

# Who rules the blue planet?

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**Maritime spaces are the focus of the major economic, ecological, and geopolitical challenges of our time. Lest they become the site of routine legal violations (ranging from pollution to overfishing), a government of the seas is necessary.**

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Reviewed: Maxence Brischoux, *Géopolitique des mers* (The Geopolitics of the Seas), Paris, Puf, 2023, 168 p., 14 €.

The sea lies at the heart of major contemporary challenges. It has economic implications, since 90% of world trade passes through the seas and the "super-profits" of corporate giants like CMA CGM depend on it. The sea raises ecological issues, as oceans are major CO<sub>2</sub> pits that are threatened by water acidification. Finally, the sea is key to geopolitics, as seen in slow-brewing conflicts like the one in the China Sea.

Yet, when thinking about the sea, we are often prone to error. On our "blue planet," man is a landlubber. Though we rarely realize it, our reflexes, intuitions, intellectual instincts, and even our conceptual frameworks are inevitably shaped by our attachment to land. The sea is an irreducible other. It cannot be easily grasped by purely "terrestrial" categories. Unless we decenter ourselves by interpreting major issues *from the standpoint of the sea* and its unique concerns, many important truths will elude us.

The great merit of Maxence Brischoux's book is to present this perspective with clarity and depth. By the same token, it offers a powerful interpretative guide to some of the contemporary world's greatest challenges.

## Two distinct worlds

Land and sea: this opposition is key. One immediately thinks of Carl Schmitt's book of the same name, or his *Nomos of the World*. But the notion that land and sea represent two irreconcilable worlds is older. One finds it in Adam Smith, who sensed that capitalism could not flourish without the sea, as well in Hegel, who devotes a few magnificent sentences to it in *Lectures on the Philosophy of History*, and Alfrad Mahan, the naval officer who in 1890 wrote a book with the evocative title, *The Influence of Sea Power upon History*.

What makes the sea unique? Roughly speaking, whereas land is a series of specific and differentiated places and distinct territories delimited by borders--be they natural, symbolic, or political--the sea is an undifferentiated space that is symbolically limitless. When navigating the high seas, one can in principle go anywhere, sailing to whatever port one chooses and avoiding whatever territories one dislikes. The freedom thus experienced bears no resemblance to the feeling of being on land, and it is limited only because, sooner or later, one will run into a coastline--or another person.

The natural differences between these two milieus have profound political, economic, and geographic consequences, which we will only summarize briefly. Politically speaking, the concepts with which we are most familiar--the state and sovereignty--make sense only in reference to land, within the limits of what we call borders. Conversely, the high seas are "free," meaning that no state can claim sovereignty or the right to impose its law on them.

## The empire of the sea

Brischoux writes: "The sea distinguishes and characterizes itself as a geographic space that is naturally resistant to the deployment of the institutions and figures valued by terrestrial power." The resulting challenge is enormous: lest the sea become the site of every illicit trade and all kinds of legal violations (ranging from pollution to overfishing), who shall regulate it?

Economically speaking, the histories of the sea and capitalism are inextricably linked. Almost every major financial innovation, from the joint stock company to insurance, was born in a port to meet the specific needs of long-distance trade.

Resistant to political infringement, the sea is naturally economic, a space where individuals of all walks of life can trade and advance their private interests beyond the confines of states. Adam Smith, speaking of the "great discoveries," recognized this fact. Our present moment proves him right: 90% of the goods circulating through the world travel over the sea, as does 98% of internet traffic, thanks to underwater cables.

Geopolitically, the sea raises a unique set of difficulties. The military cannot control maritime spaces the way they dominate land. Establishing superiority on the seas means controlling traffic between ports--that is, trade routes and communication infrastructure.

The consequences are paradoxical. On the seas, great military powers display imperial tendencies. Controlling the seas--unlike controlling land--does not mean placing garrisons along a coastline. It means almost completely controlling communications over a vast area. It implies "controlling" far more than "conquering," as Brischoux rightly puts it.

## **Territorializing the sea**

While the land-sea distinction is crucial, the book also seeks to show that a degree of "hybridization" is occurring. What does this mean? The main trend is towards the territorialization of the seas: an attempt to impose concepts associated with land to regulate or impose a political and legal order on the seas. This process has several components.

The first has as its backdrop the rivalry between the United States and China. To a considerable extent, the Chinese consider the world order based on freedom of the seas to be an American construct in which they played no part. In Beijing, the China Sea is not seen as a "free" area open to global traffic, but as an internal sea to which China has legitimate claim. If the United States regularly sails vessels through the China Sea, as part of its Freedom of Navigation Operations (FONOPS), it is to preserve the "freedom of the seas" in a way that is temporarily favorable to them. But for how long? As Brischoux shows, the control of the seas is increasingly shifting towards Asia.

The second aspect of the territorialization of the seas arises from their usage. Historically, this was limited to fishing. This is no longer the case. Increasingly, states are competing for the supposedly "free" resources found in seas. In international law,

the framework for regulating the use of the sea is the 1982 Montego Bay Convention, which extends states' territorial claims to the sea (through its definition of "territorial waters") and establishes a sliding scale of rights as a function of distance from coastlines.

Yet as the sea is increasingly used for economic purposes (hydrocarbons, the seabed, and so on), conflicts have emerged over the precise definition of maritime "borders." At present, many areas of tension in the world concern these borders. Not far from us, in the eastern Mediterranean, Greece and Turkey, for instance, are engaged in a dispute over maritime borders.

## **How should the seas be governed?**

Understanding these processes is essential. Yet one question remains unresolved. Brischoux is right to call attention to the "terrestrial" bias that informs the regulation of the seas. It is necessarily imperfect. Near the coast, asserting that the sea is an extension of one's territory creates conflict. Far from the coast, claims by states become meaningless. To regulate the sea, if only for ecological reasons, other methods must be found. A "government of the seas" is necessary.

Currently, the contours of a government of the seas are unclear. Admittedly, it is a tall order. Global governance runs up against the competing claims of states, and the legitimacy of NGOs is up for debate. Implicit in these problems is the need for a profound change of mindsets: we must start viewing the sea as a natural complement to our terrestrial existence.

A few peoples on our planet, known only to a handful of anthropologists, offer valuable clues to understanding our shared belonging to the world of the sea. This topic merits further exploration, given the essential questions it raises.

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