

“Island Problems in Northeast Asia”

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Abstract

Dr. Alexis Dudden, Professor of History at the University of Connecticut, presented the 13th *Asan Dosirak Series* titled “Island Problems in Northeast Asia”. Professor Dudden discussed the changing political and legal context of island disputes in Northeast Asia. Her presentation reflected on the problematic nature of using history to justify territorial claims between Japan and its neighbors.

Summary

Professor Dudden began by describing the adoption of a “harder line” in Japanese politics and especially foreign policy in recent years, particularly since the March 11 earthquake, tsunami, and nuclear disaster. This “harder line” involves a more activist posture on international issues, such as the push for a permanent seat on the United Nations Security Council, a more proactive military posture, and a more independent foreign policy vis-à-vis the United States. She added that it is important to consider how South Korea is likely to respond to this changing Japanese posture both in terms of pursuing its national interests and promoting regional stability.

She then moved to a succinct summary of the major territorial issues pertaining to Japan’s current border relations. The fact that Japan has ongoing territorial disputes with all of its neighbors and the absence of regional institutions to manage these tensions constitute an inherently unstable situation. Professor Dudden illustrated this point by presenting a map in which, through the inclusion of disputed islands and their surrounding waters, Japan’s territorial size was dramatically increased.

Professor Dudden touched upon the problematic legacy of the 1951 San Francisco Treaty and described how the treaty's ambiguity in assigning specific sovereign control over a number of islands has caused many of today's border disputes. Consequently, while there is extensive ongoing regional cooperation, the disputes have grown and become increasingly entangled in subjective contestations about history. This has been possible because the islands are sparsely populated, have very little human history at stake and are thus relatively blank slates on which states and domestic constituencies can project their particular historical interpretations, waging battles over the past in the present.

Professor Dudden noted that Japan's insistence on citing "history" to legitimate its claims over island disputes today is contradictory given that it was the Japanese empire that initially marked all of these islands as subject to Japanese sovereign control. Similarly, two events since the disasters of March 11, 2011, the publication of middle school textbooks that claimed disputed territories as Japanese and the annual "Defense of Japan" guidelines, which for the first time declared that Japan would respond to incursions into the disputed areas with force, further complicated Japan's relations with its neighbors.

Professor Dudden then looked at the political and legal dimensions of the island disputes. She pointed out that international law has begun to focus more heavily on the enormous potential of the world's oceans. She discussed the three primary legal frameworks related to islands; 1) the United Nations Convention on the Law of the Sea (UNCLOS), 2) "exclusive economic zones" (EEZ), and 3) the "extended continental shelf" principle. These frameworks, she noted, served to further complicate matters given their reliance upon zero-sum outcomes and insistence on sole-ownership.

Professor Dudden concluded by suggesting that the volatile nature of Northeast Asia's island disputes stems from how all sides use history. The pursuit of stable boundaries remains a challenge, especially given the tension between the inherently subjective nature of history and the constraints of international law. She suggested that states should seek greater cooperation, especially in terms of resource management and joint maritime research, in order to alleviate the zero-sum logic of legal disputes over islands.