# The US Factor in Japan's Territorial Disputes

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**In her January 2013 meeting with Foreign Minister Fumio Kishida, US Secretary of State Hillary Clinton stated that the United States opposes "any unilateral actions that would seek to undermine Japanese administration" of the Senkaku Islands. Although she did not mention China by name, it was clear that in the context of increasing Chinese maritime patrols and air force activity near the islands, she was signaling to Beijing that China should refrain from coercive actions against Japan. Her statement also was more specific than previous US government statements that simply confirmed that the US-Japan Security Treaty applied to the Senkakus because the islands were under Japan's administrative control. In general, Japan has applauded Clinton for this stern warning to China; and Beijing has predictably expressed strong opposition to it.**

**Despite this convergence between Tokyo and Washington about the Senkakus, there remain lingering concerns and dissatisfaction among Japanese policy analysts and commentators about US policy toward Japan's territorial disputes with its neighboring countries. Some would like the US to explicitly support Japan's sovereignty over the Senkakus and Takeshima as well as the Northern Territories. Others argue somewhat cynically that Washington prefers that these territorial disputes remain unresolved because it gives the US strategic leverage in the region and steers Japan to remain committed to the bilateral alliance and the US military presence on Japanese territory. Although I do not agree completely with these criticisms of US policy, they do contain an element of truth. After World War II, the US did indeed sow the seeds of territorial conflict between Japan and its neighbors; and Washington has tended to strike a balance between its support of Japan as an ally and its broader security interests that might not align completely with Tokyo's territorial claims.**

**This short essay examines how US policy regarding Japan's territorial issues has evolved over time. Such a historical perspective will illuminate the interests that both motivate and constrain the US in addressing the disputes Japan has with Russia, China, and South Korea.**

## The San Francisco Peace Treaty & Seeds of Conflict

Although historical narratives that go back to the 19th century and even further animate the territorial disputes that Japan has with Russia, South Korea, and China, the San Francisco Peace Treaty of 1951 established the international context for these disputes. In the July 1945 Potsdam Declaration, which laid out the terms of Japan's surrender, the US along with Britain and the Republic of China (ROC) stated that "Japanese shall be limited to the islands of Honshu, Hokkaido, Kyushu, Shikoku, and such minor islands as we shall determine." The San Francisco Peace Treaty of 1951 unfortunately did not specify clearly and concretely the disposition of the "minor islands" that would become disputes between Japan on the one hand and China, the Soviet Union, and South Korea on the other. Moreover, the fact that China, the Soviet Union and South Korea were not signatories to this peace treaty further complicated the situation and left the issue of territorial demarcation unresolved. If the San Francisco Peace Treaty had explicitly delineated the Senkakus, Takeshima and the Northern Territories as part of Japanese territory, then arguably the disputes that have become so vexing may have been avoided altogether. So how and why did this happen?

Photo: JIJI PRESS

*Japanese Prime Minister Shigeru Yoshida signs the Treaty of San Francisco in California on Sept. 8, 1951.*

Regarding Takeshima, early US State Department drafts of the peace treaty explicitly included the Liancourt Rocks (Takeshima) among the territories to which Japan would renounce all rights and titles. But later drafts specify Takeshima as Japanese territory. This shift reflected the US security interest in Takeshima as a bombing range and possible weather or radio station site as well as an assessment that Japan's claim to the Liancourt Rocks "is old and appears to be valid." But the final version of the peace treaty excluded any specific mention of Takeshima. One reason for this is that with the outbreak of the Korean War, Secretary of State John Foster Dulles was eager to conclude a peace treaty and therefore favored more streamlined versions that did not adjudicate every piece of contested real estate. Also Washington refused South Korean requests to have the US go back to the initial position of Korean sovereignty over the Liancourt Rocks because of concerns that North Korea might ultimately succeed in uniting the Korean peninsula and thereby end up acquiring the Liancourt Rocks and using them for a military purpose. But what remains puzzling then is why the US did not explicitly delineate Takeshima as Japanese territory. Insofar as Dulles' interest in textual brevity seems inadequate as an explanation, some scholars have speculated that he purposely left things vague so as to drive a wedge between Japan and what could become a Korea united under communist rule.

Regarding the Northern Territories, an initial US draft of the peace treaty specified "Etorofu, Kunashiri, the Habomai Islands, [and] Shikotan" as part of Japanese territory. But upon further examination, the US concluded that Kunashiri and Etorofu were part of the Kurile Islands, which the United States, Britain, and the Soviet Union agreed at the February 1945 Yalta conference would be handed over to the Soviet Union. But since the US did not consider the Habomai Islands and Shikotan to be part of the Kuriles, why didn't the peace treaty at least specify that these smaller islands belonged to Japan? In fact, a December 1949 State Department draft of the treaty did explicitly refer to the Habomais and Shikotan as part of Japanese territory. Again Dulles' interest in streamlining the territorial provisions of the peace treaty may have been one factor. Whereas Article 2 of the peace treaty specified in some detail the territories Japan renounces, the treaty did not delineate explicitly what territories Japan retains. Another consideration was that the Soviet Union was occupying the smaller islands as well as Etorofu and Kunashiri. Therefore, stating that the Habomais and Shikotan belonged to Japan would eliminate the possibility of Soviet participation in the peace conference. Moreover, it would pose the risk that the US could be drawn into a military confrontation with the Soviet Union over these islands in the context of the emerging security relationship between Japan and the US.

Finally, in the context of the peace treaty, the Senkaku Islands were embedded in the treatment of the Ryukyu Islands (Okinawa). During World War II, Foreign Minister T.V. Soong of the ROC considered the Liuchiu Islands (the Chinese name for the Ryukyus) as Chinese territory that would be recovered after the war, and the Diaoyu Islands (Senkakus) were assumed to be part of this island chain. Because the Senkakus were part of Okinawa Prefecture under Japanese rule, it makes sense that the ROC would expect the Diaoyu Islands to be included in the recovery of the Liuchiu Islands. Given the strong US military interest in Okinawa, however, the US opted to administer the Ryukyu Islands. Article 3 of the peace treaty therefore granted the US "all and any powers of administration, legislation and jurisdiction" over the Ryukyus. During the San Francisco Peace Conference, Dulles stated that Japan retained "residual sovereignty" over the islands; but this point was never included in the treaty text. The ROC acquiesced to US administration of the Ryukyu Islands, but insisted that the Liuchiu Islands did not belong to Japan. Ironically, the People's Republic of China (PRC) in 1951 opposed US administration of Okinawa and favored its reversion to Japan, no doubt as a propaganda ploy to improve relations with Japan and undermine the US military presence in Okinawa.

## Managing Territorial Disputes during the Cold War

If the ambiguity of the San Francisco Peace Treaty sowed the seeds of territorial conflict, the US dealt with these disputes during the Cold War as part of its containment policy against the Soviet Union and as an alliance management issue in its bilateral "hub and spokes" security network in East Asia.

During the mid-1950s, the Soviet Union offered to return the Habomai Islands and Shikotan to Japan as part of a Soviet-Japanese peace settlement. When Japan came close to accepting the Soviet offer, the US intervened diplomatically. Dulles warned Japanese Foreign Minister Mamoru Shigemitsu that if Japan agreed to the "two-island" formula, Japan's "residual sovereignty" over Okinawa could be jeopardized. Contradicting an earlier American assessment that Kunashiri and Etorofu belonged to the Kurile Island chain that was claimed by the Soviet Union, Dulles insisted that Japan persist in getting all four islands back from the Soviet Union. The US was displaying a keen interest in preventing friendly relations between Moscow and Tokyo and consolidating its military presence in Okinawa. Even during the latter Cold War years, the existence of the Northern Territories dispute served US strategic interests. As the Soviet Union re-deployed troops on these islands in 1978, Japan became more wary of the Soviet military threat and more willing to promote defense cooperation with the US.

Regarding Takeshima, while the US shied away from openly supporting the Japanese claim, it acted as if the islands did not belong to South Korea. For example, in July 1952 the bilateral "US-Japan Joint Committee" charged with implementing US-Japan security arrangements designated the islands as a "military facility" to be used by US forces; and the Japanese Foreign Ministry issued a resolution confirming the area as a bombing range. There was no US notification to South Korean authorities. Dissatisfied with US favoritism toward Japan, South Korean President Syngman Rhee unilaterally declared the so-called "Rhee Line" which excluded Takeshima from Japan's territory. Starting in April 1953, South Korea stationed volunteer coast guards on the islets to establish its claim. After several skirmishes between Korean and Japanese coast guard units, South Korea established its control over Dokdo (Takeshima) in 1954 by erecting a lighthouse, buildings, and a helicopter pad. This development put the US in a tough dilemma. Did Washington have an obligation to support and defend the Japanese claim under the 1951 security treaty or was it obligated to defend the Korean claim under the US-South Korea defense treaty of 1953? In the end, the US ducked the issue by signaling that its defense treaties with Japan and South Korea did not apply to a potential Japan-South Korea military clash over Dokdo/Takeshima. Washington took a position of neutrality in the sovereignty dispute in the hope that the dispute would be managed or resolved peacefully.

The Senkaku dispute became salient in the context of Okinawa's reversion and reports of potential large oil and gas reserves near the islands. In July 1970, the ROC granted permission to an American oil firm to explore resources on the continental shelf including areas near the Senkakus. Since Japan assumed that its sovereignty over the Senkakus was indisputable, it condemned the ROC action, which then led Taipei to reject the Japanese claim. As in the case of the Takeshima/Dokdo issue, this dispute between two of its allies put the US in a quandary. Although Japanese officials sought explicit US confirmation of Japanese sovereignty over the Senkakus as part of the reversion of Okinawa, the US balked because of ROC protests and possible ROC-PRC competition over which state most vigorously defended Chinese interests. In the end, the US opted to return administrative rights over the Senkakus as well as the rest of Okinawa while assuming a neutral position regarding the disputed claims about sovereignty. When Japan and the US signed the Okinawa reversion agreement in June 1971, the ROC government expressed its displeasure and declared emphatically that the Diaoyu Islands are a part of Taiwan. Although the dispute festered, it did not hamper Washington's overall strategy to contain the Soviet Union during the last phase of the Cold War. In the wake of Sino-American normalization of diplomatic relations in 1979, Taipei had more urgent issues *vis-à-vis* Washington than pressing its claims about the Senkaku/Diaoyu Islands. And Beijing was willing to shelve the dispute with Tokyo because of a desire to counter the Soviet Union.

## Challenges of the Post-Cold War Era

The end of the Cold War in 1989 altered US strategic calculations and the interactive dynamics regarding the territorial conflicts. The shift was most evident regarding the Northern Territories. The collapse of the Soviet Union and Russian democratization steered the US to focus on assisting Russia's failing economy. The administration of President Bill Clinton believed that progress on resolving the Northern Territories dispute might encourage Japan to help the Russian economy with greater aid, investments, and trade. In short, the US abandoned its Cold War policy of using the Soviet-Japanese territorial conflict to prevent a rapprochement between Tokyo and Moscow. Clinton signaled to Japanese Prime Minister Ryutaro Hashimoto that the US had an interest in Russo-Japanese reconciliation and even suggested a possible American mediating role. Although the lack of a breakthrough in Russo-Japanese relations disappointed the US, Washington refrained from pushing Tokyo to accept a "two-island" solution. After supporting Japan's claim to all four islands for the entire Cold War period, the US could not publicly walk away from that position without damaging relations with Japan. Therefore, Washington has had to watch from the sidelines as Tokyo and Moscow have struggled unsuccessfully to forge a mutually acceptable compromise on the territorial dispute.

In the post-Cold War era, the salience of the Takeshima/Dokdo dispute in Japan-South Korea relations has increased primarily because of South Korea's democratization. South Korean governments now have to be more responsive to populist nationalism as part of their electoral and legislative strategies. From the Korean perspective, the island dispute is not just about territory. The dispute has become an emotional symbol of how Japan has not adequately acknowledged and apologized for its transgressions against the Korean people during the colonial period. As a consequence, the US has had to be sensitive about not appearing to favor Japan in any way. It certainly wants to prevent the territorial dispute from becoming an additional issue that could stoke anti-American sentiments in South Korea. For example, when the US Board of Geographic Names changed in July 2008 its website designation of the "Liancourt Rocks" from South Korean control to "undesignated sovereignty" South Korea protested strongly. In response, President George W. Bush intervened to restore the original designation of South Korean territory. From the US perspective, Japan-South Korea tension over history and territory poses a huge opportunity cost. Since the end of the Cold War, the US has been gradually moving from its "hub and spokes" approach to its alliances in the Asia-Pacific region to a somewhat more multilateral network that involves greater security cooperation between its allies. Therefore, Washington was especially dismayed when frictions about history and the Dokdo/Takeshima issue prevented Seoul and Tokyo from signing a military intelligence-sharing agreement in summer 2012.

The end of the Cold War has also complicated how the US handles the Senkaku issue. With the collapse of the Soviet Union, the strategic motivation of China to shelve the territorial dispute with Japan has weakened considerably. Moreover, the Chinese Communist Party's use of nationalism to buttress political legitimacy encourages more assertive Chinese behavior regarding territorial issues — especially as Chinese power capabilities increase. In this context, Japan seeks more security reassurance from Washington. Consequently, each round of Sino-Japanese tensions over the Senkakus has pulled the US toward greater security involvement in the dispute even while maintaining neutrality on the sovereignty question. When tensions flared in 1996 because of the erection of a lighthouse on one of the Senkaku islands by a Japanese nationalist group and the attempted landing on the islands by Hong Kong activists, a US official had to explicitly state that the US-Japan security treaty applies to the islands. After the September 2010 Chinese fishing trawler incident, Secretary of State Clinton affirmed the application of the security treaty. This was the first time a member of the US cabinet had made such a statement. During the current crisis that began in fall 2012, the US has gone a step further not only by opposing unilateral actions that might undermine Japanese control over the Senkakus, but also by dispatching AWACS (Airborne Warning and Control System) planes to provide surveillance near the islands. Moreover, US Marines have started to engage in joint exercises with Japan Self-Defense Force units for island defense —presumably for the defense of Japan's southwest islands.

Although each of these steps has been carefully calibrated to deter Chinese aggression, they also increase the risk that the US could become entrapped in a military conflict about territory that is of tertiary interest and about which it assumes a neutral position. Increasing tensions between China and Japan may steer Japan to be more responsive to long-standing US efforts to enhance bilateral defense cooperation. This potential benefit, however, has to be weighed against the dangers of a negative security dynamic between the US-Japan alliance on the one hand and China on the other. So far neither the US nor Japan wants a Cold War with China; and China too wants stable relations with both the US and Japan so it can concentrate on internal development. But the gradual militarization of the Senkaku dispute will exacerbate the strategic distrust that now exists between China and the US and between China and Japan.

## Recommendations for the US

What then can and should the US do regarding the territorial disputes that involve Japan? First, given past history and suspicions, it should make it clear that it does not see these disputes as providing it with any strategic advantage or leverage. The US has a keen interest in having these disputes managed and resolved peacefully and not allowing them to fester or escalate.

Secondly, the US should urge Japan to recognize the existence of a territorial dispute with China even though Japan has administrative control over the Senkakus. While adhering steadfastly to its sovereignty over the Senkakus, Japan can still acknowledge that China may disagree without undermining Japan's own sovereignty claim. Just as Japan seeks South Korea's acknowledgement of the dispute over Takeshima/Dokdo, China seeks Japan's acknowledgement of the dispute over the Senkaku/Diaoyu Islands. Only by recognizing the existence of a dispute can there be serious dialogue to manage and defuse the dispute peacefully.

Thirdly, the US should encourage joint development of the resources surrounding the disputed territories. Japan and South Korea can build on existing agreements regarding fishing rights. Japan and China should work to revive the June 2008 agreement of principles for joint development in the East China Sea. The promotion of Russo-Japanese economic cooperation will create a more favorable environment for compromise on the Northern Territories dispute.

Finally, the US should facilitate and promote the process of historical reconciliation in Northeast Asia. Only by addressing more forthrightly the problem of historical memory through dialogue will it be possible to restrain short-sighted territorial nationalism. The US might contribute to this process by examining and reflecting on its historical role in Asia and its own responsibility for imperialism and war. Through example, the US can more effectively encourage other countries to do the same. JS

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