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## Fault Lines: Geopolitical Rivalry in the East China Sea

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# **Fault Lines: Geopolitical Rivalry in the East China Sea**



Honors Thesis

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Advisor: Christopher Agnew, Ph.D.

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## **Abstract**

The Senkaku Islands dispute in the East China Sea stands as a major territorial dispute between the People's Republic of China (PRC) and Japan. This dispute has periodically reemerged in the interactions between these two states between 1895, when the Senkaku Islands were definitively administered by Japan, and the present day. The dispute has undergone significant changes both in its emphasis by the PRC and Japan as well as what the dispute is about. At its early stages, the Senkaku Islands dispute was largely ignored by both China and Japan. Between 1971 and 1978, when the Senkaku Islands dispute became more noticeable internationally, the dispute was deemphasized to promote normalization of relations between the PRC and Japan. However, after the 1980s, with a rising PRC and somewhat economically and militarily weaker Japan, the dispute emerged with new intensity. In turning to the focus of the Senkaku Islands dispute, this has involved both economic interests, such as the resources in and around the adjacent seabed, as well as elements of popular nationalism. The Senkaku Islands dispute has created significant tensions and military development between Japan and the PRC. This paper examines how the Senkaku Islands dispute has driven militarization between the PRC and Japan.

## Acknowledgements

Looking back on the trek I have made with this thesis, I realize that this project was a prodigious undertaking. Indeed, this is without a doubt the most involved and difficult project of my academic career to date. I owe my progress to the assistance of many kind and charitable individuals and as such, I would be remiss in not extending my gratitude to them.

Christopher Agnew helped me perfect the original thoughts I had for this thesis. What was once a myriad of disconnected strands of ideas was distilled into one unified and cohesive vision with the help of Dr. Agnew. Additionally, he was my greatest source of assistance for structuring my paper and critiquing its content. Additionally, he helped edit my paper and gave me advice on its organization and grammar. Furthermore, Dr. Agnew also pointed me to investigate areas of history around the Senkaku Islands territorial dispute I probably would not have noticed on my own. Without his guidance, I likely would have never been able to finish this paper on time.

I also have to thank my parents, Kent and Jennifer Dalton. Throughout the research process, my father helped point me to initial academic material on the Senkaku Islands. Additionally, he helped foster my interests in foreign policy and history throughout my life. In moments that I struggled, my mother provided advice on writing an academic paper of the size and scope of a thesis. Their support was critical in providing a sense of direction for writing this thesis in moments when I felt adrift.

Finally, I would like to thank the rest of my family and all of my friends for their constant support and encouragement throughout the process of composing this thesis. Their support for me certainly made the challenge of writing my thesis attainable and less daunting than what it appeared in the most adverse moments of this journey. If I did not have their help, kind thoughts, and prayers, I could never have been able bring my thesis to fruition.



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## **Introduction**

The territorial dispute of the Senkaku Islands, known as the Diaoyu Islands in the People's Republic of China (PRC) has emerged in the last fifty years as a major flashpoint in the bilateral relationship between the PRC and Japan. This current tension has persisted since 2012, which marked the purchase and their subsequent nationalization of the Senkaku Islands by the Japanese government from a private owner. The current tensions over Senkaku Islands dispute, despite its recent appearance as an event of global note, is rooted much further in the past. Indeed, the dispute itself stems from claims staked by China over the Senkaku Islands and the surrounding waters since 1895. This dispute is significantly rooted in the history of the surrounding region and the interconnected histories of these two players in particular.

The dispute has significant potential for spilling over into a broader conflict that could involve other players. Although the main dispute is between China and Japan, the United States also could potentially become involved in the dispute. One main reason for this is rooted in the fact that the United States plays a significant role in defending Japan, as seen in the Mutual Security Treaty between the two countries. Additionally, with China's rising role in the Asia-Pacific region coupled with the already preeminent place the US has in the region could lead to greater conflict between the two countries. The Senkaku Islands dispute has a significant impact on the ties between China and Japan as well as the ties between the US and Japan and Japan and China.

In this paper, I will argue that the territorial dispute of the Senkaku Islands in the region between the PRC and Japan is the main driver for a marked increase in militarization between the PRC and Japan. This militarization has been sparked by an

economic competition for resources in the region surrounding the Senkaku Islands. These resources include energy sources such as oil, but also access to rare earth minerals essential to the high technology that plays major roles in the economies of Japan and the PRC. Additionally, the dispute of the islands is enabled and allowed to continue by the nationalism and military development from both sides. In terms of nationalism, the Senkaku Islands dispute is connected to the shared history of the PRC and Japan. To the PRC, the Senkaku Islands represents an integral component of Chinese territory coupled with its access to resources. For the government of the PRC and its people, backing down on its stance on the Senkaku Islands would be a sign of China returning to being coerced by foreign powers (such as Japan) and returning to its century of humiliation. For Japan, possessing the islands reflects the promotion of a correct view of history. With the military development, both sides have invested in improved aerospace and naval technologies and techniques that have allowed them to maintain a forward presence in the vicinity of the Senkaku Islands.

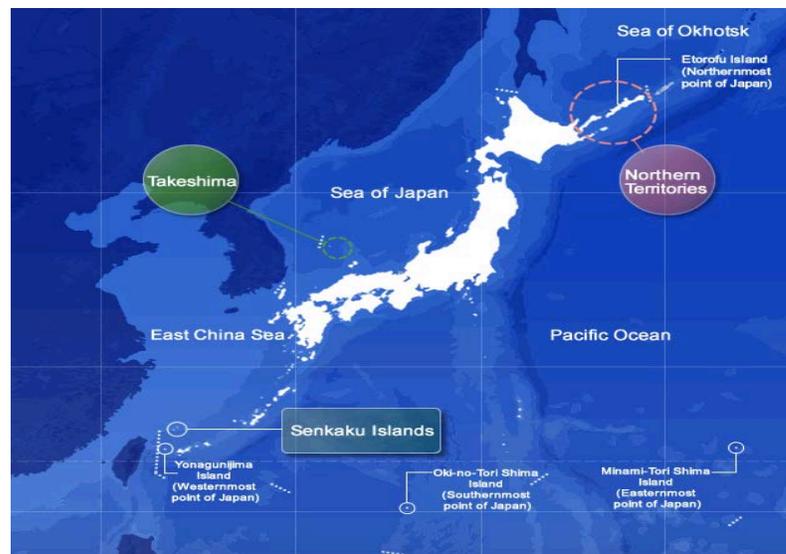


Figure 1: "Japanese Territory," Ministry of Foreign Affairs of Japan, Accessed March 1, 2018. <http://www.mofa.go.jp/territory/index.html>.

## **Historiography**

The disputes over territory that occurred in the East China Sea have impacted the interactions in Northeast Asia between China and Japan. Additionally, the impact yielded by the disputes in the East China Sea has impacted a number of areas affiliated with this bilateral relationship. The historical survey of the issues concerning the Senkaku Islands dispute has varied over the years in the focus of its analysis. The earliest researchers aimed their scholarly examinations on the legal status and negotiation of the various claims on the Senkaku Islands. Further research in the 1970s and 1980s investigated how the dispute was driven by competition over control of economic resources in the East China Sea, with scholars variously looking into rare earth minerals mining on the seabed floor and oil extraction. Moreover, scholars evaluated the laws that impacted this territorial dispute. As the dispute entered the twentieth century, other scholars focused on the dispute as being more nationalist than economic in nature. Additionally, scholars examined other areas of Sino-Japanese ties that the dispute might impact. In particular, military development of China and Japan was examined as relates to the Sino-Japanese tensions in the East China Sea. Even then, some scholars would return to economic concerns as the main driver of the dispute, with considerable focus on both oil and rare earth minerals.

### 1970s-1980s

The earliest writers on the subject of the Senkaku Islands dispute focused on the laws surrounding the claims posed by both Japan and China. These works attempted to make sense of the legal dilemmas that the Senkaku Islands dispute conjured by looking to past examples and applying them to the current case. One instance of this can be seen

in Tao Cheng's examination of the Senkaku Islands. Cheng examines multiple international legal cases in his analysis of the dispute. Chiefly, these cases are rooted in the principle of discovery-occupation.<sup>1</sup> Tao also examines the use of intertemporal law as it applies to the Senkaku Islands case. Here, he applies the Islands of Palmas case to the on how the islands came to be occupied by Japan.<sup>2</sup> The early interpretations of the Senkaku Islands case were rooted in the legal perceptions of previous cases and rules on territorial acquisition.

Other scholars in the 1970s focused on analysis of the territorial dispute as it impacted seminal events in bilateral Sino-Japanese ties, such as the Sino-Japanese Treaty of Friendship of 1978. In this analysis, the Senkaku Islands dispute plays a role as a stumbling block to the normalization of the Sino-Japanese relations. Indeed, some scholars noted that although both the governments of the PRC and Japan desired a resolution to the dispute, there were different parties within both governments that sought to undermine the treaty by resurrecting the dispute.<sup>3</sup> Coupled with the emphasis on other elements of internal government, there was a focus on the Senkaku Islands and its link to the treaty negotiations. Namely, there is a focus on the Senkaku Islands and the actions of the Japanese and Chinese governments to disconnect them from negotiations.<sup>4</sup> Such scholarship notes that the early stages of contemporary relations sought to not focus on the Senkaku Islands for the sake of more important challenges.

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<sup>1</sup> Tao Cheng, "The Sino-Japanese Dispute Over the Tiao-yu-tai (Senkaku) Islands and the Law of Territorial Acquisition," *Virginia Journal of International Law* 14, no. 2 (1974): 223.

<sup>2</sup> *Ibid.*, 223.

<sup>3</sup> Daniel Tretiak, "The Sino-Japanese Treaty of 1978: The Senkaku Incident Prelude," *Asian Survey* 18, no. 12 (1978): 1237.

<sup>4</sup> Chae-Jin Lee, "The Making of the Sino-Japanese Peace and Friendship," *Pacific Affairs* 52, no. 3 (1979): 437.

1990s

In the 1990s, the end of the Cold War brought about a reassessment of security as it related to the Senkaku Islands. In this era, scholars examined how China and Japan might perceive each other as a threat to their security. To the PRC, Japan in this era had greater access to superior military technology than what the Chinese military currently possessed, especially in anti-submarine warfare, multirole fighter aircraft, and anti-ballistic missile systems, including the Patriot and the Aegis systems.<sup>5</sup> Moreover, scholars focused on the PRC's perceptions on Japan in particular. To China at this time, while Japan seemed unlikely to become a superpower, it was their great fear that Japan could become a regional military power on par with the capabilities of France and the United Kingdom.<sup>6</sup> Due to these fears of Japan's military potential, these anxieties influenced China's future military development.

Simultaneously, other scholars focused on Japan's fears of Chinese military development as it pertained to the Senkaku Islands dispute. In the case of the PRC, many of these acquisitions had not yet been realized in this time. For instance, some academics pointed to the PRC's bid to obtain the former Soviet aircraft carrier *Varyag* as worrying to Japanese policy makers, given the increase in China's power projection capabilities that such an acquisition represented.<sup>7</sup> Additionally, the improvements to the Chinese military, the People's Liberation Army (PLA) that had been fulfilled to that point also worried Japan's leadership in relation to the Senkaku Islands. These enhancements to the PLA included the purchase of the Sukhoi Su-27 Flanker multirole

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<sup>5</sup> Thomas J. Christensen, "China, the US-Japan Alliance, and the Security Dilemma in East Asia," *International Security*, 23, no. 4 (1999): 56.

<sup>6</sup> *Ibid.*, 56.

<sup>7</sup> Eugene Brown, "Japanese Security Policy in the Post Cold War Era: Threat Perceptions and Strategic Options," *Asian Survey* 34, no. 5 (1994): 435.

fighter from Russia, which has a combat radius of 1,500 kilometers, giving a major boost to the aerial power projection capabilities of the PLA.<sup>8</sup> The developments in the PLA were argued by some to be linked to the newfound assertiveness that China had with territory it disputed with its neighbors. In the case of the Senkaku Islands, with the promulgation of the Territorial Waters Law and its mandate to expel military invaders by force in the event of enemy incursions into any territory claimed by China, this created fear into the Japanese leadership when seen alongside the new military developments made by the PRC.<sup>9</sup>

At this point, other scholars focused on the Senkaku Islands dispute as it related to the legitimation of the Communist Party of China's (CCP) regime. In the aftermath of the Cultural Revolution and at the dawn of China's reopening with Deng Xiaoping's rise to power, some scholars argued that the CCP was no longer able to use Maoism to maintain its hold on power, especially with the Communist regimes of Eastern Europe and Central Asia collapsing around the PRC.<sup>10</sup> As a result, the CCP sought new anchors to set to preserve the integrity of its hold on power. Some scholars pointed one such anchor as the Senkaku Islands themselves, by using the CCP's strong stance on the issue, especially vis-à-vis to China's former imperialist foe Japan, as a move to court support from a domestic audience.<sup>11</sup>

### 2000s- the Present

An important school of thought that has continued regarding the relationship between the PRC and Japan is the change in how they perceive each other's power in the

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<sup>8</sup> Ibid., 435.

<sup>9</sup> Ibid., 436.

<sup>10</sup> Ericka Strecker Downs and Phillip C. Saunders, "Legitimacy and the Limits of Nationalism: China and Diaoyu Islands," *International Security* 23, no. 3 (1998): 117.

<sup>11</sup> Ibid., 123.

dispute. Here, the territorial disputes are a part of a larger Sino-Japanese rivalry that is increasingly filled with tension.<sup>12</sup> The rivalry between Japan and the PRC has seen a larger uptick in intensity over the last fifteen years. Additionally, scholars of this decade continued to focus on the shared Sino-Japanese history. From the PRC's perspective, it views any attempts by Japan to assert control over the controversial territory as a move reminiscent of late nineteenth and early twentieth century attempts by Japan to create an empire throughout Asia, including China.<sup>13</sup> Another component of this politicized history linked to Japan's contemporary actions is World War II, which is referenced by China in relation to Japanese atrocities such the Rape of Nanjing.<sup>14</sup> With the emergence of history in the context of the disputes of the East China Sea, this has led to dangerous shifts in the rhetoric surrounding territorial disputes, which could serve to destabilize the dispute, and lead to further conflict between China and Japan.

Another area of interest for scholars of this time was comparisons to past bilateral economic relationships marked by similar tensions. One area that was heavily examined was the concept of rising nationalism. In some viewings of nationalism, writers focused on historic examples to explain the changes of the time. In certain works, the Senkaku Islands dispute was examined with the Anglo-German tensions prior to World War I as a viewpoint.<sup>15</sup> With this example, some scholars pointed to how even with economic interdependency between two rival states, there can be major issues between those two countries that can lead to war. In fact, scholars point to the fact that closer contact in the case of China and Japan has highlighted how contemporary Japan

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<sup>12</sup> Kent E. Calder, "China and Japan's Simmering Rivalry," *Foreign Affairs* 129, 140 (2006): 129.

<sup>13</sup> *Ibid.*, 129.

<sup>14</sup> *Ibid.*, 129.

<sup>15</sup> Leszek Buszynski. "Sino-Japanese Relations: Interdependence, Rivalry and Regional Security." *Contemporary Southeast Asia: A Journal Of International & Strategic Affairs* 31, no. 1 (2009): 143.

has lived up to certain fears held by the PRC, such as the fact that Japan has not renounced its militaristic history, which aggravates the dispute further.<sup>16</sup> The connections to nationalism in relation to the shared and tense history between China and Japan over much of the last 150 years were also substantially linked to the causes of the dispute. Indeed, some writers point to World War II, which the Chinese refer to as the War of Resistance as a constant plague to relations between China and Japan.<sup>17</sup> This nationalism has continued to thrive in the years following the resurgence of the Senkaku Islands.

With the resurgence of the territorial dispute into its present form in the 2010s, one major cause that researchers attribute to the Senkaku Islands dispute in impacting the bilateral relationship between China and Japan are the competition for the extraction of certain resources. One facet of this is the petrochemical resources that can be found in the East China Sea. Some scholars point to fact that the East China Sea contains 160 billion gallons of oil and trillions of cubic feet of natural gas.<sup>18</sup> The economic necessity to import large quantities of energy for the economies of China and Japan nearby only exacerbates the Senkaku Islands dispute. China's increasing economic growth has caused it to require increasingly greater energy needs, more than it can find within its own borders. Indeed, China has become the second largest net importer of oil in the world.<sup>19</sup> Scholars also recalled that Japan's oil imports have grown, for it became the third largest importer of crude oil in the world.<sup>20</sup> With imports slated to grow for both

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<sup>16</sup> Ibid., 153.

<sup>17</sup> Kent E. Calder, "China and Japan's Simmering Rivalry," *Foreign Affairs* 85, no. 2 (2006): 132.

<sup>18</sup> Mark J. Valencia, "The East China Sea Disputes: History, Status, and Ways Forward," *Asian Perspective* 38, no. 2 (2014): 185.

<sup>19</sup> Ibid., 185.

<sup>20</sup> Ibid., 185.

China and Japan, the dispute could be posed to grow based on this.<sup>21</sup> This is only further complicated by China's presence in drilling for natural resources closer to the disputed boundaries in the East China Sea. Further, other economic concerns including access to prime fishing territory is also a profound strain to the dispute.<sup>22</sup> The economic factors led to impact on the relationship between Japan and the PRC

Scholars also examined the role that mineral extraction played in the relation between the resources around the Senkaku Islands dispute and the militarization of the conflict over the islands. This area of scholarship into the Senkaku Islands dispute emerged with the rise of an economy driven by high technology in the 2010s.<sup>23</sup> Another focus of this scholarship has emerged with the Japan and the PRC's increasing focus on the importation of minerals (especially rare earth minerals) necessary to maintain economies driven by high technology. Indeed, the PRC and Japan are the two largest net importers of rare earth minerals globally.<sup>24</sup> Scholars also point to different issues constraining the mining of rare earth minerals in the PRC and Japan. For the PRC, many of its sources for rare earth minerals are being exhausted.<sup>25</sup> For Japan, the PRC's increasingly strict export controls have also been discussed as driving Japan to seek new sources of rare earth minerals.<sup>26</sup>

Also in the 2010s, some scholars focused on the dispute from the perspective of the respective militaries of China and Japan, where one must consider the development of the Japanese military. J. Miller Berkshire considers the impact of Japan's military

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<sup>21</sup> Ibid., 185.

<sup>22</sup> Ibid., 185.

<sup>23</sup> Ming Hwa Ting and John Seaman, "Rare Earths: Future Elements of Conflict in Asia?," *Asian Studies Review* 37, no. 2 (June 2013): 235.

<sup>24</sup> Ibid., 235.

<sup>25</sup> Ibid., 240

<sup>26</sup> Ibid., 240

reforms on the Senkaku Islands dispute.<sup>27</sup> A major component of the impact on military development is the constitutional reforms taking place under the administration of Primer Minister Shinzo Abe. In the immediate aftermath of World War II, Japan adopted a constitution that reduced its military to a purely defensive force called the Japanese Self Defense Force (JSDF). However, under Prime Minister Abe's administration, there has been a push to adjust the constitution to permit the JSDF to operate with more leeway, even to the point of repealing Article 5 in the Japanese Constitution, which prevents the JSDF from engaging in an offensive war. Despite the fact that Abe has not been able to repeal this article, he has successfully been able to adjust the Constitution to allow Japan to engage in defensive conflicts alongside of Japan's allies. Additionally, Japan's military has also made material developments, including obtaining *Izumo* class helicopter carriers and new submarines.<sup>28</sup> Along with this are new aviation assets the Lockheed Martin F-35 Lightning IIs and the Bell MV-22 Ospreys.<sup>29</sup> These new acquisitions demonstrate Japan's desire to have an increasingly forward presence in the East China Sea. This forward presence, coupled with China's similarly advanced presence in the East China Sea, could lead to greater conflict.

As Japan and China respond to each other's growing assertive presence in the East China Sea, it should be noted that their actions have potential to draw in other actors, which may not necessarily be in the region. To this end, other scholars focused on the relationship between the United States and Japan and how that factors into the Senkaku Islands dispute. This approach is noted in Christopher Hughes' article on

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<sup>27</sup> J. Miller Berkshire, "Abe's Gambit: Japan Reorients Its Defense Posture," *World Affairs* 176, no. 6 (2016): 55.

<sup>28</sup> Sarosh Bana, "Sea Power," *World Affairs* 178, no. 3 (2015): 49.

<sup>29</sup> J. Miller Berkshire, "Abe's Gambit: Japan Reorients Its Defense Posture," 57.

Japan's response to the rise of China.<sup>30</sup> Due to the change in China's power (specifically in that it is increasingly less restricted in its room to maneuver due to its growth in power) Japan's traditional forms of engagement with China are failing to elicit a positive response. Consequently, Japan is forced to hedge its approach, incorporating more traditional and softer approaches with a harder and more martial way forward. Due to the fact that this hedged approach could draw in other partners to Japan, such as the United States, this approach is especially important to consider in relation to the side effects of the territorial dispute.

Further scholars have suggested that the East China Sea dispute impacts the relationship in how it influences changes in the regional order throughout the East China Sea region. Some argue that instead of the economic or territorial factors being the primary driver of the dispute, the articulation of a new regional order is what is driving the conflict between the PRC and Japan.<sup>31</sup> Yoshihara argues that with Japan's position in maritime Northeast Asia, the PRC is constrained by the fact that Japan sits astride the access points that China must use to reach the Pacific Ocean from the East China Sea, forcing it to seek control of these routes.<sup>32</sup> Also, scholars emphasize the decline of Japanese maritime assets and how Japan has tried to respond to the dispute to address this imbalance.<sup>33</sup> This regional rebalancing also draws in the United States, due to its heavy involvement in Japan's security architecture.

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<sup>30</sup> Christopher W. Hughes, "Japan's Military Modernisation: A Quiet Japan-China Arms Race and Global Power Projection," *Asia-Pacific Review* 16, no. 1 (2009): 1.

<sup>31</sup> Toshi Yoshihara, "Troubled Waters: China and Japan Face Off at Sea," *World Affairs* 176, no. 5 (2014): 24.

<sup>32</sup> *Ibid.*, 25.

<sup>33</sup> *Ibid.*, 25.

An additional suggested area examined by scholars at this time is the role of military development in the region, especially with the role of Japan. In particular, some argue that with the rise of the PLAN and People's Liberation Army Air Force (PLAAF) in the region, the Japanese government should enhance the development of its navy, the Japanese Maritimes Self Defense Force (JMSDF) and its air force, the Japanese Air Self Defense Force (JASDF) to preserve its territory in the region.<sup>34</sup> Additionally, some scholars advocate for cooperation with the PRC in the military sphere to help prevent issues around the Senkaku Islands. To this end, there are some who think that Japan must work closely with the Chinese military to prevent any crises in the future, such as cooperation between the Japan Self Defense Forces (JSDF) and the PLA in UN peacekeeping operations.<sup>35</sup>

Another aspect of the East China Sea dispute as it impacts the military development is the Japanese Constitution itself. With the election of Shinzo Abe to a second term as Prime Minister of Japan, a major reform that was promoted was to alter Article 9 in the Japanese Constitution, which removes Japan's option to use offensive warfare in the event of a conflict, especially in coalition conflicts.<sup>36</sup> Due to the fact that such a vote requires a two-thirds in the Japanese Diet for approval to be changed, there are other options that Japan is evaluating in light of the East China Sea dispute, such as using a reinterpretation of the Japanese Constitution to give the JSDF more room to operate on military issues, including the Senkaku Islands dispute.<sup>37</sup> Along with the

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<sup>34</sup> Noboru Yamaguchi. "The Sino-Japanese Relationship and Its Implications for Regional Security in East Asia." *American Foreign Policy Interests* 37, no. 5 (2015): 293.

<sup>35</sup> *Ibid.*, 293.

<sup>36</sup> Yuichi Hosoya, "Japan's New Security Legislation: What Does this Mean to East Asian Security?", *American Foreign Policy Interests* 37, no. 5 (2015): 301.

<sup>37</sup> J. Berkshire Miller, "Abe's Gambit: Japan Reorients its Defense Posture," *World Affairs* 176, no. 6 (2014): 56.

option for constitutional reform, Abe also created and Panel on Collective Self Defense. This panel has proposed a number of changes to Japan's security architecture, including a new national security council, and expanded roles for the Japanese military overseas.<sup>38</sup> Also, the National Defense Program Guidelines (NDPG) of 2013 also expanded on this, and included provisions for military equipment and the organization of the JSDF, to include F-35 Lightning IIs and MV-22 Osprey tiltrotors.<sup>39</sup>

In the recent decades, multiple scholars considered the role of military modernization as well. To some, the development of military has historical dimensions for Japan itself. Indeed, following the Sino-Japanese Treaty of Friendship's adoption in the 1978 and up until the present, Japan gradually created a harder military hedge to fend off military challenges related to the dispute.<sup>40</sup> This consists of developments in the way of military technology, and the creation of a robust alliance network to aid Japan in the defense of its territories.<sup>41</sup> Some writers have also examined how Japan has developed its military under recent policies by Prime Minister Shinzo Abe, especially in how it seeks to enhance its relationship with the US military.<sup>42</sup> This development continues with the evolution of the Senkaku Islands dispute.

### **Methodology**

The analysis of this paper examines the history of the Senkaku Islands from 1895 to the present. Using academic and primary sources, the paper will begin by looking at a history of the dispute in across successive periods of its history from the beginning of Japan's confirmed administration of the island in 1895. These eras in the dispute's

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<sup>38</sup> Ibid., 56.

<sup>39</sup> Ibid., 57.

<sup>40</sup> Jeffrey Hornung, "Japan's Growing Hard Hedge Against China," *Asian Security* 10, no. 2 (2014): 98.

<sup>41</sup> Ibid., 98.

<sup>42</sup> J. Berkshire Miller, "Abe's Gambit: Japan Reorients its Defense Posture," 58.

history are from 1895 to 1978, from 1978 to 1997, and from 1997 to the present. This will be done to provide historic context to the dispute, especially in setting the foundation for the modern era of the Senkaku Islands dispute. Additionally, these eras in the history of the dispute reflect fundamental changes in the militarization of the dispute. In the era between 1895 and 1971, the dispute itself was largely nonexistent, and Japan's ownership and use of the islands went undisputed by China. Between 1971 and 1997, the Senkaku Islands became more economically important to the PRC, and accordingly the PRC became somewhat more vocal in its stance of the islands. This shift in the PRC's views on the Senkaku Islands dispute coincided with the discovery of oil in the East China Sea around the islands. More importantly, this era reflects the current dispute as rooted in economic concerns from its outset, specifically in the resources around the Senkaku Islands. Additionally, the beginning of this era (in 1978) was marked by Japan and the PRC putting the resolution of the dispute off into the future in favor of normalizing and strengthening Sino-Japanese ties, showing that while important, ending the dispute in favor of other concerns. After 1980, events would transpire that would shape the dispute with respect to its direction. With the promulgation of UNCLOS and in particular its definition on the 200 nautical mile (nm) radius for islands and access to resources in that radius, the dispute became firmly fixed on the control of resources around the islands. Additionally, with the advent of a more economically and militarily powerful PRC in the 1980s would come a more assertive approach to promoting Chinese claims to the islands, as seen in the passage of the PRC's Territorial Waters Law. That the Territorial Waters Law declared that the PRC would expel invaders from

Chinese territory represented a new approach to how the PRC would handle the Senkaku Islands dispute.

In the time between 1997 and the present, the dispute took on further new dimensions. Civilian activists from both Japan and the PRC took to boats to sail to the islands and promote claims for their respective countries. Additionally, both the governments of Japan and the PRC linked the Senkaku Islands and their history together in more overt and publicly available forms, which was a part of a wider wave of nationalism that fueled tensions between the two sides. Additionally, resource gathering from the surrounding seabed continued to factor into the dispute, albeit with new dimensions added into the mix, including seeking rare earth minerals essential to fueling the economies of the PRC and Japan. Ultimately, these tensions have led to an update in military strategies and technologies focused on a conflict in the vicinity of the Senkaku Islands.

### **History From 1895 to 1978**

The Senkaku Islands contain 8 features in total, specifically holding five islands and three rocks.<sup>43</sup> These islands are located in the East China Sea near the PRC, Taiwan, and Japan. Specifically, the Senkaku Islands are 170 kilometers northwest of the Japanese island of Ishigaki and 170 kilometers north of Taiwan.<sup>44</sup> Additionally, the islands are 330 kilometers southeast of the PRC, and 410 kilometers west of the Japanese island of Okinawa.<sup>45</sup> The islands in the archipelago are not particularly

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<sup>43</sup> Alexandra Dan, "Senkaku/Diaoyu Islands -- Landmark In Redefining the Power Politics In the East China Sea," *Strategic Impact* 60, no. 4 (2016): 20.

<sup>44</sup> Paul J. Smith, "Senkaku Islands Controversy: A Crisis Postponed," *Naval War College Review* 66, no. 2 (2013): 29.

<sup>45</sup> Alexandra Dan, "Senkaku/Diaoyu Islands -- Landmark In Redefining the Power Politics In the East China Sea," 20.

sizeable themselves. The largest island, Uotsuri or Diaoyu Dao, has an area of 2.3 kilometers and at its highest point is 383 meters above sea level.<sup>46</sup>

The Senkaku Islands have a long and particularly tenuous history between PRC and Japan. The divisive nature of the Senkaku Islands dispute is reflected in the territorial claims that PRC and Japan each have for the islands. From the perspective of the PRC and the Republic of China (ROC) on Taiwan, the islands have belonged to China since 1534, when the Ming Dynasty administered the islands.<sup>47</sup> However, the Japanese government articulates that the islands were unclaimed when initially discovered and that presently, there is no dispute. Indeed, the Japanese government asserts that the islands are Japanese territory, and that no dispute over the islands exists.<sup>48</sup> However, the claims of the PRC, ROC, and Japan regarding when which state controlled the Senkaku Islands similarly conflict with the respective claims of each state involved. Rather, both the PRC and the ROC claim that the Senkaku Islands were not gained by Japan until the signing of the Treaty of Shimonoseki, which concluded the Sino-Japanese War in 1895.<sup>49</sup> In this treaty, China relinquished a large quantity of its territory, including “Formosa, together with all islands appertaining or belonging to the said island of Formosa.”<sup>50</sup> This line in the treaty is the lynchpin of the PRC and ROC’s argument to support their claims to the Senkaku Islands, specifically on when they surrendered control of the islands to Japan. The Japanese government states that although Japan has maintained control of the islands since 1895, the Senkaku Islands were not obtained by conquest. Rather, the Japanese government maintains that they

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<sup>46</sup> Ibid., 20.

<sup>47</sup> Mark J. Valencia. "The East China Sea Disputes: History, Status, and Ways Forward," 188.

<sup>48</sup> Ibid., 189.

<sup>49</sup> Ibid., 188-189.

<sup>50</sup> Treaty of Shimonoseki, China-Japan, April 17, 1895, Art. 2.

gained control of the Senkaku Islands through use the principle of *terra nullius*, finding that the islands were unclaimed.<sup>51</sup> This status was disputed by China, claiming that since the Ming Dynasty then ruling China administered the Senkaku Islands, that there was nothing to claim.<sup>52</sup>

The Japanese government would maintain control of the islands until the conclusion of World War II. At that point, the United States took control of the islands as part of its occupation. Indeed, the United States had the right to “the right to exercise all and any powers of administration, legislation and jurisdiction over the territory and inhabitants of these islands, including their territorial waters.”<sup>53</sup> During the United States occupation, the islands rarely caused tensions between Japan and the newly born PRC, as the islands were not considered as particularly valuable.<sup>54</sup> This administration of the islands would continue past the end of the occupation for most of Japan. This mainly occurred as a result of the fact that the Ryukyu Islands (which the Senkaku Islands was administered as a component of the Ryukyu Islands) were not returned by the United States to Japan until 1972.<sup>55</sup> Since the American occupation forces administered the Senkaku Islands as part of its mandate in the Ryukyu Islands, the Senkaku Islands would revert to Japanese control.

In the following fifteen years, the Senkaku Islands rose to further prominence as a source of tensions between the PRC and Japan. This newfound notability can be attributed to two factors. First, in 1968, there was an energy survey of the East China

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<sup>51</sup> Paul J. Smith, “Senkaku Islands Controversy: A Crisis Postponed,” 29.

<sup>52</sup> *Ibid.*, 29.

<sup>53</sup> Treaty of San Francisco, US-Japan, April 28, 1952, Art. 3.

<sup>54</sup> Han Yi-Shaw, “The Diaoyutai/ Senkaku Islands: Its History and An Analysis of the Ownership Claims of The PRC, ROC, and Japan,” *Maryland Series in Contemporary Asian Studies* no. 3, (2014): 12.

<sup>55</sup> Jean-Marc Blanchard. “The US Role in the Sino-Japanese Dispute Over the Diaoyu (Senkaku) Islands, 1945-1971,” *China Quarterly* 161, (2000): 98.

Sea conducted by the Committee for the Coordination of Joint Prospecting for Mineral Resources in Asian Offshore Areas under the United Nations (UN).<sup>56</sup> This survey found the possibility of the presence of sizeable energy reserves in the vicinity of the islands. An additional cause that sparked new interest in the Senkaku Islands was the territorial status of Japanese territories in and around the Ryukyu Islands. In 1968, the United States and Japan were beginning the negotiation of the reversion of the Ryukyu Islands to the jurisdiction of Japan, with plans to have the reversion take place by 1972.<sup>57</sup> This handover of territory also impacted the Senkaku Islands, which would also revert to complete Japanese sovereignty.

These discoveries prompted responses from communist government on the mainland of China and the Guomindang led government of the Republic of China (ROC) on Taiwan. For instance, Taiwan's ambassador to the United States, Chou Shu-Kai, presented a memorandum detailing why the ROC disputed Japan's claims to the islands.<sup>58</sup> Even Communist government of the mainland based People's Republic of China (PRC), despite its historic animosity to the Guomindang government in Taipei, supported the ROC's stance. To this end, the PRC, through its state operated Xinhua news outlet, echoed that the Senkaku Islands belonged to Taiwan, and in turn the PRC itself.<sup>59</sup> This pressure that was put forth extended beyond Japan itself. Indeed, the pressure exerted on the United States by Chinese populations both in East Asia and in the United States helped force the United States to adopt a neutral stance on the Senkaku

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<sup>56</sup> Economic Commission For Asia and the Far East Committee For Coordination of Joint Prospecting For Mineral Resources in Asian Offshore Areas (CCOP) Report of the Sixth Session," United Nations Economic Commission For Asia and the Far East, 5.

<sup>57</sup> Paul J. Smith, "The Senkaku Islands Dispute: A Crisis Postponed," 33.

<sup>58</sup> Ibid., 33.

<sup>59</sup> Ibid., 33.

Islands in 1971, even as they returned total administration of the Senkaku Islands with the remaining Japanese home territories in the Ryukyu Islands that were controlled by the United States armed forces.<sup>60</sup> As will be noted later, this neutral stance only regards the territorial dispute itself, since the Mutual Security Treaty that binds the United States to protect Japanese territory in the event of war was extended to protect the Senkaku Islands from aggressive actions.

With the spike in tensions regarding the Senkaku Islands, Japan and the PRC began multiple sets of negotiations in order to resolve the territorial dispute. These negotiations came with the broader negotiations between the PRC and Japan to normalize relations, culminating with a visit to the PRC by Japanese Prime Minister Kakuei Tanaka.<sup>61</sup> The first set of negotiations began in 1972, but was impeded by the fact that both sides could not forge a compromise. The negotiations were complicated by the fact that at the outset of the year, the PRC reasserted its claim that the Senkaku Islands were only transferred to Japan in 1895 after the defeat of the Qing Dynasty in the Sino-Japanese War, and that the Senkaku Islands had belonged to China since the late Ming Dynasty.<sup>62</sup> Both the PRC and Japan held to their respective positions throughout the negotiations. However, during the negotiations, both the PRC and Japan realized they were not going to shift from their positions.<sup>63</sup> Chinese Premier Zhou Enlai decided to downplay the seriousness of the impasse by pointing to the fact that the Senkaku Islands were rather miniscule in size, and the Chinese government decided to put the

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<sup>60</sup> Ibid., 36.

<sup>61</sup> Chae Jin-Lee, "The Making of the Sino-Japanese Peace and Friendship Treaty", *Pacific Affairs* 52, no. 3 (1979): 423.

<sup>62</sup> Paul J. Smith, "The Senkaku Islands Dispute: A Crisis Postponed," 36.

<sup>63</sup> Ibid., 36.

resolution of the territorial dispute back for later years.<sup>64</sup> However, those future years would arrive much sooner than what was expected by the negotiators in 1972.

That future year for the next generation of diplomats to return to turned out to be 1978. Although there was a desire to negotiate a more stable treaty, there were elements in the Japanese government that sought to stop the signing of the treaty. The dispute over the islands escalated in relation to the negotiations for the 1978 Sino-Japanese Treaty of Friendship. The anti-treaty LDP members attempted to leverage the Senkaku Islands dispute to stop the ratification of the treaty. This attempt to use the Senkaku Islands dispute gained a great amount of support even up to the ruling cabinet, as Agriculture and Forestry Minister Nakagawa Ichiro supported the opposition to the treaty and helped spearhead efforts to thwart the signing of the treaty.<sup>65</sup> Soon after these public shows of displeasure by the LDP members opposed to the signing of the treaty, an incursion of a flotilla of 140 Chinese fishing vessels, including some armed, departed several ports in the PRC and entered the 12-mile territorial limits around the Senkaku Islands, which led to a decline in Sino-Japanese relations after the flotilla departed four days later.<sup>66</sup> Even as the flotilla of fishing vessels still lingered in the environs of the Senkaku Islands, Japanese Prime Minister Takeo Fukuda elected to continue forward with the negotiation and signing of the treaty. To this end, Fukuda enacted stronger controls of how cabinet members should respond to the dispute in public, to the point of positioning himself as the arbiter of how and what mentions of the Senkaku Islands territorial dispute were

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<sup>64</sup> Ibid., 36.

<sup>65</sup> Daniel Tretiak, "The Sino-Japanese Treaty of 1978: The Senkaku Incident Prelude," *Asian Survey* 18, no. 12 (1978): 1238.

<sup>66</sup> Paul J. Smith, "The Senkaku Islands Dispute: A Crisis Postponed," 37.

made by his fellow cabinet members.<sup>67</sup> These controls ultimately helped lead to the resumption of negotiations between Japan and the PRC.

With the flotilla incursion and attempts by LDP members to stop the signing of the Sino-Japanese Friendship Treaty remaining in recent memory, negotiations between China and Japan resumed in July 1978.<sup>68</sup> In this set of negotiations, the Senkaku Islands dispute became a secondary matter to the wider negotiations pursuing normalized Sino-Japanese relations. For the Japanese, particularly the government of Prime Minister Takeo Fukuda, the treaty provided a certain level of stability for his government. Fukuda was pinned by two factions in his Liberal Democrat Party (LDP)- a pro-Taiwan faction and a pro-Soviet faction that opposed the treaty.<sup>69</sup> Coupled with the fact that Fukuda lacked a broad based of support across the LDP, the pro-Taiwan and pro-Soviet factions in the LDP forced Fukuda to pursue the 1978 Sino-Japanese Treaty in order to secure his position in the LDP.<sup>70</sup> The role of the 1978 treaty with respects to Fukuda's position in the LDP played a more specific role in the LDP along with the Fukuda's general level of support. Indeed, the LDP's presidential election was slated for November 1978, and Fukuda hoped to enhance his position in the party vis-à-vis his nearest rival in the party, Ohira Masayoshi, who was himself gaining popularity in the run up to the LDP's election.<sup>71</sup>

For Japan, foreign policy elements other than the Senkaku Islands also played a role in its calculations during the 1978 negotiations. As previously mentioned, Prime Minister Kakuei Tanaka previously normalized Japan's relations with China during the

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<sup>67</sup> Daniel Tretiak, "The Sino-Japanese Treaty of 1978: The Senkaku Incident Prelude," 1245.

<sup>68</sup> Paul J. Smith, "The Senkaku Islands Dispute: A Crisis Postponed," 37.

<sup>69</sup> Daniel Tretiak, "The Sino-Japanese Treaty of 1978: The Senkaku Incident Prelude," 1236.

<sup>70</sup> *Ibid.*, 1236.

<sup>71</sup> Chae Jin-Lee, "The Making of the Sino-Japanese Peace and Friendship Treaty", 432.

negotiations in 1972. With this in mind, Fukuda hoped that the 1978 treaty could be used to improve Japan's position to benefit economically from the normalization of relations with China.<sup>72</sup> Coupled with this, Fukuda hoped to expand Japanese influence over Chinese communities residing in ASEAN countries to gain new economic markets for Japan.<sup>73</sup> These foreign policy elements influenced Japan's outlook on the negotiations and what they hoped to gain from them.

For its part, China also had considerable internal concerns for the negotiations. The major concern was rooted in the Fifth National People's Congress of March 1978. At the congress, the delegates articulated a plan to bolster the PRC's economy as Deng Xiaoping ascended to power.<sup>74</sup> In the eyes of some in the PRC, with Japan as a new ally, the PRC would be in a much better position to advance itself in the domestic sphere. Indeed, the Chairman of the Chinese Communist Party (CCP), Hua Guofeng, stated that "since the normalization of relations, contacts and exchanges have been growing in many fields and a long-term trade agreement was recently signed."<sup>75</sup> This statement clearly reflects the level of economic importance that China placed in invigorating its ties with Japan, as well as the hopes in the PRC's eyes of Japan's future place as an economic ally.

Additionally, like Japan, the PRC also had foreign policy concerns as well. One aspect was to address the recent Soviet-Vietnamese alliance. To the PRC, the Soviet-Vietnamese alliance was a veritable pincer aimed at harming the PRC that could

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<sup>72</sup> Ibid., 433.

<sup>73</sup> Ibid., 433.

<sup>74</sup> Ibid., 433.

<sup>75</sup> Ibid., 433.

possibly be offset by the PRC's interactions with Japan.<sup>76</sup> Additionally, the PRC also had territorial claims in other areas that it wanted to solidify its claims to. For example, the PRC focused much of its attentions on the territorial disputes to northeast Asia (specifically with North and South Korea), as those disputes potentially involved massive oil reserves at stake.<sup>77</sup> Additionally, there was a historical component to the nature of the PRC's foreign policy motivations in the negotiation of the 1978 Sino-Japanese Treaty of Friendship. In this light, the PRC sought to negotiate and sign a binding treaty with Japan, especially after the shared pasts with Japan colonizing much of China in the nineteenth and twentieth centuries.<sup>78</sup> Furthermore, the end result of the treaty was a matter of national pride. Indeed, getting Japan to sign the treaty at all was quite remarkable for the PRC after much of the previous century was characterized by belligerent Sino-Japanese interactions.<sup>79</sup> That Japan would sign the 1978 Sino-Japanese was in itself a boost to the PRC's self esteem, as they were now concluding a treaty with a longtime rival and colonizer of much of China.

Eventually, despite the rising tensions due to the reemergence of the Senkaku Islands dispute in 1978, the Sino-Japanese Treaty of Friendship was negotiated and signed over the objections of the anti-treaty members of the Diet. One reason that this victory emerged was due to the fact that the pro-treaty Diet members in the LDP had gained enough support within its ranks to overcome any proposals that might counter the development of the Sino-Japanese Treaty of Friendship.<sup>80</sup> Additionally, the PRC also played a role in pushing the treaty negotiations to a successful conclusion. Indeed, it is

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<sup>76</sup> Daniel Tretiak, "The Sino-Japanese Treaty of 1978: The Senkaku Incident Prelude," 1238.

<sup>77</sup> Ibid., 1238.

<sup>78</sup> Ibid., 1238.

<sup>79</sup> Ibid., 1238.

<sup>80</sup> Ibid., 1245.

thought that the PRC deployment of fishing vessels to the islands, though seen as harsh, was aimed at pushing Japan to resume negotiations for the friendship treaty, despite the fact that this maneuver by Deng Xiaoping nearly failed.<sup>81</sup>



Figure 2: “Signing the Sino-Japanese Treaty of Peace and Friendship,” *China Daily*, September 25, 2013. [http://www.chinadaily.com.cn/china/China-Japan-Relations/2013-09/25/content\\_16992761.htm](http://www.chinadaily.com.cn/china/China-Japan-Relations/2013-09/25/content_16992761.htm)

From this point, the negotiations for the Sino-Japanese treaty continued into a second round and eventually, the ratification of the treaty itself. The treaty itself would be signed in both the PRC and Japan (Figure 2). The 1978 Sino-Japanese treaty stated that it was made “for the purpose of solidifying and developing the relations of peace between the two countries [the PRC and Japan].”<sup>82</sup> Despite this stated purpose of the treaty, a solution for the Senkaku Islands dispute would not be forthcoming in this treaty. Indeed, the Sino-Japanese treaty, like the attempt in 1972, pushed the

<sup>81</sup> Ibid., 1245.

<sup>82</sup> Treaty of Peace and Friendship Between Japan and the People’s Republic of China, China-Japan, August 12, 1978.

negotiations onto the shoulders of future generations.<sup>83</sup> In fact, a resolution to the dispute was shelved in light of the fact that other political considerations were considered more important to bilateral ties between China and Japan. With both the PRC and Japan committing to this course of action, the dispute was given a chance to continue to play a role in the regional relations of the East China Sea.

### **History of the Senkaku Islands Dispute From 1978 to 1997**

In the 1980s, the dispute entered a new stage in the legal sphere. In the realm of international law, the development of a United Nations convention that would govern conduct on the high seas would help play a role in shaping the complexity of the claims to the Senkaku Islands. This convention would be the United Nations Convention on the Laws of the Sea (UNCLOS), which was ratified in 1982.<sup>84</sup> One major influence that UNCLOS would impart on the dispute was what defined islands. To UNCLOS, an island or rock that “cannot sustain human habitation or economic life of their own shall have no exclusive economic zone (EEZ) or continental shelf.”<sup>85</sup> This aspect of the treaty is very important because of how it dictates how a state can control resources in a certain area around its island or islands.

For its part, the Senkaku Islands dispute is impacted by these changes in the definitions of EEZs and continental shelves. Concerning the case of the Senkaku Islands, the fact that the Senkaku Islands allows for Japan to maintain an EEZ allows Japan to regulate and control resources within a 200 nautical mile radius.<sup>86</sup> Additionally, the

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<sup>83</sup> Paul J. Smith, “The Senkaku Islands Dispute: A Crisis Postponed,” 37.

<sup>84</sup> “United Nations Convention on the Law of the Seas Overview and Full Text,” *Oceans and Laws of the Sea United Nations*, March 28, 2018, [http://www.un.org/depts/los/convention\\_agreements/convention\\_overview\\_convention.htm](http://www.un.org/depts/los/convention_agreements/convention_overview_convention.htm).

<sup>85</sup> United Nations Convention on the Law of the Seas, (Convention, Montego Bay, 1982): Part VIII, 3.

<sup>86</sup> Mark J. Valencia, “The East China Sea Disputes: History, Status, and Ways Forward,” 187.

matter of continental shelves also influences how territory is assessed with the case of the Senkaku Islands. Due to the fact that the continental shelves are used to define territory as it pertains to the seabed, the Senkaku Islands form a critical part of Japan's definition for its territorial shelf.<sup>87</sup> The additions of definitions for EEZs and continental shelf underscore the importance of the Senkaku Islands dispute as it impacts the territorial boundaries and economic matters of the PRC and Japan.

The change in the definition for continental shelves had a major impact for Japan in its stance on the Senkaku Islands. One aspect that has been influenced by UNCLOS is the defining the baseline for the continental shelf. In 1982, because of a fear of technological measures used to expand the baseline, Japan supported using a uniform baseline to measure continental shelves to ensure equitable boundaries.<sup>88</sup> Another area that impacted Japan's stance on the continental shelves is how other states should record these boundaries according to continental shelves. Japan argued that using the principle of equidistance, states could determine among themselves how to address the definitions of adjacent continental shelves.<sup>89</sup> These ties influence the role continental shelves play in Japan's stance.

At this time, the PRC's stance on the new regime for continental shelves is also important to consider. In contrast to Japan, the PRC was opposed to the notion of states working together to delineate the continental shelf boundaries. Rather, the PRC supported the use of international law to support attempts at marking the boundaries of

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<sup>87</sup> Ibid., 187.

<sup>88</sup> Wei-Chin Lee. "Troubles Under the Water: Sino-Japanese Conflict of Sovereignty on the Continental Shelf of the East China Sea," *Ocean Development and International Law*, 18, no. 5 (1987): 595.

<sup>89</sup> Ibid., 595.

continental shelves.<sup>90</sup> Additionally, the PRC also rejects the principle of natural prolongation. To this end, the seabed that extends 200 nautical miles that is include in the EEZ is considered by the PRC as a violation of international law.<sup>91</sup> This highlights the influences that the territorial disputes have had on the view of continental shelves.

The Senkaku Islands dispute continued to linger in the background of East Asian foreign relations throughout the next fourteen years after the formation and enactment of UNCLOS in 1982. However, after the end of the Cold War in 1991, the Senkaku Islands dispute reemerged as an ongoing and major dispute. Early signs of the Senkaku Islands return to prominence as a major international dispute quickly became apparent in the immediate year after the end of the Cold War in 1991. Indeed, in 1992, the PRC crafted and introduced a Territorial Waters Law, which enshrined the PRC's claims to the Senkaku Islands along with the PRC's claims to the Spratly and Paracel Islands in the South China Sea.<sup>92</sup> This law also codified how the PRC should reply to military units that did not follow the measures of innocent passage in the claimed maritime areas or airspace of the PRC. According to the Territorial Waters Law, the PRC reserved the right to "order it to leave the territorial sea immediately and the flag State shall bear international responsibility for any loss or damage thus caused."<sup>93</sup> Promulgating the Territorial Waters Law with this kind of language in it underscored the tensions that would emerge from the Senkaku Islands dispute in the coming decades.

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<sup>90</sup> Ibid., 595.

<sup>91</sup> Ibid., 595.

<sup>92</sup> Eugene Brown, "Japanese Security Policy in the Post Cold War Era: Threat Perceptions and Strategic Options," *Asian Survey* 34, no. 5 (1994): 435.

<sup>93</sup> Standing Committee of the Seventh National People's Congress, "Law of the People's Republic of China on the Territorial Sea and the Contiguous Zone."

The Senkaku Islands dispute would continue to flare up throughout the 1990s after the promulgation of the Territorial Waters Law in the PRC. At first, the initial incidents were somewhat subsurface in its visibility and impact compared to what was to come ahead. In 1995, two Japanese Air Self Defense Force (JASDF) McDonnell Douglas F-4 Phantom IIs were scrambled to successfully ward off a duo of Chinese Sukhoi fighter aircraft that were heading toward the islands.<sup>94</sup> In 1996, the dispute escalated significantly, returning tensions over the Senkaku Islands dispute to heights unseen since the 1970s. One aspect of this was the ratification of UNCLOS by the Japanese Diet. With this ratification, the Japanese government declared a 200 nautical mile EEZ around its territory, including the Senkaku Islands. In addition, activists from both the PRC and Japan started to actually approach the islands directly.<sup>95</sup> This action led to a renewed start of the dispute.

Activists from both the PRC and Japan also played an active role in this era of the dispute. In July 1996, Japanese right wing activists from Nihon Seinensha landed on the islands to build a lighthouse (Fig. 3).



Figure 3: “Japanese Raise Flags on Diaoyutais” *Taipei Times*, August 20, 2015, <http://www.taipeitimes.com/News/front/archives/2012/08/20/2003540723>

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<sup>94</sup> "ASDF Planes Scramble Against 'Chinese' Fighters," *Daily Yomiuri*, August 25, 1995. LexisNexis Academic.

<sup>95</sup> Han Yi-Shaw, “The Diaoyutai/ Senkaku Islands: Its History and An Analysis of the Ownership Claims of The PRC, ROC, and Japan,” 19.

This action sparked protests from activists based in the PRC who supported the PRC's claims to the islands. Activists who supported the PRC's position also attempted to make their way to the island, embarking from Hong Kong before being turned away by the Japanese Coast Guard.<sup>96</sup> The presence of activists also did not go without harm to the activists themselves. In fact, this first set of protests was marked by the death of an activist in September 1996 who attempted to swim to one of the islands.<sup>97</sup> The death of the activist was followed by a massive candlelight vigil in Hong Kong attended by thousands, which was followed by a new flotilla to the Senkaku Islands.<sup>98</sup> In this next flotilla, protestors actually were able to land on Uotsuri Island. After doing this, they planted PRC flags that were later removed by Okinawan officials.<sup>99</sup>

These protests would mark the initiation of the protestors and their role in the crisis. In 1997, a city assemblyman from Ishigaki landed on the islands with a Japanese reporter from the *Sankei Shimbun*, sparking regret from the Japanese government over the incident.<sup>100</sup> Such protests or perceived inflammatory actions by Japanese activists and politicians who supported measures that supported the Japanese claims to the Senkaku Islands were countered by counter protests by PRC activists. While most PRC activists attempted to navigate to the Senkaku Islands by sea, one notable but failed attempt that PRC activists attempted to utilize was an attempt to perform a parachute landing onto the Senkaku Islands from a plane departing from Subic International

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<sup>96</sup> Han Yi-Shaw, "The Diaoyutai/ Senkaku Islands: Its History and An Analysis of the Ownership Claims of The PRC, ROC, and Japan," 19.

<sup>97</sup> Chloe Lai, "Protestors Head for the Diaoyu Islands," *South China Morning Post*, June 23, 2003.

<sup>98</sup> "Thousands Mourn Drowned Protestor," *Chicago Tribune*, Sep. 30, 1996. LexisNexis Academic.

<sup>99</sup> Han Yi-Shaw, "The Diaoyutai/ Senkaku Islands: Its History and An Analysis of the Ownership Claims of The PRC, ROC, and Japan," 19.

<sup>100</sup> "Japan: Government Expresses "Regret" Over Visit to Senkaku Islands." *BBC Monitoring International Reports*, April 28, 1997. LexisNexis Academic.

Airport in the Philippines.<sup>101</sup> Ultimately, the activists' attempts to avoid Japanese ships from below failed as the plane suffered a mechanical failure while in flight and was forced to return to Subic International Airport.<sup>102</sup> Although this attempt at an aerial approach to landing on the Senkaku Islands failed, it was indicative of the great tension that the dispute had returned to after 1996.

### **History of the Senkaku Islands Dispute from 1998 to the Present**

After the 1997 incidents, the dispute would continue to reach levels of greater intensity in East Asia, although it would remain much more present on the stage of East Asian affairs than in the aftermath of past disputes. Over the next eight years, the dispute continued to emerge on multiple occasions. One aspect of this was the actual leasing of the Senkaku Islands. Up to this point, a Japanese private citizen had owned the Senkaku Islands. However, in 2003, the Japanese government leased land on three of the Senkaku Islands, after renting the islands from that private owner earlier in 2003.<sup>103</sup> In this instance of protests, it was clear that the Japanese government intended to maintain its presence on the Senkaku Islands. To this end, the Japanese government sought to renew the 22 million year lease to its portion of the islands.<sup>104</sup> These new attempts at leasing the islands went far in sparking continued protests.

Additionally, economic concerns would also rise to forefront in this era. In this moment of great intensity, increased competition over the resources in the areas surrounding the Senkaku Islands would rise to the forefront. In 2004, the China National

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<sup>101</sup> Han Yi-Shaw, "The Diaoyutai/ Senkaku Islands: Its History and An Analysis of the Ownership Claims of The PRC, ROC, and Japan," 20.

<sup>102</sup> *Ibid.*, 20.

<sup>103</sup> "China Protests Japan's Leasing of Three Disputed Islands," *BBC News*, Jan. 5, 2003. LexisNexis Academic.

<sup>104</sup> *Ibid.*

Offshore Oil Corporation (CNOOC) announced that it began its cultivation of the Chunxiao Oil Field, an oil field that is located approximately four kilometers from the edge of Japan's EEZ around the Senkaku Islands.<sup>105</sup> The dispute over this field has been particularly tense, due primarily to its location close to Japan's EEZ around the Senkaku Islands. Indeed, the proximity that the Chunxiao Oil Field (referred as the Shirakaba Oil Field in Japan) enjoys in relation the Senkaku Islands coupled with the potential resources in the field resulted in both sides disputing the ownership and cultivation rights of the oil field.<sup>106</sup> However, this aspect of the dispute would be resolved. Indeed, in 2008, the Japanese and Chinese governments signed an agreement to jointly extract the resources in the Chunxiao oilfield following four years of talks over the fields.<sup>107</sup> This has marked a rare moment of concessions in this most recent era of the dispute.

Another important aspect of the dispute in recent times regarding the development of the economic resources in the vicinity of the Senkaku Islands is the development of rare earth minerals in the seabed in the EEZ around the Senkaku Islands. For both the PRC and Japan, the importance of rare earth minerals cannot be overstated enough. For China, rare earth minerals are an important element of their economic advancements following Deng Xiaoping's rise to power in 1978. By 1990, rare earth minerals were recognized as a strategic asset by the PRC's government.<sup>108</sup> At this time, the highest levels of the PRC's leadership recognized the vital importance of rare earth minerals to the PRC's economy and other strategic endeavors. This notice of the critical

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<sup>105</sup> "CNOOC Says Production Under Way At Chunxiao Gas Field," *Japan Economic Newswire*, August 6, 2006. LexisNexis Academic.

<sup>106</sup> Martin Fackler, "China and Japan in Deal Over Contested Gas Fields," *New York Times*, June 19, 2008. <https://www.nytimes.com/2008/06/19/world/asia/19sea.html>.

<sup>107</sup> *Ibid.*

<sup>108</sup> Ming Hwa Ting and John Seaman, "Rare Earths: Future Elements of Conflict in Asia?," 238.

role of rare earth minerals by the PRC leadership was best noted by the a statement ascribed to Deng Xiaoping, who stated at a speech in Baotou in the province of Inner Mongolia that “the Middle East has oil, China has rare earths.”<sup>109</sup> This importance has been extended to the present by China, who has since surpassed the United States as the leading producer of rare earth minerals in the world.<sup>110</sup>

For Japan, the control of rare earth minerals is also an important matter nationally. However, unlike China, Japan is extremely dependent on imports to accomplish its economic goals with rare earth minerals. In fact, because of the high technology that forms a main bulwark of Japan’s economy, Japan’s 2010 imports of rare earth minerals constituted over half of the world’s consumption of rare earth minerals.<sup>111</sup> Moreover, Japan is also highly dependent on China’s exports of rare earth minerals in particular. With the rise in the PRC as the primary supplier of rare earth minerals for much of the world’s needs, Japan has found the need to seek out alternative supply options for rare earth minerals. During a flare up of the Senkaku Islands dispute in 2010, Japanese Prime Minister Naoto Kan was able to secure an agreement with his Indian counterpart, Prime Minister Manmohan Singh to explore future cooperation on rare earth mineral extraction in India, which lead to major agreements establishing an Indo-Japanese extraction facility in India and exploration of Indian rare earth mineral deposits.<sup>112</sup> Although Japan had some successes in diversifying its supply of rare earth

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<sup>109</sup> Andy Home, “After the Boom and Bust, What’s Next For Rare Earth Minerals,” *Reuters*, June 30 2015. <https://www.reuters.com/article/us-rareearths-china-ahome/after-the-boom-and-the-bust-what-next-for-rare-earths-andy-home-idUSKCN0PA1RE20150630>.

<sup>110</sup> *Ibid.*

<sup>111</sup> Ming Hwa Ting and John Seaman, “Rare Earths: Future Elements of Conflict in Asia?,” 244.

<sup>112</sup> *Ibid.*, 245.

minerals, the angst-ridden relationship with the PRC regarding the Senkaku Islands would still persist in hindering Japan's ability to import rare earth minerals.

In 2010, there was a significant spike in tensions over the Senkaku Islands. In this instance, the escalation of tension was sparked by an incident between a Chinese trawler and a Japan Coast Guard vessel. In the incident, a Chinese trawler rammed a Japan Coast Guard vessel JCG *Mizuki* after bumping another Japanese ship, the JCG *Yonakuni*.<sup>113</sup> Following the collision, the Japanese coast guard vessels stopped the Chinese trawler and arrested its captain.<sup>114</sup> Following the incident, the Japanese government, specifically the Foreign Ministry issued a statement regarding the incident. In the statement, the Japanese Foreign Ministry reasserted Japan's claims to the islands and rejected the PRC's demands for an apology and financial reparations as "completely groundless and unacceptable for Japan."<sup>115</sup> However, China retaliated by aiming directly for Japan's need for rare earth mineral imports to maintain its economic vitality. To this end, Beijing replied to the fishing captain's arrest by enacting a temporary ban on rare earth mineral exports to Japan.<sup>116</sup> Additionally, the move to arrest the captain of the fishing vessel was met with anti-Japanese protests across the PRC.<sup>117</sup> Ultimately, this pressure from the PRC forced Japan down from its own stance. Later, Japan released the captain of the fishing vessel, prompting considerable criticism from members of Japan's

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<sup>113</sup> "Video Likely of Collision off Senkaku Islands Posted on Internet," *Kyodo News* November 5, 2010. LexisNexis Academic.

<sup>114</sup> *Ibid.*

<sup>115</sup> "Statement by the Press Secretary/ Director-General For Press and Public Relations, Ministry of Foreign Affairs, On the Collision Between Japan Coast Guard Patrol Vessels and a Chinese Fishing Trawler in Japan's Territorial Waters Off of the Senkaku Islands," *State News Service*, September 25, 2010. LexisNexis Academic.

<sup>116</sup> Keith Bradsher, "Amid Tension, China Blocks Vital Exports to Japan," *New York Times* Sep. 22, 2010. <https://www.nytimes.com/2010/09/23/business/global/23rare.html>.

<sup>117</sup> *Ibid.*

Diet and public. Despite the resolution, the economic aspects of the conflict continued to influence the tensions in the dispute.

Even as the economic aspects of this dispute continued to serve as the root of tensions, the dispute was fueled by nationalism surrounding the dispute. This new wave of nationalist fervor was fueled by a significant increase in Japan's ownership stake to the Senkaku Islands. Specifically, the islands were purchased from their private owner in 2012. Despite the fact that the islands were purchased in 2012, there were earlier discussions of purchasing the islands by the Japanese government. Indeed, Prime Minister Yoshihiko Noda considered buying the islands as early as 2010 due to concerns over the PRC's increased military presence around the Senkaku Islands.<sup>118</sup> Moreover, Prime Minister Noda also wanted to find a way to send a message regarding to deter any Chinese military occupation of the islands.<sup>119</sup> However, Noda was concerned about a vitriolic response from the PRC if the Japanese government acquired the islands. To avoid the likely belligerent response from the PRC, Noda intended to clandestinely purchase the islands with little ceremony.<sup>120</sup> However, this attempt at a covert purchase of the Senkaku Islands would be thwarted another party in Japan who was interested in purchasing the islands.

That party who was interested in the purchase of the Senkaku Islands was Governor Shintaro Ishihara, the governor of Tokyo Prefecture. Before Prime Minister Noda's government could implement a plan to obtain the islands, Governor Ishihara announced a plan to purchase the islands in 2012. Governor Ishihara argued that the

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<sup>118</sup> Michael Green, Kathleen Hicks, Zack Cooper, John Schaus, and Jake Douglas. "CSIS Counter Coercion Series: Senkaku Islands Nationalization Crisis." *CSIS Asia Maritime Transparency Initiative*. June 14, 2017, <https://amti.csis.org/counter-co-senkaku-nationalization/>.

<sup>119</sup> *Ibid.*

<sup>120</sup> *Ibid.*

move for the Tokyo Prefecture to purchase the islands was necessary, for the Ishihara declared that “the central government is too scared to do anything”<sup>121</sup> to resolve the dispute in Japan’s favor. Governor Ishihara’s move to begin the negotiation of the purchase the islands caught the national government completely by off guard. After debating a reaction, Prime Minister Noda elected to purchase the Senkaku Islands. The government negotiated successfully for the islands, paying 2.5 million yen for the islands.<sup>122</sup>

The purchase was extremely controversial in both Japan and the PRC. In the PRC, although the PRC’s government was slow to respond, it soon replied in a strong way. Indeed, the then President of the PRC, Hu Jintao, confronted Prime Minister Noda at the Asia Pacific Corporation meeting, warning him that nationalizing the islands would be considered as a an illegal action.<sup>123</sup> Additionally, the move to nationalize the islands sparked major anti-Japanese protests in China. The protests took place across on September 18, the anniversary of the Mukden Incident in 1931, which was used as a pretext by the Imperial Japanese government to invade Manchuria.<sup>124</sup> At a broader level, history was used to underpin the protests. According to pictures distributed by PRC state news agency Xinhua, some signs included messages such as “Don’t Forget National

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<sup>121</sup> Kentaro Nakajima, “Ishihara Says Tokyo to Buy Senkaku Islets, Purchase of 3 Islands to Protect Them,” *Daily Yomiuri*, April 8, 2012. LexisNexis Academic.

<sup>122</sup> Julian Ryall, “Japan Agrees to Buy Disputed Senkaku Islands,” *Telegraph*, Sep. 5, 2012. <https://www.telegraph.co.uk/news/worldnews/asia/japan/9521793/Japan-agrees-to-buy-disputed-Senkaku-islands.html>.

<sup>123</sup> Jane Perlez, “China Accuses Japan of Stealing After Purchase of Group of Dispute Islands,” *New York Times*, Sep. 11, 2012. <https://www.nytimes.com/2012/09/12/world/asia/china-accuses-japan-of-stealing-disputed-islands.html>.

<sup>124</sup> Junko Ogura and Jethro Mullen, “Fresh Anti-Japanese Protests in China on Symbolic Anniversary,” *CNN* Sep. 19, 2012. <https://www.cnn.com/2012/09/18/world/asia/china-japan-islands-dispute/index.html>.

Humiliation.”<sup>125</sup> To the PRC, the action to nationalize the islands tapped into deep set feelings in the PRC that have intertwined nationalist fervor and China’s history.

Coupled with the protests, the language used by the governments of Japan and the PRC became progressively more militarized. After 2012, this was furthered by new changes in Japanese and Chinese politics. In Japan, the more rapid changeover of new cabinets that began after the crash of the Japanese economy in the 1990s was ended by a new administration led by the Liberal Democratic Party (LDP). This new cabinet, under Prime Minister Shinzo Abe, took a more nationalist stance on the Senkaku Islands, reflecting the more right wing stance of the LDP at this time. Even before he assumed his seat as prime minister, Shinzo Abe announced, “the Senkaku group is Japanese territory and, in the eyes of the international community, belongs to Japan and is effectively controlled by us. On this point, there is no room for negotiation.”<sup>126</sup>

Additionally, before assuming his new role, Prime Minister elect Abe also criticized the administration of the preceding Democratic Party of Japan (DPJ). Abe argued that the DPJ had harmed Sino-Japanese ties and that Japan should “We need to deepen our ties with the rest of Asia, including India and Australia, not only in diplomacy but also in security and energy. In that context, we look at the importance of ties with the Chinese. Only the LDP can take such a strategic approach.”<sup>127</sup> In this way, there was a marked sea change in the political basis that created a stronger stance against the PRC over the issue of the islands. Moreover, it marked an end to an attempt at fostering closer ties with the PRC that had been carried forward by the DPJ.

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<sup>125</sup> Ibid.

<sup>126</sup> “Abe Talks Tough: Senkaku Islands Belong to Japan,” *Straits Times* Dec. 18, 2012. LexisNexis Academic.

<sup>127</sup> Ibid.

From the PRC, there were other ways that the dispute became more militarized, as seen in staking certain and provocative claims in the context of the dispute. One major source of this militarization was a declaration of an Air Defense Identification Zone (ADIZ) over the East China Sea (Fig. 4). In declaring the ADIZ, the PRC sought to promote its claims to the Senkaku Islands. Specifically, it sought to assert its presence in current and claimed portions that the PRC claimed for its EEZ in the vicinity of the Senkaku Islands.<sup>128</sup>

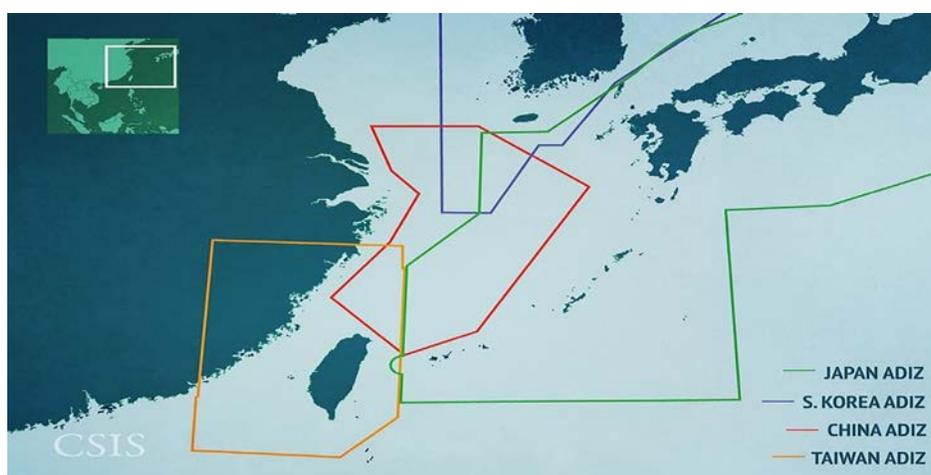


Figure 4: Map of ADIZs in the East China Sea. Michael Green, Kathleen Hicks, Zack Cooper, John Schaus, and Jake Douglas, “CSIS Counter Coercion Series: East China Sea Air Defense Identification Zone,” *CSIS Asia Maritime Transparency Initiative*. June 13, 2017, <https://amti.csis.org/counter-co-east-china-sea-adiz/>.

The establishment of the East China Sea ADIZ did not go without response. For Japan, that response consisted of a JASDF reconnaissance mission to the Senkaku Islands.<sup>129</sup> Additionally, Japan also continued its normal missions around the Senkaku Islands. Other states had their own responses. In the case of the United States, this emerged in

<sup>128</sup> Matthias Vanhullebusch and Wei Shan, “China’s Air Identification Zone: Building Security Through Lawfare”, *China Reivew* 16, no. 1 (2016): 132.

<sup>129</sup> Raul Pedrozo, “International Law and Japan’s Territorial Disputes”, *International Law Studies: US Naval War College* 92, no. 119 (2016): 141-142.

the form of a flight of two Boeing B-52 Stratofortress strategic bombers through the East China Sea ADIZ, without complying with the PRC's new regime.<sup>130</sup>

During this time of tremendous strife in the Senkaku Islands dispute's history, the development of the respective militaries of both the PRC and Japan has been enabled by this increase in tensions to improve their respective technologies and units, thus providing them with better tools to fight each other should a war arise over the islands. In the JSDF, advances have been made in improving the technology used in the possible defense of the Senkaku Islands. One example of this can be seen in advances made in the JASDF to match new advances made by the Chinese air arm, the People's Liberation Army Air Force (PLAAF) in the latest fighter aircraft. In terms of fighter aircraft, the JASDF has introduced the first Lockheed Martin F-35 Lightning II aircraft into its inventory, with the first F-35 joining the JASDF at Misawa Air Base (AB) in Aomori Prefecture, Japan in January 2018.<sup>131</sup> This acquisition is part of a wider JASDF initiative to field forty-two F-35s to replace older McDonnell Douglas F-4 Phantom IIs by 2023.<sup>132</sup> Additionally, the JSDF is also seeking transport aircraft that is faster and gifted with longer ranges to remain on station for longer periods of time. To this end, the Japanese Ground Self Defense Forces (JGSDF) has ordered Bell MV-22 Osprey to fulfill this requirement.<sup>133</sup> With its greater range and speed coupled with the abilities of a helicopter, the Osprey gives the JSDF a more expedient way to deploy troops to the furthest reaches of its territory in the East China Sea, including the Senkaku Islands.

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<sup>130</sup> Ibid.

<sup>131</sup> Deana Heitzman, "First Operational JASDF F-35A Makes Its Debut at Misawa AB," *Misawa Air Base*, January 29, 2018, <http://www.misawa.af.mil/News/Article-Display/Article/1425896/first-operational-jasdf-f-35a-makes-its-debut-at-misawa-ab/>.

<sup>132</sup> Yuichi Hosoya, "Japan's New Security Legislation: What Does this Mean to East Asian Security?", 299.

<sup>133</sup> J. Miller Berkshire, "Abe's Gambit: Japan Reorients Its Defense Posture," 57.

In terms of adjusting for naval technology and units, the JSDF has also made certain adjustments to account for increased tensions with the PRC over the Senkaku Islands. In particular, JMSDF has made a major drive for the development of aircraft carrier like helicopter destroyers that would allow Japan to deploy naval based forces in the surrounding region faster than currently allowed. Currently, the JMSDF is preparing to field two *Izumo* class helicopter destroyers alongside the currently active JS *Hyuga* and her sister ship JS *Ise*.<sup>134</sup> Besides working to improve its capabilities in rapid naval deployment, the JMSDF also looked to grow its submarine force from sixteen submarines to twenty-two submarines.<sup>135</sup> Along with these advances in the JMSDF, the JGSDF also has made contributions to maritime advances. In 2018, the JGSDF stood up the Amphibious Rapid Deployment Brigade (ARDB), which is Japan's first active marine unit since World War II.<sup>136</sup> Due to the advent of this new unit, Japan now has a specialist unit that can deploy for amphibious operations, including the defense of the Senkaku Islands.

The PLA has also made advances in technology to better prepare itself for a war in the East China Sea. One area for the PLAAF is increased use of PLAAF aircraft to fly over the East China Sea. Although the types and number of aircraft used have varied from incident to incident, particularly notable flights are the flyovers conducted by Xian H-6K strategic bombers over the disputed parts of the East China Sea.<sup>137</sup> Moreover, the PLAAF has undergone doctrinal changes that impact its role in the East China Sea

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<sup>134</sup> Sarosh Bana, "Sea Power," 49.

<sup>135</sup> Toshi Yoshihara, "China and Japan Face off at Sea," *World Affairs* 176, No. 5 (2014), 29-30.

<sup>136</sup> "Japan Activates First Marines Since World War II to Bolster Defenses Against China," *Japan Times*, April 7, 2018, <https://www.japantimes.co.jp/news/2018/04/07/national/japan-holds-kickoff-ceremony-nations-first-full-fledged-rapid-deployment-amphibious-force/#.WskSvdPwbR0>.

<sup>137</sup> You Ji, *China's Military Transformation*. Cambridge: Polity, 2016: 151.

disputes. Specifically, the PLAAF is charged with supporting fleet actions conducted by the People's Liberation Army Navy (PLAN) in order to secure the East China Sea.<sup>138</sup>

Here, it is apparent that even if the PLAAF is not the leading force involved in a conflict in the East China Sea, it is still placed in a major position.

The PLAN and the China Coast Guard (CCG) are also making their own adjustments to prepare themselves for a conflict in the East China Sea, in order to increase their presence and improve their naval skills. For example, PLAN ships in 2013 circumnavigated the Japanese archipelago via the East China Sea.<sup>139</sup> Additionally, like JMSDF, the PLAN is making a concentrated effort at improving their ability to project naval aviation into its near seas, a technique that would be in demand in a conflict in the East China Sea. To this end, the PLAN has already developed and fielded the former Soviet aircraft carrier *Varyag*, now known as the *Liaoning*, into an active carrier to develop Chinese doctrine on carrier aviation.<sup>140</sup> Looking ahead, China has continued its development of aircraft carriers, launching an improved version of the *Liaoning* referred to as the Type 001A class.<sup>141</sup> In the CCG, there has been continued development of improved coast guard vessels that are bigger in size. In 2013, the CCG fielded two new cutters, the *Haijing 3401* and *Haijing 2401*, which have a weight of approximately four thousand tons.<sup>142</sup> These vessels of increased size give the CCG greater capability in its abilities to operate in the East China Sea near the Senkaku Islands.

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<sup>138</sup> *Ibid.*, 152.

<sup>139</sup> Toshi Yoshihara, "China and Japan Face off at Sea," 25.

<sup>140</sup> Toshi Yoshihara, "China and Japan Face off at Sea," 26.

<sup>141</sup> Minnie Chan, "China's First Home Grown Aircraft Carrier Set to Carry Out Maiden Sea Trial," *South China Morning Post*, April 2, 2018, <http://www.scmp.com/news/china/diplomacy-defence/article/2139974/chinas-first-home-grown-aircraft-carrier-set-carry-out>.

<sup>142</sup> Toshi Yoshihara, "China and Japan Face off at Sea," 26.

## **Implications of the Senkaku Islands Dispute**

The Senkaku Islands dispute has evolved considerably over the years. From 1895 to 1971, the Senkaku Islands was not a tremendous part of the foreign policy of China, and the dispute was nonexistent. From 1971 to 1997, the dispute over the islands transformed considerably. With the discovery of possible oil reserves in the East China Sea around the Senkaku Islands, the PRC became extremely assertive over the Senkaku Islands. Additionally, the dispute figured heavily in the Sino-Japanese negotiations to normalize relations. Although flare-ups in the dispute did hinder negotiations initially, the governments ultimately pushed back a peaceful conclusion to the dispute. Another major change that appeared was the change in the internationally accepted definition of the EEZ in UNCLOS. With the enshrinement of the 200 nm EEZ, this further reinforced that the dispute was rooted in the acquisition of resources around the islands themselves. Also, with the PRC's growth in economic and military power came an adjustment in its stance over the islands. As the PRC's power grew in the 1980s and 1990s, it started to renew and improve a more assertive stance on the dispute, as seen in law such as the Territorial Waters Law.

After 1997, the dispute would increase in intensity. At this time, nationalist fervor began to play a greater role in public discourse and action over the islands dispute. This role by the people of both the PRC and Japan began to manifest itself in civilian activists sailing to the Senkaku Islands and attempting to land on them, leaving flags and other markers to assert their respective country's claims to the islands. Additionally, protests on both sides in the PRC and Japan have also come to play a large role in the dispute as it adds further the nationalist rhetoric surrounding the dispute. Still,

the original economic driver of the dispute- namely, the extraction of resources from the seabed- continues to push the dispute onward. Although the original resource of oil continues to factor into the dispute, other resources located in the waters and seabed around the Senkaku Islands entered the dispute, such as rare earth minerals. With the increase in the dispute's intensity, there has been an increase in the creation and implementation of new strategies and technologies by the PLA and the JSDF to make use of in the event of an armed conflict over the Senkaku Islands.

There is high potential for a military conflict over the Senkaku Islands. One aspect of this is that both the economies of the PRC and Japan require the resources at stake in the dispute to fuel their economies. As such, the competition between Japan and the PRC for the resources in the Senkaku Islands EEZ and the actual control of access to that EEZ is likely to remain intense. Additionally, the political leadership in both Japan and the PRC is more assertive regarding the islands. As a corollary to this, both the leadership of Japan and the PRC is under considerable strain from nationalist sentiment rooted in the shared history of China and Japan. Another factor reinforcing the potential for conflict is the high amount of military development conducted by the PRC and Japan, especially in the fields of naval and aerospace development. This development has allowed Japan and the PRC to maintain a more forward military presence in the East China Sea. In the event of a conflict, China and Japan would lose considerably from this.

In the event of a war over the islands, there is potential for broader implications. In particular, the United States could be drawn into a conflict over the islands. While the United States is not a direct party to the dispute, it is obligated to defend Japan. This is due to the fact that the United States is obligated to defend Japan in the event of an

offensive attack on Japanese territory.<sup>143</sup> This obligation is extended to the defending Japanese territories that are not considered prefectures. Indeed, the United States has reaffirmed that in the event of an invasion of the Senkaku Islands it would uphold the MST.<sup>144</sup> There is tremendous conflict potential from this dispute.

Still, there are openings for the possibility of a solution to the conflict over the Senkaku Islands. Regarding the sharing of resources, the 2008 energy sharing agreement presents a possible precedent for resolving the conflict. With the agreement to jointly produce the oil resources at the Chunxiao Fields, the approach to distribute the resources could serve as a possible model for the development of the site. Nevertheless, in order to use this approach, the history that this dispute is linked to must be resolved, and both sides must make concessions on this area, particularly Japan. Moreover, the greater military presence held by both sides, but especially by the PRC, is especially concerning. These latter two concerns ultimately make resolution highly unlikely.

At the moment, the Senkaku Islands dispute itself lingers as a tremendous thorn in the side of Sino-Japanese ties. Although the dispute on the islands has not emerged in a prominent level on the international stage in the way it did in 2012, it is still a major issue for Sino-Japanese ties. The study of this territorial dispute allows for a better understanding of territorial disputes and how they can escalate from minor issues into greater disputes with the potential for conflict. Additionally, knowing the history of the progression of this dispute allows for a greater understanding of how the dispute came to its current point in recent years without a resolution in earlier negotiations. Looking ahead to the future, knowing the history of the dispute provides some understanding of

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<sup>143</sup> “Treaty of Mutual Cooperation and Security Between Japan and the United States of America,”

<sup>144</sup> Ibid.

the way ahead. For instance, the knowing the disputes' past highlights the fact that despite the best intentions of preceding governments and heads of state, the dispute will likely to continue without either the governments of Japan or the PRC finding ways to make the resolution of this dispute a major priority, rather than the dispute itself becoming an auxiliary matter to other concerns. Since the dispute has significant potential for becoming a wider regional or even global conflict (given the United States' stake in Japan's security), reducing the likelihood for conflict is of the utmost importance.

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