

Chapter 2

Non-“dialectical” Levels (or Dialectical Scale) of Ocean Governance

Abstract This chapter attempts to remind readers that there are many non-“dialectical” levels (or dialectical scale as shown in the crab and frog motion model) to understand ocean governance, to be preceded by a brief discussion of ontology and epistemology.

Various models were presented, so as to inspire and enable readers to apply them, if and when necessary.

Keywords Ontology · Epistemology · Dimensions of ocean governance · Non-“dialectical” levels of ocean governance · Dialectical scale of ocean governance

As can be seen, the grand diagram in the first chapter can be used to describe, explain, and infer a myriad of phenomena related to religion (divinity) or the highest non-“dialectical” level (or dialectical scale’s 1 or 100 % of that particular concept);¹ philosophy (dialectical and non-“dialectical”; or dialectical scale’s 2); science (natural and social; or dialectical scale’s 3); paradigms (or dialectical scale’s 4); schools of thought (or dialectical scale’s 5); theories (or dialectical scale’s 6); models (or dialectical scale’s 7); and concepts or the lowest non-“dialectical” level (or dialectical scale’s 8 or 1 %); and each of them is a dot at a specific non-“dialectical” level (or dialectical scale). Come to think of it, each non-“dialectical” level (or dialectical scale) is related to ocean governance, as I will elaborate on them below. However, a discussion of the non-“dialectical” levels (or dialectical scale) of ocean governance should begin with a rough understanding of ontology and epistemology, so as to have a fuller, if not complete, picture. Here, a new model with ontology at 1 and epistemology at 5 should be borne in mind.

Ontology roughly refers to the study of Being, which is a very abstract concept and which cannot be really totally quantified. This is because religious people from the pope to the ordinary people, philosophers, etc. would argue with each other day and night without reaching an agreement or consensus on the Being, for example, they may ask: How many Beings have existed, God, Buddha, Allah, to name a few, before and after the Big Bang,² which occurred some 13.8 billion years ago?

¹ Fifty percent could be in between 4 and 5, because there are eight Numbers.

² What about extra-terrestrials? In the late 1990s, Clark C. McClelland said he saw an alien in a U.S. space shuttle.

If we were to study ocean governance or, for that matter, a non-“ocean governance” topic, we would begin by asking: “Does God, Buddha, or Allah exist?” If God exists, how would He make arrangements for our oceans, seas, lakes, rivers, creeks, etc.? Let them inundate each other or be in harmony, as can be seen in the March 2011 earthquake, *tsunami* (tidal wave), and radiation catastrophe in Tohoku coast, Japan, damaging, for example, 319 fishing ports? If God does not exist, how should we the human beings, using or not using or with or without science and technology as well as equipments and devices, face those bodies of (dire) waters? Certainly, this kind of ontological question, as opposed to siren song, could affect our presumption and assumption. If our presumption or assumption differs in the first place, that definitely can lead to a different interpretation or logical outcome. For example, if we assume that God does not exist, our findings would be definitely falsified, should one day we the human beings can literally shake hands with or talk to God. This means that our science and non-“science” publications would have to be revised.

Epistemology is at a non-“dialectical” level (or dialectical scale), which is lower than the ontology non-“dialectical” level. We have to pose the following questions: Is it valid to say God exists? If yes, what would be the limitation of our analysis, because, for example, none of us can neither speak to Him³ nor resist His arrangements for us. Do we let Him make all the arrangements, implying that it is not necessary for us to do anything on earth or even on moon or Mars, including facing difficulties when we catch fish under haze? If God does not exist, what would be the limitation of our analysis, especially when we want to exactly know what went on since the first day of human existence and infer the future?

If it is possible for us to acquire 100% knowledge on ocean governance, which constitutes reality or the complete picture, how do we approach it? Is it dialectically and/or non-“dialectically” approachable? Which approach would yield a complete picture since the first human being, thus enabling us to rationalize everything?

The word, approach, can be either a noun or a (transitive or intransitive) verb. Since we are talking about methodology, involving a particular procedure or a set of procedures, the verb form should be used. Thus, if ocean governance, which represents reality, is our topic, we the researchers want to be closer to that reality when we conduct research and writing, because applying a different method could yield a different interpretation or logical outcome. In view of the fact that there could be 3000 serious researchers in the world, who are interested in ocean governance, and after looking at their published research writings, we could have some ideas as to which findings are closer to reality (or 1 in the crab and frog motion model) and which one, not (or E in the same model) or in between the two possibilities (or 5 and A in the same model).

Up to now, I am still dealing with methodology, embracing the dimensions of religion, philosophy, science, paradigms, schools of thought, theories, models, and concepts. Thus, we can analyze ocean governance from the non-“dialectical” re-

³ See “Mother Teresa Did Not Feel Christ’s Presence for Last Half of Her Life.” <http://www.foxnews.com/story/0,2933,294395,00.html#ixzz2Fr03AE3h>. Accessed 23 Dec 2012.

ligion level (or dialectical scale). (In my 1 2 3 4 5 6 7 8 A B C D E F G H model, this non-“dialectical” level is equivalent to or being put at dialectical scale 1.) This is because certain phenomena at sea cannot be described, explained, and inferred by human beings. For example, what is going on at the Bermuda Triangle, where a number of aircraft and surface vessels are said to have vanished under mysterious circumstances? As another example, why were some human beings born on ships or some died on ships? Why did some boat people safely land on other countries’ shores, seeking refuge or political asylum, while others were declined or perished at sea? To those who were (eventually) rescued, they would probably thank God for the miracle. Indeed, in August 2013, nine fishermen from the Federation of Malaysia (FOM) were taken hostage by a group of 11 armed pirates in a boat in waters near Semporna City, State of Sabah. The fishermen said the men spoke in the Suluk language, apparently from the Republic of the Philippines (ROP). When the latter asked the former what their religion was, the fishermen claimed they were Muslims. “The armed group then decided to turn back and when they saw another fishing boat, the fishermen were asked to jump into the sea.”⁴

Among the victims, some could go through an ordeal, and they would probably ask: Why did they have to suffer so much, as compared to others? However, if one were either a Buddhist or a Daoist, he or she would probably think that the supernatural force of *Yin* and *Yang* plus the Five Elements, which embrace metal, wood, water, fire, and earth,⁵ is at work (see the grand diagram), because, by being sincere, one can augur his or her next move, relying on the eight trigrams, as shown in Figs. 1.1 and 1.2 of the first chapter.

The study of ocean governance can be philosophical. Here, I am talking about the non-“dialectical” philosophy level (or dialectical scale 2 in my 1 2 3 4 5 6 7 8 A B C D E H G H model), which is under the non-“dialectical” religion level. When you hear a person saying “My philosophy is...,” he or she is actually referring to a long period of time. So, when human beings began to practice religion, God began to exist, at least in their heart and mind. If we accept the term, the God particle, which refers to the Higgs boson, we are talking about almost the beginning of everything in nature. Since the existence of the particle can be dated back to a long period of time, we can discuss, for example, God, from a philosophical point of view. If we relate God to ocean governance, we cannot rule out, for example, the discussion of Mazu/Lin Mo, a Chinese sea goddess who has been a spiritual bond for both sides of the Taiwan Strait, commonly worshipped by islanders and sailors since ancient times.

In the grand diagram, you see the following model, related to infinity: 1 2 3 4 5 A B C D E, which can be expanded as, for example, 1 2 3 4 5 6 7 8 A B C D E F G H. In this model, the time/space sequence component is attached, starting from time/space sequence (1). The last one is time/space sequence (*n*), which could be extended indefinitely, depending on the context, for example, God versus non-

⁴ *Shi Hua Daily News* *hereinafter SHDN) (Sarawak, Malaysia), 29 August, 2013, p.Zeng2.

⁵ For comprehensive list of the concordances of the five forces of the Five Elements Theory, see, for example, <http://www.energymedc.com/Five%20Elements%20Chart.htm>. Accessed 28 Feb 2012.

“God.” Because of this feature, the model itself has been constructed philosophically, stretching a long period of time, which could be 100 million years later.

The non-“dialectical” level under philosophy is science (or dialectical scale 3 in my 1 2 3 4 5 6 7 8 A B C D E F G model), which can be broken down into natural science and social science or a hybrid of them at either 8 or A in the 1 2 3 4 5 6 7 8 A B C D E F G model. Some 3100 years ago, the Chinese philosophers have thought of natural science, and, therefore, they, simplifying the complex and complicated world, mentioned metal, wood, water, fire, and earth. So, water is definitely related to ocean. They are also aware of the study of human beings and, therefore, when we see the term, *Yin* and *Yang*, we are talking about, for example, relationship between, let us say, one shipping company and a freight forwarder. The Five Elements can also be correlated with human beings, and the following is one example: Metal is younger brother; wood is ruler; water is friend; fire is father; and earth is either husband or man.⁶ Creatively, we can say that the ruler is the shipping company’s chief executive officer (CEO); the younger brother in the role of a husband could be a fisherman or a captain of an aircraft carrier; before working for the company, his friend recommended him to the boss; and the father could support or be against his son’s choice of being a fisherman as opposed to a captain.

We can also construct another crab and frog motion model for a certain context that is, placing natural science at 1 and social science at 5, yielding a hybrid at 3, while E stands for 100% non-“natural science and social science.” This is necessary, because sometimes natural science and social science are not at odds—they complement each other. What is clear is that usually natural science carries more weight than social science. Hence, we often hear the Chinese proverb, *RenSuan-BuRuTianSuan* (best laid plans: no matter how much one plans things out, life always intervenes or literally: The plans of man cannot be compared to the plans of heaven.)⁷

Paradigms (or dialectical scale 4 in my 1 2 3 4 5 6 7 8 A B C D E F G model) is the non-“dialectical” level under philosophy. That God exists could constitute a paradigm, because many people do have faith in the existence of that supernatural power. The only question is that some people worship, for example, Buddha or Allah. However, a paradigm shift takes place, when, for example, a Catholic decided to be a Christian or even a Buddhist.⁸ We also know that a religion exists, which embraces all the religions in the world. In terms of the grand diagram or the *Yin* and *Yang* plus the Five Elements diagram, paradigm shift can also take place from the first small diagram on the top left to the second small diagram on the top right; from the second small diagram on the top right to the fourth small diagram at the bottom left; and from the third small diagram at the bottom right to the fourth small diagram at the bottom left; etc.

Schools of thought (or dialectical scale 5 in my 1 2 3 4 5 6 7 8 A B C D E F G model) is another non-“dialectical” level, which is under paradigms. Certainly, we

⁶ Ibid.

⁷ <http://en.wiktionary.org/wiki/%E4%BA%BA%E7%AE%97%E4%B8%8D%E5%A6%82%E5%A4%A9%E7%AE%97>. Accessed 7 Nov 2012.

⁸ A Christian can also embrace Catholics, Methodists, Baptists, etc.

can study, for example, the December 1982 United Nations Convention on the Law of the Sea (UNCLOS), from the following major (emerging or rising) school(s) of thought: (neo-)Realism, embracing theories like balance of power and deterrence; (neo-)Liberalism, incorporating theories like pluralism and interdependence; (neo-)Marxism, sustaining theories like class struggle and dictatorship of the proletariat; Constructivism, promoting the following two theories, namely, “... the structures of human association are determined primarily by shared ideas rather than material forces, and ... the identities and interests of purposive actors are constructed by these shared ideas rather than given by nature” (Wendt 1999); and international (and global) governance, emphasizing theories like the hollowing-out and the weakening of states as well as sovereignty-at-bay and international regimes, yielding possible different interpretations regarding the same topic, namely, ocean governance.

Theories (or dialectical scale 6 in my 1 2 3 4 5 6 7 8 A B C D E F G model) is the third non-“dialectical” level from the bottom. Because we do not know everything, we can only infer, take an educated-guess, or predict. And, because our mind cannot think of all the things at the same point in time, we either simplify complicated and complex reality or compress reality into a manageable proportion, that is, in terms of a theory and model or simply a model.

When we apply a *good* theory, the theoretical word, phrase, etc. should enable us to either infer or predict the future, which could be one second, or split of a second from now, or 10 years from now. Rational (choice) theory is powerful because the theorist can always argue that whatever one says and does is always rational, even intentionally ramming a small fishing boat from the Chinese mainland into a Japan Coast Guard ship, which was what had happened in September 2010.⁹ However, the biggest problem with this theory is that the structure(s) of this theory’s basic model cannot be the same from time/space sequence (1) to time/space sequence (n), resulting in possible contradictions among a series of related or unrelated models. (In passing, it should be noted that most people in the West do not like the inductive method, because, even if you have listed ten good reasons for describing and explaining certain phenomena, there could still be contradiction between, for example, the first reason and the tenth reason or the third reason and the ninth reason.) If so, the theory is not as convincing as others, at the model level. As another example, the game theory is equally powerful, and the basic model’s structure is the same from time/space sequence (1) to time/space sequence (n). The biggest problem, however, with game theory is that it presumes or assumes that all the players or actors are rational from the very beginning of a game, and this certainly cannot be true all the time since day one of human beings’ existence. Adam must have done something irrational. Instead of first catching fish, the first human being may have gone to a deep mountain hunting huge bears, with bear hands. The same speaks for

⁹ According to the following link, <http://www.youtube.com/watch?v=oB-lAk-9DNw&feature=fvwrel>. Accessed 24 Sept 2012, one academic, Yu Bin, on 24 September 2012, wrote: the Japanese ship cut the path of the Chinese mainland fishing boat and then speed away. “Japan looked for, and created, this ‘accident,’ which could have been avoided by a much faster Japanese ship.”

Eve, who may have picked certain fruits but refused to exchange them for fish or meat, which provides more nutrition.

A theory must be accompanied by a model (or dialectical scale 7 in my 1 2 3 4 5 6 7 8 A B C D E F G model) but not vice versa. If a model or theoretical framework contains three concepts, a theory should have only one or two concepts. Otherwise, there would be no difference between a theory and a model, resulting in the following: confusion begets confusion. Just as a natural science theory, a natural science model is a simplification or compression of certain phenomena, since the Big Bang, if not earlier, that is to say, to a religious person, the existence of God, Buddha, or Allah. Similarly, just as a social science theory, a social science model is a simplification or compression of certain phenomena, since Adam (and Eve). In this study, my 1 2 3 4 5 A B C D E model is structured similarly to the *BaGua* in the grand diagram.

A concept is at the bottom non-“dialectical” level (or dialectical scale 8 in my 1 2 3 4 5 6 7 8 A B C D E F G model). We learn many concepts at an early age. Although concept carries the least weight in the crab and frog motion model, it can be elevated to the status of being, for example, a theory, when we test it at present and in the future. If more people apply game theory in their words and deeds, the term, paradigm, can be used. It seems that the US academia is promoting such as a theory, especially after World War II. One of the reasons is that it is built by a Native American. *TaJiTu* or, for that matter, one-dot theory, is also a paradigm, at least to the Chinese, unless they subscribe another paradigm, resulting in paradigm-shift. If more people are exposed to and appreciate one-dot theory or *TaJiTu*, it will become a predominant paradigm.

Concluding Remarks

In the late 1980s, when the World Bank began to apply the term, international governance, in one of its reports related to sub-Saharan Africa, began to receive more attention from political scientists. The term, good governance, was mentioned in the preface, and the term, deteriorating governance or crisis in governance, was used in the study. However, the term, ocean governance, has been accepted by more political scientists earlier than those who still prefer to use other terms. This is because the study of ocean governance is narrower than or is part of the study of international governance or international and global governance. And, because the term, governance, embraces both state and non-“state” dimensions or public and private sectors plus their combination, so long as one vessel, big or small, is owned privately, it is appropriate to use the term, ocean governance.

Needless to say, when we discuss ocean governance, we cannot ignore or neglect the discussing of a very important tool, namely, international regimes, plus other tools. In this study, my major focus is on international regimes and non-“international regimes,” as opposed to zonal management, as reflected in the UNCLOS, which was basically drafted by diplomats from various countries and experts

as well as Yoshifumi Tanaka's integrated management in the international law of the sea, which integrates the zonal management and non-"zonal management," taking into account of, for example, fish aggregating in schools, which know no national boundaries (see Tanaka 2008, 2012). In short, my study is an alternative or the *third* new one to the study of ocean governance. Indeed, regimes can be applied to human and non-"human," such as the whaling regime and regime of islands or straits.

In any case, which one—zonal management, Tanaka's, or mine—will carry more weight will have to be decided by readers, by applying my one-dot theory and, for example, a series of the crab and frog motion model. If it is mine over a long period of time, the regimes and non-"regimes" dimension of ocean governance study will be put at 1. Needless to say, as time goes by, another academic or expert could come up with a newer way of studying ocean governance.

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