

CHAPTER I

INTRODUCTION

In this chapter there is description about the basic information of this thesis. This chapter contains background of thesis, research question, theoretical framework, hypotheses, scope of research, research objective, research methodology, and the outline of thesis.

A. Background

Japan is starting to develop a new policy and chambers on its Defense or Security. Japanese with their pacifism thought that the defense and security in Japan can be improved. It can be proven from Japan previous achievement with Japan Self-Defense Force (JSDF) on Peace Keeping Operation with United Nations. Many nations approve Japan's contribution on Peace Keeping Operations through the deployment of Japans Self-Defense Force on the missions, but there are also some nations that afraid on Japan achievements such as China and Korea. Knowing the afraidness of those nations, Japan still moves forward on developing its defense and security power through its partnership with United States. Having an alliance partnership with United States means that Japan has a big power partner that can develop its military power and realize its goals, that is the revisement on Japan Constitution, especially Article 9. (Lee S.-J. , 2007)

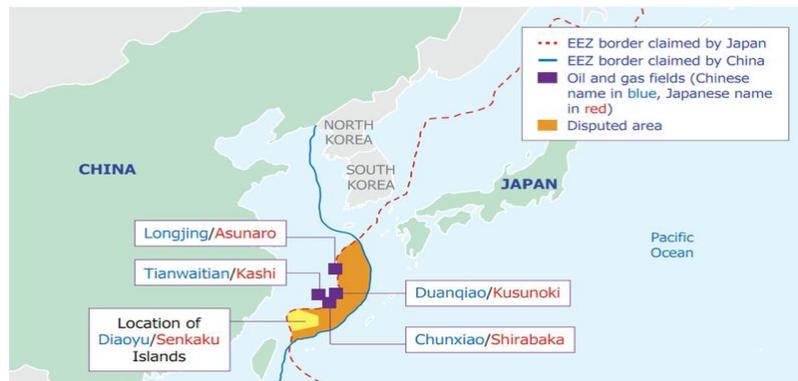


Figure 1.1. Location of Diaoyu/Senkaku Islands, potential and gas reserves and interrelated EEZ disputed Area (Source: Interfax)

The territorial disputes between Japan and China on Senkaku Islands or Diaoyu Islands have constructed a security relation between both parties that began in 1970. The islands have a historical background for them, as for Japan, it symbolized the proof of its victory in Sino – Japanese war and also sovereignty. As for China, it symbolized the proof of defeat and disgrace. But the reason for both countries disputing over the islands is the potentials within the islands. The Senkaku Islands or Diaoyu Islands have a good geostrategic and a lot of natural resources. It can be said that both parties have economic interest over the islands. For that, Japan and China become competitive over the islands that caused the instability of regional configuration, especially the hegemony of china that disturbs the interests of Japan over its own islands. The action caused by China and Japan involves attentions from other countries within the region and outside the region, especially United States. Japan Alliance with United States make a constitution about the United States Security Policy in Asia-Pacific, that have successfully deal with China firmness. (DAN, 2016)

The International community regards China as the agitator of this conflict, as how after being warned by its neighboring countries, China still conducting its rebellion action. According to Japan, the sovereignty over its archipelago is using the principle called *terra nullius*, that ensures the state control over an area before it is proclaimed. Unfortunately, this principle is rejected by China. While in that, China's suspiciousness rises even more when Japan increases its Defense industry and think of it as the menace upon national security. (Hughes, 2017)

To be more accurate, the conflict over Senkaku Island between Japan, China, and Taiwan started in 1969, when those three countries discovered the islands overflow with natural resources. Then, Taiwan decide to let Senkaku Islands to be managed by Japan in order to have a good relation with its neighbor's country, but China stated that Japan was seizing the Senkaku Island from China in the Sino-Japanese War. China also stated that the island was proclaimed by them, as their seamen have been conducting their work for a long time and the islands have been organized by China since the beginning of the 15th Century. Japan did not acknowledge the alibi made by China, which slowing down the process to overcome the conflict. (Tatsumi, 2013)

Terra Nullius was the basic principle used by Japan during the annexation of Senkaku Islands or Diaoyu Islands. This archipelago has been passed down from generation to generation by the Japanese business man from 1895 until 1945. During those years, the island was handled by government

jurisdiction of Okinawa prefecture as part of its prefecture. In 1945, the symbol of the world war II ending, United States took the islands as Japan lose that time. Six years later, 1951, was the year that Japan with the Treaty of San Francisco concluded to join “principles of constitutional democracy and rejoined the international state system as US ally”. Provided by the treaty, Japan granted its judicial sovereignty with some exchange over its imperialism. Nevertheless, on San Francisco Treaty, Article 3, Senkaku Island was still in jurisdiction of United States. China did not acknowledge this treaty with a reason that China was absent during the treaty making. Then, bilateral relation between United States and Japan was made and signed by both parties in 1972, United States gave back Senkaku Islands to Japan. (Hirano, 2014)

Japan and China actually already had an arrangement on settling the dispute over Senkaku Islands in 2008. The arrangement on settling the dispute was about developing hydrocarbon finds around the East China Sea which include Senkaku Islands. China and Japan called the arrangement as “Joint development” was conducted after the founding of hydrocarbon or gas in 1968 by both parties. However, the arrangement was made long after the finding times because of the disagreement between both parties over the territories. Both parties claimed that Senkaku Islands was theirs through some arguments between them, including their disagreement on the delimitation by the United Nations Convention on the Law of the Seas statement over exclusive economic zone. To end the never-ending conflict over its territories, both parties held a

negotiations meeting which was acknowledged as a good step for China Japan relations. (Manicom, 2008)

The Senkaku Islands now comes under Okinawa Prefecture is still uninhabited islands. Currently, the government of Japan positions itself to permanently maintain its authority over Senkaku Islands. Taiwan as the actor involved within this conflict initiatively wants to cooperate with Japan over this conflict with a reason to build a peace with their neighbors from the same region. The Initiative for Peace in the East China Sea, stated a term in which, “Japan does not recognize the existence of the conflict on reclaiming territorial sovereignty”. Known with its pacifism, Japanese thought that it was a necessary thing to put its pacifism as the benchmark or standard on making the strategy to defense its territories. (Peterson, 2009)

Japan Ministry of Defense is handling many things related with the relation between Japan and other countries and also the security such as the North Korea issues and also the regional situations. The regional situations in here mean the situations between Japan with another country in East Asia and also Southeast Asia, like the relation between Japan and China especially the relation with the East China Sea or to be accurate on Senkaku islands. So, in order to protect or defense and also have a good relation between other countries, the Japan Ministry of Defense always seeks for a good way or methods to solve all of the problems (Defense, 2018). Now, Japan Ministry of

Defense strengthens and reinforces the process of Japan defense to face any conflicts. (Tsai, 2016)

B. Research Question

According to the background explained above, the writer got a subject matter:

Why did Japan negotiate the territorial disputes with China on Senkaku Islands (2004-2008) ?

C. Theoretical Framework

In the process of resolving the territorial disputes between Japan and China, both parties started using negotiation steps through meetings of its representatives in 2004. Then, a few years later, Japan and China agreed to conduct joint development in the area of east china sea. Negotiations according to Pruitt and Carnevale are procedures to resolve a problem more precisely to reach agreement when each party that negotiates has different choices.

To carry out negotiations according to Pruitt and Carnevale described in his book, there are five strategies (Carnevale & Pruitt, 1992) :

1. Problem Solving

This Strategy is an attempt to achieve a formula that can meet the aspirations of the parties negotiating. In the Dual Concern Model Theory, this strategy is explained as a strategy whereby the parties involved to show concern for both their own interest and the interest of other parties. It also explains, the concern between

two parties will decide the outcome of the solutions, sometimes the outcomes are divided as a genuine concern such as one member of the parties feel responsible to the other party and could be as a strategic concern that seeks something good of beneficial from the other parties. Nevertheless, problem solving strategy is mainly ended in win-win solution.

2. *Contending*

This Strategy is also called *competing* or *dominating*, which this strategy is used to pressure the opponent in order to win what he wants. The party that uses this strategy also uses its power regardless of the needs of other parties where the strategy is intended so that other parties give up and want to follow the users of the strategy. There are several tactics in this strategy that use threats, distractions, positional commitment, and also time pressure.

3. *Yielding/Concession*

This strategy is a strategy of succumbing or giving concessions through the negotiator reducing its objectives, demands or offers. Through giving concessions, the assumption is, that the concession will be accepted by other parties or opponents as something beneficial so that negotiations move towards an

agreement. Yielding also called accommodating or obliging. Parties who use this strategy show little attention to their own interests, but these parties tend to be cooperative toward the interests of other parties or yielding can be said to be a strategy that follows what the other party wants.

4. *Inaction*

This strategy is also known as avoiding strategy, where the parties that use this strategy show their least concern for their interests as well as other parties. The party using this strategy does not take any action to overcome the problem. This strategy uses tactics such as wasting time, delaying negotiations or talking outside the main issues of the negotiations which are also used to wait for a new strategy that can one day increase bargaining positions because the temporary suspension of activities carried out temporarily which still opens the possibility for further discussions to take place in the future,

5. *Withdrawal*

This strategy means the negotiator stops the negotiations so there is no agreement. But, the failure to reach this agreement is a victory.

From the five strategies that have been described above, Japan and China used the *Problem Solving* Strategy in 2004 until 2008, which Japan and China chose to find a way and peace in resolving the territorial disputes over Senkaku Islands. Negotiations at that time seemed going well even though there were a number of obstacles such other strategies above are used by both parties and a number of things that needed attention. The result of the negotiations at that time was a “Joint Development” between Japan and China regarding the management of natural resources in area of East China Sea, especially hydrocarbons. Likewise, “Joint Development” between Japan and China are provided by several regulations and agreements that must not be violated by both parties.

D. Hypothesis

From the explanation of theory above, it can be concluded that Japan’s strategy in managing the disputes of Senkaku islands, is using *Problem Solving* strategy by conducting negotiation that happened in 2004 until 2008 between Japan and China and resulted in “Joint Development” arrangement on developing hydrocarbon or gas in area of East China Sea.

E. Research Methodology

Based on the sources, the data in this study are secondary data. Secondary data is method by the researchers indirectly through an intermediary medium. Intermediary used by the writer is quoting from various source such as the Japan Ministry of Defense reports, books, journals, articles and the resources that support, such as documents that have relevance to the issues to be studied.

For enrichment data or expansion of the material, the writer uses data obtained from the Internet.

F. Scope of Research

The scope of this research is starting from the big disputes that happened between Japan and China in 2004 that affected the relations between them until 2019. Notwithstanding, the writer could possibly use the data before or after the aforementioned period of time.

G. Research Objective

The writer purpose of writing is to explain what are the strategy of Japan on managing the territorial disputes over Senkaku Islands from China.

H. Outline

Five chapters are presented in this study and each chapter composed of several sub-chapters in accordance with the discussion and the matter which is being investigated.

The first chapter is an introduction that discusses the reasons for selecting the title, background, research question, theoretical framework, hypothesis, scope of research, methodology and systems of writing.

The second chapter explains about the history of Senkaku Islands, the territorial disputes that had happened for a long time between two countries, Japan and China. This will also explain the cause of the disputes including with the agreements or treaties existing at that times.

The third chapter, the writer explains the Dynamics of Senkaku Island Disputes between two countries, Japan and China through both countries' declarations. This chapter also discusses the relation between both countries each declaration with historical background over territorial disputes of the Senkaku Islands.

The fourth chapter specifically explains the practice of Japan's strategy's or actions on negotiating the territorial disputes using the perspective of Negotiation and mediation theory to examine the relation between Japan and China over territorial disputes.

The fifth chapter is the conclusion that will explain the main point of the chapters and sub-chapters that have been described previously.