

Navigating a Sea of Troubles: US Alliances and Maritime Disputes in East Asia

Thomas U. Berger

Boston University

June 2012

Knowledge-Net for a Better World

The East Asia Institute(EAI) is a nonprofit and independent research organization in Korea, founded in May 2002. The EAI strives to transform East Asia into a society of nations based on liberal democracy, market economy, open society, and peace.

The EAI takes no institutional position on policy issues and has no affiliation with the Korean government. All statements of fact and expressions of opinion contained in its publications are the sole responsibility of the author or authors.

EAI is a registered trademark.

Copyright © 2012 by EAI

This electronic publication of EAI intellectual property is provided for non-commercial use only, as long as it is unaltered and complete.

Copies may not be duplicated for commercial purposes.

Unauthorized posting of EAI documents to a non-EAI website is prohibited.

EAI documents are protected under copyright law.

The East Asia Institute 909 Sampoong B/D, 310-68 Euljiro 4-ga Jung-gu, Seoul 100-786 Republic of Korea Tel. 82 2 2277 1683 Fax 82 2 2277 1684



Navigating a Sea of Troubles: US Alliances and Maritime Disputes in East Asia

Thomas U. Berger
Boston University
June 2012

Introduction

Over the past few years, East Asia has been beset by a wave of territorial disputes involving maritime boundaries and the ownership of small, largely uninhabited islands, rocks and reefs. While many of these disputes have been simmering for decades, they have taken on an unprecedented intensity since the start of the 21rst century and are rapidly moving up the region's diplomatic agenda.

The rise of these maritime disputes poses new problems as well as opportunities for the US alliances. In certain respects, these tensions have encouraged the United States to reengage with the region politically and militarily, reinforcing its existing alliances, staking out the parameters for a stable and productive relationship with the People's Republic, and seeking out new partnerships with countries such as India and Vietnam. In other respects, however, the rise in maritime disputes creates potential complications for the alliances. Most obviously, they create the possibility that the US will become entangled in militarized conflicts that it would prefer to avoid. Conversely, they could possible engendering feelings of abandonment on the part of allies, leading them to look for alternative arrangements for meeting their strategic needs. On a more basic level, misunderstandings and frustrations that could emerge over these issues could be a considerable source of intra-alliance tension and lead to major political crises and even — if mishandled — alliance break down.

The ultimate impact of the rise in maritime tensions on the alliances is, of course, impossible to predict. Nonetheless, it may be possible for policy makers and analysts to gain some purchase on the question through the use of International Relations theory. Different theoretical perspectives offer different insights on the dynamics that are driving the development of maritime



tensions and point to ways in which they may influence the alliance relations. While this essay advocates using a combination of perspectives to better understand the origins of the tensions and their implications for the alliances.

Historically, the study of alliances has been dominated by the Realist approach, with a strong emphasis on how the states act on the basis of rational calculations in response to threats.² A secondary line in the literature draws on Liberal International Relations theory to emphasize the role that alliances as international institutions can play in allowing states to overcome mutual suspicions and work together to pursue common international political aims.³

To date, however, the third major theoretical perspective in international relations, Constructivism, has not been applied to the study of alliances, even though in the case of Asian territorial disputes many of the kinds of forces that are stressed by Constructivist theory — nationalism, national identity and historical memory — appear to play a major role. US and Allied policy who are not accustomed to thinking about alliance management issues in ways that take into account these types of factors seriously are thus prone to either discount their effects, or conversely to exaggerate them. One of the purposes of this essay is to add in a systematic fashion a constructivist perspective on the issue of Asian maritime disputes in order to help delineate more precisely the types of policies that may be useful in dealing with them in the context of the alliances.⁴

In the following, this essay will provide a brief overview of the development of the principle maritime disputes in the region.⁵ Next, the three major theoretical approaches in contemporary IR theory — Realism, Liberalism and Constructivism — will be applied in turn to explain the sources of the tensions and the ways in which may influence alliance relations. In conclusion, some tentative thoughts will be offered on the ways in which the United States and its partners may wish to move forward on the issue.

¹. In this sense, the approach here is along the lines of "analytical eclectism" has been advanced by Peter Katzenstein, Ruadra Sils and J.J. Suh. See Peter J. Katzenstein and Ruadra Sils, *Analytical Eclecticism* and Katzenstein, Sils and J.J. Suh, eds., *Rethinking Security*.

². See Stephen Walt, *The Origins of Alliances* (Ithaca, NY: Cornell University Press, 1987); and Glenn H. Snyder, *Alliance Politics* (Ithaca, NY: Cornell University Press, 1997). A number of scholars have added to an essentially Realist framework the ways in which information and the cognitive biases of decision makers can at times distort alliance politics. See in particular, Dan Reiter, *The Crucible of Beliefs: Learning, Alliances and World Wars* (Ithaca, NY: Cornell University Press, 1996).

³. See for instance, Celeste A. Wallender, "Institutional Assets and Adaptability: NATO after the Cold War," *International Organization* 54:4 (Autumn 2000), pp. 705-735.

⁴. This essay is one part of a larger research project in which I will be comparing US alliances in Europe and Asia across a variety of policy domains from a Constructivist angle. The working title is "Shadowboxing and the Art of Alliance Maintenance: US Alliances in Europe and Asia."

⁵. The situation in the Taiwan straits is another, special case that nonetheless has a strong, maritime dimension.



The development of Maritime Disputes in East Asia⁶

Conflict is certainly nothing new to maritime Asia, and struggle for control over many the seas and islands in maritime Asia has been a feature of regional politics for many centuries.⁷ Territorial disputes in the modern sense, however, only became common in the late 19th century, with the introduction of Western notions of sovereign states with exclusive control over territories with clearly defined borders.⁸ Many of the current disputes have their origins in this period.

Arguably the issue first emerged clearly in the context of control over the Kuril island chain in the mid-19th century. At the time, Imperial Russia was beginning to expand its influence in the Far East, while Japan — still under the rule of the Shogunate — having consolidated control over Hokkaido was beginning to move Northwards. The Treaty of Shimoda, in 1855, established diplomatic relations between Japan and Tsarist Russia and demarcated their initial borders. Under the terms of the treaty, control over the four southern-most islands of the Kuril island chain was given to Japan.⁹

Soon thereafter, the Qing dynasty clashed with Germany and France, who were encroaching on South East Asia and surveying the South China seas. While the Qing dynasty laid claim to much of the region, it lost de facto control over the region after a disastrous naval confrontation

⁶ . In every case, the contending sides insist on affixing their own preferred name to the disputed territories. For example, the islands the Japanese call the Senkakus the Chinese insist on calling the Diaoyutais. In some instances the United States prefers yet a third name when it seeks to underline its own neutrality on the issue – for instance referring to the Takeshima/Diaoyutai islands as the Liancourt rocks. For present purposes, this paper will refer to the disputed features in slash-hyphenated form, with the name coming before the slash being the one preferred by the party that is in de facto control of the territory and the name after the slash being that of the party that is does not have control. So since the Dokdo/Takeshima islands are under Korean control they will be referred to with the Korean name first. Since the Senkaku/Diaoyutai islands are under Japanese control, the name preferred by Japan will come first. In the case of the Spratly Paracel Islands, since there are many islands under the control of different governments, this paper will use the name that is most commonly used in the Western Press.

⁷. Nonetheless, a case can be made that on the whole, the sea played a more central role in the development of European civilization than IN East Asia. See John Curtis Perry, "Imperial China and the Sea," in Toshi Yoshihara and James R. Holmes, *Asia Looks Seawards*" *Power and Maritime Strategy* (Westport, CT: Praeger, 2008), pp. 17-32.

⁸ A number of commentators have argued that Imperial China and other Asian states tended to view control more in societal than geographic terms. See for instance Mark J. Valencia, Jon M. Van Dyke, and Noel A. Ludwig, *Sharing the Resources of the South China Sea* (Honolulu: University of Hawai'i Press, 1990), p.20.

⁹ . See Hiroshi Kimura and Mark Ealey, *The Kurilan Knot: A History of Japanese-Russian Border Negotiations* (Stanford, CA: Stanford University Press, 2008) (Japanese original 1993), chapters 1-3. The Qing dynasty in China as well had claims on the island dating from this period. The Japanese Russian borders were shifted several times subsequently, in 1875 with the Treaty of st. Petersburg, in 1905 after the Russo-Japanese War, and again in 1920-1925 during the Japanese invasion of Siberia.



with France in which much of China's Southern fleet was sunk. The Sino-French convention of 1887 created a red line in the Paracel islands region which divided the administration of the region between the France and China. In the face of Republic of Chinese protests, France expanded its control over the region in the 1930s, before being replaced by the Japanese during World War II.

Likewise, Japanese claims in the East China Seas date to 1895, when it claimed the Senkaku/Diaoyutai islands as *terra nullius* (no man's land). Chinese fishermen may have known and visited the islands long before then, and there are documents from the 1880s that suggest that the Meiji government may have privately seen the islands as under Chinese control then. Nonetheless, the Qing dynasty having been just defeated decisively in the Sino-Japanese War of 1894-1895, chose not contest Japan's claim at the time.

The territorial claims of today were thus first staked out at a time when political realities and the definition of international law differed considerably from those of today. Not surprisingly, there was considerable ambiguity about the definition of boundaries, and subsequent events would cloudy them further. During the Second World War, Japan seized control of virtually the entire region until its final defeat in 1945. Beginning with the Cairo declaration of 1943, the Allied powers agreed that "Japan will also be expelled from all other territories which she has taken by violence and greed."10 However, the exact definition of these territories to a large extent was left open in the Cairo declaration, and only partially clarified at the subsequent Yalta and Potsdam summers in 1945. While it was agreed that the Kuril islands and Sakhalin be returned to Soviet control, the United States and Great Britain would later insist that that the southernmost islands (Northern Territories) did not belong to the chain, nor had they ever been violently acquired by Japan, since Russia had never claimed them since the Treaty of Shimoda in 1855. Likewise, Dokdo/ Takeshima was not dealt with in any of the war-time documents, and in the 1951 Treaty of San Francisco which ended the war between Japan and the Western powers (but not the PRC and the USSR) there was no reference to it. 11 Finally, while it was decided early on that Taiwan would be returned to China, it was never clarified whether the Chinese claims in the South China Seas would be included as part of Taiwanese territory.

Given the geo-political realities of the Cold War, the ability of the various states in the region was sharply limited. US naval dominance limited the ability of the Communist powers to press

_

¹⁰ Text available at http://www.ndl.go.jp/constitution/e/shiryo/01/002 46/002 46 001l.html. Accessed May 27, 2012.

^{11 .} Both the Korean and Japanese governments had lobbied the United States intensively in an effort to get the US to recognize their claims on the islands, and earlier drafts of the Treaty had assigned them first to Korea, then to Japan, leading at least one prominent historian, Kimie Hara, to conclude that the United States deliberately had chosen not to resolve the issue in order to create wedge between the two sides that it could exploit to stoke enmity if Korea were to fall fully under Communist control. See Kimie Hara, *Cold War Frontiers in the Asia-Pacific: Divided Territories in the San Francisco System* (New York: Routledge: 2007), chapter 1. Such a Machiavellian interpretation, however, need not exclude an equally plausible, alternative explanation, that given the choice of offending one of two key US regional allies, the United States decided it would prefer to offend neither.



their claims. Though the Soviet Union occupied the southernmost Kuril islands (Northern Territories) and could not be dislodged, but it was in no position to force Japan to renounce its claim. China, for its part, was focused on internal issues. On two occasions the PRC did use force to underline its claims in the South China Seas, but it did so in a limited manner, and at times (in 1974, after the US was withdrawing from Vietnam and actively courting PRC support) and against opponents (against North Vietnam in 1988) when a window of opportunity presented itself and US intervention was unlikely.¹²

The political interests of countries in the region also worked to limit the intensity of maritime disputes. During the occupation of Japan, South Korea established de facto control over Dokdo/Takeshima. While Japanese efforts to challenge Korean control led to armed clashes in 1954, the two countries' overriding interest in containing Communism led to their backing away from further confrontation. With the normalization of relations in 1965, the two sides agreed to shelve the thorny issue of sovereignty and signed a fisheries agreement. Despite recurrent tensions, Tokyo and Japan managed to contain the issue. In the 1970s, South Korean negotiator (and later Prime Minister) Kim Jong-Pil even reportedly told his Japanese counterpart that relations between the two countries should not be ruined by a "pile of bird droppings in the ocean." Similarly (if less colorfully), in 1978 Deng Xiaoping agreed that the Senkaku/Diaoyutai issue was one that future generations should resolve. 14

Thus, at the time the US system of bilateral alliances in Asia was created, the tensions over maritime boundaries — while very real — were by and large contained. In some cases, as with the Kuril islands/Northern Territories dispute, they were even helpful insofar as they helped Japanese conservatives rally public opinion in support of facing up to the Soviet Union. In general the US position towards the dispute was one of what could be called strategic distance. The US refused to take a position on where sovereignty lay in the majority of these disputes, maintaining that the ultimate resolution of the issue should be resolved by the disputants themselves. At the same time, the US emphasized that any resolution should be achieved through peaceful means and in accordance with international law. The United States also stressed that it was ready to abide by its alliance treaty commitments, most importantly with respect to the Senkaku/Diaoyutai islands, whose administration was returned to Japan as part of the 1972 Okinawa reversion agreement and which was thus specified as an area covered by the US-Japan Mutual Security Treaty. ¹⁵ In other cases, however, the US commitment was far less firm. Most importantly, despite the

¹². See M. Taylor Fravel, Strong Borders Secure Nation: Cooperation and Conflict in China's Territorial Disputes (Princeton, NJ: Princeton University Press, 2008), chapter 6.

¹³ Alexis Dudden, *Troubled Apologies*, pp.81-83.

¹⁴. Ezra Vogel, *Deng Xiaoping and the Transformation of China* (Cambridge, MA: Harvard University Press, 2011), p. 304.

¹⁵. A fact that more than a few US policy makers appeared to forget in 1996 when the Senkaku/Diaoyutai issue was reignited as a potential point of conflict. The author appreciates the points made to him on this point by Larry Nikisch, formerly of the Congressional Research Service. See also Jean-Marc F. Blanchard, "The U.S. Role in the Sino-Japanese Dispute over the Diaoyu (Senkaku) Islands, 1945-1971," *The China Quarterly* No. 161 (March 2000), pp. 95-123.



assumptions of some Filipino politicians, the United States did not promise to support the Philippines under the terms of the Mutual Defense Treaty in the event that its claims in the Spratlys escalated to the level of a militarized conflict.¹⁶

Initially, the end of the Cold War seemed to create an opportunity to wipe away the detritus of the geopolitics of the past and usher in a new era of peace and cooperation. Intra-Asian trade and investment soared as the economies of the region boomed. Regional institution building got a huge lift with the founding of APEC in 1989 and the creation of the ASEAN Regional Forum (ARF) in 1994. In the early 1990s, progress appeared to be made even on such long-standing and intractable disputes as Taiwan and Korea.

The spirit of cooperation that accompanied the end of the Cold War certainly had some spill over effect on the maritime disputes. Improvements in Japanese-Korean relations did lead to a renegotiation in 1998 of the fisheries agreement concerning Dokdo/Takeshima as well advances on a number of other contentious topics, including historical issues and greater coordination in dealing with North Korea. Likewise, after a long series of negotiations and workshops starting in the early 1990s, the PRC and ASEAN nations agreed to a non-binding Declaration of Conduct in the South China Seas. To the North, by the late 1990s Japanese-Russian negotiations on the disputed Southern Kuril islands (Northern Territories) seemed to move towards a possible resolution involving return of the Southern two islands plus some additional form of compensation for Japan ("two plus alpha"). Seas. The Conduct in the Southern two islands plus some additional form of compensation for Japan ("two plus alpha").

Yet, while there were signs of progress, there was also continued evidence of disagreement. The 1990s witnessed a burst of activity on the part of the various disputants to the South China Seas dispute designed to underline their claims. At times, these disputes became militarized, as during the 1995-1996 confrontation between the PRC and the Philippines over the appropriately named Mischief reef (Meiji Jiao) in the Spratlys. The Sino-Japanese disagreement over the East China seas islands intensified sharply in 199+6 when civilian activists from Japan, Hong Kong and Taiwan landed on the disputed Senkaku/Diaoyu islands and Japan. PRussian-Japanese negotiations over the Southern Kurils/Northern Territories ultimately broke down as domestic politics on first one side than the other intervened to prevent reaching a final compromise.

¹⁶. However, while the United States might stand by if a clash provoked by the Philippines remained confined to the disputed areas, it seems probable that it would intervene if it judged that it was the Philippines that were the target of a provocation, and it would almost certainly intervene if fighting were to extend to affect the Philippines itself.

¹⁷. A complete list of ASEAN-China agreements pertaining to the south China seas is available at http://cil.nus.edu.sg/wp/wp-content/uploads/2011/06/Documents-on-ASEAN-and-South-China-Sea-as-of-June-2011.pdf.
For the 2002 agreement, see p.22 (accessed May 23, 2012). For a discussion of the development of the Declaration of conduct, see above all Ralf Emmers, *Geopolitics and Maritime Territorial Disputes in East Asia* (New York: Routledge, 2010), chapters 5 and 6.

^{18.} For an authoritative account by one of the principle architects and participants, see Tōgō Kazuhiko

¹⁹. M. Taylor Fravel, "Explaining Stability in the Senkaku (Diaoyu) Islands Dispute," Downs and Saunders, "Legitimacy and the Limits of Nationalism," p.137; Yinan He, *Shadows of the Past*, pp. 280-281.



At the start of the 21rst century, the various disputes appeared to escalate sharply and more or less simultaneously. In 2005 against the backdrop of increased Japanese-Korean acrimony over Yasukuni and other historical issues, Korean President Roh Moo Hyun argues that Dokdo/Takeshima was part of a set of new policies designed to legitimate Japanese militarism and seek hegemony in Asia. ²⁰ In 2006, Seoul and Tokyo narrowly averted a serious confrontation between Japanese survey ships, backed by the well-armed Japanese coast guard, and the Korean navy over the Dokdo/Takeshima issue.²¹

Sino-Japanese tensions in the East China Seas also showed signs of intensification during this period. Beginning in 2004, there were a growing number of incidents involving the Japanese coast guard and the People's Liberation Army Navy (PLAN), creating the possibility of inadvertent incidents with the potential for escalation along the lines of the 2001 Hainan island incident between the United States and the PRC. During this period China appeared careful to control civilian activists and avoid allowing nationalist sentiments to take control of the issue and threaten relations with Japan. However, in September 2010 a confrontation between a Chinese fishing trawler and the Japanese Coast guard in which the trawler rammed the Coast Guard vessels and Japan initially threatened to try the ship's captain in a Japanese domestic court (thus underlining its claim of sovereignty to the island) threatened to undermine that restraint and triggered to a range of retaliatory actions by China, including the suspension of the shipment of rare earths.

Around the same time, Russia hardened its stance on the Southern Kurils/Northern territories, expanding civilian commercial activities on the islands and enhancing its military presence. In November 2010, President Boris Medvedev became the first Russian leader to visit the islands in a highly publicized visit that appeared to underline Russian claims.

In South East Asia, the much vaunted 2002 Declaration of Conduct appeared to break down in the 2010 period when the PRC decided to suspend fishing in disputed waters and then proceeded to arrest scores of Vietnamese fishermen who did not comply. Further confrontations soon followed, including an emotional confrontation in 2011 between Chinese and Filipino ships at the Scarborough reef.²³ Meanwhile, new issues emerged, including a dispute between China and South Korea over the erection by Korea of a structure on a submerged rock, Leodo/Suyan

²⁰. "Kankoku Daitoryo: "Nihon, Shinryaku o Seitōka" Takeshima Kyokashohihan no Danwa" *Asahi* seatellite edition March 24, pages 1, 2 and 7

²¹ Takeshima Shuhen Chōsa o Chushi" *Asahi* satellite edition, April 23, 2006, p.1. See also "Takeshima wa 'Rekshininshikimondai" *Asahi* satellite edition, March 26, 2006, p1

²² . Fravel, "Explaining Stability in the Senkaku (Diaoyu) Islands Dispute" op.cit.

²³. This is a fact, however, that Filipino leaders may not entirely appreciate. For a discussion, see Carlyle A. Thayer,"Is the Philippines an Orphan?" *The Diplomat* May 2, 2012, available at http://the-diplomat.com/2012/05/02/is-the-philippines-an-orphan/, accessed may 16, 2012.



(also referred to in the English language literature as the Socotra rock). In response, China protested the South Korean action and sent naval patrols into the area.²⁴

It is important to stress that to date there has been no clear escalation of tensions to the point where actual fighting has broken out over any of these disputes. All sides, including China, appear to be striving to prevent tensions from becoming militarized, and various steps have been taken to prevent the outbreak of conflict or a lasting breakdown in diplomatic relations. Nonetheless, the recent spates of incidents appear to differ from the sporadic tensions that emerged during the pre-1995 era in at least three important respects. First, there is a new willingness on the part of the disputants to engage in a potentially dangerous game of brinkmanship in which one side or the other threatens to risk an action that would have a catastrophic result for all parties unless the other side backs down. Such games, if played repeatedly, create powerful incentives for increasingly risky behavior and can ultimately lead to outcomes that all sides regret.²⁵

Second, increasingly force structures and military training reflects preparations for maritime conflict. This is most evident in the case of the PRC, which has invested massive resources in its navy in recent years, turning it from a primarily coastal defense force to one that is able to seriously hamper the U.S. from being able to project force into the region and which is developing a growing ability to project power abroad. ²⁶ Other regional militaries are also focusing increasingly on maritime missions and seeking to upgrade their capabilities. In the case of Japan, since 2004 the Japanese Self Defense Forces have shifted their focus from defending against a Northern (i.e. Russian threat) to defending against a threat from the South West, from China, including to the Senkaku/Diaoyutai islands. Recent arms acquisitions, such as the purchase by Vietnam of six Kilo class Russian submarines, reflect a similar heightened concern with naval threats. And of course, the United States, which continues to be the dominant naval player in the region, has been enhancing its capabilities, deploying powerful new weapons systems such as the Ohio class submarine and deciding to focus on preparing for large scale maritime contingencies

^{24.} Jon M. van Dyke "Korean Navy explored Leodo in 1951" Korea Times June 29, 2011, available at http://www.koreatimes.co.kr/www/news/nation/2012/05/359-89866.html (accessed on 5/24/2012); for the official Chinese response, see "Foreign Ministry Spokesman Qin Gang's Regular Press Conference on 14 September 2006" available in English at http://www.fmprc.gov.cn/eng/xwfw/s2510/t272110.htm (accessed 5.24/2012); On naval patrols, see –Jon M. van Dyke "Korean navy explored Ieodo in 1951" Korea Times June 29, 2011, available at http://www.koreatimes.co.kr/www/news/nation/2012/05/359-89866.html (accessed on 5/24/2012).

²⁵ . In games theory, this is referred to as iterated games of "chicken"

²⁶. Publishing on the Chinese navy has become something of a cottage industry in the United States, supported by a number of centers – most notably the Naval War College in Rhode Island – and a very capable network of scholars and military analysts. For a recent, authoritative assessment, see the 2011 Annual report to Congress on "Military and Security Developments Involving the People's republic of China," produced by the Office of the secretary of Defense., especially pp. 56-65. For a scholarly analysis, see Toshi Yoshihara and Yoshihara and James R. Holmes, *Red Star over the Pacific: China's Rise and the Challenge to U.S. Maritime Strategy* (Annapolis, MD: naval Institute Press, 2010).



with the adoption of the Air-Sea Battle concept.²⁷ This new focus on maritime power both allows countries in the region to engage in brinkmanship, and raises the potential costs of miscalculation.

Third and finally, territorial disputes are increasingly debated in many of the countries involved not just on a governmental level, but in the public arena as well. As a result, nationalist sentiments appear to be ever more engaged on territorial issues, reducing the room for maneuver of political leaders and further increasing the possibility of damaging, potentially catastrophic incidents.

It is against this backdrop that the United States recently has decided to shift it stance of strategic distance on territorial issues and, while continuing to profess a basic stance of neutrality on where sovereignty resides, to become more strongly engaged in promoting resolution and discouraging possible military conflict. The most important and visible reflection of this stance was Secretary of State Hillary Clinton's offer to mediate on the South China Seas dispute at the 2010 ASF meeting in Bali. It also can be seen in the repeated underlining by US government officials of the importance of upholding the principle of the freedom of navigation, and the a readiness of the U.S. government to stress the applicability of the US-Japan Mutual Security Treaty to the Senkaku-Diaoyutai dispute. ²⁸

While the forgoing represents a broad brush overview of the development of the issue, it does not specify the possible drivers of the conflict nor the way in which they may affect the alliance in the future. It is to these questions that we turn to next.

²⁷. See General Norton A Schwartz, USAF and Admiral Jonathan W. Greenert, USN, "Air-Sea Battle: Promoting stability in an Era of Uncertainty," *American Interest* (February 20, 2012), available at http://www.the-american-interest.com/article.cfm?piece=1212 accessed February 24, 2012, and Representative J. Randy Forbes, "America's Air-Sea Battle Vision," *The Diplomat* March 8, 2012, available at http://the-diplomat.com/2012/03/08/americas-pacific-air-sea-battle-vision/?all=true, accessed March 10, 2012.

²⁸. The US intervention on the issue has provoked a strongly critical reactions not only in China, which sees is as part of a not so subtle strategy of containment, but also among those who feel a less confrontational approach is likely to yield greater dividends. For a quite negative evaluation of the US position by a non-Chinese expert commentator, see Mark J. Valencia, "The South China Sea: Back to the Future?" paper presented at an International Workshop sponsored by East Sea (South China Sea) Studies, Hanoi, July 2011. Available at http://southchinaseastudies.org/en/conferences-and-seminars-/second-international-workshop/582-the-south-china-sea-back-to-future-by-mark-j-valencia. Accessed May 23, 2012. For insight on US government thinking on the issue, see Jeffrey A. Bader, *Obama and China's Rise: An Insider's Account of America's Asia Strategy* (Washington, DC: Brookings Institution Press, 2012), chapter 10.



The Problem seen from an IR Realist Perspective²⁹

The core insight of Realism is that power, and in particular military power, is and has always been the ultimate arbiter of international politics. While people, including political leaders, may be motivated by a wide range of other factors, if they ignore the security implications of their actions they court disaster and in the long run are not likely to be able to maintain their independence or even survive. As a consequence, states have to be constantly sensitive to the potential for conflict.³⁰

Realists do not deny that there can be order in the international system, but that order, expressed in terms of the division of rights and resources between political actors, is contingent on the distribution of power in the international system. When the balance of power shifts, when one set of actors becomes relatively stronger or weaker, then one of two things occurs. Either states act to restore the balance of power, or the distribution of rights and resources (sometimes to referred to as the status quo) must shift to correspond with the new realities. Sometimes states acquiesce peacefully to the creation of a new international order. Great Britain chose to cede international leadership to the United States in the first half of the twentieth century and adjusted its foreign policy to one of close alignment with the new hegemon. However, when states disagree over what the new status quo should look like, and when they miscalculate the relations of power, conflict often results instead. The classic examples from the first half of twentieth century are of course Germany and Japan.³¹

Accurately calculating the balance of power, however, is difficult to do. There are numerous uncertainties, including the implications of new military technology, the level of domestic political support, or the resolve and capacity of other nations. Of particular concern in this regard is the impact of alliances. One of the key elements in the balance of power is the role other nation play in either supporting or challenging the status quo. Few if any nations are able to determine the international order on their own. Moreover, when there is a shift in the relative distribution of power in the international system, in addition to bolstering one's own military capacity ("internal

²⁹. Realism, like any other major theoretical school, is a broad and diverse camp which embraces many different variants, such as "defensive" versus "offensive" realism, classical versus structural Realism, and so forth. The purpose here is not to provide an overview of the literature as a whole, nor to claim to advance a definitive "Realist" interpretation of the Asian international system. Rather, it is to identify some core precepts (in the Lakatosian sense) and use them to provide insight on the central analytical concern of this essay, what is creating the increase in maritime

³⁰ Classic formulations of the Realist position include Hans J. Morgenthau, *Politics among Nations: The Struggle for War and Peace* 5th edition (New York: Alfred Knopf, 1978), originally published in 1948; Kenneth Waltz, *Theory of International Politics* (Reading, Mass: Addison-Wesley, 1979), and more recently John Mearsheimer, *The Tragedy of Great Power Politics* (New York: W.W. Norton, 2001).

³¹ Robert Gilpin, War and Change in World Politics (London and New York: Cambridge University Press, 1981)



balancing"), countries look to work with other states to either restore, or revise, the international status quo ("external balancing")³²

Creating and maintaining an alliance is, however, a difficult thing. To begin with, every alliance suffers from a fundamental dilemma.³³ On the one hand, states have to worry that in the event of a crisis, the allies they are looking to for support may abandon them in the event of a confrontation, or to try to shift the burden of responding to a threat to the other partner (a behavior referred to as "buck passing.") French and British policy before WW II is the most intensively studied example of this type of behavior. After abandoning Czechoslovakia to Nazi Germany in 1938, France and Britain continued to under respond to the German military buildup in the hope that the other partner would rise to the challenge.³⁴ Cold War Asian history provides others as well. For instance, when the United States found it expedient to strengthen ties with the People's Republic in 1972, it quite cold bloodedly dropped its ally of over three decades, the Republic of China in Taiwan, maintaining only a residual security guarantee in the form of the Taiwan Relations act. Even more brutally, the United States abandoned its ally Vietnam in 1975, refusing to even provide air support or military supplies as it was being invaded.

Conversely, in every alliance there is the fear of entrapment, that one's ally will drag one into conflicts in which one has no pressing national interest. The case that is usually pointed to in the International Relations literature is WW I, where the alliance system worked a sort of chain gang, pulling all the major powers of Europe into a huge and destructive conflagration.³⁵ Recent Asian history as well supplies many examples of this dynamic. Victor Cha, for example, has argued that in the 1950s and 60s US fears that its regional allies, in particular Chiang Kai Shek and Syngman Rhee, might lead it into a land war in Asia led it to prefer a bilateral as opposed to multilateral security structure in East Asia.³⁶ For their part, US allies in Asia also dreaded the prospect of being entangled in conflicts motivated by US strategic designs, leading to the ultimate collapse of SEATO and to a long history of Japanese efforts to avoid becoming too closely integrated militarily in its alliance with the United States.³⁷

³². Morgenthau, Waltz, Mearsheimer. Gilpin, War and Change

³³ . This dilemma has been elegantly described by Glenn Snyder in "The Security Dilemma in Alliance Politics," *World Politics*, Vol. 36, No. 4 (Jul., 1984), pp. 461-495.

³⁴. Barry R. Posen, *The Origins of Military Doctrine* (Ithaca, NY: Cornell University Press, 1984)

³⁵ Thomas Christensen and Jack Snyder, "Chain Gangs and Passed Bucks: predicting alliance patterns in multipolarity,"
International Organization International Organization, Vol. 44, No. 2 (Spring, 1990), pp. 137-168

³⁶ Victor Cha, "Powerplay Origins of the US Alliance System in Asia," *International Security, Vol 34, No. 3 (Winter 2009/2010), pp. 158-196.*

³⁷. On SEATO, see Leszek Buszynski, *SEATO: Failure of an Alliance Strategy*, Singapore: Singapore University press, 1984. On the alliance dilemma and fears of entanglement as a central issue in the U.S.-Japanese alliance, see Jitsuo Tsuchiyama, "The End of the Alliance? Dilemmas in the U.S.-Japan Relationship," in Peter Gourevitch et al., eds., *United States-Japan Relations and International Institutions after the Cold War* (San Diego: Graduate School of International Relations and Pacific Studies, 1995).



For Realists, the key issue in alliance maintenance is not only to create alliances that have the material capabilities needed to meet common challenges. This is a necessary, but not sufficient condition for working together. The arguably much more difficult problem is to also make sure that the fears and expectations of each side are sufficiently aligned with one another so that when tested they are capable of an effective response.

Viewed from a Realist perspective, it is obvious that the status quo in the Asian region today is under growing strain due to the rise of China, whose military spending has grown at a pace that outstrips even its blistering economic growth rate. While the United States remains far ahead of China in terms of both per capita GDP (which may be taken as a proxy for technological sophistication) and defense spending (a very rough proxy for military power), China is on the verge of overtaking the US as the world's largest economy measured in purchasing power parity terms, and not long thereafter the world's biggest economy measured at market exchange rates.³⁸

While it may take more than a decade before Chinese defense spending catches up with that of the United States, and even longer for its military to fully learn to use its new capabilities, a decade is not that long a period of time in the larger scale of things. Were China to dedicate a greater share of its resources to its military, which at 1.2% and 2.4% of GDP it can well afford to do, it could catch up even sooner.³⁹

While in the broader sweep of its 2,300 year history China's primary geostrategic challenges have been continental in nature,⁴⁰ since the middle of the 19th century almost all of the most serious threats to China's security has come from the sea, from Great Britain at the time of the Opium Wars, through Japan during the First and Second Sino-Japanese wars, to the United States today. These threats have been directed both against the Mainland, but through Taiwan have also threatened the political unity of the country. Moreover, as a great power that is almost uniquely dependent on trade (over 50% of Chinese GDP depends on trade, an extraordinary ratio for an economy of its size), almost all of it conducted by sea, China is highly vulnerable to the threat of a interdiction of its vital sea lanes of communication.

As a result, it would seem perfectly rational, from a Realist point of view, that Chinese strategic planners should wish to enhance their nation's security by first by establishing control over the "first island chain" running from the Ryukyu's and the East China Seas through Taiwan to the Spratly/Paracel islands in the South China Sea, and then by acquiring the ability to defend

^{38 .} See "The Dating Game," put out by *Economist*, December 27, 2011, available at http://www.economist.com/blogs/dailychart/2010/12/save_date, accessed last May 29, 2012.

³⁹ . International Institute for Strategic Studies, *The Global Military Balance* 2011

⁴⁰ . Robert Ross has argued on this grounds that China is likely not to challenge US dominance in East Asia, a position that more recently he has modified somewhat. See Robert S. Ross, "The Geography of Peace: East Asia in the Twenty First Century," *International Security* Vol. 23, No. 4 (Spring, 1999), pp. 81-118.



its far flung trading interests. ⁴¹ The rise in maritime tensions in East Asia can thus be understood as a reflection of the PRC's growing naval power and its efforts to protect these interests.

The problem for the US alliances in Asia is to figure out how to respond to this challenge. Broadly speaking, there are two possible, but not mutually exclusive sets of responses. The first is to accede to Chinese demands for changes in the status quo, ceding territorial rights and agreeing to changes in the rules (for example, by agreeing to limit surveillance activities taking conducted in China's exclusive economic zone or allowing China to exploit maritime resources on terms that are favorable to it). The second is to restore the balance of power by balancing against China, acquiring new military capabilities and enhancing the ability of the United States and its allies to prevail in case of a military clash. Concessions to Chinese demands, however, must not be allowed to create a sense of abandonment on the part of US allies, lest it cause a complete collapse of confidence in American commitment to the region, accelerating the decline of US power in the region and possibly encouraging US allies to either bandwagon with China or engage in potentially risky behavior to enhance their security, for instance by acquiring nuclear weapons capabilities.

A Realist looking at US behavior policy might readily see a judicious effort to respond in China's rise through balancing. The United States is reassuring its allies by becoming more engaged on maritime issues. In some instances, such as the Senkaku/Diaoyutais, the US is willing to run a greater risk of entanglement than it has in the past. Given the centrality of the U.S.-Japanese alliance to US strategy in the region, this is a cost it is willing to pay. In other instances, however, as with the Philippines on the Scarborough reef, the US is not willing to make as strong a commitment. The Philippines is a much less important ally, and it has fewer options than does Japan. At the same time, the US is reaching beyond its traditional allies and looking for new security partners — most notably India — to help hedge against potential Chinese expansionism.⁴²

For now, this strategy appears to be working, and has led to a sharp toning down of Chinese assertiveness on maritime issues since 2011. However, in the longer run, unless there is a dramatic

⁴¹. On China's vulnerability to sea based attacks and the alliance implications of its efforts to defend itself from them, see Michael McDevitt, "The evolving Maritime Security Environment in East Asia: Implications for the US-Japan Alliance," *PacNet* #33, May 31, 2012. On the geographic and political significance of Taiwan, see Alan M. Wachman, *Why Taiwan? Geostrategic Rationales for China's Territorial Integrity* (Stanford, CA; Stanford University Press, 2007); and the broader

intent than the way it is portrayed here.

context of Chinese strategic thinking about its navy, see Toshi Yoshihara and James R. Holmes, *Red Star over the Pacific: China's Rise and the Challenge to U.S. Maritime Strategy* (Annapolis, MD: naval Institute Press, 2010), especially chapter 2. It should be noted, however, that Yoshihara and Holmes have view Chinese maritime strategy as being more aggressive in

⁴². On the growing role of India in US strategy, see Ashley Tellis, "The United States and Asia's Rising Giants," as well Michael J. Green, "Japan, india and the Strategic Triangle with China," both in Ashley J. Tellis, *Asia Responds to Its Rising Powers: China and India* (Seattle, WA and Washington, DC: National Bureau of Asian Research, 2012).



slow down in China's economic growth,⁴³ a balancing strategy by itself is likely to face serious problems. First, the great disparity of interests and regime types in the larger Asian region will make it very difficult to create and maintain a strong and stable alliance system capable of containing China into the mid-21rst century, unless China were to engage in blatantly aggressive behavior that would convince its neighbors that it poses an existential threat to them. Countries like India have pressing security concerns, notably regarding Pakistan and Kashmir, that are of peripheral concern at best for most US allies in the region, and which creates difficult cross pressures for the United States. Other countries, such as Russia, has strategic objectives that run counter to those of the United States and is therefore unlikely to be very interested in balancing China. The US is unlikely to succeed in hedging against China's rise with the help of a relatively limited set of traditional allies alone (Australia, Japan, South Korea, the Philippines and Thailand), and many of these are likely to defect if put under pressure.

Second, the type of brinkmanship over territorial issues that we have seen in recent years may be encouraged by efforts to strengthen the alliance system and might lead to military confrontations and clashes that could escalate in unanticipated ways and with possibly catastrophic consequences. Indeed, precisely this may be occurring in the case of North Korea, which since its acquisition of atomic weapons and apparently sure of continued tacit support from the PRC, has been willing to engage in highly provocative behavior at sea, sinking the *Cheonan* on March 26, 2010, and shelling Yeonpyeong island on November 23rd. For this reason alone, some sort of strategy of accommodation with China, at least to the extent needed to create various mechanisms for preventing such escalation is necessary.

Third and finally, while a Realist analysis is able to explain a good part of the rise of maritime tensions, some of the dynamics are not as well accounted for. Some of the disputes, notably between Japan and Korea over Dokdo/Takeshima, fly in the face of Realist expectations, since the two nations have other, more over riding common security interests that should encourage greater cooperation. In many, the willingness of the different parties to engage in provocative behavior over maritime issues would seem to be motivated by more than just concerns with geostrategic considerations of military power. To understand these dynamics, other theoretical perspectives are needed.

_

⁴³. Most analysts expect there to be some slowing down of the Chinese growth rate in the coming years, and many expect that there may also be some rather sharp dips along the lines of the Asian financial crisis of 1997-1998 resulting from the bursting of speculative bubbles. In the more distant future, unfavorably demographic trends may lead to a further erosion of Chinese economic dynamism. Many Chinese analysts worry that China may grow old before it gets rich. Nonetheless, given the size and increasing sophistication of the Chinese economy, it seems all but inevitable that China will emerge as the world's leading economic power by the middle of the 21rst century.



The Problem seen from an IR Liberal Perspective

Liberal commentators tend to begin from the same starting point as realists, namely that the international system is best understood as being made up of competing states striving to maximize their national interests, but argues that states are motivated by a broader range of concerns than questions of military power alone. While the possibility of military conflict is always present, states and political leaders also need to enhance the material wellbeing of their societies if they wish to prosper. To do so they need to cooperate with other states on a wide range of issues, including international trade and investment, managing the global economy, environmental issues, migration and so forth. Whether states choose to conflict or cooperate with one another therefore depends on a complex calculation of whether the costs and benefits of cooperation outweigh the costs and benefits of conflict. For a variety of reasons, Liberals argue, in the modern world the international structure of incentives increasingly favors cooperation over conflict. ⁴⁴

Three trends in particular are believed by Liberals to encourage cooperation. First, modern economic systems are increasingly characterized by cross-border economic flows in the shape of trade and investment. The increase in economic ties across national boundaries leads in turn to increased dependence of states on other states and societies in the international system to achieve their objectives. More and more, the world today has become an interdependent one. States that participate in global markets and cooperate with one another to enhance their welfare are able to achieve levels of prosperity virtually undreamed of even a few generations ago. Conversely, states that remain outside of the liberal international order fall further and further behind. Modern Asia arguably provides perhaps the most dramatic illustration of this dynamic. Countries like Japan in the 19th century and China since 1978 have been able to achieve extraordinary rates of growth and prosperity by opening themselves up to the outside world and accepting foreign trade and investment. In contrast, North Korea, thanks to its autarkic *Juche* development strategy, remains an area of darkness (literally so, when viewed by satellite at night).

Second, to manage their increased interdependence, states in the modern world enter into a growing array of legally binding arrangements and cede power to an increasing number of international bodies and organizations. While sovereign states retain the right to ignore their legal obligations and reject the recommendations of international organizations, doing so reduces the willingness of other states to cooperate with them, and thus prevents them from enhancing their own national welfare. Institutions such as alliances, while they may have their origins in Realist power struggles, may continue to exist and serve a useful function in a Liberal world by defusing

⁴⁴ For an overview of the historical lineage of Liberal international relations theory see Michael W. Doyle, *The Ways of War and Peace* (New York: Norton, 1997). For an exceptionally clear exposition of the proposition that whether states cooperate or conflict depending on the incentives the international system provide them with, see Kenneth A. Oye, *Cooperation under Anarchy* (Princeton, NJ: Princeton University Press, 1986), chapter 1.



latent security concerns and dealing with a broader array of security issues that single states may find difficult to manage, for instance coping with transnational security threats or intervening in and rebuilding failed states.

Finally, liberals argue that the spread of liberal democratic regimes has a further pacifying effect on the international system, since in such systems those who bear the costs of war have power over the decision to make war or peace. In a modern, interdependent world increasingly characterized by law-like behavior, democratic states are likely to try to resolve their differences through non-military means, i.e. bargaining and negotiation, rather than through war and military conflict. Conversely, non-liberal societies are much more prone to waging war, in part because elites who may benefit from conflict even while society as a whole suffers are in a position to hijack the policy making process. In many cases, such non-democratic elites may even find belligerence a useful strategy to stifle domestic pressures for increased democratic governance, although weak democratic governments as well may have an incentive to rally domestic support by appealing to jingoistic popular sentiments.

Applied to East Asia and its maritime disputes, a Liberal perspective would see at least some ground for optimism, especially in light of burgeoning regional interdependence and an evident willingness of elites to seek ways of maintaining and expanding on the existing system of cooperation. Precisely as a Liberal Theorist might predict, there is evidence that the rise in interdependence has created powerful incentives for regional political leaders, both in democratic and non-democratic societies, to try to constrain maritime territorial conflicts and seek joint economic development mechanisms.⁴⁶

The Asian region, however, is only partially liberalized with respect to the two other trends emphasized by Liberal theory — international institutions and regime type. While there has been a startling growth in regional institutions over the past two decades, on the whole international institutions remain relatively weak, riven by internal rivalries, and with respect to security issues rather underdeveloped, especially in Northeast Asia. With respect to South East Asia, the picture is somewhat brighter. Since its founding in 1967, ASEAN has been successful in defusing tensions

_

⁴⁵. Although often skipped over by IR scholars, there is a liberal vision of political development that buttresses the Liberal IR belief in the power progress. Under modern conditions, Liberals believe, democracy is likely to spread because in increasingly prosperous, literate societies where there is at least some room for independent organization people are likely to form independent associations (civil society) that agitate for increased democratic rights. Liberal international institutions are likely to further encourage this trend by campaigning for human rights.

⁴⁶ . See Min Gyo Kim, *Island Disputes and Maritime Regime Building in East Asia: between a Rock and a Hard Place* (Dordrecht, Heidelberg, London and New York: Springer, 2010).

⁴⁷ On the relative weakness of regional security institutions in Northeast as opposed to southeast Asia, see Rosemary Foot, "Modes of regional Conflict Management: Comparing Security cooperation in the Korean Peninsula, China-Taiwan, and the South China Sea," in Amitav Acharya and Everlyn Goh, eds., *Reassessing Security Cooperation in the Asia-Pacific: Competition, Congruence and Transformation* (Cambridge, MA: MIT Press, 2007), pp.93-112. On the competitive dynamics that affect even economic regional institution building, see William E. Grimes,



between its member states, and in recent years it has been quite successful in bringing other states, including China, Japan, the two Koreas and the United States into its ambit. Nonetheless, the failure of the Code of Conduct to prevent a sharp escalation in maritime tensions has been a marked set back for more optimistic hopes for enhanced cooperation on security issues in Asia.

Moreover, the international institution that is supposed to govern the exploitation of maritime issues, the international Law of the Seas (LOS), is dauntingly complicated and riddled with ambiguities. For instance, there are two basic principles for determining the base line for a nation's territorial waters and exclusive economic zone, the shore line and the continental shelf principles. Yet deciding which applies, or even how to measure where the continental shelf or the shore line begins, is uncertain. The ownership of islands, rocks and reefs is based on customary use and uncontested exercise of control. Yet the exact definition of these two principles is open to interpretation of the historical record, opening the door to endless disagreements regarding what the historical documents show.⁴⁸ Moreover, while states may agree to third party mediation, they are under no obligation to do so, and in many instances, when one of the disputants has de facto control over the territory (as is Korea does with respect to Dokdo/Takeshima or Japan with respect to Senkaku/Diaoyutai) it has no incentive to accept third-party mediation.

The combination of a highly imperfect regime, the LOS, and the existence of large scale gas and oil resources that states in the regions need to maintain their economic growth, is a dangerous combination. While states might have a strong incentive to cooperate in exploiting those resources through joint development⁴⁹, the imperfections in the international institutional structure complicate their efforts to do so and shifts the balance of incentives in favor of conflict over cooperation.

The Asian region is also deficient with respect to the third key dimension of a liberal order, democratization. To be sure, there has been a spread of democracy. In addition to Japan, South Korea, Taiwan, the Philippines and Indonesia today can all be counted as liberal democratic regimes. However, many other states, most importantly the People's Republic do not presently fit the Liberal IR definition of a democracy.

^{48 .} Sam Bateman, "UNCLOS and its Limitations as the Foundations of a Maritime Security Regime, "Working paper No. 111, Singapore Institute of Defense and strategic Studies, 2006, available at http://www.rsis.edu.sg/publications/WorkingPapers/WP111.pdf, accessed May 29, 2012.

In principle, as long the global energy markets are functioning properly, it does not matter on a macroeconomic level who actually controls an oil and gas field. If China controls a given gas field, even if it chooses to sell all that it produces exclusively to Chinese customers, other countries will benefit as well. If Chinese consumers are meeting their needs with gas produced at Chinese produced fields, this means that they will have less need to import gas from elsewhere. As a result, the global demand for gas will drop, and subsequently the price of gas world-wide will drop as well, benefitting American, Japanese, Korean, and other consumers. Only if there is doubt about the reliability of global supplies is there is significant macroeconomic benefit to be had from national control over fields. In addition, the companies that are allowed to exploit these resources can reap significant rewards, as can the governments who sell them the rights to do so. The author is indebted to comments on this subject to Ed Lincoln and Mikail Herberg.



Even in the case of the democratic regimes, the weakness of many governments creates opportunities for interest groups to hijack the policy making process and block efforts at achieving cooperation in areas that are inimical to their interest. Thus, in Japan a relatively small but influential fishing lobby is able to agitate successfully for maintaining Japan's claims on Dokdo/Takeshima, while weak leaders such as Roh Moo Hyun in Korea may be tempted to cater to anti-Japanse sentiments to bolster their flagging popularity. In non-democratic systems, it can be even more difficult for leaders — especially ones who lack the authority bestowed by personal charisma or an electoral mandate — to exercise control over politically powerful groups that may have an interest in pursuing territorial claims. In the case of the PRC, it is estimated that there are as many as eleven ministries and agencies that have a say in the making of China's maritime policy, including the PLAN which has a vested interest in emphasizing the strategic importance of gaining control over the seas.⁵⁰

From a liberal perspective, US alliances have to walk a difficult tight rope. The incomplete liberalization of the Asian region makes it necessary for US allies to be prepared, in a Realist sense, to contain the threat of war and aggression. Even liberals can agree in this case with Vegetius's dictum, if you wish peace, you must prepare for war (*si vis pacem para bellum*). At the same time, the US and its allies must be careful that their preparations for war do not become undermine the tenuous, but significant trends towards liberalization in the region. It is necessary that the United States actively engages the People's Republic of China and other potential challengers to the status quo and seek their help in creating a more peaceful and stable regional system. Doing so, however, goes beyond merely balancing and accommodating in the Realist sense. It is important that the US and its allies promote the creation of strong regional institutions governing both the exploitation of resources and managing the threat of naval clashes. For the first, a return to the Declaration of Conduct would be a first step, followed by a steady expansion of the areas of cooperation and the creation of a multilateral institution to help oversee the exploitation of maritime resources. ⁵¹ For the second, confidence building measures and comprehensive naval arms talks will be needed.

Whether it will be possible to achieve such a liberal regime at any point in the near future, however, is rather doubtful. Efforts at creating joint economic development mechanisms have been mixed at best, and to date, US efforts to establish military-to-military ties with the PLA/PLAN have had very limited success. At present, Realist pressures seem to be overtaking liberal tendencies.

⁵⁰ . There is a disturbing parallel here, one that has also been noted by many Japanese observe, with Japan in the 1920s and 30s, where the passage of the Meiji oligarchs and the weakness of democratic control of the states made for a rudderless foreign policy that ultimately allowed the country to drift into a devastating war. See for instance, Jack Snyder, *Myths of Empire*

⁵¹ See a quite detailed recent proposal along these lines offered by Mark J. Valencia, available at see http://southchinaseastudies.org/en/conferences-and-seminars-/second-international-workshop/582-the-south-china-sea-back-to-future-by-mark-j-valencia. Accessed May 21, 2012.



The Liberal perspective helps provide a fuller account of the nature of Asia's maritime dispute. It is particularly helpful in explaining why some of these disputes have become particularly acute when they did. The discovery of energy resources in the East and South China Seas in the 1960s led to the lodging of territorial claims at that time. The time table set out in the 1982 Law of the Seas for staking out a claim provided a powerful incentive for claimants to stake out a claim, leading to a sharp increase in acrimony in the 1980s. As energy demands rose, and as states began to issue licenses to oil and gas companies to exploit these resources in the 1990s and early 21rst century, it is not at all surprising that the issue should become more salient.

A liberal focus on domestic and international regimes also explains why many of the disputes developed the way they did. The frequent diplomatic demarches and the regular dispatch of survey and patrol vessels are encouraged by the LOS, since such activities are necessary to establishing a claim on a disputed area. Likewise, the ability of domestic political groups and organizations — fishermen, energy companies, the military, etc. — to influence state policies also fits a Liberal paradigm quite well.

Liberal explanations, however, suffer from at least two important shortcomings. First, not all of the maritime disputes fit the Liberal model all that well. While there are significant energy resources in the East and South China seas, the same cannot be said of Dokdo/Takeshima, the Socotra rocks or the Northern Territories. Secondly, Liberalism does not do a good job of explaining the intensity of the disputes. Control over the economic resources in these regions does not provide the large macro-economic benefits that often is assumed, given the fungible nature of international markets. And, as has been widely recognized by experts working on the topic, even if the LOS regime is unable by itself to resolve sovereignty and boundary issues, the disputants can nonetheless reach mutually beneficial outcomes through bargaining and/or creating joint economic development mechanisms.⁵² The willingness of the different parties to forgo pursuing such options and to engage instead in increasingly confrontational and potentially dangerous activities would seem to require factoring a third set of variables.

The Problem seen from IR Constructivist Perspective

Accessed May 19, 2012.

The Constructivist approach to the study of international relations maintains that all forms of human behavior, including state actions and international relations, are fundamentally shaped by socially shared understandings of the world, both of how the world is and of how it should be.⁵³

52 . For an exceptionally clear laying out of the options available without the use for force, see Ji Guoxing, "Maritime Jurisdiction in the Three China Seas: Options for Equitable Settlement," University of California Sand Diego, Institute on Global Conflict and Cooperation, Policy Paper 19, 1995. 33 pages. Available at http://igcc.ucsd.edu/assets/001/501205.pdf.

⁵³ For other leading exemplars of the approach, see Ronald L. Jepperson, Peter J. Katzenstein, and Alexander Wendt, "Norms, Identity and Culture in National Security," in Peter J. Katzenstein, ed., *The Culture of National Security* (New York:



Central to such understandings are the definition of actor identity and interests. Around these core understandings are various ideas that help actors make sense of the world around them and how they should act to pursue their goals. These understandings — which also can be called cultures, mentalités or discourses — are not simply subjective reflections of an objective material reality, but rather emerge out of communicative and social processes — socialization, debate and sometimes coercion. The material-structural world, including such features as the balance of military power or opportunities for international cooperation, is thus mediated by the particular cognitive lenses with which actors are endowed. Different actors with different culturally defined understandings of the world, may react to the same set of circumstances very differently. As Alexander Wendt put it, "anarchy is what states make of it." ⁵⁴

To use a Constructivist approach to analyze empirical phenomena, an investigator needs to do at least four things. First, he or she must identify the way in which different actors in the system understand themselves, i.e. their identity and interests. Second, the investigator must try to understand how the actors understand the situation they find themselves in — the "cognitive map" they have of their environment. Once these first two steps have been done, it then becomes possible to understand the strategies the actors adopt to best realize their interests given the situation they find themselves in — in other words, we can discern their strategic culture. Fourth and finally, the analyst needs to take a look at how the different actors in the system interact with one another over time. Based on how other actors in the system act, actors may make adjustments to their strategic cultures, alter their cognitive maps and even — under extreme circumstances — change their identities and interests. In some cases, the patterns of strategic interaction can be quite stable. Others, however can be quite fluid and shifting. ⁵⁵

In looking at the maritime disputes in East Asia, a Constructivist would thus begin by noting that the major actors define themselves quite strongly as nation states, that is to say states that represent a particular people with a particular history and particular defining features that distinguish them from other peoples. ⁵⁶ Unlike Western Europe, and unlike many Western intellectuals in general, in most of Asia (Japan is a partial exception in this regard) patriotic sentiments are not tempered by a historically grounded fear of nationalism. On the contrary, for Chinese, Koreans and South East Asians emerging out of the shadow of colonialism and foreign

Columbia University Press, 1996); Friedrich Kratochwil, *Rules, Norms and Decisions* (New York: Cambridge University Press, 1989); John Ruggie, *Constructing the world Polity: Essays on International Institutionalization* (New York: Routledge, 1998); and Alexander Wendt, "The Agent-Structure Problem in International-Relations Theory," *International Organization* Vol.1, No.3 (Summer, 1987); and "Anarchy is what States make of it: the Social Construction of Power Politics," *International Organization* 46,2 (Spring 1992).

⁵⁴ Wendt, "Anarchy is what States make of it," op.cit.

^{55 .} Steps on to three are derived from Peter L. Berger and Thomas Luckman, *The Social Construction of Reality*. Step four is based on points made by Aaron Wildavsky, Richard Ellis and Michael Thompson, *Cultural Theory* (Westview Press, 1990)

⁵⁶. This is the most basic and widely used definition of nationalism as set forth by Ernst Gellner, *Nations and Nationalism* (Ithaca, NY: Cornell University Press, pp.1-2).



domination, nationalism is associated with freedom, self determination and the hope — at least — of democracy. As a result, Asian countries are much more jealous of their sovereignty, and not as ready to surrender sovereignty. Indeed, whereas regional integration in Europe is premised on a readiness to surrender sovereign rights to a supranational entity, the European Union, in Asia the most successful regional institution, ASEAN, has made the norm of noninterference in each other's affairs a founding principle.⁵⁷

The Asian attachment to the nation state is balanced somewhat by a sense of belonging to a larger Asian region and global community. The strength of these attachments, however, and the definition of what these larger possible sources of identity actually mean differ considerably from country to country. According to survey data collected by Asian Barometer, South Koreans are most likely to identify with "Asia," while Japanese tend to be more ambivalent. Chinese do have an attachment to Asia, but in a certain sense tend to see Asian civilization as an extension of China. 58

Asian political leaders routinely invoke images of an Asian and Global community when they speak about trade and other areas of international cooperation, and they do so because such rhetoric has both domestic and international political resonance. This appears to be particularly true of south East Asia, where the notion of an "ASEAN" way has become almost a sort of officially sponsored religion.

However, alongside these more benign images of the outside world, there also exist strong feelings of victimization and an abiding sense of external menace in virtually all of the Asian countries, including Japan. In China, there exists a wide spread, strongly felt historical narrative organized around the central trope of "the Century of Humiliation." According to that narrative (one, that I hasten to add has a strong foundation in empirical reality) China was a great civilization that was set upon by rapacious external predators — the Imperial powers including Japan — who all but destroyed her over the course of a century of invasion and oppression. Since the middle of the 20th century, under the guidance of the Communist power, China has slowly, and at great cost, pulled itself back up and is now reclaiming the preeminent position in Asia that it once enjoyed. China seeks to reassure the outside world that this need not mean war and conflict, that it can mean increased opportunity and prosperity for all the "win-win" narrative of China's peaceful rise." However, there are actors out — American hegemonists and Japanese nationalists chief among them — who wish to sabotage China's reemergence and if possible put China back down, most probably by encouraging secessionist elements who would weaken China from within.

In Japan as well, there is a narrative that Japan had been a peaceful, inward looking nation that was forced by outside powers to reemerge on the world stage and compete with the Imperial powers. As a resource poor, island nation in a backward and hopelessly corrupt Asia which at the

⁵⁷ . See Chung-in Moon and Chaesun Chun, "Sovereignty: Dominance of the Westphalean Concept and Implications for Regional Security," in Muthiah Alagappa, Asian Security Order (Standord, CA; Stanford University Press, 2003),

^{58 .} Takashi Inoguchi, Asian barometer data



time seemed incapable of reforming itself, Japan had no choice but to create its own Imperial sphere, one that simultaneously gave it the strategic depth and the resources it needed for its security, and could serve as the foundations for a new Asian order that could meet the challenge of the rapacious and racist White Western Imperial powers. That effort proved a tragic failure, tragic for Asia, and for Japan. Japan was doubly victimized. It was victimized by the West, which fought a brutal war of annihilation in which hundreds of thousands were killed by aerial and atomic bombardment. It was victimized by other Asians, who rejected the Japanese Imperial project. And it was victimized by its own leaders, who waged a war well after all hope of victory was gone, regardless of the enormous cost in civilian lives. After the war, Japan has eschewed the path of militarization and tried to present itself as a "peace nation" that seeks peaceful relations with the outside world. Yet, its efforts to do so have been frustrated by the continued power political machinations of other nations, creating the danger of Japan being victimized once again by its own good intentions.⁵⁹

In Korea as well, there is a victim narrative based on colonial domination and Cold War division, and in South East Asian countries historical memories of colonial domination have never been far from the surface in discussions of their nations' histories and their place in the world.

In each of these countries, there are significant differences in how different groups relate to these narratives. In Japan, for instance, liberals are much more critical of the Imperial government and the Imperial project in Asia, and in recent decades have been much more open to stressing how Japan must work hard to overcome the legacy of bitterness that Japanese Imperialism left behind. Japanese conservatives, in contrast, resist what they call a "self flagellating" (jigyaku) historical narrative and criticize instead the fuzzy headed pacifism (Heiwa bokke) that they feel makes Japan vulnerable to outside depredations. In Korea, many on the Left emphasize how the post-1945 authoritarianism was an extension of the Japanese colonial regime (the so-called "colonial modernity" thesis), while conservatives tended to view the military governments of the Cold War era as the flawed defenders of an embattled and newly independent nation. 60 In short, history becomes a political battleground, one in which different groups and factions strive impose their preferred vision of the past while pursuing their own interests. This is obviously true of democratic societies, but it may be just as valid for authoritarian regimes as well. As the old Soviet era joke put it, the only thing that is more uncertain than the future is the past.

The Second World War was an important inflection point in the development of national identity in East Asia, and many of Asia's maritime disputes have their origins in that time period. For the Syngman Rhee government, establishing control over Dokdo/Takeshima was an important gesture of defiance against Korea's old colonial masters, and an important ideological

⁵⁹ . Robert Orr, *The Victim as Hero*

^{60.} Koen de Ceuster, "The Nation Exorcised: Historiography of Collaboration in South Korea," Korean Studies 25:2 (2002), pp.207-242, and Kenneth M. Wells, South Korea's Minjung Movement: The Culture and Politics of Dissidence (Honolulu: University of Hawai'i, 1995).



goal of his regime.⁶¹ For the Japanese government, the Northern territories became a convenient focus of Japanese feelings of victimization, since the victimizer in this case was the Soviet Union which the Mutual Security Treaty was designed to contain. Many of the other disputes, however, were not salient ideologically at that point in time. China the main focus of ideological mobilization was Taiwan, although the famous 1947 "9 dash" line map staking out its claim to most of the South China Seas did reflect a view of history that saw China as seeking to reestablish its historical status in the region.⁶² The East China Sea, however, was uncontested at the time.

Given the geo-strategic and geo-economic realities of the time, the maritime issues remained relatively peripheral to the debates. Moreover, the foreign policies — including that of Japan — of the various countries were managed by technocratic elites who were able in many instances to insulate the day-to-day policy making process from the influence of popular pressures. Authoritarian leaders such as Park Chung Hee in Korea or Deng Xiaoping in China were able to shelve territorial disputes by fiat. The conservative dominated LDP governments in Japan, with the help of officials in the Ministry of Foreign Affairs, were ready and eager to avoid such a potentially volatile issue.⁶³

However, the pluralization of politics in Asian countries in the 1980s and 90s began to make control of foreign policy more difficult precisely at a time when the other geo-strategic and geo-economic developments described earlier were pushed up the diplomatic agenda. At first, the main focus of ideological tensions was the so-called "history issue," as various groups in China, Japan and Korea took up the issue of the past to push their agendas. In China, "history activists" took up the memory of the forgotten victims of Japanese atrocities to criticize their own government's indifference to the suffering of the people. These claims were given greater impetus coming at a time when the Chinese government with its "patriotic education" campaign was increasingly switching from Marxist/Maoist ideology to a historical narrative emphasizing Chinese greatness to legitimate its rule. In Korea, pro-democracy activists seized on the cause of

⁶¹. Dudden, *Troubled Apologies*. According to Rhee, his government had two ideological pillars, anti-Communism and anti-Japanesism. On Rhee's use of ethnic nationalism and his appeal to anti-Japanese and anti-Communist sentiments, see Gi-Wook Shin, Ethnic Nationalism in Korea (Stanford, CA; Stanford University Press, 2006), pp.97-103.

⁶² Hasjim Djalal, "South China Sea Island Dispute," *The Raffles Bulltion of Zoology* No. 8 (2000), pp.9-21, p.11. Accessed at http://rmbr.nus.edu.sg/rbz/biblio/s8/s08rbz009-021.pdf, May 28, 2011.

⁶³ . In the Korean and Japanese cases, these actions did generate ideologicaly push back. In 1965, the Park government faced massive street demonstrations and an opposition boycott of parliament. In Japan, the conservative Fukuda government had to deal with far right wing activists intent on using the Senkaku/Diaoyu issue to undermine the opening to Communist China.

⁶⁴ See James Reilly, "China's History activists and Sino-Japanese relations," *China: An International Journal* 4:2 (2006), pp.189-216.

⁶⁵ Zheng Wang, "National Humiliation, History Education and the Politics of Historical Memory: Patriotic Education Campaign in China," *International Studies Quarterly* 52 (2008), PP.783-806; and Zhao Suisheng, "State Led Nationalism: The Patriotic Education Campaign in Post-Tiananmen China," *Communist and Post-Communist Studies* 31, pp.287-302.



the long neglected comfort women for similar purposes, while in Japan, conservatives pushed honoring Japan's fallen soldiers at Yasukuni.⁶⁶

The emergence of the history issue provoked a string of increasingly acrimonious disputes starting the early 1980s over proposed changes in Japanese textbooks presenting a more innocent image of Japanese Imperial expansionism and colonial domination. In the 1990s and early 21rst century, these history tensions spilled over increasingly into territorial disputes.⁶⁷ Japanese conservatives, many of whom had been very active on the history disputes, criticized Japanese government proposals to compromise with Russia on the Northern territories. Similarly, nationalist politicians such as Ishihara Shintaro, the mayor of Tokyo, campaigned vigorously to underline Japan's claims to Dokdo/Takeshima and the Senkaku/Diaoyu islands. Korean President Roh Moo Hyun viewed the inclusion of Japanese claims to Dokdo/Takeshima in Japanese text books and Shimane prefecture's establishment of a "Takeshima day" as a white washing of history and a reflection of hegemonic ambitions. Pointing out that the annexation of Takeshima had preceded the annexation of Korea, he declared the diplomatic equivalent of war with the overwhelming support of the Korean national legislature. 68 Subsequently Roh worked with his Chinese counterparts to isolate Japan at regional gatherings. Likewise, conservative commentators on the Chinese blogosphere increasingly began to link maritime disputes to historical issues, in turn further provoking nationalists in Japan and — in connection to the Socotra dispute — in Korea.⁶⁹

Traditionally the alliances and alliance managers have studiously avoided taking stances on these type of ideological issues. There are good reasons why they should continue to do so, at least in terms of taking a stance on issues pertaining to sovereignty and history. Whatever position the US takes on these types of issues, it is bound to annoy one side or the other, possibly both. Moreover, the United States itself does not have a spotless record. If the United States pushes Japan to apologize for its war-time atrocities, for instance, many Japanese — and not just nationalists — might ask for a US apology for the atomic bombings. However, as sovereignty issues and nationalism become increasingly intertwined, alliance managers may come to realize that alliances have not only geo-political and geo-economic components, but a critical cultural

⁶⁶. These issues are dealt with in much more detail in Thomas U. Berger, *War, Guilt and World Politics After World War II* (Cambridge and New York: Cambridge University Press, 2012), chapters 5 and 6.

⁶⁷. The author is indebted to Professor Alexis Dudden of the University of Connecticut for first bringing this connection to his attention.

⁶⁸ Takeshima wa 'Rekshininshikimondai'" <u>Asahi</u> satellite edition, March 26, 2006, p1. For an overview of the crisis, see Michael Weinstein, "South Korea-Japan Dokdo Takeshim Dispute: Towards Confrontation," *Japan Focus*_May 10, 2006, pp.4, available at http://japanfocus.org/article.asp?id=596.

⁶⁹ Naval Protestors are Dangerously Naïve, "Chosun Ilbo March 13, 2012 http://english.chosun.com/site/data/html_dir/2012/03/13/2012031301525.html accessed 5/24/2012.

⁷⁰ See David Straub, "The United States and Reconciliation in East Asia," in Hasegawa and Togo, *East Asia's Haunted Past*, op.cit..



discursive (geo-cultural?) dimension as well. Asian countries have to take the lead in defining the type of strategy they wish to adopt in dealing with this dimension of the situation, but the United States is certainly not a disinterested party.

In considering how to proceed, the first question that needs to be asked is, how deeply embedded in the political culture of the different countries are the different disputes? The more central a country's claim is to a particular piece of land to its definition of national identity and its overall world view, the more difficult and costly it is for political leaders to compromise on these issues and/or pursue a strategy of reconciliation. Only if there are strong and compelling interests to do so are leaders likely to be willing to embark on such a course. If the costs of pursuing reconciliation appear to outweigh the benefits, however, than they best they can do is to engage in damage control. Assuming that they wish to avoid a militarized conflict, they would need to try to avoid placing the issue on the political agenda as much as possible. Interim commissions to study the sovereignty issue, ritualistic statements of well-known positions, joint economic development and discouraging private sector activities that could inflame the issue are among the well known repertoire of instruments available for doing so.

If countries wish to affect a more lasting solution to these issues, they will need to expend considerable political capitol across a range of policy dimensions. Compromises and concessions on fundamental issues of sovereignty need to be placed in a discursive context that stresses both the larger interests of the disputants, and also the greater, positive images of the region and the world that are embedded in their national identities. These discursive steps must be supported by symbolic gestures, not only on a rhetorical level, but also in terms of changes to educational policies, commemorative practices etc. Such steps need to be sustained over time, but if they can be effected, it is possible to transform the ways in which these kinds of issues are dealt with. Historically, Europe was wracked with territorial disputes, but eventually they have become ever less salient. The idea that Alsace Lorraine is eternally German, or that Trieste should be returned to Austria, would be viewed as lunatic in those countries today. In time, an insistence that Dokdo is Japanese or that all the South China Seas are Chinese may seem as ridiculous as well.

Like Realism and Liberalism, Constructivism provides only a partial account of the dynamics that are at play in the maritime disputes. The military risks and the economic costs involved lie beyond the scope of what this type of approach can explain. Yet, as the forgoing analysis suggests, Constructivism plays a vital role in explaining the intensity of the conflicts, and why it is so difficult to resolve them. If policy makers and alliance managers wish to understand the dynamics of the maritime disputes and pursue effective strategies for dealing with them, they will need to tackle the issue on all three levels.



Author's Biography

Thomas U. Berger
Boston University

Professor Thomas U. Berger is an Associate Professor of International Relations at Boston University. (BA, Columbia College; PhD, Massachusetts Institute of Technology). His specialization includes German and Japanese politics, international relations and comparative government in East Asia, political culture. Thomas Berger joined the Department of International Relations at Boston University in 2001. Previously, he taught for seven years at the Johns Hopkins Department of Political Science in Baltimore. He is the author of *Cultures of Antimilitarism: National Security in Germany and Japan* and is co-editor of *Japan in International Politics: Beyond the Reactive State.* His articles and essays have appeared in numerous edited volumes and journals, including *International Security, Review of International Studies, German Politics* and *World Affairs Quarterly.*

Recent publications include:

- War, Guilt and World Politics in Europe and Asia: (Cambridge and New York: Cambridge University Press, April 2012)
- Cultures of Antimilitarism: National Security in Germany and Japan (Baltimore, MD: Johns Hopkins University Press, 1998) Nominated for the 1998 APSA Luebbert prize as the best new book in the field of Comparative Politics, and Nominated for the 1999 Ohira Masayoshi prize as one of the best new books in the field of Japanese Politics
- Monograph, "Redefining Japan and the U.S.-Japan Alliance," (New York: The Japan Society, 2004) Thomas Berger, Michael Mochizuki and Jitsuo Tsuchiyama, eds. Japan in International Politics: Beyond the Reactive State (Lynne Rienner Press, 2007).
- "Political Order in Occupied Societies: Realist Lessons from the Germany and Japan," *Asian Security* 1:1 (2005), pp.3-24
- "A Perfectly Normal Abnormality: German Foreign Policy after Kosovo and Afghanistan," *Japanese Journal of Political Science* Vol.3, No.2, (Winter, 2002), pp.173-193
- "Set for Stability? Prospects for Conflict and Cooperation in East Asia," *Review of International Studies* (Spring, 2000), pp.408-428
- "The Past in the Present: Historical Memory and German National Security Policy" *German Politics*, Vol. 6, No.1 (April 1997), pp.39-59

— From the website of Boston University

Knowledge-Net for a Better World

- This working paper is the result of the EAI's main academic and educational activity, the EAI
 Fellows Program. It is presented at the seminars and lectures hosted by partner institutions
 of the program. Subsequently it is distributed to those audiences. The PDF document of this
 article can also be viewed via the EAI website by the wider public. Any citation or quotation
 is prohibited without prior permission of the author and the EAI.
- The EAI Fellows Program seeks to promote understanding of critical issues in East Asia, to
 encourage intellectual exchange among scholars and experts, and to educate students who
 will lead the world in the future. For the information about the program, please visit our
 website, [EAI Fellows Program].
- This paper and other EAI reports can be found on our website, [EAI Working Papers].

 The contents of this article do not necessarily reflect the views of the East Asia Institute.
- Young-Hwan Shin, the Executive Director of EAI Fellows Program Tel. 82 2 2277 1683 (ext. 112) fellowships@eai.or.kr
- Typeset by Young-Hwan Shin

