'An outstanding work, particularly owing to the synthesis it provides on European-East Asian scholarship, the application of European philosophers' writings on sovereignty, power, and security in East Asian geopolitical and historical contexts—all that bound together through tackling translation, translatability, language and communication.'
Karin Dean, *Senior Researcher, Estonian Institute of Humanities, Tallinn University, Estonia.*

'A stimulating intervention for researchers, teachers, and students in the field of critical border theories and bordering practices, *European-East Asian Borders in Translation* is part of an emerging trend in social sciences and humanities that seeks to de-center and de-territorialise knowledge production beyond Eurocentric/Western-centric theories and experiences.'
Ching-Chang Chen, *Associate Professor of International Politics, College of Asia Pacific Studies Ritsumeikan Asia Pacific University, Japan.*

European–East Asian Borders in Translation is an international, trans-disciplinary volume that breaks new ground in the study of borders and bordering practices in global politics. It explores the insights and limitations of border theory developed primarily in the European context to a range of historical and contemporary border-related issues and phenomena in East Asia.

The essays presented here question, rather than assume, the various borders between inclusion/exclusion, here/there, us/them, that condition the (im)possibility of translating between histories, cultures and identities. Contributors suggest that the act of translation offers new ways of thinking about how border logics operate, taking on the concept of translation itself as border problematic and therefore raising questions of power and authority, such as who gets to act as a translator, or who benefits from the outcome.

The book will appeal not only to upper-level students and scholars with a geopolitical-historical interest in East Asia, but also to those who work in the inter-disciplinary field of border studies and others with an interest more generally in translation and the extent to which theory "travels" across time and space.

Joyce C.H. Liu is Professor of Cultural Studies, Critical Theory, Psychoanalysis and Comparative Literature in the Graduate Institute for Social Research and Cultural Studies, National Chiao Tung University, Taiwan. She is currently the director of the International Institute for Cultural Studies of the University System of Taiwan, a research-led alliance of four universities.

Nick Vaughan-Williams is Reader in International Security at the University of Warwick, UK. His research focuses on the changing nature of borders in contemporary political life. He has received funding in support of his research from the British Academy and UK Economic and Social Research Council.
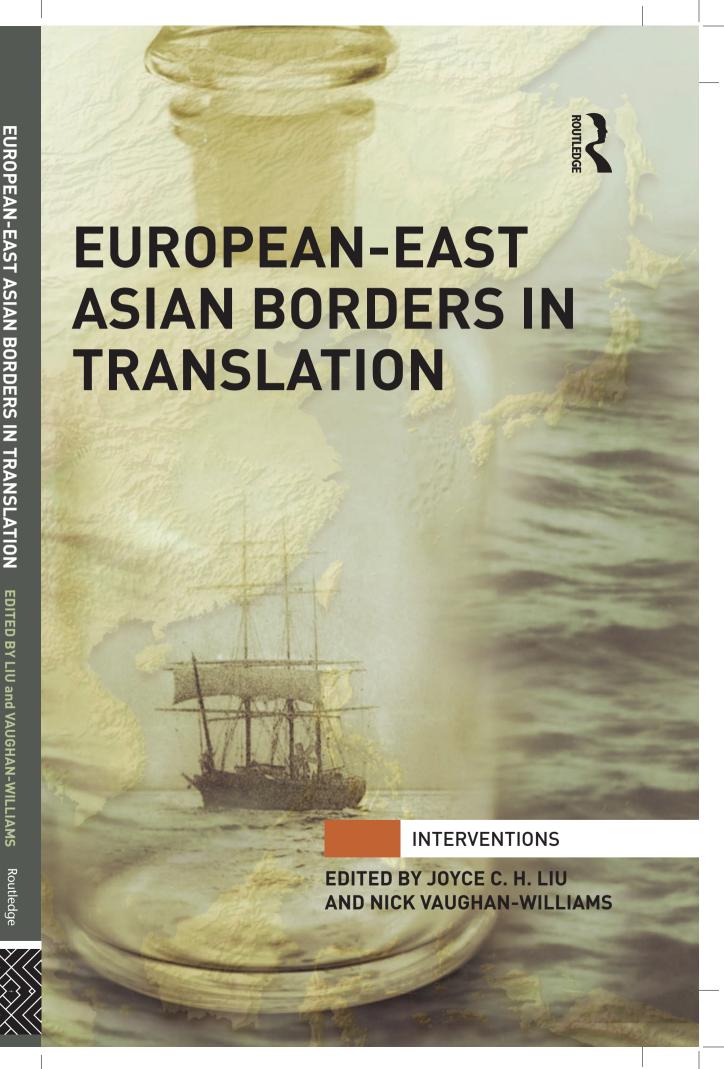
INTERNATIONAL RELATIONS / ASIAN STUDIES / BORDER STUDIES

Cover image: © Corbis

EUROPEAN-EAST ASIAN BORDERS IN TRANSLATION

EDITED BY LIU and VAUGHAN-WILLIAMS

Routledge

EUROPEAN-EAST ASIAN BORDERS IN TRANSLATION

INTERVENTIONS

EDITED BY JOYCE C. H. LIU AND NICK VAUGHAN-WILLIAMS

Contents

Introduction

Translating borders, deconstructing "Europe/East Asia"[1]

Joyce C.H. Liu and Nick Vaughan-Williams

Recently there have been several attempts to offer a more theoretically reflective and self-consciously "critical" approach to the study of borders in contemporary political life (Johnson *et al.* 2011; Parker and Vaughan-Williams 2009; Rumford 2012; Walker 2010). This inter-disciplinary field of Critical Border Studies (CBS) has sought to challenge traditional notions of what and where borders are, and to show how borders are increasingly fractured and multiple while often no less violent in their effects (Parker and Vaughan-Williams 2012). Seeking to move beyond the impasse reached in debates in the 1990s and 2000s about whether borders between states are *either* withering under globalizing conditions *or* more virulent then ever against the backdrop of the so-called global "war on terror," CBS has urged a sociological treatment of borders as a set of *practices*. The move from "border" to "bordering practice" has broadened and deepened an understanding of the term, which now encompasses an array of technologies of governance designed to control the mobility of people, services and goods. In this context, the concept of "the border" is no longer understood only in terms of the sharp lines on cartographic representations, but a much "thicker" entity permeating everyday life.

The increasing technological sophistication with which such controls on movement are performed, the diversity of geographical locations where these performances take place, and the speed at which decisions about whom and/or what is considered "legitimate" and/or "illegitimate," are all factors commonly cited in support of the view that new border imaginaries are required (Rumford 2012). For example, borders have been reformulated in terms of mobile sites of pre-emptive risk assessment and identity management that facilitate the faster mobility of the trusted few at the expense of an array of suspicious Others (Amoore 2006; Bigo 2007); as a spatiotemporal continuum of controls on movement stretching between domestic/foreign domains and from now into the future (Amoore *et al.* 2008; Bialasiewicz 2012; Bigo 2000; Vaughan-Williams 2010); and as a set of sovereign rituals through which the fiction of the modern subject, state and state-system is continually (re)produced, performed into being, and whose contingency is ultimately concealed and forgotten (Parker and Adler-Nissen 2012; Salter 2012; Walker 2010).

Underpinning this research agenda are a number of philosophical back-stops whose work has provided key concepts, logics and methodologies for the problematization of the border: Giorgio Agamben's diagnosis of the operation of sovereign power, the relationship between law, politics and life, and the figures of the ban, camp and bare life; Jean Baudrillard's treatment of simulation and the paradigm of the virtual; Jacques Derrida's deconstruction of sovereignty and the concept of the event; Michel Foucault's examination of the relationship between biopolitics, security and population; and Carl Schmitt's theory of sovereignty as exceptionalism and concept of *nomos*; to name only a few prominent examples. However, while advances have been made in deploying the insights of these thinkers in order to re-think borders and bordering practices, CBS has been largely confined in its application, exploration and refinement to "European"/"Western" geocultural contexts.[2] Indeed, there has been little attempt to consider the extent to which other contexts may be said to challenge, reaffirm and/or offer prospects for developing CBS. The overall aim of this book, then, is to help move CBS beyond its current ethnocentrism. In this Introduction we outline what is at stake in such a move, and how the chapters that follow negotiate the inevitable puzzles, dilemmas and aporias inherent within it.

Culture, context, critique

The problem of "European/Western" bias is of course by no means unique to CBS. Indeed, it is arguably symptomatic of a wider ethnocentrism pervading Anglophone social science in general and the discipline of International Relations (IR) in particular. In IR a chorus of voices has already pointed to the ironic and highly problematic provincialism of a field that purports to take global dynamics as its object of study (Acharya and Buzan 2007; Agathangelou and Ling 2009; Hutchings 2011; Nayak and Selbin 2010; Shani 2008; Shilliam 2011; Tickner and Blaney 2012; Tickner and Wæver 2009). Tickner and Blaney (2012: 1), for example, claim that IR is "indifferent to scholarly practices and policy issues outside the core and even dismissive of them." Similarly, Acharya and Buzan (2007: 288) argue that, traditionally, IR theory (IRT) has rested "on an assumption that Western history *is* world history." They refer to the persistence of what they call the "Westphalian straightjacket," which has led to a narrow focus on concepts such as sovereignty and anarchy at the expense of understanding "how international systems and societies could (and have) been constructed" (Acharya and Buzan 2007: 293). Nayak and Selbin (2010) go further in diagnosing what they see as the "centering" of IR around the global North/West, neoliberalism, and a dominant set of actors and institutions. They refer to this centre as a "nucleus … where the decisions are made, discourses are legitimised, and people and entities are put in positions to further entrench the most privileged ways of thinking about the world" (Nayak and Selbin 2010: 2–3).

However, while there is increasing disciplinary consensus that IR is far from "international," the issue of how to address this bias is a matter of heated debate. In turn, this debate looms large over any attempt to broaden the context in which CBS might make an intervention. One response to the pro-vincialism of IR has been to go in search of "non-Western/European" voices within the discipline in order to try to make it more inclusive. In this vein, for instance, Acharya and Buzan (2007: 296) attempt to reveal "Asian thinking about IR"—or "local produce," as they call it—and get such work "into wider circulation." While Acharya and Buzan's is a prominent contribution to the nascent "non-Western turn" in IRT, there are a number of reasons why such an "add" "non-European/Western" voices and "stir" approach may be considered problematic. Chen (2011: 4) argues in direct response to Acharya and Buzan that the move to incorporate "non-Western" schools of IR serves only to "reproduce the very hegemonic logic of dominance" that they seek to over-come. This is because, according to Chen, much of the IRT produced in Asia can be considered as *derivative* of "Western" thought. His view is that non-Western national schools are perpetually trying to "catch up" with an "his-toricist trajectory" already laid down by Western IR, which recycles rather than disrupts "the logic of colonial modernity" (Chen 2011: 16, 4). Moreover, from Chen's perspective, Acharya and Buzan's approach suffers from at least two additional weaknesses. First, the "adding and stirring" of the voices of "non-Western" IR intellectuals continues to operate within the discipline and does little to "empower non-Western voices and experiences in the discipline's theorizing of world politics, so to speak" (Chen 2011: 7). Second, another pro-blem is that merely seeking to shift the balance of power in IRT between the "West" and the "non-West" fails to challenge the "West"/"non-West" binary, which sets up an operating fiction that these "entities" have distinct histories and can be easily separated from each other in the first place (Chen 2011: 4).

Although Chen's critique of Acharya and Buzan is somewhat more developed than the alternative he puts forward, his call is ultimately for a "post-Western" era of scholarship in order to "create non-hegemonic spaces where different perspectives of IR can co-exist and learn from each other" (Chen 2011: 17). Chen's argument partly resonates with that of Hutchings (2011), who similarly advocates a problematization of the "West" and "non-West" as particular (and highly political) 19th-century categories: "Both 'West' and 'non-West' make a claim to self-identity that, on even the mildest investigation, break down into multiplicity and contradiction." However, Hutchings (2011: 645) is skeptical about Chen's move to "learn from each other" if that were to rely on an unquestioned (Western) notion of dialogue associated with dominant "Socratic and Habermasian models." Instead, she argues for "conversations between multiple, fractured self-identities, which acknowledge the imperfect and provi-sional nature of the insights that they generate" (Hutchings 2011: 647). While Chen and Hutchings seek to move beyond the dichotomizing approach of Acharya and Buzan, however, a commonality between all of these authors is that they continue to take IR as a starting point for their analyses and offer a

series of responses to the problem of ethnocentrism while remaining *within* that disciplinary context.

Another, more radical, alternative is set out by Nayak and Selbin (2010: 7), who argue that taking IR as a starting point works within and therefore reinforces rather than challenges the very basis of the problem of ethnocentrism: "How can we speak about the world in meaningful ways or offer critical analysis if we are doing so within a discipline that favors a (neo)colonial order and the attendant gender, race, class, sexual, and labor divisions in academia and the world?" By contrast, Nayak and Selbin call for a "decentering" of IR, which in their view consists of "interrogating, disturbing, engaging, reframing, challenging, mocking, or even undoing mainstream, privileged ways of viewing the world" (Nayak and Selbin 2010: 8). Likewise, Shani (2008) is suspicious of any attempt to develop a "post-Western" IR from *within* the already delimited intellectual space associated with the discipline. Of particular significance for this book and CBS, however, Shani *also* warns against an unproblematized turn to "critical" theories steeped in "secular Eurocentric historicism" when attempting to decenter IR along the lines suggested by Nayak and Selbin. Again, such a move runs a risk of reinscribing the "West"/"non-West" bind if "theory" (however "critical") produced in the European context is simply "tested" or applied outside it (Tickner and Blaney 2012: 7).

Translating borders

Against the backdrop of these debates, this book explores a range of historical and contemporary border-related concepts, issues and phenomena in "East Asia"—particularly relating to China, Taiwan, South Korea and Japan—in order to decenter and deterritorialize the production of knowledge associated with CBS beyond its familiar "European"/"Western" geocultural context. Although the subject matter of this volume deals with issues closely affiliated with the self-image of IR—sovereignty, territory, security and so on—and despite featuring several IR scholars, it mounts this exploration from a range of standpoints across the arts, humanities and social sciences, including comparative literature studies, cultural studies, intellectual history, political philosophy, sociology and translation studies. The collection seeks to contribute to a growing critical and interdisciplinary literature that has already questioned the discursive rationality and legal assumption of the border in order to examine the political, economical and utilitarian motivations behind bordering practices in the "East Asian" context. Extant research in this vein, as discussed in the chapters that follow, has so far focused *inter alia* on issues such as the historical formation of international law in the region, Chinese overseas special zones and dormitory control of concessions, and postcolonial bordering practices in Taiwan.

What is distinctive about this volume is our focus on the extent to which it is possible—and indeed desirable—to *translate* "critical" conceptualizations of borders and bordering practices across "European" and "East Asian"

histories, cultures and identities. In one sense, our investigation considers the "*translate-ability*" of critical border theory associated with CBS in diverse "East Asian" contexts, including China–Taiwan relations, the Korea–Taiwan demilitarized zone (DMZ), Japanese maritime security, Chinese efforts to police the Internet, China's overseas migrants and resistance in "East Asia." Here we are partly interested in whether critical border theory associated with European philosophical underpinnings requires modification in the light of "East Asian" thought and experience. Equally, however, we are also keen to explore the ways in which "East Asian" conceptualizations of borders and bordering practices may be challenged in view of "European" thought and experience. With this bi-directional focus, we seek to avoid the trap identified by Tickner and Blaney of merely "testing" theory derived from a "European" context against the backdrop of "empirics" outside it.

Furthermore, our focus on *translation* as a guiding problematic throughout the book extends beyond the question of the mere "applicability" of CBS and the philosophical influences underpinning it in different geopolitical arenas. In his essay "The Task of the Translator" Benjamin (1999 [1923]) points out that translation is never simply about the exchange of information between parties. Indeed, as Takaaki (2006: 49) argues, following Derrida,[3] a position that rejects the notion of the transcendental signified views as "*a priori impossible* the resistance-free transfer of concepts in their translation between languages." Instead, translation implies "friction and wounding, and hence transformation" as intrinsic to the process (Takaaki 2006: 49). Acts of translation, understood broadly here in terms of attempts to make the incomprehensible comprehensible, always already both disrupt and reaffirm divisions. In this regard, translation must itself be understood as a border economy involving inclusions and exclusions, and it is central to the production of territory, identity, subjectivity and political community. For this reason, Warner (2006: 259) argues that translation may be "complicit with diverse strategies of domination and subjectification" associated with sovereign power and state border control: "because it territorializes linguistic communities, translation elides the fundamental discontinuity that precedes it, manufacturing manageable species difference out of the singularity and incommensurability of languages." As a practice, translation therefore raises questions of power and authority, such as who gets to act as a translator in the first instance, or who benefits from the outcome of certain translations. It also prompts reflection on whether it is ever possible to think outside translation, and whether this would be possible and/or desirable. For these reasons, the chapters presented in this volume set out to *question*, rather than *assume*, the various borders between inclusion/exclusion, here/there, us/them, that condition the (im)possibility of translating border concepts smoothly between histories, cultures and identities. Through this methodology we proceed on the basis that thinking in terms of translation offers new ways of theorizing how border logics operate.

An instructive starting point for thinking in greater depth about how the figure of translation operates as an economy of bordering is offered in Sakai

and Solomon's (2006) deconstruction of Foucault's dialogue with Zen monks in Japan. In 1978 Foucault visited a Zen temple in Japan when, among other questions, he was asked by a monk if he thought that his work was understood in the Japanese context (Foucault 1999). Sakai and Solomon argue that Foucault's response, which rejected the notion of authorial intention and thereby challenged the premise of the question, nevertheless suggested that "one reader of the French 'original' and another of the Japanese 'copy' both implicitly occupy the same position in relation to the socially produced meaning of the text" (Sakai and Solomon 2006: 7). What this overlooks, Sakai and Solomon suggest, is precisely the issue of translation and the very possibility that "Japanese translations may well in fact pose questions of 'understanding' back to the 'original' French text in such a way that it requires us to ask of French readers exactly the same question" (Sakai and Solomon 2006: 7).

In their deconstructive reading of the Zen dialogue, Sakai and Solomon show that there are a number of problematic assumptions arising from what they call the logic of "homolingual address" at work in that dialogue—for example, that only French readers read Foucault in French and that all "East Asians" would understand Foucault in the same way (Sakai and Solomon 2006: 7–9; see also Sakai, Chapter 1 in this volume). In their view, homolingual address refers to the presumption that the nature of the social relation between a given addresser and addressee is determined by a bordered, homogenous and pre-existing linguistic community. Such a community is "sanitized" of foreign entities and (re)produced performatively through the "instantiation of 'we' in address": "'We' thus have a long historical experience of encountering 'them,' from whence 'our' experience is immediately communicable among 'us'; 'their' experience, by contrast, *requires translation*" (Sakai and Solomon 2006: 11, emphasis added).

The model of translation shaped by homolingual address is one that presumes and reinforces a series of borders that enable binaries between inside/outside, domestic/international, here/there, which, in turn also come to map language, identity and territory as essentially coterminous (see also Walker 1993). However, it is also important to emphasize that while translation operating as homolingual address may *attempt* to draw these distinctions in such a way, the fundamental ambiguity in all efforts to translate—as hinted at by Benjamin and especially Derrida—also opens up the possibility for another politics, one based on openness, contingency and the "symbolic expansion" of linguistic communities (Derrida 2007: 212). It is also here that we find promise for the task of drawing on a certain model of translation in order to *deconstruct*—rather than reaffirm—the "Europe"/"East Asia" dichotomy.

Deconstructing "Europe"–"East Asia"

In contrast with homolingual address, Sakai and Solomon argue that the model of "heterolingual address" problematizes the very possibility of a "pure" community that is not always already shaped by the exterior or the foreign (see also Sakai this volume). Rather, they argue that the exposure of the self

to the Other via communication is a social relation that is intrinsically marked by radical openness, which implies an alternative model of translation to the one described above: "a notion of democratic translational practice that replaces the sovereignty of 'bodies of knowledge' (typically codified as different regions/nations of the world and their corresponding area studies) with the sociality of 'knowledgeable bodies'" (Sakai and Solomon 2006: 18).

As Sakai elaborates in the opening chapter of this book, heterolingual address is a refusal of the idealistic "homolingual" solution to the problem of incommensurability that exists prior to any attempted translation: "In rejecting the schema of the international world in which individual national languages co-exist through their classification as mutually external to each other, one accepts that one's everydayness is characterized by its scattered pockets of incomprehensibility—this is to say, heterolingual address attempts to approach incomprehensibility from the standpoint that I myself am a foreigner." This reproblematization of address, one that privileges the contingency and open-ness of communication, also chimes with what Balibar (2009: 315) calls the "permanent dialectical interplay" within all bordering practices between "close-ness and aperture." Like Sakai, Balibar finds in the ambivalence of all attempts at closure the possibility for a "democratization of borders" and societies inscri-bed by them: "this is precisely the point where the issue of translation has to be recognized as a crucial issue in contemporary intellectual debates when trans-formations of citizenship are at stake" (Balibar 2009: 322).

Significantly, we would also add that the model of heterolingual address has potentially profound implications for persistent homolingual modes of understanding and translating *between* "Europe" and "East Asia" as if they were separate (and indeed separable) entities: "At the demise of the regime of national translation and under heterolingual address, it would be very obvious that the West cannot be referred to even in the trope of an organic unity that grows or languishes. Yet, our task of the dislocation of the West is not easy at all" (Sakai and Solomon 2006: 18). Notwithstanding the difficulties hinted at by Sakai and Solomon, this volume is motivated by an attempt to deconstruct dichotomous ways of thinking about "Europe" and "East Asian" borders and bordering practices. Rather, we seek to show how these supposedly distinct geocultural categories are historically, politically and conceptually interdependent (and for this reason we use quotation marks when using these terms in order to denote the inherent problem of using them).

In order to move forward to the issues raised in this volume, we need to consider the question of heterolingual address in the act of translation under the specific historical and political conditions addressed in the chapters that follow; that is, from the late 18th century through the 19th and 20th centuries, when Japan and China were experiencing drastic political transformation and a thirst for "Western" knowledge. Many intellectuals from Japan and China, along with foreign missionaries, were often devoted to the task of translating and introducing this knowledge, particularly techniques of governance of the state and theories of political economy. During this period several hundred

books were translated or rewritten into Japanese and Chinese. In her previous works Liu points out that this enlightenment movement involved a complex process of double translation and appropriation: the translation and acquisition of "European" disciplinary knowledge through the act of *re-translating* traditional Chinese and Japanese classics. "Translation" here, then, is no longer a linguistic or technical matter, but an act that re-inscribes different strata of symbolic law into new texts. The appropriative act of translation, demonstrated through the intellectuals of this particular historical moment, opened itself up for new knowledge while at the same time instituting normative law through the discursive political economy of the government of the state. Liu terms this process of translation a practice of "double-edged intellectual work" and "intellectual syncretism": the writer translates heterogeneous disciplinary concepts from foreign languages while at the same time addressing his/her contemporaries. In this way writers appropriated phrases from ancient Chinese and Japanese texts in order to make new knowledge understandable and justifiable. In so doing, "Western" episteme of the 18th and 19th centuries—embodied through different disciplinary knowledge, such as texts by Adam Smith, Herbert Spencer, Aldous Huxley and Jeremy Bentham, to name just a few—were all clothed in traditional Confucian phraseology or traditional Japanese concepts to the extent that these phrases were inscribed with both "European" and "Oriental" notions. Each translated work underwent a process of subjective localization in which diverse epistemic frames overlaid and intersected with each other. As Liu also suggests, it was via this process that the logic of political economy from the "European" context—and consequently the practice of ethico-bio-politics—was introduced into Japan and China (Liu 2011a: 130–31, 2011b: 71, 86).

Knowledge of political economy from the 18th and 19th centuries was circulated along with the rise of capitalism in the age of Great Navigation. The expansion of borders through sea power became the central concern for European empires. The expansion of territories through the extension of borders is part of the strategy of political economy; that is, to secure the safety and prosperity of the homeland, to take care of products, to manage bodies, to exchange goods, and to increase profits through acquiring more products, more goods, more profits and more lands from other sources. The same logic of governmentality was introduced and translated into Japan and China through the wholesale embrace of "Western" knowledge by intellectuals and statesmen. The rise of nationalism and the adaptation of international law since the 19th century made the concept of the national border a local concept and a local practice.

Each of the chapters in this volume examines specific cases of the constitution of these borders—either horizontally between the states or vertically within social, racial and ethnic strata—and demonstrates that though practiced locally and subjectively in various forms, the issue of borders is overdetermined globally. All of the cases presented here are examples of border disputes and bordering practices by the modern state in "East Asia" that have already followed the articulation of the national border and security law "translated" from the "West." While acknowledging the establishment of "East

Asian" borders defined by international politics over the past two centuries, the essays in this volume are committed to a careful examination of historical processes and complex discursive contexts so that borders are questioned, problematized and pluralized. Be it the geographical border, linguistic border, ideological border, or virtual border; whether it is the external physical border or the internalized bordered consciousness; each author not only problematizes the border, but also offers new insights as to how it might be possible to divert from the axis of empirical translation and to point to transferential and transgressive translation as modes of intervention and resistance.

Map of the book

Chapter 1 (Sakai) presents an original theory of the relationship between borders and translation, elaborating in particular on the twinned concepts of homolingual and heterolingual address already referred to in this Introduction. Chapters 2 (Liu), 3 (Hwang), and 4 (Lin) then explore the theme of translating borders across history, culture and identity in the Taiwanese contexts. Chapters 5 (Lan) and 6 (Nishiyama) discuss intellectual histories and contemporary security practices in the case of Japan's maritime power through the lens of translation. Finally, Chapters 7 (Barabantseva), 8 (Chu) and 9 (Nordin) feature research on translating contemporary Chinese border issues, including China's migrants, Internet governance and resistance.

Liu's analysis of the case of the Taiwan Strait between China and Taiwan— as well as the DMZ between North Korea and South Korea—demonstrates that the national geographical borders in fact were superimposed and over-determined more by external forces than by domestic sovereign decision. "Border consciousness" established on the basis of the national border, however, was the anchorage for subjective identity and a checkpoint to sanction activities and ideas in the domestic sphere. The operation of distinction and governance through internal border consciousness was also the catalyst for intra-communal language battles, as in the case of the Peh-ōe-jī (POJ) movement in recent years in Taiwan. Liu's analysis draws in part on Carl Schmitt's *The* Nomos *of the Earth*, but ultimately diverts the discussion towards a reexamination of the ideological sedimentations and substitutions of the bordered state con-solidated from past histories. Inspired by Balibar, Liu seeks to challenge all forms of linguistic activities dependent upon land occupation, rule establishment, partitions, classification and self-serving discourse, so as to consider what it might mean to democratize the border.

Hwang scrutinizes two forms of knowledge in terms of the formation and transformation of Taiwanese identity—that is, historical and political knowl-edge in Taiwanese scholarship since the 1990s. The former knowledge implies a continuous and complete history of Taiwan based upon a shared origin, while the latter stresses a shared identity through the process of democratiza-tion. What is common to both tactics is that they result in the production of the "bordered subject," which in turn shapes certain modes of self-identification.

Instead, Hwang calls for a different move in order to approach identity not through the search for a "shared past" but rather for a "joint future." He argues that such a task should be done through "a genealogy of the different modes to which the people residing in the island of Taiwan are made subject" and to expose "the beginnings and developments of current subjectifying discourse and bordering practices."

Taking the lead suggested by Étienne Balibar's writings on borders and translation and Michel Foucault's notions of *dispositif* and heterotopia, Lin's chapter carefully reexamines the dispute over the Diaoyutai islands, demonstrating how the process to formulate the terms of negotiation was bound to overcast with inequality and violence, and how alternative resistance by activist movements against the existing political regime could not help but fall into the same loophole of nationalist mobilization and conventional border politics. Lin argues that only by taking into consideration both shared and differing experiences within the region could some form of "collective translation" be achieved. By translation, here Lin means the meticulous labor of historicization and reciprocal translation of experiences, as well as continual invention from the local *minjian* with new terms and frameworks to deal with differences and incompatibilities, and this is precisely what Lin addresses as "East Asia in translation."

The chapters by Lan and Nishiyama illustrate the emergence of the imagination and translation of the maritime nation and sea power in "East Asia"— particularly in the context of Japan—which shaped historical processes from the 19th century to contemporary security practices as illustrated in the case of the Diaoyutai islands.

Lan's chapter traces how Japanese intellectuals from the end of the 18th century took inspiration from Dutch knowledge and began to configure Japan as a new maritime nation in contradistinction with China, traditionally a continental nation. From the rise of expansionist Asianism (Pan-Asianism) at the turn of the 19th century to the expansion of the borders of Imperial Japan in the 20th century and contemporary border conflict, the maritime border is shown to be a key issue. Lan argues that Alfred Thayer Mahan's *The Influence of Sea Power upon History, 1660–1783* (1890) not only affected American national policy relating to the expansion of maritime borders, but also had a significant impact on Japan after its translation into Japanese in 1892 and the rationalization of Japan's military expansion after the Russo–Japanese War and its "Southward advance" policy. His theories have also been widely discussed by contemporary Chinese scholars who have advocated the development of China's naval force of today in order to produce a "strong maritime nation."

Mahan's theories of sea power are also reflected in the Exclusive Economic Zone (EEZ) articulated in the third United Nations Convention on the Law of the Sea in 1982. In his chapter, Nishiyama discusses the incident in September 2001 off Amami Ōshima and develops a topological translation of the contemporary relationship between borders, sovereignty and bodies in the context of maritime power. Nishiyama suggests that maritime borders—the invisible

borders of the free movement of the sea—inscribe, geographically, politically and economically, the alleged necessities of national securities. Nishiyama further suggests a topological imagination of the spatialization of the exception beyond the "original" demarcation of borders understood simply as lines: a performative act that could challenge the dominant governmentality of bodies and points to their "ungovernability."

In the third part of the book, on contemporary Chinese border issues, Barabantseva examines how the Chinese state's diaspora policies translate and reinterpret the national vision of China as a multiethnic nation in a transnational context. The emphasis on unity and cohesion over diversity within the Chinese nation and its policies concerning population control is translated and reproduced at the international level with the domestic national identity discourse. As Barabantseva points out, these discourses and practices "nationalize the history of migration from China" and make these diverse people a part of Chinese national narrative and its multiethnic present, while the "actual positions and experiences" of the overseas Chinese ethnic minorities and the changing character of the migrant identities do not fit the dominant narrative.

Chu's chapter moves to the question of the Great Firewall in China, a technique reported to be a counter-espionage barrier that protects citizens, but one that in fact exercises surveillance and censorship against its own people on the Internet. Chu suggests that the Great Firewall grows metaphorically as a "virtual border" and that the sophisticated techniques of Internet control, overseeing online content and monitoring activities at all levels of Internet service, is further supported by collaboration between the state and multinational corporations. In his analysis Chu rejects Gadamerian hermeneutics modeled on translation, drawing instead on Leo Strauss's articulation of persecution and the art of writing.

Finally, the "cyber curtain" and "virtual border" are also examined by Nordin. In her chapter, Nordin explores the language-play of the "Grass Mud Horse" as a counter-bordering practice, which challenges the online ban over content-sensitive phrases in China. Nordin suggests that such language-play operates through a different mode of translation and transposition, which demonstrates the potential to confront and challenge (virtual) bordering practices.

Notes

1 We would like to thank two anonymous reviewers for their advice in the preparation of this Introduction.
2 There are some notable exceptions. See, for example, Bouzas 2012; Rajaram and Grundy-Warr 2007; and Shewly 2013.
3 For more on Derrida's deconstruction of Benjamin's essay and his views on the question of translation see Derrida 2007.

2 The Taiwan question

Border consciousness intervened, inverted and displaced

Joyce C.H. Liu

Introduction

Territorial borders in East Asia were settled in the last two centuries on the basis of treaties after several major wars. These geographical and mathematical lines of division appear to be self-manifest and stable, but persistent border disputes, and the complex nationalist sentiments triggered thereby, reflect the fact that these borders are precisely unresolved political problems left over from the past. These national borders are by no means solely determined by the sovereignty of any single state, but by different external political positions and historical factors, both related to each of the neighboring parties involved in the conflict and to remote global forces.[1] The fact that oftentimes external forces intervene in the border between two political entities creates even more complex problems. The water border across the Taiwan Strait, for example, as a demilitarized buffer zone in an analogous mode to the demilitarized zone (DMZ), 38th parallel, between North Korea and South Korea, has been interposed in the post-war era not only by the two great powers of the USA and USSR, but also by the USA and the People's Republic of China (PRC). The border consciousness is further strengthened as a marker of national identity through domestic education and cultural policy to the effect that these borders, besides the control of exit and entry, function as the checkpoint of inverted surveillance, sanctioning activities and even thoughts in the domestic domain.

The internalized checkpoint, as the anchorage of identity and distinction, operates as a strategy of governance and seeks its correlative markers through various forms of the visible, including national identity cards, passports, resident certificates, birth places, ancestral origins, partisan positions, even gradations of vowel sounds and the phonic variations between the dentilabial or the glottal sounds, and so on. The internal border consciousness is also exercised as the mode of subjectification and could easily be observed in the lingering Cold War mentality in the post-Cold War era in East Asia, not only in the obvious present-day tensions between North Korea and South Korea, between mainland China and Taiwan, or mainland China and Hong Kong, but also within respective domestic domains. The reproduction of the border consciousness

was reinforced by the political-juridical definition of bordered sovereignty, and its policy of cultural governmentality, and such reproduction makes reconciliation between the antagonistic states of East Asia impossible.

The aim of this chapter is to problematize the concept of political entities defined by the juridical positivist international law, a positivistic translation of international law according to the *Jus Publicum Europaeum*, and to point out that this concept of political entities does not match the ongoing drastic mutations of societies formed over the passage of history. First I shall discuss the DMZ phenomenon of the Korean case as well as the Taiwan case, and illustrate how the interventions of external forces affected domestic security policy and constituted bordered Cold War mentalities that still linger in today's East Asian societies. Second, I shall examine how the Taiwan Strait crises in the 1950s were over-determined by complex local as well as global instances, how these events were mainly the result of the contest of power between the USA and PRC both over East Asia and globally, and how these historical processes had lasting effects on the antagonistic mentality of the general public in the domestic scene who fended against one another as a possible threat and danger. Third, I shall illustrate how the Cold War structure and border consciousness have recurred in East Asia in the post-1989 era by providing a case study of the recent disputes in Taiwan over the battle of the "language of Taiwan" and the "language of China." Through this case study, we can see how internal strife mirrors and repeats the inversion of the security border across the Taiwan Strait. Fourth, I shall analyze the paradox of the Taiwan question, and query the positivistic jurisprudence in view of the changed situation of the societies.

In order to theorize the Taiwan question, I propose to re-think the concept of *The* Nomos *of the Earth* discussed by Carl Schmitt in his important book.[2] I suggest that we need to examine the role played by the *nomos* of the earth, not as the land-taking and space-inhabiting act or the multi-polar blocs suggested by Schmitt, but as the norms created through the economy and *dispositif* of language policies in the public sphere to the extent that language forms partitions, occupations, classifications and exclusions. Language carries out the land-appropriation and land-holding activities of the imperialist and the colonial expansion through different levels of institution. The building of modern nation-states in East Asia in the 19th and 20th centuries, though in reaction to the imperial expansion as well as the Cold War bloc strategy, also exercised this function of the statist appropriation and occupation of space through language policies and language education, based on the juridical translation of the political border. The effect of the Cold War structure, then, is deeply rooted as the regime of the sensible, as discussed by Jacques Rancière (1995, 2004), shared by the members of society, and exercises its logic of partition, separation and exclusion.[3] As a conclusion, I propose to acquire a topological vision of the state by constantly challenging and emancipating the boundaries and partitions exercised by language so that the place can welcome newcomers as co-dwellers to form the community.

An inverted and militarized DMZ: the case of South Korea

The incident of Song Du-yul (송두율), as documented in *The Border City II* by Hong Hyung-sook (홍형숙), made in 2009 and released in 2010, presented an exemplary case of the bordered mentality of the post-Cold War condition not only in South Korea but also in East Asia in general (Hong 2009). Song Du-yul, a political philosopher teaching in Germany during his 37-year exile, is a South Korean dissident figure. After he finished his doctoral studies in 1972, supervised by Jürgen Habermas, Song began to make visits to North Korea, inspired by the idea of Ostpolitik, "change through rapprochement," that was emerging in West Germany in the 1970s, with the sense of mission that he could serve as a bridge to aid mutual communication and understanding between the two Koreas. From 1973 onward, Song visited North Korea 18 times and joined the Workers' Party of Korea. He wrote articles on North Korea, and also organized large-scale protests in 1980 in Berlin, protesting against the violent military suppression of the Gwangju Uprising. All these activities made him a leading progressive figure of the democratic movement in South Korea, but also suspected by the government for treason. Upon his return to Seoul in 2003, he was soon detained by the National Intelligence Service, interrogated and held in custody for nine months, and in 2004 finally found guilty of being a "public enemy" and of "espionage," for having aided activities of anti-state and pro-North Korea organizations. He was sentenced to seven years' imprisonment. After his appeal, he obtained a five-year suspension and then left for Germany to resume his teaching. The charge was revoked and he was found not guilty in 2008.[4]

The documentary *The Border City II* acutely grasped the turmoil and tensely aroused sentiments among the general public. The vehement resentment and suspicion triggered by Song's actions, the indignant and self-righteous criticism, and the sharp hostility against anything associated with the color "red," flooded in and overwhelmed the entire society. The communist phobia and imperative of patriotism as depicted by the director Hong Hyung-sook are as real as they were in the Cold War era. Song's objection to giving up his German citizenship and his insistence on remaining a "border citizen" with dual nationality, on this occasion, were even more intolerable to them. The media presented him as the "greatest spy" in South Korea since the end of World War II. Whether it was the conservative right wing or the progressive left, people began to question his moral status due to the ambiguity of his loyalty to South Korea. People from the conservative camp boldly expressed the opinion, when interviewed in the street, that Song "should be treated with the highest penalty, even death" (from Hong 2009). The progressive camp, on the other hand, demanded that Song apologize in public for his misconduct so that his case did not damage the image of the progressive party in the coming election. No human rights lawyer from the democratic camp, furthermore, was willing to defend him. The camera captured the cruel and humiliating

scene in which a crowd of reporters besieged the car, crawling across the front window, flash-photographing Song.

South Korea has long-since ended the dictatorship of Chun Doo-hwan (전두환) and established its democratic system from the 1990s. The 15 June North–South Joint Declaration signed by the leaders of North Korea and South Korea in 2000 agreed, among other things, to resolve the question of reunification independently and through the joint efforts of the Korean people. Following the example of the fall of the Berlin Wall in 1989, the Declaration in 2000 appeared to indicate a relaxation of hostilities on both sides of the border. As a result of the negotiations, numerous families were reunited after a 50-year separation. On the Freedom Bridge, at the 38th Parallel, which separates but also links the two sides of the DMZ, hang countless colorful cloth strips inscribed with blessings and nostalgic sentiments for separated family and friends on the other side.

The Korean DMZ turns out to be a unique aestheticization of the political will not merely of the two Korean states, but also of the Cold War between the USA and the USSR/China. The DMZ, 250 kilometers (km) (160 miles) long, approximately 4 km (2.5 miles) wide, is the terrain on which the law of the armistice agreement has been enforced since 1953, at the end of the Korean War. Although it is named the "demilitarized zone," it is in fact highly militarized, stationed and patrolled not only by the two Korean military forces, but also supported by US military forces on one side of the border, and Soviet and PRC military forces (during the Cold War era) on the other side. The armistice agreement in 1953 specified clearly what sorts of weapons and how many military personnel were allowed in the DMZ. Even though North and South Korea agreed to withdraw their troops from the central front line, later it was discovered that there were four incursive secret underground tunnels crossing the DMZ, dug by North Korea, the last one discovered in 1990.

Intensely guarded from both sides, between the Northern Limit Line and the Southern Limit Line, the DMZ serves as a buffer zone controlled by various forces and thus an "object" of international politics, as discussed by Carl Schmitt in the case of Germany as a "demilitarized zone" in 1925, though in a different historical context (Ulmen 2003: 12). Even though each side acknowledges the demilitarization of the "border," tense hostility and aggressiveness nevertheless traverse beneath the calm surface. Aggressive acts not only come from the North, but also from the South; moreover, they are not only expressed by government spokesmen but also and above all in daily life experiences, to different degrees, among the general public. As a buffer zone, the DMZ guards not only against external threats and attacks, but also against internal instability, and therefore serves as an inward-directed security line penetrating the domestic sectors of local society. Song Du-yul's case ignited the violent but self-justified hatred among the civilians of the democratic society of South Korea. The Cold War mentality was maintained and re-discharged in different, displaced forms with psychological barricades in different corners of society. Song deliberately returned to South Korea to test whether this society

could free itself from the rigidity of opposition and accept him, after years of democratic practice, but in the end he had to face trial not only in court under the National Security Act, but also by the population based on the regime of the sensible—that is, their shared common moral feelings: political judgment, distribution of aesthetic tastes, partition of the rightful places in society and so on. The "border city" Song insisted on inhabiting, a zone of ambiguity that blurred the demarcation of the two states, is too foreign for the citizens of South Korea to come to terms with.

An intervened and over-determined border: the Taiwan Strait crises in the 1950s

An analogous case also took place in Taiwan. Lin Yi-fu (林毅夫), who gave up his graduate studies and joined the army as a captain in the Republic of China (ROC) Army in Taiwan and was reputed to be a patriotic student in the newspaper at that time, "defected" to mainland China in 1979 by swimming from Quemoy (also known as Kinmen, Jinmen) to the nearby island Xiamen of Fujian Province.[5] It was the year when the normalization between the PRC and USA was established, and the PRC and ROC announced their agreement to cease bombardment across the Taiwan Strait.[6] Lin later finished his doctoral studies at the University of Chicago in the USA, returned to China and became a leading economist, served as consultant to major international organizations, senior vice-president of the World Bank and was elected a Corresponding Fellow of the British Academy in 2010.[7] However, more than two decades after the lifting of martial law in 1987 and the opening of communications across the Taiwan Strait, with a massive population of Taiwanese merchants inhabiting different cities in China, with over 1,500,000 people and US$1,295 million investment in 2013, Lin was still denied re-entry into Taiwan by the ROC government, unable even to attend his father's funeral, due to the fact that the charge of desertion was still in effect. In a statement by the vice-minister of national defense of the ROC on 17 April 2011, applying "the criminal law of the armed forces," a law instituted in 1940 during the Sino–Japan War, Lin's case was still identified as "hindrance of military service," punishable by the death penalty, life imprisonment or a sentence of at least 10 years in jail. The announcement also stressed that there is "no expiry date of the prosecution" in Lin's case (Kastner 2011). On 13 January 2014, the Prosecutor's Office of the Martial Court of the Ministry of Military Defense still maintained the routine warrant of the order to arrest Lin at all police offices, airports and ports.[8]

The Taiwan Strait, a water border between the PRC and ROC, is not only a highly militarized zone, but also a highly politicized one; more specifically, it has been used as a field of maneuver between the PRC and the USA. The distance between the island and the mainland ranges from 130 km to 400 km, with Quemoy located approximately 10 km from Xiamen.

When we now look back on the historical conjuncture of the two Taiwan Strait crises in the 1950s, we realize that these events cannot be described as merely a continuation of the civil war between the KMT (Kuomintang, or Nationalist Party) and the CCP (Chinese Communist Party) that ended in 1949. The political conditions of the Taiwan Strait crises were complex and over-determined, and have to be examined in the global context, especially through the strategic balance of power between the USA and the PRC. According to Chang's (1990: 70–80) study, Loy Henderson, a US Foreign Service officer and diplomat stationed in India, remarked that after World War II, US international policy had become global in nature. Harry S. Truman's military disposition throughout the world was carefully planned. Taiwan's location is crucial in the traffic routes between Japan and Southeast Asia, including the Philippines and Okinawa. Washington decided to control Taiwan so that communist China could not use it as a springboard to extend the power of the communist camp (Chang 1990: 70–80). Various recent studies also have pointed out that what the USA and PRC were contending for during the 1950s was power over East Asia, and Taiwan happened to be the leverage of this power play between the two greater forces (Chang 1990; Garver 1997: 1–8, 112–47; Tucker 2005: 190).

In the first Taiwan Strait crisis from 1954 to 1955, Taiwan was obviously utilized by Mao Zedong to hold back the USA's expanding control over East Asia. From the beginning of the Korean War, the US Navy's Seventh Fleet officially positioned itself in Japan, South Korea and Singapore. The Fleet also moved its forces to the Taiwan Strait on 26 June 1950 to prevent the PRC's military "liberation" of the ROC in the confusion of the war. In addition, the USA began to seek an alliance through the Southeast Asia Treaty Organization (SEATO) during 1953 and 1954. The Sino–American Mutual Defense Treaty, signed in 1954 between the USA and ROC, agreed that the ROC would maintain legitimacy as the sole government of the whole of mainland China and that the USA would aid the ROC and provide military support to protect it, including Taiwan and the Pescadores, against invasion by communist China.

The intention of the USA to expand its military power over East Asia irritated Mao Zedong. Right after the ceasefire agreement on the DMZ and the end of the Korean War signed at the Geneva Conference in July 1954, Mao sent a telegram to Zhou Enlai, stating the decision to "liberate Taiwan" in order to put an end to the US military intervention in the East Asia region. The People's Liberation Army (PLA) of the PRC started to bombard Quemoy on 3 September 1954, and tensions heightened to the point where there was a real threat of nuclear attack by the USA against the PRC. The crisis point was averted at the Bandung Conference held in 1955, when Zhou Enlai declared that the PRC sought only peace and had no intention of starting a war against the USA, and expressed a willingness to discuss with the USA the relaxation of tensions in the area of Taiwan. The Sino (PRC)–US Ambassadorial Talks began in 1955, first in Geneva and later in Warsaw, taking place on 136 occasions until Henry Kissinger's visits in 1971 opened the path to the normalization of USA–PRC relations.

The second Taiwan Strait crisis, in 1958, proved once again that the status of Quemoy, as well as Taiwan, was being used as a test field and object of maneuver within the USA–PRC contest for power over East Asia. Early studies on the 1958 Taiwan Strait crisis by US scholars tend to suggest that Chiang Kai-shek successfully maneuvered the situation to involve Washington in a military confrontation with communist China, so that the KMT government could take advantage of the enlarged scale of battle to recover the mainland. According to these studies, Chiang Kai-shek made use of the subtle tension between the USA and China and controlled the key to the conflict to the extent that his diplomatic tactics far surpassed those of Mao Zedong. Chiang Kai-shek was the only winner on this occasion, while the USA was the loser.[9] Other studies, however, suggest that the USA remained ambiguous in its policy on the Taiwan question from the beginning of the 1950s. Even though the USA and ROC signed the Sino–American Mutual Defense Treaty in December 1954, following the Southeast Asia Collective Defense Treaties signed in September 1954, as a preventive anti-communist act to contain the Chinese communist powers, claimed by the USA as a "common threat," from spreading to the East Asian area, President Dwight D. Eisenhower and Secretary of State John Foster Dulles never promised to fight for the ROC government if there were a real war (Chang 1990: 121, 136–45; Garver 1997: 112–14; Tucker 2005: 53–54). Recent studies based upon the release of Chiang Kai-shek's diary also testify that Chiang Kai-shek was not at all in control of the situation and was very frustrated by the changing policy of the White House, from Truman to Eisenhower, concerning the Taiwan Strait question. Chiang Kai-shek even declined the proposal to attack the mainland suggested by General Sun Li-ren and criticized his reliance on the USA as impractical and dangerous (Chang 2011: 633–58).

By 1957, the USA had rapidly strengthened the military forces of the ROC government, including the Martin MGM-1 Matador, with a W5 fission warhead, at Taichung Ching-Chuan-Kang Airport, which was reopened and extended in 1954, based on the Sino–American Mutual Defense Treaty. Chiang Kai-shek had moved one third of his military forces to the offshore islands, including Quemoy, the Penghu Islands (Pescadores) and the Matsu Islands. Mao announced his decision to bombard Quemoy on the opening day of the Beidaihe meeting, the extended meeting of the CCP Politburo, on 17 August 1958. According to Mao's address to the people in Taiwan, this shelling was "an act of punishment" for Chiang Kai-shek, and aimed to check the USA's ambitions in East Asia (Ye 1988: 678–80).

However, the decision to bombard Quemoy was rather more complicated. On 14 July 1958, the Hashemite monarchy of Iraq was overthrown by the pro-Soviet Arab Socialist Ba'ath Party. US and British troops quickly moved in on 15 July to support the Hashemite government (Shen 2007: 85–86). Upon the intervention of the US and British armies, which moved into Lebanon and Jordan, Mao Zedong announced the decision to shell Quemoy in order to show the PRC's support for the Arabian people's war in the Middle East

by holding US military forces in the Far East (Chen 2001: 185–86; Shen 2007: 649–56). However, even before Mao's declaration of bombardment, the UK and USA had recognized the new government and, as Chen Jian stated, "by that time, the tension in the Middle East had already been greatly reduced"; from early August, Washington and London had both "begun to withdraw their troops from Lebanon and Jordan." There was no longer the need to detain the US forces. "As a result, Mao's original rationale to shell Quemoy— 'to support the people in the Middle East'—was no longer a valid justification for the decision" (Chen 2001: 172, 181). Chen further suggested that "the logical interpretation … can only be that [Mao] was driven by domestic political considerations" (Chen 2001: 181). Later that year, on 8 September 1958, Mao said:

> To whose benefit is the tense situation of Taiwan? … Now our country is entirely mobilized. If there were 30 to 40 million people on the streets protesting in the events of the Middle East, now we can have 300 million mobilized so that they can get some education and training. It would be good for the unification of the different democratic parties. Different parties can share the common goal. The resentment and unhappy experience from the past caused by the criticism could then be dispersed.
>
> (Ye 1988: 416, author's translation)

Mao was referring to the Hundred Flowers Campaign in 1957 in which the "rightists" suffered severe persecution. Mao's initiation of the Great Leap Forward as the next step of the "uninterrupted revolution" in 1958 indicated his intention to move away from the ideological and political fronts fought in 1957 and head towards the next revolution to catch up with the USSR (Chen 2001: 204).

Yitzhak Shichor, a professor of political science and Asian studies at the University of Haifa and the Hebrew University Jerusalem, has suggested a different aspect involved in the Taiwan Strait crisis in 1958. Shichor points out that even though China criticized the imperial ambitions of the UK and USA during the events of Egypt's nationalization of the Suez Canal, China never really intended to become militarily involved in the Middle East. Its strategy was to increase its alliance with the Arab nations and, from total isolation in 1950–55, China gradually gained recognition by seven countries in the Middle East and North Africa, including Egypt, Syria, Yemen, Iraq, Morocco, Algeria and Sudan, after the Bandung Conference in 1955. As for the 1958 Taiwan Strait crisis, Shichor suggests that the shelling of Quemoy was in fact an indication of the increasing friction between Beijing and Moscow (Shichor 1979: 89–96).

The changing situation in the Middle East in the 1950s testified to the turnover of greater power from the UK and France into the hands of the USSR and USA. The PRC in the late 1950s was, on the one hand, beginning to alienate itself from the USSR after Nikita Khrushchev's secret speech in 1956, at

the 20th Party Congress, denouncing Stalin's purges; on the other hand, it was still working to contain the USA's expansion and to hold its own military posts established in Taiwan, Lebanon and elsewhere all over the world. On 5 September 1958, Mao referred to the Taiwan question as a "noose strategy" (*jiao-suo-zheng-ce*): "the neck of the USA was hanged in the iron noose controlled by China … Where there is a US military base, there is a noose hung up … The USA made the noose, hanged itself and threw the end of the noose to China so that we can hold it" (Ye 1988: 407, 413; see also Mao 1999). Considering the historical conjunctures on the global scene, the Taiwan Strait crises in the 1950s were symptomatic. Determined by various conditions, including the contest of power between the PRC and the USA over East Asia, as well as over the Middle East, the domestic friction caused by the anti-rightist movement in 1957, the competition and growing alienation between the PRC and USSR, all made the Taiwan Strait a field of power play, while the reinforced border caused by the two crises left indelible marks on the communities located on both sides of the Strait.

Chen observed that although the 1958 Taiwan Strait crisis successfully mobilized the people, China paid a large price for it, including worsened relations between Beijing and Moscow, increased tensions between China and the USA, a three-year famine and the deaths of 2–3 million people resulting from the Great Leap Forward which started in 1958. This "uninterrupted revolution" eventually "led to a greater disaster on the path toward [the] Cultural Revolution" (Chen 2001: 204).

Moreover, McCarthyism became an internalized and displaced regime of the sensible in communist China, functioning in a reverse form. All relations or traces associated with the USA or Taiwan were viewed as dangerous and classified as "rightist" or "capitalist." Intellectuals were especially crudely persecuted under the classification. The "class contradiction" in the era of the Cold War divide took its shape determined by its opposite. The state held its dominant position by fixing its internal "enemy" in order to stabilize its central power structure.

Taiwan, on the other hand, had become a typical example of an anti-communist camp, or communist-phobic state, shaped by the USA. Consequently McCarthyism functioned more effectively in Taiwan under the state of emergence, by executing martial law and garrison command. The Publishing Act in Taiwan, for example, which was established by the KMT Nanjing government in 1930, went through two major revisions, the first in 1952 and the second in 1958. It was an excuse to arrest people whose thoughts and behavior were suspicious, and to put them in jail in the name of national security. There were numerous cases of intellectuals, publishers and reading group members being accused, arrested, imprisoned or executed. Cases of murder or execution, under the crime of conspiracy or alliance with communist rebellion members or spies, amounted to some 4,000–5,000 people. More than 8,000 people were given life imprisonment. A popular saying expressed the state of mind at that time: "There is a little '*jingzong*' [office of the garrison command]

in the heart of everyone." The internalized border checkpoint functions not only against other people but also against oneself. The result of the Cold War divide was that the history of the first half of the 20th century, especially the parts associated with the Chinese leftist movement and the socialist revolution, were effaced from the history textbooks and from the memories of the people of Taiwan.

Post-1989 Cold War structure and border consciousness

As Étienne Balibar pointed out, the erasure of old borders or strategic "blocs" in the decades after the disintegration of the Soviet Union does not prevent the emerging multiplications of borders at the heart of civic space which serve as collective and fetishist limit lines, separating identities and controlling populations. Balibar suggested that these displaced forms of borders are actually remnants of historical records from the foundation of the modern nation-state. The proposal of European citizenship and the euro bloc in fact introduced the global capitalist monopoly into the local economic system, while at the same time reviving the border politics implied in the definition of citizenship that is nationalistic in nature (Balibar 2004a: 110).

The case in East Asia after the dissolution of the Soviet Union in 1989, though different from the situation in Europe, is analogous in various ways. In East Asia, the communications and peace talks across the Taiwan Strait after the lifting of martial law in Taiwan, or the end of the Cold War, likewise, do not suggest that relations of peace are really established. On the surface, the rapid growth of economic development in China in the 1990s and commercial exchange across the Taiwan Strait, with huge increases in the business populations of several big cities in China, seemed to depict prospects of a liberalist market and harmonious collaboration on various fronts. However, the introduction of a global capitalist monopoly resulted in drastic changes in Chinese society, not only widening the gap between the rich and the poor, but also causing irremediable friction between the neo-liberalist intellectual and socialist intellectual camps. Moreover, underneath the surface of economic growth and commercial exchange, nationalist sentiments increased through exposure to encounters. Taiwan in the 1990s appeared to be much more economically developed than mainland China, while in the 2000s the conditions seemed to have reversed. Nostalgia for the homeland cherished by those people who either emigrated to Taiwan in 1949 along with the KMT government, or by the younger generations who held the cultural history as their own heritage, was soon shattered by disillusionment at the sight of the people and the long-gone hometowns that they observed in the early 1990s. The contrast between the worlds on the two sides of the Strait intensified the conflict and defense mechanisms on both sides for various reasons.

The 1995–96 Taiwan Strait crisis in which the PRC undertook a series of missile tests to warn against President Lee Teng-hui's policy of Taiwan independence

and to intimidate in the run-up to the 1996 presidential election was a key moment that created severe antagonism among the Taiwanese people towards the PRC. The Anti-Secession Law (反分裂國家法),[10] passed by the third conference of the 10th National People's Congress of the PRC and ratified on 14 March 2005, was another incident that ignited tensions over the Taiwan Strait. As a whole, the Anti-Secession Law claims to promote people-to-people contact as well as scientific, economic and cultural exchange between the PRC and ROC. However, this law also prepared the ground for suppression through military force due to the fact that in the eighth Article it clearly states that the PRC can use "non-peaceful action" if Taiwan declares independence, so that the possibility for "peaceful unification is lost." In order to arrive at this preventative measure, the presumption behind the text is that, first, Taiwan is part of the territory of China and the current Taiwan question is left unresolved from the civil war of the 1940s; second, "safeguarding China's sovereignty and territorial integrity" is the common obligation of all Chinese people, including "Taiwan compatriots"; and third, the Taiwan question is China's "internal affair" and subject to "no interference by any outside forces." The Anti-Secession Law also specifies that should the event occur, the State Council and the Central Military Commission can "decide on and execute the non-peaceful means and other necessary measures" before they report to the Standing Committee of the National People's Congress (Lieberthal 2005; Zakaria 2005). This Anti-Secession Law was also reinforced in subsequent years through the expansion of the Second Artillery Force of the PLA and the enhancement of the ballistic missile infrastructure opposite Taiwan (see Stokes 2011).

Taiwan certainly does not agree with the PRC's territorial inclusion and the Anti-Secession Law reminded people of their resentment against the gigantic, threatening power from China. The claim of national sovereignty, however, is by no means a settled issue and in fact creates heated polemical debate within Taiwan. The proponents of Taiwan's nativist independent movement radically challenged the legitimacy of Chiang Kai-shek's ROC government that moved from mainland China to Taiwan in 1949. They claimed that the history of Taiwan was entirely separate from that of Chinese culture and, defined according to the locale of Taiwan, its written history extends only for 400 years, paradoxically starting from Zheng Chenggong's settlement in Taiwan as a gesture of rejection of the Qing government and as the continuation of the previous Ming Dynasty that the Qing government overthrew. The ROC government, the one succeeded from the 1911 revolution that overturned the Qing Dynasty, is criticized by Taiwanese nativists as a foreign regime, exiled from China, intruding in and colonizing Taiwan just as preceding colonial governments had done, from the Dutch, to the Portuguese, to the Qing, to the Japanese. The Democratic Progressive Party (DPP) ratified a document concerning the "Resolution of Taiwan's Future" at its eighth annual national assembly on 7–8 May 1999 in Kaohsiung, declaring that the independence of Taiwan began in 1996, the year when the first popular presidential election in

Taiwan was held.[11] Huang Kun-hui, the current chair of the Taiwan Solidarity Union, also criticized the ROC Constitution as a phantom constitution, drafted in Chiang Kai-shek's era, which still considers mainland China as part of the ROC's territory and sovereignty.[12] The old anti-communist position or communist-phobic attitude resumed and has been displaced by today's anti-China discourse upheld by the DPP.

The 'language of Taiwan' at war with the 'language of China'

The sharp language dispute in Taiwan in 2011 concerning the use of romanization to replace Chinese characters demonstrated another typical example of the inverted and internalized security line that marks different territories and separates different loyalties. Huang Chun-Ming, a well-known Taiwanese novelist of the older generation who was crowned as the representative of local Taiwanese writers because of his use of Taiwanese dialects in his depictions of down-to-earth and marginalized personages from small villages, complained at a conference on Taiwanese literature about the translation of his works by the *Taiyuwen* promoters through romanization which had changed his work entirely.[13] While he was delivering his presentation, Chiung Wi-vun, an advocate for the *Taiyuwen* movement and a professor from the Department of Taiwanese Language and Literature of Cheng Gong University, located in Tainan, stopped Huang's presentation and criticized him as "shameless" because he was using "the language of China" instead of "the language of Taiwan," so-called *Taiyuwen*. The reasoning behind the *Taiyuwen* movement is that the "majority" of Taiwanese people use *Taiwanhua* in their daily lives, and therefore it should be the national language, and the written script should reflect the phonic pattern and syntax of the spoken language through transliteration with Latin romanization.[14]

The use of transliteration to render indigenous dialects or vernacular *Taiwanhua* with Latin alphabets dated back to the 17th century, when the Dutch people first colonized Formosa (Taiwan) and used the transliterated version of the *Bible* to educate the indigenous people.[15] The system of *Peh-ōe-jī* (白話字, POJ), the romanization of the vernacular language, was developed in the latter half of the 19th century by missionaries from the Presbyterian churches in southern Min Province, first in Xiamen (Amoy) and then in Taiwan.[16] The Scottish missionary Thomas Barclay started the publication of *Tainan Church News* (*Tâi-oân-hú-siân Kàu-hōe-pò*) in 1885, the first printed newspaper in Taiwan, using POJ.[17] The KMT government banned the use of all dialects in 1969 in the wave of Chinese cultural renaissance in order to serve as a counter-force against the Cultural Revolution started in the PRC. After the lifting of martial law and the changeover of government from a mainland-centered ideology to a nativist-oriented ideology in the 1990s, POJ education was promoted again, especially by representative figures of the Presbyterian Church.[18]

Chiung Wi-yun Taiffalo, as one of the chief proponents of POJ, along with members of the Presbyterian Church in Taiwan, insisted on replacing Han

characters with POJ as the Taiwanese national language. He argued that the marginalized regions of the Chinese empire, such as Vietnam, Korea and Japan, respectively gained their independent national identity through de-Sinicization, i.e. abandoning the use of Han characters; therefore, Taiwan should follow suit (Chiung 2005: 1–25, 88–142). He even stressed that the first Taiwanese literature, instead of that written in the Chinese language in the late 19th century, was that written in POJ (Chiung 2005: 35–36).

The paradox in the nativist POJ movement lies in the fact that so-called *Taiwanhua* or *Taiyuwen*, "Taiwan language," is also named as a southern Min dialect, the language used in the southern area of Fujian Province, from which most early Taiwanese settlers emigrated starting from around the mid-17th century, when Zheng Zhilong and his son Zheng Chenggong recovered Taiwan from the Dutch colonial government.[19] The problem with the romanization of *Taiwanhua* is that the northern and the southern speakers of the *Minnanhua* (*Taiwanhua*) dialectics have different pronunciation, requiring different phonic markers for the orthography of these different pronunciation systems. Moreover, the languages spoken in Taiwan, besides *Taiwanhua* and Mandarin (*Beijinghua*), also include Hakha and aboriginal languages such as Amis, Atayal, Paiwan, Bunun, Rukai, Puyuma, Tsou, Saysiat, Tao Yami, Thao, Kavalan, Taroko, Sakizaya and Seediq.[20] In addition to the above-listed living languages used in Taiwan, there are 12 more aboriginal tribes with their own languages which have not been officially recognized. There are also more and more new immigrant workers from different parts of the world settling in Taiwan as inhabitants, and a large part of the population who used Japanese in their early life during the Japanese colonial period, and who were banned from using Japanese in public after the 1950s but are still using it in their daily lives and with old friends.[21] To transliterate with romanization the different phonic system of these diverse spoken languages and to fulfill the function of communication would be a nearly impossible task.

The irony of the POJ project is also manifest in the fact that the task of romanization was originally a practice by the colonial government with the purpose of educating and transmitting Christian doctrine as well as Western knowledge to the natives of Taiwan. The POJ proponents renounced the long tradition of the written Han characters and labeled the act to turn to the Latin alphabet as "de-colonization," while paradoxically subsuming their own position in the Christianization project of the British Empire.

However, the real issue of this language battle is that while relying on the phonic system, the proponents of romanization of Taiwanese as a national language not only do not count people with different phonic patterns, but also sacrifice the multifaceted dimension of the written Chinese characters as a graphic system of communication and a space for hospitality and reception which have undergone a long history of mutation, capable of being super-inscribed, re-formulated, re-translated, usurped and created—that is, to transgress all sorts of borders through the play of language. To claim national sovereignty based on the visibility of the phonetic territory of the language is to

fixate in an imaginary and fetishist mode onto the sound pattern, a meto-nymic shift that binds nation with sound pattern, which was in fact one phase during a long history of mutation of language, over-determined by historical conditions, to deny the co-existence of complex variations that are present in the contemporary languages, and to reduce the complex combination of the pictographic, phonetic and semantic components of the Chinese characters to its phonetic façade, with no semantic cross-reference. The battlefield along the borderline separating "the language of Taiwan" and "the language of China" testifies once again to the inverted security mechanism and the displaced form of border politics.

The Taiwan question: a juridical case of international law?

Arguing at the positivistic legal level of international law, challenging the validity of the ROC government's *de jure* sovereignty over Taiwan, Chen Lung-Chu and W.M. Reisman suggested in 1972 that the Cairo Declaration was merely a non-binding "press release," and neither the Cairo Declaration nor the Potsdam Declaration could make disposition of the legal title of Taiwan or effect a transfer of that legal title to the Republic of China, and therefore neither the ROC government nor the PRC government had sovereignty over Taiwan. This declaration was not in the official treaty archives of either the USA or Japan, and should not be considered a treaty by the involved parties.[22]

More instructive was a 1959 court case, *Cheng Fu Sheng* v. *Rogers*, in the USA, in which the question of whether "Formosa is part of China" was raised.[23] The case concerned whether an alien, native and citizen of China should be deported to Formosa instead of to mainland China. The statement made clearly indicated that since the sovereign, *de jure* or *de facto*, of a territory is not a judicial but a political question, the court insisted that this question should be decided by the executive and legislative departments of the government. In the case report, the attitude of the US State Department obviously put the status quo of Taiwan into question because "the sovereignty of Formosa has not been transferred to China," and hence it was just "a territory or an area occupied and administered by the Government of the Republic of China, but is not officially recognized as being a part of the Republic of China."

Viewed in the light of the US court statement that differentiates the act of Japan's renunciation of the right to Taiwan from the transferability of Taiwan's sovereignty to the ROC, we come to understand the problematic aspect of the positivistic juridical dimension of international law that is exposed by the case of Taiwan. The shifting of the USA's recognition from the ROC to the PRC in the 1970s, followed by other countries, and the cancellation of the ROC's membership of the United Nations (UN) all testified to the arbitrariness of juridical political status defined by international law.

Here, we face the entangled questions of the sovereign state of Taiwan and the concept of border as defined by the constitution in relation to international law. The dilemma that the ROC government has confronted is the fact that in the

constitution instituted in 1912 and modified based on various treaties, ROC national sovereignty covers the entire geographical territory that was settled prior to 1949, and does not recognize Outer Mongolia's independence which was signed into the Sino–Soviet Treaty and later recognized by the PRC. Even though the constitution has undergone several revisions and supplementations at different historic moments, especially after the lifting of martial law, the core of the constitution—that is, its claim of national territorial sovereignty— is unaltered. The result is that the map of the ROC presents an illusory and fictional space, frozen in time, which does not exist in the contemporary world. The ROC government cannot bring itself to revise the territorial scope—that is, sovereignty over Taiwan, Penhu, Quemoy and Mazu, to adapt to current reality—because in that case, it would mean renouncing the "One China" legacy by claiming independence from China, and hence would invite a military threat from the PRC government.

The constitution on which the state is established turns out to be the law that constrains the mutations of the state. The state is bound by the law and cannot re-adjust itself to the currently altered and still changing states, constitutive population and international relations. Under these constituted conditions, the people of the state have also lost their popular sovereignty and their constituting capacity. What makes the Taiwan question even more peculiar is the fact that the sovereignty that has been claimed by the ROC government is put into question because of the switch of international recognition of the One China representation from the ROC to the PRC in the 1970s. The Republic of China, even though a founding member of the UN, lost its seat on the UN Security Council in 1971 after the normalization between the USA and the PRC. The ROC thus became an unrecognized and unrepresented political entity in the theater of world politics (see Lee 2010; Wang 2009; Zhao 2007).

The stake in the Taiwan question, therefore, is manifold. First, the shifting of the recognition from the ROC to PRC at the level of international law indicates a change of balance of political and economic forces in the international arena, and not the *de facto* relations between political entities or political societies.

Second, the switching of recognition between nations on the *de jure* level from one to the other would turn the unrecognized political entity into an unsubstantial state denied on the *de facto* level. The residents of the unrecognized political entity become invisible and uncounted on the world stage, with difficulty crossing borders, and unable to participate on equal terms in international or intergovernmental organizations, such as the World Health Organization.

Third, the single representation of one nation-state makes the peaceful evolution and creation of a new form of community impossible. It seems that we cannot conceive of a new form of nation-state or a different mode of social state except that defined by positivistic international law or that settled by wars or revolutions.

Fourth, the logic of the UN and international law operates clearly on the consensual regime and a majority vote among the greater powers could easily neglect

the voice of the unrepresented minor communities. Taiwan, a de-substantialized political entity, then, has become a *point d'appui* of the lever between the two great forces, the USA and China. In order to keep the balance, Taiwan has to maintain the status quo.

Fifth, the demilitarized border along the Taiwan Strait, with its heavily politicized ideological boundaries on various levels, has been inverted as its people's mental fortress, loaded with historical remnants left over from Japanese colonial history, the Sino–Japanese War, Chinese civil war between the communist party and the nationalist party, the ethnic frictions caused by the 2–28 Incident, and the communist phobia rooted in the Cold War era. Enhanced by the political and cultural policies of each succeeding government, such as the erasure of the language used by the majority population of the preceding government and privileging the language of the current majority population as its "national language," the bordered mentality then becomes a living factor in the daily life experience.[24]

Finally, and most ironically, the hidden hostility against "communist China" in Taiwanese society paradoxically co-existed with the urge by the horde of Taiwanese transnational entrepreneurs, along with other multinational corporations, who flocked into the liberalized market in China to occupy the economic space, and consequently caused a more hierarchized social stratum and polluted environment in Chinese urban and rural places, without realizing that they were exercising the same imperialist act of land taking and space inhabiting through the capitalist route, that is, the *nomos* of the earth discussed by Carl Schmitt.

Re-assessing Schmitt's concept of *nomos*

How should we re-think and formulate "of the state," radically recast "the relations between people and sovereignty, citizenship and community," invent "new institutions for the public sphere" and "democratize the border," as suggested by Balibar (2002b: 79–85, 2004a: 108–10, 111–14)? To democratize the border, to my mind, means to face the question of the historical formation of the institutions of the border, to challenge its legitimation and naturalization, to examine the logic and the effect of the formation, to open it up to a topological vision of the state, participated in by each and every one within the community, and to emancipate the discriminatory function of the borders formed by language in all aspects. The juridical and positivistic borders cannot reflect the *de facto* social relations or conflicts of the inhabitants in any social space that have developed and changed through the passage of time. To relocate the question of *nomos* and the processes of land appropriation, wall establishment and ruler institution to the question of the constituted as well as the constitutive power of language, could force us to face the multilateral aspects of the issue from a different perspective.

Carl Schmitt's social-economic as well as etymological analysis of the word *nomos* and its inherent links with *nehmen* and *Nahme* have already pinpointed

the "brutal imperialism" and "atavistic criminality" of land-taking and land-holding procedures of the *nomos* of the earth.[25] The history of the 19th and 20th centuries in East Asia is a long process of transformation of the new order seizing the dominant power of the region. Schmitt also pointed out that Japan was recognized as a Great Power after its victories first in the Sino–Japanese War in 1894 and then in the Russo–Japanese War in 1904–05. The war of Eight-Nation Alliance against China in 1900 further settled the redistribution of the great powers in the age of the imperialist expansion that changed the borders of the western hemisphere. The Monroe Doctrine in 1823 was a strategy that practiced the imperialist power that dominated other countries in South America, but at the end of the 19th century, a new form of American *Großraum* (great space) that extended over the "free sea" replaced the model of the Monroe Doctrine and demanded that East Asia follow the "open door" policy in the name of liberal economics (Schmitt 2003: 191, 283, 292). The re-mapping of the geographical borders in East Asia throughout the 19th and 20th centuries reflected exactly the rise of the new world and the replacement of the order of the earth with the jurisprudence of international law.

The change in the juridical status of Taiwan on the world stage had proved the result of the alterations of the world order and had affected national identity and the collective sentiments of the people on the island during the past century. The visible and ideological qualities of the border have acted upon the shaping of the people's perceptions and feelings. The demarcations of the hierarchical power stratum, furthermore, legitimize the constitution of the state and the consensus of the feelings of the people, although the hierarchical stratum actually arbitrarily and oppressively differentiates the other parts of the people in the same society.

The language battle that took place on the island proves again the "fence-word" function of the *nomos* discussed by Schmitt. *Nomos* implies the meaning of *nemein*, i.e. to divide and to pasture, and therefore is the "immediate form in which the political and social order of a people becomes spatially visible" (Schmitt 2003: 70). Examined through the course of semantic mutation, the word *nomos* has undergone changes in its more than 3,000-year history, and the shifting of meaning, from *nemein* (to appropriate, to take, to seize), *teilen* (to divide), *verteilen* (to distribute), as well as *weiden* (to pasture), indicate the change from nomadic society to the industrial age, and then to the imperial era. Even though the linguistic associations between *nomos* and these variations might have been forgotten through the course of the phonetic, morphological and semantic changes in history, etymological study shows that these separate words share the same root, *Nahme*, and indicate the changes that took place in the history of legal, economic and social order, from pasturing, to migration, colonization and conquest—that is, a history of land appropriation.[26]

As a "fence-word," it is "not the abolition of war, but rather its bracketing," and thus the core problem of every legal order (Schmitt 2003: 74). Based on the enclosure in the spatial sense, the *nomos* can also be described with its ritual and sacred orientation, and the multiplication of *nomos* based on this

single divine *nomos*. A tribe or a people becomes settled by the *nomos* and the measurement through which the land is divided and distributed. With the tendency of power to visibility and publicity, *nomos* is at the same time linked to *archy*, from the source, and to *cracy*, power through superior force and occupation. Schmitt deliberately distinguishes the positivistic legal system, "the mere enactment of acts in line with the *ought*," from the "spatially concrete, constitutive act of order and orientation" (Schmitt 2003: 78).

This original act, then, is the act of *nomos*. All subsequent developments are either results or expansions of this act, or else redistributions—either a continuation on the same basis or a disintegration of and departure from the constitutive act of the spatial order established by land appropriation, the founding of cities, or colonization (Schmitt 2003: 78). The renewal of the constitutive processes and "new spatial divisions, new enclosures, and new spatial orders of the earth" are actualized through the introduction of new *nomos* (Schmitt 2003: 79).

What would be the "new *nomos*" that could be expected today? Schmitt at the middle of the 20th century, after World War II, suggested three possibilities in the conclusion of his book: the first is the victory of one of the dualisms of East and West that ends up as the "world's sole sovereign"; the second is to retain the balance structure of the previous *nomos*; and the third is the balance of the combination of several independent blocs (Schmitt 2003: 354–55). Looking at the present situation, the equilibrium between hegemonic structures or the homogeneity within each independent bloc appears to be not only unlikely but also unrealistic. The end of the Cold War between the two blocs in the post-1989 era introduced the global world order of the capitalist market, while the displaced forms of border politics still function locally, bringing previous frictions to the surface in various substituted forms. The deep-rooted and long-lasting effects of the border consciousness established through the translation of international law into local juridical institutions and ideological frameworks that enacted autonomous reproduction of the inverted bordered partitions with endless repetition.

The *nomos*, in fact, serves not only as the figure of land appropriation and rule setting, but also as the core limit point that constitutes the fundamental subjective position. As Freud explained and Bataille elaborated, this core limit point of separation and exclusion serves as the mechanism of introjection/incorporation and repulsion/exclusion, and differentiates external objects as good or bad, in the name of moral, aesthetic and political judgment (Bataille 1993: 147–59; Bataille 1997: 313–20; Freud 2001: 136–40). This core limit point of separation and exclusion leads us to the question of the fundamental sovereign act that sets the order of the management of life discussed by Agamben. For Agamben, the fixation of separation concerns the conceptual operation of the law that is inscribed into *logos* and consequently severs and negates the rest. Every separation contains or preserves within itself a religious core on which the exercise of the law is based; either it is the law that rules the ownership of property and taxation, stipulates civic and military service, controls entrance and exit, or reinforces cultural and education policies—that is, all

kinds of management of life (Agamben 1998: 131; Agamben 2009: 103; Agamben 2011: 17–20, 50).

Language, then, is the mediation that exercises the operation of the separation. The fixation of the partition and the cut takes different forms according to the social and political conditions of historical moments. The concept of the cut, for example, the *coupure de sujet* in Lacan, the *coupe d'essence* in Althusser, the regime of the cut, the *effet de cisaille* (shearing effect) and *horlieu* (out-place) in Badiou, the *écart* and the *part des sans-part* in Rancière, all involve the ideational operation of separation activated through language.[27] Agamben's inquiries into the logic of inclusion and exclusion, separation and exception, the gap between phones versus *logos*, and biopolitical fractures among people, all point to the dispositive of language and the legitimization of history that effaces all pre-histories. In Agamben's studies, the regime and the disposition of power through language made the community a commensurate one. Religion exercised the first power of separation. To profane means to challenge the line of separation and to restore life that is not separated from its form, a life in which "the single ways, acts, and processes of living are never simply *facts* but always and above all *possibilities* of life, always and above all power" (Agamben 2007: 75, italics in original).

Phonic markers, as discussed previously, would be the obvious found objects that serve as the border that copes with the pre-given conceptual frameset and differentiates the they-group from the we-group. The visibility of the phonetic features then turns out to be the qualities or attributes for the community to "count" its members.[28] The battlefield over language territory and the adherence to the barricades clearly demonstrates loyalty to the single camp located at one historical moment, reinforced by the lately formed ideology or local power struggles in the last instance, while renouncing and negating the voice of other participants with different phonetic patterns. This negation matters not in terms of the severing of the historical lineage, but more significantly in terms of the denial of the latent presence of other inhabitants who do not share the same pronunciation patterns.

Diverting our consideration of the *nomos* of the earth from the juridical and positivistic dimension to that of the activities of language, and examining how the same logic of land appropriation and land redistribution took place through language would allow us to analyze how it functions also as the *archy* of the formation of subject with national identity and the law of internal partition among the people. The Cold War barricade reproduces itself through the practice of language, and creates a new rationale to reinforce and strengthen the border. We have observed the conceptual policing operation of the language policies in Taiwan during the Japanese colonial period in the first half of the 20th century, the White Terror under martial law from 1950 to 1987, and the nativist fundamentalist movement in the 1990s. It is a history of empirical-juridical translations of international law to be effectuated in the local sphere. Each time the *nomos* of the sphere was established first of all through the stabilization of language policies, and the lasting effect of the language

policies is the formation of subjective identification that would re-emerge in the following generations with or without the continuation of the government. It is necessary to examine what ideological and symbolic violence that language can conduct through border demarcations in language.

Conclusion: proposal for a topological vision of the state

This chapter has examined the question of border consciousness that involves the process of double translation. On the first level, it is an empirical translation of the juridical international law that is transposed horizontally and inwardly onto the domestic domain and imposed as the anchorage of the formation of subject and that of the national identity. On the second level, it is the subjective translation of the internal border consciousness outwardly onto external society, differentiating domestic enemies according to the logic of partition and exclusion. The transference function of the internal limit point, a border line codified by external symbolic order, translates and extends the subjective position by locating any target object that is visible on the grid of measurement as the external features of borders, operating in the logic of phobic structure. Therefore, we should seriously face the issue of how to question the border consciousness constructed by language. We need to work out how to formulate a "new conception of the state," as suggested by Balibar, how to recast radically "the relations between people and sovereignty, citizenship and community," and to "democratize the institution of the border" (Balibar 2002b: 79–85, 2004a: 108–10, 111–14).

I would like to suggest that in order to re-think radically the question of the state and to democratize the border, we need to face the question of the historicity of the border effectuated through imperialist language policies, to challenge its legitimation and naturalization that concealed and excluded other voices in the same communities, to acknowledge its arbitrariness formulated through language, and to open it up to the process of intellectual intervention so that the discriminatory function of the borders in all aspects can be dissolved and "borders" can serve as the sites of passage and mutual understanding and communication. The main argument of this chapter, then, would be that unless we undertake rigorous analyses and unravel the constituting forces behind various language and ideological borders within the domestic domain and in the global context, we will not be able to disentangle the repetitive defensive impulses that seek in different forms to solidify the demarcating line in the name of the state. This question is all the more pertinent in view of rising tensions over critical border sites in East Asia today between Japan and China—caused by the disputes over the Sankaku Islands—as well as the alarm of nuclear threat roused by North Korea. The current gestures of Kim Jong-un (김정은 金正恩), worsening the hostility between North Korea and South Korea, are living fossils and replicates of the Cold War bordered mentality that is still operative in East Asian countries. The recurrent tension would repetitively intensify border consciousness not only between different

governments, but more so within the domestic domains. In order to recast the relation between people and sovereignty, to conceptualize a different vision of the state, we must constantly confront the polarizations of ideological borders and open up a new dimension of localization that could make space for the uncounted people and allow the suppressed histories to re-emerge.

By questioning the forms of inverted borders, over-determined by different forces in the name of juridical laws, reinforced through language policy and political regimes, and manipulated by different forms of government in Taiwan, we see more clearly the reasons why such internal borders are in fact derivatives and substitutions of constructed borders through language that attract collective sentiments or separate people on the basis of habitus and self-interest. The act of land occupation and rule establishment exercised in language, justified by national identities, already demonstrates how the society is divided, segregated, suppressing and even persecuting the uncounted parts, *sans-part* as discussed by Rancière, among the members of society. The shifting of national identities of the people in Taiwan every 50 years further testified to the arbitrariness of such identity. Each construction of identity not only involves statist measures and rules, but also violent, exclusive and oppressive techniques of governmentality.

What the POJ project engaged with was to deny the mutation of the phonetic patterns from ancient times to the present and the diverse phonetic patterns that were used by the people cohabiting in Taiwan, by fetishizing "the Taiwanese language" based on one fixed historical moment. To acknowledge the mutation of phonetic patterns does not mean to trace back to the origin at one point; on the contrary, the acknowledgement of the mutation actually de-links the single origin while embracing the re-translation, re-formulation and re-inscribing of the language through countless variations of phonetic combinations through migrations over a long passage of time.

We could consider what Zhang Taiyan (章太炎) formulated as *guojia* (nation-state, 國家) in 1908, when he was facing the formation of the nation-state at the turn of the 20th century. According to Zhang, *guojia* should be conceived as the "riverbed" (*hechuang*, 河床), serving as "the place of emptiness" (*kongchu*, 空處) that allowed the river to pass by daily. The subjectum (主體) of the nation was merely a "void" and "non-being" (Zhang 1985: 463), and the *guojia* was only a dynamic composition, as the movement of the constitution of the textile woven by warp and woof (經緯相交，此為組織). In this sense, the composition of the nation was viewed not as fixed substance, but as constant re-composition. Zhang also stressed that the love for the nation (愛國心) was not to love the fixated present state (所愛者亦非現在之正有), but to love the composition (組合) and the "not yet germinated" that is to come in the future (渴望其未萌芽者) (Zhang 1985: 463; see also Liu 2013).

In this view, language could also be conceived in its broadest sense—that is, besides its function of imprisonment, we also see emancipation. Language is the common sphere to inhabit, pasture, harvest, and to combat, assimilate, transgress, translate and recreate. Taiwan, an island with people cohabiting and intermingling for several centuries, imbricated with diverse strands of

historical processes and cultural components, has emerged today as a new form of community and as a political body. This political body has incorporated, as with new organs and new capacities, not only the already complex multi-ethnic origins of the Chinese people, but also the various indigenous tribes, the Dutch, Spanish and Japanese colonial cultural experiences, and the currently increasing mixture of population with migrants from Southeast Asia and other parts of the world. Having no official international recognition, the various modes of participation developed by Taiwan with international organizations such as the International Olympic Committee (IOC), Asia-Pacific Economic Cooperation (APEC), World Trade Organization (WTO), World Health Assembly (WHA) and the Egmont Group, under different names, though mostly merely as an observer, has presented Taiwan as a viably flexible political entity.[29] The fact that Taiwan cannot participate in most world organizations on an equal standing, being deprived of the right to obtain access to resources, such as medical support, from the global communities, has demonstrated the drawbacks of the juridical positivistic aspect of the United Nations. However, the non-governmental and non-official rapport between Taiwan and other countries, nevertheless, can be carried on in various non-nationalistic forms, be it cultural, economic, technological or humanitarian exchanges.

More importantly, the question of Taiwan enables us to face an alternative mode of thinking: the possibility of a topological vision of a political society not conceived of as a nation-state-based entity defined by inter-"nation"-al law, but as a political community in a topological mode that is constantly undergoing re-composition. The concept of the state, the nation, or *guojia*, enabled through Zhang Taiyan's formulation, then, could be conceived not in terms of its military force, its juridical definition of border, or its representational status according to international law, but as a topological institute, a form of government that both allows people to participate and re-constitute the state through language activities on the domestic level, and serves as the intermediary organization of the state that helps negotiate and communicate with foreign countries in terms of the exchange of information, technology, commerce and culture. In this topological conceptualization of the state, the border is not effaced or disavowed, but constantly re-opened through the border politics of de-linking and re-translation. The political act of language in this sense is the only possible position for us to expose and critique the violence of the border constructed by pre-given rules and codes of language, and to re-shape the community in a different mode: a community that allows the act of re-translational passage from the uncounted, suppressed and the invisible corner to the common space of society; a community that welcomes new encounters and constantly opens up new paths for new capacities.

Notes

1 Macclesfield Bank, Paracel Islands, Scarborough Shoal, Spratly Islands and Senkaku Islands (Diaoyu Tai) are well-known and constantly mentioned examples of

territorial disputes related to the People's Republic of China and the Republic of China, not to mention the long list of other examples involving different countries in East Asia, such as Japan–Russia, India–China, South Korea–Japan, China–South Korea, China–South Tibet, and so on.

2 Carl Schmitt has excellently discussed this concept in his book *The* Nomos *of the Earth: In the International Law of the* Jus Publicum Europaeum. My intention is to re-think the *nomos* of the earth hinted at by Schmitt at the end of the book.

3 Jacques Rancière used the term "partage du sensible" to explain the commonly shared senses of belonging and partition—that is, to be included, partitioned or excluded by the community. See *La mésentente: Politique et philosophie*, or *The Politics of Aesthetics: The Distribution of the Sensible.*

4 Song was the only person from South Korea who attended Kim Il-sung's funeral in 1994. See Macintyre 2003.

5 In a letter to his family, Lin Yi-fu explained the reason for his defection: "based on my cultural, historical, political, economic and military understanding, it is my belief that returning to the motherland is a historical inevitability; it is also the optimal choice" (Lin 1980).

6 The bombardment was arranged by the PRC and ROC to operate only on odd days of the month, with shells containing propaganda leaflets, a mutual practice that continued for 21 years after the second Taiwan Strait crisis, the 823 Artillery Bombardment in 1958.

7 Lin received his Master's degree in economics from Beijing University in 1982, and his PhD in economics from the University of Chicago in 1986.

8 *China Times*, mag.chinatimes.com/mag-cnt.aspx?artid=23033 (accessed 30 January 2014).

9 See, for example: Tsou 1959: 14–18, 23–24, 46; Eliades 1993: 345–46, 365; Soman 1994: 374–76, 378–98; Tucker 1994: 51–52; and a recent biographical study by Taylor 2009.

10 For the full text, see *Anti-Secession Law*, english.peopledaily.com.cn/200503/14/eng20050314_176746.html (accessed 6 July 2011).

11 Lyu Xiulian, former vice-president, together with DPP, Taiwan Solidarity Union and 30 other local societies, moved to make election day 1996 the independence day of national sovereignty.

12 This criticism was a response on 17 June 1911 to President Ma Ying-jiu's recent praise of Chiang Kai-shek's contribution in establishing the ROC Constitution (Taiwan Solidarity Union 2011).

13 A conference to celebrate the 100-year history of the Taiwanese novel, organized by the Bureau of Culture, which took place at the National Museum of Taiwan Literature, Tainan, 21–24 May 2011.

14 The proposal to appropriate Han characters to transliterate Taiwanese vernacular language also emerged in the early 20th century during the Japanese colonial period, just as similar practices with vernacular literatures have been experimented with throughout history. Early 1929, the debate on whether writers should use *Taiwanhua* as the written language, instead of classical Chinese, occupied the intellectuals' minds for quite some time. After various attempts, they came to an understanding that Han characters were an inevitable vehicle for communication on common ground. See Chen 2008.

15 William Campbell's (1871–1918) study in the book *Formosa under the Dutch* shows that the Dutch missionaries established the schools to educate and Christianize the natives, and they received over 5,000 adults into the Reformed Church (cited in Chiung 2005). Also, according to Murakami Naojirō's (村上直次郎, 1868–1966) study of the *Sinckan Manuscripts* (1931), the researchers have located 141 manuscripts written with the romanized Siraya native language (cited in Chiung 2005). Sinckan is now the city of Tainan.

16 Walter Henry Medhurst developed the system of POJ, under the influence of Robert Morrison's romanization of Mandarin Chinese. Medhurst's *Dictionary of the Hok-këèn Dialect of the Chinese Language, According to the Reading and Colloquial Idioms* (1832), was the first reference book to indicate the differences in intonation between Mandarin and southern Min dialect (Medhurst 1832).

17 Except for the period of the Pacific War, 1942–45, the romanized POJ version of the *Tainan Church News* continued its circulation until 1969.

18 The Presbyterian Church plays a significant role in the political field in Taiwan. Because of its deep involvement with politics in Taiwan, its pro-independent movement, its advocacy for the POJ movement, and close affiliation with political figures, including former Presidents Li Denghui and Chen Shuibian, the Presbyterian Church in Taiwan has been viewed as the fundamentalist activist of the Taiwanese independence movement. See the official website of the Presbyterian Church in Taiwan, www.pct.org.tw (accessed 6 July 2011).

19 Zheng Zhilong was a very successful Chinese merchant from Fujian Province in the 17th century. He was also a pirate and an admiral in the Ming Empire at the same time. He married a Japanese woman and gave birth to Zheng Chenggong, who later defeated the Dutch colonial government and took over Taiwan. Zheng Zhilong later defected to the Manchus, who overthrew the Ming Empire and established the Qing Empire. The Qing government later executed Zheng Zhilong because of his son's continued resistance against the Qing regime. See Tonio Andrade 2004, 2011.

20 According to the government's 2006 language usage distribution report, there are 26 languages in Taiwan.

21 According to the statistics, 29% of Taiwanese people could speak Japanese in 1939, while in 1941 this had increased to 51%.

22 The Cairo Declaration signed by Franklin D. Roosevelt, Winston Churchill and Chiang Kai-shek on 27 November 1943 stated clearly that the Allies were resolved to bring military pressure against Japan until it surrendered unconditionally, and that Japan should return Taiwan, Penghu and Manchuria to the Republic of China. The Cairo Declaration was later cited in the Potsdam Declaration and had its legal effect through the Japanese Instrument of Surrender signed by Rikichi Andō, the governor-general of Taiwan, on 25 October 1945 in Taipei, and Japan's right to Taiwan was handed over to the ROC, represented by Chen Yi, the general of the ROC military forces. Chen Lung-Chu and Harold D. Lasswell (1967), however, argued against the above account and suggested that Taiwan's legal status had not yet been decided. See also Yi-shen Chen (2010).

23 *Cheng Fu Sheng* v. *Rogers* [1959] 177 F.Supp. 281, www.leagle.com/xmlResult.aspx?page=3&xmldoc=1959458177FSupp281_1419.xml&docbase=CSLWAR1-1950-1985&SizeDisp=7 (accessed 27 June 2011).

24 Over the past century, several major language policy changes have taken place in Taiwan. During the 50 years of Japanese colonial rule, 1895–1945, the cultural and language education was so effective that the Japanese-speaking population among Taiwanese increased up to more than 50% in the 1940s. The Japanese colonial government banned the section for Chinese characters in newspapers. After the termination of Japanese colonial rule in 1945, the KMT regime of the Republic of China took over Taiwan and began to "re-Sinicize" and "de-Japanize" Taiwan. After putting down the riot caused by the 2–28 Incident in 1947, the KMT declared a "state of emergency," imposed martial law (1949–87), prohibited the use of Japanese in newspapers and magazines, and banned Japanese music and movies. The use of the Taiwanese dialect in public was also banned in the 1960s and further intensified the ethnic hierarchical partition. The change of government from the KMT to DPP in the 1990s made way for the nativist and nationalist promotion of the Taiwanese language. Lee Teng-hui (李登輝), president during 1988–2000, encouraged universities to reduce the number of courses related to China or even abolish them. Chen Shui-bian

(陳水扁), president in 2000–08, stressed that Taiwanese subjectivity should draw on local geography, history and life experience, and that the objectives of textbooks should be free of Chinese consciousness.

25 Schmitt (2003: 246) explicitly reminds us: "It is not safe, even today, only to remember that *nehmen* and *Nahme* comprise a substantive problem, and not to mention that they also mean brutal imperialism, atavistic criminality, and a sadistic opposition to progress."

26 The three levels of meaning of the Greek verb *nemein* refer to, first, to take or to appropriate (Gr. *nehmen*); second, to divide or distribute (Gr. *teilen*), that is what we generally called law; and third, to pasturage (Gr. *weiden*), that is, to pasture, to run a household, to use and to produce (Schmitt 2003: 324–30).

27 For Lacan's *coupure de sujet*, *la coupure du désir*, *la function de la coupure*, see Lacan 1978: 29, 188, 215; for Althusser's *coupe d'essence*, see Althusser 2009: 98; for Badiou's regime of the cut, see Badiou 2009b: 8–12, 32–36; for *effet de cisaille*, see Badiou 2009a: 479; for *horlieu*, see Badiou 2009b: 8–12, 32–36; for Rancière's *écart* and the *part des sans-part*, see Rancière 1995: 20–31, 71–72.

28 Jacques Rancière discussed the count of the parts as the logic of the police, or the state, and question of the miscount and the-parts-with-no-part, *sans-part*, in his important book *La mésentente: Politique et philosophie* (1995).

29 These names, applied in order to avoid problems on international occasions, include Chinese Taipei, Republic of China, Taiwan, or "Taiwan, Penghu, Quemoy and Matsu Customs Territory," and so on.