latter would refrain from putting such individuals on trial. Paul Midford, “Sino-Japanese Conflict and Reconciliation in the East China Sea,” in *The China-Japan Border Dispute : Islands of Contention in Multidisciplinary Perspective*, ed. Tim F. Liao et al. (Surrey : Ashgate, 2015), 180.
- 15) Whether China did intend to put pressure on Japan to release the detained captain through these subsequent developments was much less clear, as demonstrated by Linus Hagström, “Power Shift” in East Asia? A Critical Reappraisal of Narratives on the Diaoyu/Senkaku Islands Incident in 2010,” *Chinese Journal of International Politics* 5(3) (2012) : 267-97. Nevertheless, it was certain that such developments were widely perceived by Japanese observers as such ; Beijing’s actions thus had the similar *effect* of strategic coercion. See “Govt Leaders Flinch at China Intimidation,” *Daily Yomiuri*, September 26, 2010.
- 16) “*Chugokujin sencho, shobun horyu de kaiho Naha chicken ‘Nicchu kankei o koryo’* [Chinese Captain Released with Punishment Pending. Naha District Public Prosecutors Office : ‘[We] take Japan-China relations into account’],” Kyodo, September 25, 2010.
- 17) Typically pro-unification, these activists belong to the small but vocal *Zhonghua Baodiao Xiehui* (Chinese Association for the Defense of the Diaoyus) and align themselves with their counterparts in mainland China, Hong Kong and Macao. In my interview with a high-ranking Taiwanese diplomat (December 2012), I was told that the ROC government could not legally prohibit Bao-Diao activists from sailing to the Diaoyutais because “Taiwan is a democratic country” and “they all have fishing license.”
- 18) Republic of China Ministry of Foreign Affairs, “*Waijiao bu yanzheng chongshen Diaoyutai wei woguo guyou lingtu* [MOFA Solemnly Reaffirms Diaoyutai Islands as Our Country’s Inherent Territory],” press release, September 13, 2010.
- 19) Republic of China Ministry of Foreign Affairs, “*Guanyu jinri Diaoyutai lie yu fujin haiyu dongtai, zhengfu chixu baochi gaodu guanzhu ji shiqie yinying* [Government Continues to Monitor Recent Situation in Waters near Diaoyutai Islands],” press release, September 13, 2010. Seven activists from Hong Kong and Macao eventually did not board the *Ganen 99* after being approached by Taiwanese immigration officers. See “*Taiwan : Gangao Bao-Diao renshi fangqi chuhai dasuan* [Taiwan : Hong Kong and Macao Bao-Diao Activists Gave up Plan to Board],” BBC Zhongwen, September 13, 2010. It is worthy of note that Taiwanese coast guard vessels (which outnumbered their Japanese counterpart around the Diaoyutai Islands at the time) were watching over the fishing boat but not attempting to enter the disputed waters themselves.
- 20) Republic of China Ministry of Foreign Affairs, “*Xinwen shuoming hui jiyao* [News Briefing Summary],” September 14, 2010.
- 21) Martin Fackler, “Japan Said to Have Tentative Deal to Buy 3 Disputed Islands from Private Own-

- ers,” *New York Times*, September 6, 2012.
- 22) This observation was reaffirmed in my private conversation with two otherwise Japan-friendly Chinese officials in Jilin Province (March 2014) who complained that the Japanese “did not keep their promise.”
- 23) “ADB Lowers Projection Over China Tensions,” *Japan Times*, December 8, 2012.
- 24) “Dangerous Shoal,” *The Economist*, January 19, 2013.
- 25) The PRC foreign ministry later modified the record of its press conference, broadly defining China’s “core interests” as anything concerning state sovereignty, national security, and territorial integrity. And “The Diaoyu issue is related to the Chinese sovereignty.” See “*Chugoku, Senkaku wa ‘kakushin-teki riei’ to hajimete meigen* [The Senkakus, Referred to as China’s ‘Core Interests’ for the First Time],” *Nihon Keizai Shimbun*, April 26, 2013.
- 26) Liu Jieyi, PRC ambassador to the UN, was quoted as saying in “China Says Abe No Longer Welcome after Yasukuni Visit,” *Japan Times*, January 1, 2014.
- 27) M. Taylor Fravel and Alastair Iain Johnston, “Chinese Signaling in the East China Sea?” *Washington Post*, April 12, 2014.
- 28) Republic of China Ministry of Foreign Affairs, “*Xinwen shuoming hui jiyao* [News Briefing Summary],” August 16, 2012.
- 29) Republic of China Ministry of Foreign Affairs, “The Government of the Republic of China (Taiwan) Proposes the East China Sea Peace Initiative,” August 5, 2012, accessed January 2, 2018, http://www.mofa.gov.tw/News_Content.aspx?n=9FB1B5F1C76243EE&sms=20EB7F887746D351&s=4D897496805D198C.
- 30) Hsiu-chuan Shih, “Taiwan, Japan Ink Fisheries Agreement,” *Taipei Times*, April 11, 2013; and Adam Tyrsett Kuo, “Taipei-Tokyo Fishery Pact a Good Start for Further Progress : Ma,” *China Post*, April 23, 2013.
- 31) Hsiu-chuan Shih, “Japan Stole the Diaoyutais, MOFA Says,” *Taipei Times*, August 19, 2012.
- 32) Contrary to the aforementioned remark on the ROC government’s inability to rein in Taiwanese Bao-Diao activists (see note 17), as of this writing *Zhonghua Baodiao Xiehui* has not dispatched any boats to the disputed waters since April 2013. See also Republic of China Ministry of Foreign Affairs, “*Zai Diaoyutai lieyu zhengduan, woguo bu yu Zhongguo dalu hezuo zhi lichang* [Why Our Country Does Not Cooperate with Mainland China over the Diaoyutai Islands Dispute],” February 8, 2013, accessed January 2, 2018, https://www.mofa.gov.tw/News_Content.aspx?n=C641B6979A7897C0&sms=F9719E988D8675CC&s=56A84BD617A31604.
- 33) Bill Hayton, *The South China Sea : The Struggle for Power in Asia* (New Haven : Yale University Press, 2014).
- 34) Kuok, “Tides of Change,” 21.
- 35) James Hookway, “Philippines Warns China in Naval Crisis,” *Wall Street Journal*, April 11, 2012.
- 36) Jim Gomez, “Indonesia Scrambles to End ASEAN Rift Over Sea,” Associated Press, July 18, 2012.
- 37) Hayton, *South China Sea*, 175-76.
- 38) “China Travel Agencies Suspend Philippine Tours,” BBC, May 10, 2012.
- 39) Kuok, “Tides of Change,” 20.
- 40) Republic of China Ministry of Foreign Affairs, “The Ministry of Foreign Affairs of the Republic of China (Taiwan) Reiterates Its Position on the Huangyan Island and Its Surrounding Waters,” press release, April 20, 2012.
- 41) Compare Permanent Court of Arbitration, “South China Sea Arbitration,” 232.
- 42) The time lag suggests that these legislators were not concerned with the alleged Vietnamese provocation *per se*. The head of Taiwan’s Coast Guard Administration later confirmed that the alleged gunshot might have been a harmless blank cartridge. Rich Chang, “Strengthen Taiping Defense : Law-makers,” *Taipei Times*, May 3, 2012.

- 43) The American Institute in Taiwan (AIT), the de facto US embassy in Taipei, was quick to discourage Taiwan's deployment of short-range missiles on Taiping Island. "Defense Ministry Rules Out Deploying Missiles in S. China Sea," *China Post* (Taiwan), May 4, 2012. In this regard, the fact that a senior U.S. State Department official equivocated in a press briefing on whether Taiwan was a claimant in the South China Sea was not so much a mistake as a sign of distrust. William Lowther, "US Tries to Avoid Taiwan in S China Sea Dispute," *Taipei Times*, December 18, 2013.
- 44) "Sheping : Wei Taiwan de Nansha Taiping dao jun yan guzhang [Editorial : Applaud Taiwan's Military Drill in Nansha's Taiping Island]," *Global Times*, September 3, 2012.
- 45) Ibid. A deadly incident in which Philippine coast guard personnel fired upon an unarmed Taiwanese fishing boat in May 2013 in waters where the exclusive economic zones (EEZs) of Taiwan and the Philippines overlap led some scholars to propose that Taiwan and China should work together in dealing with security issues in the South China Sea. See "Scholars Call for Cross-Strait S. China Sea Cooperation," Central News Agency (Taiwan), June 20, 2013. It is also worth noting that Taiwanese marine corps carried out an unprecedented drill simulating the retaking of Itu Aba in early April 2014, which followed the Second Thomas Shoal standoff between the PRC and the Philippines ; the news was disclosed by a KMT legislator *during* U.S. President Obama's visit to the Philippines for a new bilateral security agreement. "Marines Conduct a Drill on Spratly Islands : Lawmaker," Central News Agency, April 29, 2014 ; and Chris Larano, "Obama Vows 'Ironclad' U.S. Defense of Philippines," *Wall Street Journal*, April 29, 2014.
- 46) Gerry Mullany and David Barboza, "Vietnam Squares Off With China in Disputed Seas," *New York Times*, May 7, 2014.
- 47) Republic of China Ministry of Foreign Affairs, "MOFA Expresses Grave Concern and Reiterates Government's Position Regarding Recent Maritime Confrontation near Shisha Islands," press release, May 9, 2014.
- 48) "China Adding School to Outpost Island in Disputed Waters," *Taipei Times*, June 16, 2014 ; and "Taiwan Sends Equipment to Build S. China Sea Island Pier," *China Post*, June 18, 2014. Admittedly, similar constructions can also be found on features controlled by other claimants, and it is not unreasonable to argue that Taipei's decisions were in part driven by this region-wide show of sovereignty. Nevertheless, the timing of making public Itu Aba's pier construction work reinforced the impression that a tacit united front across the Taiwan Strait was taking shape.
- 49) Chao-kun Wang, "Nanhai wenti Xia Liyan : Jue bu yu Dalu lianshou [On South China Sea issue, Hsia : Never Join Forces with the Mainland]," Radio Taiwan International, May 27, 2015 ; and Yu-chung Wang and Hui-ping Chen, "Nanhai yiti jiaofeng : Cai pan liaojie guanfang dangan [South China Sea Issue Confrontation : Tsai Hopes to Understand Official Archives]," *Liberty Times* (Taiwan), March 31, 2016.
- 50) Yann-Huei Song, "Taiwan's Development Work on Taiping Island," Asia Maritime Transparency Initiative, February 18, 2015, accessed January 2, 2018, <https://amti.csis.org/taiwans-development-work-on-taiping-island/> ; and Michael Gold, "Taiwan Considers Permanent Armed Ships for Disputed South China Sea Island," Reuters, October 16, 2014.
- 51) Jason Pan and Tien-pin Lo, "Threat to Spratlys Outposts 'Growing,'" *Taipei Times*, December 26, 2014 ; and Prashanth Parameswaran, "Vietnam a Growing Threat to Taiwan's South China Sea Claims : Report," *The Diplomat*, December 31, 2014.
- 52) Kuok, "Tides of Change," 10. ROC defense minister later denied that Itu Aba was under threat by Vietnam. Jason Pan, "Itu Aba Military Outpost Not Under Threat by Vietnam : Defense Minister," *Taipei Times*, December 30, 2014.
- 53) Jeffery Bader, "The U.S. and China's Nine-Dash Line : Ending the Ambiguity," opinion, Brookings Institution, February 6, 2014 ; Bonnie Glaser, "A Role for Taiwan in Promoting Peace in the South China Sea," commentary, CSIS, April 15, 2014 ; and William A. Stanton, "The U.S. Pivot to

- Asia and Taiwan's Role," World United Formosans for Independence, 2014, accessed January 2, 2018, <http://www.wufi.org.tw/the-u-s-pivot-to-asia-and-taiwans-role/>.
- 54) Jeffrey Bader, former principal advisor to President Obama on Asia, was quoted in Kuok, "Tides of Change," 4.
- 55) Republic of China (Taiwan) Office of the President, "Safeguarding Sovereignty, Shelving Disputes, Pursuing Peace and Reciprocity, and Promoting Joint Exploration and Development," September 1, 2014, accessed January 2, 2018, <http://english.president.gov.tw/NEWS/4480>; see also "Transcript of New York Times Interview With President Ma Ying-jeou of Taiwan," *New York Times*, October 31, 2014.
- 56) Under this principle, Ma indicated, "a juridical fact must be appreciated in the light of the law contemporary with it, and not of the law in force at the time when a dispute in regard to it arises or falls to be settled." Republic of China (Taiwan) Office of the President, *ibid*. Indeed, an *Economist* article believed that the reason for Chinese officials' presence at the exhibition opening was not so much their interest in any new empirical support for the dashed line or a claim to "historic waters" as the need to verify whether Taiwan attempted to abandon the U-shape line and, by implication, the "One China" principle. "Joining the Dashes," *The Economist*, October 4, 2014.
- 57) Hsiu-chuan Shih, "S China Sea Claims in Line with Law : Ma," *Taipei Times*, May 28, 2015.
- 58) Ying-jeou Ma, "A Plan for Peace in the South China Sea," *Wall Street Journal*, June 12, 2015.
- 59) Andrea Shalal and David Brunnstrom, "U.S. Navy Destroyer Nears Islands Built by China in South China Sea," Reuters, October 26, 2015.
- 60) Joseph Yeh, "Ma Taiping Visit Could Cause Tension : Former US Official," *China Post*, December 18, 2015; and William Lowther, "Washington 'Disappointed' with Ma's Decision," *Taipei Times*, January 29, 2016. Among the South China Sea claimants, as of this writing Ma was the only head of state to visit the region since 2008. The previous visit was made by his predecessor, Chen Shui-bian.
- 61) The Philippines brought the case to the Permanent Court of Arbitration in 2013 after China refused to withdraw its ships from the Scarborough Shoal. In July 2015, case hearings began with the Philippines asking the court to invalidate China's sovereignty claims. Anticipating that the ruling results would embarrass itself, the PRC government chose to boycott the case and ignore the verdict. The ROC was not invited to the tribunal and was not able to participate in the hearing process, but its Society of International Law submitted an *amicus curiae* (friend of the court) brief to the court on the legal status of Taiping Island rebutting the Philippines' claims. Taipei refused to accept court ruling on the grounds that it was excluded from the tribunal in the first place. See "Taiwan Won't Accept Court Ruling on Islands Disputes," *China Post*, February 18, 2016. In July 2016, it was concluded that none of the high-tide features in the Spratly Islands is capable of sustaining human habitation or an economic life of their own as an island under UNCLOS. Permanent Court of Arbitration, *South China Sea Arbitration*, 254.
- 62) Republic of China (Taiwan) Office of the President, "President Ma's Remarks at International Press Conference Regarding Taiping Island in Nansha Islands," March 23, 2016, accessed January 2, 2018, <http://english.president.gov.tw/NEWS/4851>.
- 63) William Lowther, "US Navy Aircraft Carrier, Escorts Arrive in South China Sea for 'Show of Force,'" *Taipei Times*, March 6, 2016. Had Taiping Island been proved an island as set forth in UNCLOS (Article 121), apart from 12 nautical miles of territorial waters, the ROC would have been entitled to claim a maximum 200-nautical-mile EEZ and a continental shelf; because the ROC based its claims as the (unrecognized) representative of China, the PRC could have used Taipei's argument to justify its constructions in the Spratlys (all of which lie within 200 nautical miles of Itu Aba), regardless of the validity of its "historic rights." Jeremy Page, "Taiwan Cultivates an Argument for China's Spratlys Claim," *Wall Street Journal*, March 23, 2016.

- 64) Under Section 3(3) of the Taiwan Relations Act, the U.S. President is required to inform Congress of any threat to the security of “the people on Taiwan” and any danger to the interests of the United States, but that does not amount to an unequivocal obligation to come to Taiwan’s defense.
- 65) The PRC government has made this point clear in its White Paper on “the One-China Principle and the Taiwan Issue” and the Anti-Secession Law.
- 66) Shirley A. Kan, “Taiwan : Major U.S. Arms Sales since 1990,” *CRS Report for Congress* RL 30957, August 29, 2014.
- 67) Sebastian Maslow, “A Blueprint for a Strong Japan? Abe Shinzō and Japan’s Evolving Security System,” *Asian Survey* 55(4) (2015) : 739-65.
- 68) Joseph Yeh, “Tokyo’s Fishery Talks Calls Show ‘Good Will’ : Minister,” *China Post*, September 15, 2012. A well-connected Japanese scholar similarly proposed that, while the U.S. government should clearly reaffirm its treaty commitment to the defense of the territories under Japanese administration so as to deter Beijing’s adventurism, Washington could also soothe Taipei’s sense of being marginalized over the Senkakus by strengthening their security ties. See Yoichiro Sato, “The Senkaku Dispute and US-Japan Security Treaty,” *Pacific Forum CSIS PacNet* No. 57, September 10, 2012.
- 69) Stockholm International Peace Research Institute, *SIPRI Yearbook 2015 Armaments, Disarmament and International Security* (Oxford : Oxford University Press, 2015), 384-85.
- 70) Floyd Whaley, “Charges Urged in Filipino Raid on Taiwanese Boat,” *New York Times*, June 13, 2013.
- 71) Stacy Hsu, “Taiwan, Philippines Sign Fishing Treaty,” *Taipei Times*, November 20, 2015.
- 72) Chih-yu Shih and Ching-Chang Chen, “How Can They Theorize? Strategic Insensitivity towards Nascent Chinese International Relations Thinking in Taiwan,” in *Asian Thought on China’s Changing International Relations*, ed. Niv Horesh and Emilian Kavalski (Basingstoke : Palgrave Macmillan, 2014), 205-29.
- 73) Chih-yu Shih, “Constituting Taiwanese Statehood : The World Timing of Un-Chinese Consciousness,” *Journal of Contemporary China* 16(53) (2007) : 699-716.
- 74) Ching-Chang Chen, “The Weakest Link? Explaining Taiwan’s Response to the U.S. Rebalancing Strategy,” in *United States Engagement in the Asia Pacific : Perspectives from Asia*, ed. Yoichiro Sato and See Seng Tan (New York : Cambria Press, 2015), 89-114. Compare Chih-yu Shih, ed., *Re-producing Chineseness in Southeast Asia : Scholarship and Identity in Comparative Perspectives* (London : Routledge, 2015).
- 75) Public Television Service (Taiwan), “Shen Ssu-Tsun baogao Tai Ri Guanxi hanwei zhuquan [Shen Ssu-Tsun on Taiwan-Japan Relations, Defend Sovereignty],” September 13, 2012, accessed January 2, 2018, <https://tw.news.yahoo.com/沈斯淳報告台日關係-捍衛主權-120000258.html>. Seen in this light, the fact that Japan’s triple disasters on March 11, 2011 received the highest amount of donation from the people of Taiwan represented as much the amity between the two as the latter’s anti-China performance.
- 76) John Pomfret, “U.S. Takes a Tougher Tone with China,” *Washington Post*, July 30, 2010.
- 77) Michael J. Cole, “How Taiwan Bungled the Philippine Crisis,” *The Diplomat*, May 21, 2013. The Philippine government has its “officially unofficial” embassy in Taiwan, i.e. Manila Economic and Cultural Office (MECO). The Ma administration refused to meet MECO chairman (Aquino’s envoy) and the Philippine’s representative to Taiwan on the grounds that the apology must occur at the government level and the wording “unintended loss of life” excused the act of murder, ignoring that Manila had to observe its own “One China” policy and shooting the deceased Taiwanese fisherman was not a Philippine state policy. Humiliated, it became understandable that Manila later gave Taipei the cold shoulder over the SCSPI. Michael Cole and Philip Bowring are right that Taipei failed to show magnanimity, but it is oversimplified to attribute such failure to “mundane” reasons (e.g. pressure from Ma’s opponents and Taiwan’s lack of diplomatic exposure) or ethnic “Han chauvinism.” Cole,

"How Taiwan Bungled the Philippine Crisis ;" and Philip Bowring, "Taiwan's Reaction to Killing of Fisherman Is out of Proportion," *South China Morning Post*, May 19, 2013.

- 78) Jen-chun Kang, "Qiang kaizhan! Su Ching-chuan : Feilubin zhe xiao hunhun, sadao women toushang! [Declare War! Su Ching-chuan : The Philippines Is a Little Scoundrel Riding on Us]," NOWnews.com, May 10, 2013.