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**Japan's Instrumentalisation of Taiwan for Its  
Security and Power-Political Relations vis-à-vis the  
PRC in International Society**

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## **Abstract**

This thesis investigates Japan's utilisation of Taiwan as a foreign policy instrument for its security vis-à-vis the PRC. It considers the non-recognition and sanctioning of Taiwan within international society and examines how Japan incrementally treats Taiwan as if it is a part of international security efforts despite its non-recognition of the latter in its efforts to navigate its One-China policy. Therefore, Japan–Taiwan relations can be regarded as largely hierarchical. Chapter 1 discusses Japan One China policy and Taiwan, and how these frameworks condition Japan's engagement with Taiwan in the context of the former's One China policy. This relationship requires the innovative theoretical approach that turns to the English School of International Relations, wherein Japan is the central protagonist in the grand narrative, which gives Japan an opportunity to be the regional accommodator of the marginal entity like Taiwan in international society. Chapter 2 then focuses on the English School of International Relations and discusses how Japan has been narrated as a good student of Eurocentric international society, while also examining how the non-sovereign political communities have been engaged by the great Eurocentric great powers. These attempts elucidate how Japan's accommodation of Taiwan into international society has not received the scholastic attention it deserves. Chapter 3 then engages with the literature on Japan–Taiwan relations, focusing on Japan's foreign policy instruments to elucidate how the nation determines the boundaries of an acceptable Japan–Taiwan security cooperation while pacifying the PRC. Here, we conceptualise how Japan socialises Taiwan through international security norms as if it is a member of the multilateral security forums without affording it formal membership. Chapter 4 then examines how Taiwan fits into the Japanese concept of CSD and assesses what Japan is willing to do

in terms of the Japan–Taiwan security cooperation while providing Taiwan with deterrence against the PRC. Chapter 5 focuses on the ICAO to assess what Japan can do to ensure Taiwan behaves as if it is a member of the ICAO in view of Japan’s security. Chapter 6 then uses the Japan–Taiwan fisheries agreement to examine how Japan made Taiwan a quasi-equal stakeholder on a par with both Japan and the PRC while dividing the potential cross-strait united front against Japan. It also examines the normative dynamics behind the enhancement of conflict alleviation despite the tensions between the nations with reference to the ESIR perspectives. Taking these empirical investigations into account, the conclusion considers the importance of further research on Japan’s accommodation of ‘internationally ostracised entities’ within international society in terms of the ESIR paradigm.

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## **Note on Conventions**

The bibliography is presented in the Harvard referencing style in accordance with the University of Sheffield's regulations. Romanisation is used for the Japanese words and Pinyin for the Chinese words included in the bibliography. In terms of the transliteration of Japanese names, these are given in their traditional order (i.e. the surname first and the given name second). This also applies to any Taiwanese and Chinese names, except where the author of the source in question uses his or her English name without disclosing their Chinese name. British spelling is used for North American sources throughout the dissertation.

## **Glossary of Main Terms and Abbreviations**

ACSA	Acquisition and Cross Servicing Agreement
ADIZ	Air Defence Identification Zone
AIM missile	Sidewinder Short-range Air-to-Air Missile
APEC	Asia Pacific Economic Cooperation
ASDF	Air Self-Defence Force
ASEAN	Association of Southeast Asian Nations
ASW	Anti-Submarine Warfare
CAA	Civil Aviation Authority
CCG	Chinese Coast Guard
CCP	Chinese Communist Party
CGA	Coast Guard Administration (Taiwan)
CLB	Cabinet Legislation Bureau
CSD	Collective Self-Defence
CSIS	Centre for Strategic and International Studies
DPJ	Democratic Party of Japan
DPP	Democratic Progressive Party
EEZ	Exclusive Economic Zone
ES	English School
ESIR	English School of International Relations
EU	European Union
EWA	Electronic Warfare Associates, Inc
FAA	Federal Aviation Administration
FIR	Flight Information Region
GDP	Gross Domestic Product
GHQ	General Headquarter

GSDF	Ground Self-Defence Force
GSOMIA	General Security of Military Information Agreement
HADR	Humanitarian Assistance and Disaster Relief
IATA	International Air Transport Association
ICAO	International Civil Aviation Organisation
ICJ	International Court of Justice
IIPS	International Institute for Policy Studies
IPC	International Peace Cooperation act
ISR	Intelligence Surveillance Reconnaissance
JCA	Japan Coast Guard
JICA	Japan International Cooperation Agency
KMT	Chinese Nationalist Party or <i>Kuomintang</i>
LDP	Liberal Democratic Party
MEP	Members in European Parliament
MOD	Ministry of Defence
MOFA	Ministry of Foreign Affairs
MOI	Ministry of Interior
MOIT	Ministry of Industry and Trade
MOU	Memorandum of Understanding
MSDF	Maritime Self-Defence Force
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organisation
NHK	Nippon Hōsō Kyōkai
NIDS	National Institute of Defence Studies
ODA	Official Development Assistance
PACOM	United States Pacific Command
PKO	Peace-Keeping Operation

PLA	People's Liberation Army
PLAAF	People's Liberation Army Air Force
PLAN	People's Liberation Army Navy
PRC	People's Republic of China
QDR	Quadrennial Defence Review
R2P	Responsibility to Protect
RAND	Research and Development
RCEP	Regional Comprehensive Economic Partnership
ReCAAP	Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia
RIMPAC	Rim of the Pacific Exercise
ROC	Republic of China
ROCMND	Republic of China Ministry of National Defence
RUSI	Royal United Service Institute
SARs	Severe Acute Respiratory Syndrome
SDF	Self-Defence force
TPP	Transpacific Partnership Agreement
TRA	Taiwan Relations Act
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNCTED	United Nations Security Council Counter-Terrorism Committee
UNDOC	United Nations Office on Drugs and Crime
UNPKO	United Nations Peace-Keeping Operation
UNSC	United National Security Council
VOA	Voice of America
WHA	World Health Agency

WHO

World Health Organisation

WMD

Weapons of Mass Destruction

WTO

World Trade Organisation

# Chapter 1. Introduction

## 1.1 Background and Research Questions

In the post-Cold War era, despite the non-visibility of Taiwan as a regional security actor, cross-strait tensions have significantly affected Japan's national security strategy, albeit with a comparative lack of domestic and international attention. In fact, from this period on, the presence of Taiwan has been a recurrent issue for Japan in terms of Sino-Japanese relations, creating certain tensions that are, in turn, affecting Japan's security.<sup>1</sup> Furthermore, if Taiwan remains an internationally isolated entity, a 'missing linkage' could emerge within the international security efforts that require 'statehood' to be a member. However, if Japan's security experts give serious thought to how to socialise Taiwan as a foreign policy instrument for regional peace and stability, Taiwan could contribute to Japan's security – especially in terms of the rising threat of the PRC – albeit while remaining largely underappreciated by Japan. In other words, Taiwan, which behaves in accordance with international security norms by Japan's support, helps consolidate the normative developments for peace and stability in the regional order amid the rising threat of the PRC.

### 1.1.1 Research questions

This study attempts to answer the following questions. How does the *de facto* state of Taiwan fit into Japan's regional security strategy vis-a-vis the PRC? Specifically, if Japan and Taiwan cannot openly engage in security relations in high-profile manners

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<sup>1</sup> During the missile crisis in the Taiwan Strait in the mid-1990s, Japan was reminded of the geopolitical implications of potential military conflict in the Taiwan Strait, which is geographically located next to Japan's southern flank. During the Chen administration from 2000–2008, the Taiwan Strait was often considered a significant source of geopolitical tensions in both Sino-US relations and Sino-Japanese relations. Currently, under the Trump administration, the issue of Taiwan has returned to the geopolitical frontline of the Sino-US tensions, which may affect Japan's security again.

in the absence of a Japanese recognition of Taiwan due to Japan's One-China policy and the PRC's political sanctions directed at Taiwan, how can Japan engage Taiwan in terms of security? Given Japan-Taiwan security relations inevitably cause geopolitical risk of tension with the PRC, what can Japan do to make it difficult for the PRC to sanction this Japan-Taiwan security ties despite Japan's One China policy? Why is Taiwan important for Japan's security in managing its competitive relations with the PRC? Given that Taiwan has geographical advantages and abundant security resources that are underutilised and underappreciated internationally due to the nation's unrecognised status within international society, how can Japan maximise these advantages and resources for its own security without causing excessive tensions with the PRC? As with other de facto states in the international community, if Taiwan is regarded as a loophole in regional security affairs, how can Japan socialise Taiwan in terms of international security norms to alleviate the issue? Finally, can Taiwan increase its contributions to Japan's regional security strategy? Through addressing these questions, this thesis attempts to shed some light on Japan's underappreciated but unique international security behaviours, which are demonstrated through its engagement with an unrecognised Taiwan amid the rise of the PRC.

## **1.2 Japan's One-China Policy and an Unrecognised Taiwan**

In the field of studies on Japan's security policy, one of the least scrutinised aspects of the nation's changing international security role in the post-Cold War era is how it engages in its security policy on Taiwan. This is largely due to the fact that Taiwan's status remains disputed. Nonetheless, Taiwan's unrecognised status creates space for Japan to use it as part of its unique security contributions, as will be examined. In this section, we examine how Japan-Taiwan relations function at an informal level within the framework created through Japan's One-China policy. Within this framework,

Japan socialises Taiwan as a foreign policy instrument in accordance with international security norms vis-à-vis the PRC. Here, Japan influences Taiwan's 'state behaviour' by socialising Taiwan through international security norms generated based on state-centric international law and international institutions for the former's security. Japan also induces Taiwan's voluntary compliance with international rules and norms for peace and stability for the latter's security contributions to Japan via signing the relevant agreements as rewards. This Japanese utilisation of Taiwan as a foreign policy instrument plays out without the recognition of the latter's statehood, despite the enhancement of Japan's power-political relations vis-à-vis the PRC. Thus, Japan has tacitly and informally included Taiwan in its regional strategy. Provided one of Taiwan's national security agendas remains the expansion of its international space, the nation can receive rewards from Japan via the signing of agreements if its state behaviour is deemed as beneficial to Japan's security. However, in view of its One-China policy, Japan continues to deny the recognition of Taiwan's statehood. In fact, in order to avoid excessively breaching this policy, Japan enhances its informal security ties with Taiwan in purely incremental terms. Clearly then, Japan's insistence that it follows a non-strategic Taiwan policy needs to be reconsidered.

### **1.2.1 Taiwan's unrecognised status**

According to Article 1 of the Montevideo Convention (1933), the criteria regarding what qualifies a political entity as a state are as follows. First, the entity must have a permanent population; second, it must have a defined territory; third, a centralised government must be in control; and fourth, the entity must have the capacity to enter into relations with other states. However, the fourth criterion is somewhat ambiguous since what constitutes the capacity to enter into relations with other states is difficult to define. As such, since Japan does not recognise Taiwan as a state and all the legal and



political engagements between the nations are conducted on informal or quasi-official levels, the fourth criterion here remains contested. Furthermore, the PRC's White Paper (2004) states that there is only one China and that the PRC represents all China and does not allow 'One China, One Taiwan' or 'Two-China' concepts. While the PRC is ready to engage with the Taiwan authorities led by the KMT on an equal footing in the cross-strait talks, the government in Beijing is the central government, while the authority in Taiwan remains a purely local government. According to the White Paper, the ROC ceased to exist when the PRC was established in 1949, and the ROC government that fled to Taiwan remains an illegitimate government. In addition, since the PRC does not allow the recognition of the Two-Chinas concept, and given the emergence of the so-called 'Theory of the Undetermined Status of Taiwan', Taiwan's international relations with other states are strictly limited to the informal level.

Japan also essentially follows this formula through its One-China policy established in 1972, which restricts its interactions with Taiwan to economic and cultural dimensions in order to appease the PRC. Upon Japan's normalisation of the diplomatic ties with the PRC in 1972, the Joint Communiqué stated the following:

[t]he Government of the People's Republic of China reiterates that Taiwan is an inalienable part of the territory of the People's Republic of China. The Government of Japan fully understands and respects this stand of the Government of the People's Republic of China, and it firmly maintains its stand under Article 8 of the Potsdam Proclamation (Joint Communiqué of the Government of Japan and the Government of the People's Republic of China, MOFA, 29 September 1972).

Given that the Japanese government 'fully understands and respects' the PRC's position on Taiwan, Taiwan's status remains ambiguous within the framework of Japan's One-

China policy while rendering Japan–Taiwan relations unofficial in nature. As such, Japan can continue to regard its relations with Taiwan as informal, while Taiwan has no authority to challenge this. Clearly then, Japan–Taiwan relations are largely hierarchical in nature.

Meanwhile, Cohen (1971) argued that given the US's normalisation of the ties with the PRC, the most difficult issue remained how to handle the status of Taiwan without completely disregarding US–Taiwan ties. Cohen (1971) also pointed out that Japan faced the same issue, noting that with its One-China policy, the nation simultaneously benefits from its official ties with the PRC while maintaining informal ties with Taiwan. However, on closer examination, it is clear that Japan is incrementally navigating the complexity of its One-China policy to enhance the nation's security by utilising Taiwan in acceptable ways while simultaneously appeasing the PRC. Elsewhere, Chen (2014) used the constructivist theory of argumentative persuasion to theorise how the PRC's interpretation of the One-China principle has evolved over the years along with the PRC's understanding of the Taiwan Strait issues and the evolution of identities and interests in Taiwan. Here, Chen (2014) argued that the PRC came to more tacitly accept the existence of the ROC since it has some Chinese roots, which may indicate some equality between the mainland and Taiwan and suggests a shift from the relationship between the central government that represents the whole of China and the Chiang Clique. While the PRC is highly unlikely to recognise the ROC, it continues to have international sovereignty over Taiwan while not having the capacity to exert control over Taiwan's domestic Westphalian sovereignty. Thus, there would appear to be some flexibility on the part of the PRC regarding how they are re-conceptualising the One-China principle. It would also appear that Japan has gradually increased its flexibility in navigating how it approaches its One-China policy to ensure more comprehensive

ties with Taiwan, which includes low-key yet comprehensive informal security interactions between the two nations.

If Japan frames Japan–Taiwan relations according to its One-China policy, its political decisions will advance the nations’ bilateral political and security ties rather than those of Taiwan. In other words, the Taiwanese political input into Japan’s security policy on Taiwan has a minimal influence, if any. In short, Japan does not treat Taiwan as an equal partner in its international security efforts within international society. Precisely because Taiwan is a non-recognised entity that has no independent foreign policy leverage vis-à-vis Taiwan’s relations with Japan, Japan holds unique opportunities to exploit Taiwan by using it as a foreign policy instrument for its own security. Regarding this point, Wilkins (2012) argued that the combination of Taiwan’s anomalous status and Sino-US relations restricts Japan–Taiwan relations to informal ties that are conducted within the framework of economic and cultural ties. Here, Wilkins (2012) advocated for low-key security relations between Japan and Taiwan in the non-traditional security sphere. Nonetheless, while Taiwan does not enjoy international recognition, meaning it is often neglected and forgotten, it remains a regional economic and military power and is a stable democratic entity to be reckoned with. Indeed, the sheer amount of security resources Taiwan offers are deemed to be beneficial for Japan’s security – provided the nation is appropriately accommodated – especially vis-à-vis Japan’s complicated relations with the PRC.

However, Taiwan is not a state since it lacks international recognition, and the nation continues to suffer from the PRC’s political sanctions. Indeed, the nation has long been expelled by the UN and the relevant agencies as well as by any official multilateral

security forums that require 'statehood' for membership. Here, Munro (1994) argued that Taiwan's aspiration for some form of representation in the UN in the early 1990s was a product of the nation's democratic development. However, the PRC increasingly gained a geopolitical advantage to block Taiwan's formal international activities. Eventually, it is up to Beijing to decide if Taiwan can be represented in the UN at any level other than under the One-China policy, effectively subordinating the nation to the PRC. Thus, even an incremental inclusion of Taiwan within the UN is not realistically achievable. This aspect of the One-China policy, which relates to Taiwan's international status vis-à-vis the international organisations that require its members to be nation states, is the most relevant aspect for this research since it is pertinent to how Japan socialises Taiwan through international security norms in the international security efforts that lie outside of the international organisations. For his part, Chen (2017) pointed out Taiwan's adherence to the One-China principle, which satisfies the PRC's requirement for Taiwan's membership within the WHA and other international organisations. In fact, Chen (2017) argued that under the Tsai administration – which, unlike the Ma administration, does not follow the 92 consensus that claimed that One China means the ROC – Taiwan is unlikely to be able to satisfy the PRC's preconditions for representation in the WHA or other similar organisations. Meanwhile, the former president, Lee Teng-hui (1999), argued that while the relationship between Taiwan and mainland China has always been a divided nation, Taiwan has a right to be part of international society as a democratic member and is willing to play a role in contributing to global peace despite the intimidations imposed by the PRC. In fact, Taiwan is willing to contribute to peace and stability if the surrounding international security environment allows it to do so, which points to the restricted international space afforded to Taiwan due to the PRC's sanctions and the absence of international recognition.

### **1.2.2 Japan's utilisation of Taiwan for its security and power politics**

How then does Japan specifically influence Taiwan's state behaviour in ways that are beneficial to its own security? In reality, even though Japan does not recognise Taiwan, the two nations can still informally discuss regional security or strategic issues in one form or another albeit in low-key manners. In addition, Japan's non-recognition of Taiwan's statehood – which renders Taiwan a 'non-state actor' – does not mean the former does not consider the latter in terms of its regional balance of power. For example, as Thomas and Williams (2017) pointed out, both Japan and Taiwan often invite MOFA or MOI officials or other proxies to engage in non-state-centric low-political diplomatic discussions to influence high-political diplomacy, including through the de facto embassies that are deployed in both Tokyo and Taipei.<sup>2</sup> Notably, the fisheries negotiation also took place through such informal communication channels in the presence of MOFA and coastguard officials (Thomas and Williams, 2017). Clearly then, Taiwan deploys significant, high-profile figures who represent the central government via informal channels to communicate with Japan, which means that Japan can engage in 'unofficial' political dialogues with Taiwan provided it invests some political capital, even given its One-China policy. Certainly, as Kawashima (2013) pointed out, the signing of the fisheries agreement between Japan and Taiwan had huge strategic implications and reduced Japan's concerns over the cross-strait united front, albeit that it may have provoked the PRC. Here, it should be noted that the fisheries agreement was also signed with reference to state-centric international law, namely,

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<sup>2</sup> Thomas and Williams (2017) argued that precisely because Japan appeases the PRC through its One-China policy, Taiwan must resort to informal diplomacy or para-diplomacy, which seemingly is non-state-centric in that MOFA-led non-state actors such as municipal or local entities are unimportant in its exchanges with Japan.

UNCLOS legislation, meaning Japan can indeed influence Taiwan's state behaviour in certain ways, which will be further explored in a later chapter. In other words, Japan can use state-centric international law to influence Taiwan's state behaviour in ways that are deemed beneficial to its own security, acting in accordance with international security norms without having to officially recognise Taiwan.

Furthermore, Japan has a significant influence in deciding whether or not Taiwan is indeed a tacit and informal stakeholder in the former's regional or transregional security strategy. For example, as Scott (2019) pointed out, Taiwan considers its Indo-Pacific strategy as a way to consolidate its identity as a maritime member of the Indo-Pacific region and to redirect its geopolitical focus away from the PRC. However, the nation requires support from both the US and Japan if its Indo-Pacific strategy is to be successful (Scott, 2019). Indeed, during his inauguration speech of 20 May 2020, the Taiwanese president, Tsai Ing-wen (2020), expressed the nation's strategic intentions to enhance its ties with the US, Japan and Europe, as well as with other like-minded countries, in view of increasing the nation's international space, and indicated how the nation is willing to cooperate with the regional states to enhance prosperity, peace and stability in the Indo-Pacific region. For certain, depending on who is in power, Taiwan's domestic policy vis-a-vis Japan may change; however, it is worth noting that even under the Ma administration, Japan and Taiwan signed the fisheries agreement, which again demonstrates Japan's significant influence in shaping Taiwan's regional security role, even within the constraints of its One-China policy.

Meanwhile, Samuels and Heginbotham (2018) argued that the long-held Japanese military strategy of forward defence – which involves keeping the adversaries at the

Japanese borders at bay – no longer makes strategic sense due to the rapid increase of the Chinese offensive capabilities. In fact, they argued the case for Japan’s active denial to engage in protracted warfare against the Chinese military, which will likely incur unacceptable damage and prevent the adversary from gaining the decisive victory. Here, the authors note that Japan will gain resiliency by dispersion, deception and concealment by diversifying the targets the PLA must attack and through a greater use of more multiplied infrastructures, especially in terms of protracted aerial and naval warfare against the Chinese offensive. However, the authors failed to address the notion that the mere existence of Taiwan, which functions as a military buffer for Japan vis-à-vis the PLA, diverts the significant Chinese military resources away from Japan to Taiwan. In fact, the White Paper published in 2020 by the Ministry of Defence in Tokyo provided an analysis dedicated to Taiwan’s military capabilities and the cross-strait military balance of power, including within the context of the US’s Indo-Pacific strategy (MOD White Paper 2020, pp. 86–89). While the White Paper does admit that the military balance of power is heavily tilted in favour of the PRC to the detriment of Taiwan, the MOD discusses Taiwan’s self-defence capabilities, while the attendant cross-strait power politics indicate Japan’s significant interest in the military role of Taiwan. Thus, the quiet alignment of Taiwan with Japan’s security strategy is mitigating the crisis of the latter’s vulnerability and enhancing its resiliency. Therefore, while Japan is reluctant to acknowledge Taiwan’s indirect defence role due to the One-China policy, this ‘non-state actor’ is undoubtedly supplementing Japan’s power-political relations with the PRC, as will be further examined in a later chapter.

Nonetheless, Soeya (2001) argued that Japan maintained a de facto ‘Two-China’ policy by default in the post-war period and insisted that the nation lost any legitimate claim

to be a strategic actor, including on the issue of China–Taiwan relations, due to its history of imperialism. In fact, the author even argued that the Taiwan factor has not convinced Japan about the explicit function of the Japan–US alliance in relation to China. However, as will be demonstrated in this dissertation, Japan is clearly instrumentalising Taiwan for its power relations with the PRC within the context of the One-China policy, regardless of the historical origins of its policy on its relationships with China and Taiwan. Furthermore, Japan’s incremental and somewhat surreptitious accommodation of Taiwan within the regional security environment differs from how the US utilises Taiwan as a diplomatic card in a more high-profile manner in Sino-US confrontations. As such, Soeya’s (2001, 2011) insistence on Japan’s non-strategic Taiwan policy and his view that Japan continues to follow the Japan–US alliance as a middle power requires more nuanced analysis.

### **1.2.3 Taiwan as a regional tension-generator**

Meanwhile, it is true to say that Taiwan’s disputed status generates tensions within the context of the Sino-US rivalry and Sino-Japanese relations. Swine (2004) pointed out that the Chen administration’s actions – which included holding the defensive referendum in 2004, where the Taiwanese people were asked how they viewed the PRC’s missiles and the use of force against Taiwan – triggered significant anxiety within the PRC over Taiwan’s status. The US is obliged to provide sufficient support to Taiwan vis-à-vis the PRC while simultaneously reassuring the PRC that it does not support Taiwan’s independence (Swine, 2004). Thus, the One-China policy does not contradict the US’s moral and strategic obligation regarding Taiwan since the cross-strait war is causing devastation to the Taiwanese people that far outweighs the



importance of maintaining the status quo (Swine, 2004). Furthermore, as Lieberthal (2005) noted, while the fundamental baseline for Taiwan is to ensure that the PRC does not use force, for the PRC, the priority is to make sure that Taiwan is not recognised as a sovereign state, while for the US, it remains maintaining the peace and stability in the Taiwan Strait. In fact, Lieberthal (2005) goes as far as suggesting that, for the PRC, the existence of the Anti-Secession Law correlates with how the US considers the Taiwan Relations Act as a geopolitical means of reducing the risk of Taiwan independence, with the law largely aimed at increasing the PRC's capacity to manage the Taiwan Issue. In short, the PRC would never accept the international recognition of Taiwan nor the latter's sense of a separate 'statehood' or its declaration of independence. Here, Ross (2006) argued that Taiwan's diminishing independence movement reduced the unnecessary risk of a major war between the US and the PRC and noted that while the way that the PRC treats Taiwan in military terms is an important indicator of how the nation treats other states in the region, there is little regional sympathy for Taiwan independence. In fact, in various nations, including Australia and South Korea, the US's commitment to the security of Taiwan is a significantly divisive political issue in alliance politics (Ross, 2006).

#### **1.2.4 Japan's cautious approach toward Taiwan in One China Policy**

Elsewhere, Hara (2015) argued that the issue of legal status vis-à-vis the Senkaku Islands, Taiwan and Okinawa is conceptualised through the shared historical context of the geopolitical tensions and the rapprochement of the US's allies and adversaries during the Cold War era. Given these geopolitical concerns, Japan cannot completely ignore the Taiwan issue and lay all the responsibility of the security of Taiwan on the US alone, however much it would like to do so. Meanwhile, in terms of Japan's relations with Taiwan, this requires an especially cautious stance by the Japanese

government due to the PRC's sensitivity regarding Japan's historical relations with Taiwan and its imperial history in China. Here, Johnson (1972) argued that the mutual negative perceptions of Japan and China in both nations are largely structural and grounded in historical events of the nineteenth and twentieth centuries that were fuelled by imperial expansion. Meanwhile, the two nations also tend to harbour mutual misunderstandings, including in terms of Japan's revived defence security and its relations with Taiwan (Johnson, 1972). While the two nations may see the short-term rapprochement, they are perhaps destined for long-term rivalry. Thus, the US–Japan approach to the Taiwan issue is conducted within the context of the One-China policy in view of minimising the risk of unnecessary conflict. This is why Japan must cautiously navigate its One-China policy, framing what the nation is willing to do and what it is not willing to do in terms of its informal security ties with Taiwan without unnecessarily antagonising the PRC. In fact, as Scott (2019) noted, Taiwan's direct involvement in the Quad<sup>3</sup>, which involves Japan, Australia, India and the US, is deemed as crossing the red line by the PRC.

### **1.2.5 Taiwan as an unrecognised state: A question of diplomatic limbo**

Fewer and fewer countries in the world are recognising Taiwan in diplomatic terms, with only 17 states affording the nation full international status (*The New York Times*, 2019). In fact, this geopolitical context surrounding Taiwan gives it a unique status as a de facto state within international society. In other words, this status of an unrecognised actor is keeping Taiwan in a state of diplomatic limbo, a nation deprived of the privileges afforded to recognised sovereign states. Japan's position is stronger,

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<sup>3</sup> The emerging informal Indo-Pacific security groups that consists of Japan, Australia, India and the US.

and its One-China policy means that Taiwan's interactions with Japan are determined under the politico-legal framework set out by the latter. In short, Japan's political interest lies in balancing its ties with both the PRC and Taiwan, and within this context, Japan can semi-legitimise or even delegitimise Taiwan if it wishes to do so.

As such, a realist approach does not apply since Taiwan is not a state, while it is an entity that enhances the balance of power in Sino-Japanese relations. Moreover, a social constructivist approach cannot be applied since the existing identity-based research does not sufficiently explain how Japan utilises Taiwan as a foreign policy instrument for Japan's security vis-à-vis the PRC. Therefore, the research must turn to an alternative theoretical framework that allows for a conceptualisation of Japan's instrumentalisation of Taiwan as such an instrument. This will be examined in the next section.

### **1.3 Rejecting Social Constructivism and Neorealism in Favour of the English School of International Relations**

This section attempts to elucidate why this study rejected a constructivist and Neorealist approaches in favour of the approach devised by the English School of International Relations (ESIR). As noted above, identity-based research cannot effectively conceptualise how and why Japan instrumentalises Taiwan as a foreign policy tool for its security vis-à-vis the PRC. Also, since Neorealism understates the roles of international norms and non-state actors like Taiwan, and because of the excessive emphasis on the role of the military in Neorealist debates on Taiwan, a Neorealist

approach is not applicable in this research. In addition, since an unrecognised Taiwan lacks 'membership' in international security efforts that require statehood, we must conceptualise how Taiwan's membership can be accommodated within the international society of states. This aspect can be more appropriately theorised using the ESIR approach, which will be examined in Chapter 2. First, we must examine the constructivist approach more closely in relation to Taiwan's identity and Japan's reconceptualisation of the former's place in international security efforts. In the process, we look at the two major strands in the constructivist literature related to Japan: the norm constructivist approach and the approach that focuses on Japan's identity and its so-called 'otherings'. The general discussion of constructivist literature effectively renders Taiwan's norms and perspectives non-applicable for scholastic examinations related to Japan's foreign policy. Reviewing the constructivist literature on Japan will help to elucidate how the nation's norms of domestic pacifism continue to define the acceptable behaviours for its defence security policy and allow the nation to evolve in an incrementalistic manner. This school of thought also argues that Japan would not dramatically shift its defence security policy without significant material changes in the international system surrounding the nation. Meanwhile, investigating the other constructivism-based school of thought regarding Japan – which is exemplified in the notions of Japanese identity and its 'otherings' – helps to illuminate how Japan conceptualises the 'othering' of its regional neighbours, with this 'otherness' significantly contributing to any changes to Japan's defence security policy. The review of the two major schools of constructivist thought generates the argument that such approaches do not allow for effectively conceptualising how Japan socialises Taiwan as if it is a member of the regional security environment vis-à-vis the threat of the PRC.

Also, it will elucidate how the Neorealist approach, which restricts debates on Taiwan in the context of binary understandings between whether Taiwan will be abandoned or engaged, thus conceptualising Taiwan merely as a geopolitical pawn, is not conceptually appropriate for Japan's instrumentalization of Taiwan in international society.

Therefore, based on these above-discussed concepts, we consider a research approach involving qualitative methods, specifically case studies, for this thesis on why and how Japan utilises Taiwan as a foreign policy instrument in international society while navigating the ambiguities of its One-China policy. This thesis also discusses how the politico-legal tensions resulting from the formal/informal contradiction in Japan–Taiwan relations marked by Japan's non-recognition of Taiwan have certain implications for this research methodology. The tension related to the officiality/informality nature of Japan–Taiwan relations is blurring the line between official and informal sources, which means this research requires the extensive use of multiple sources.

### **1.3.1 Constructivism**

Constructivists such as Wendt (1995) have argued that social factors are pertinent to international relations and that international relations are not determined by material factors alone. As Wendt (1992, 391) famously stated, '[a]narchy is what states make of it', meaning that the international structure is not given; rather, it is socially constructed. As such, the mechanistic understanding of the international system that forces state actors to behave in deterministic ways as espoused by neorealists such as Waltz (1979) is questionable. In fact, the social structure within international politics, be it

cooperative or conflictual, comprises the shared knowledge that each state possesses. In other words, for Wendt (1999), constructivism is an approach that broadly encompasses the ideational factors and the conventional methodological and epistemological study of international relations. Meanwhile, for the constructivists, the concept of security is negotiated and re-negotiated by domestic actors in the state until they determine what constitutes the most serious threat to their security.

For Wendt (1999), the state's security and identity are negotiated and renegotiated in terms of international relations. As Zalewski and Enloe stated (1995, pp. 282–283), 'identity determines how you are treated, what is expected of you, what you expect of yourself'. Therefore, constructivists such as Macdonald (2013) have argued that the function of the relationship between security and identity is to investigate why state actors act the way they do. For example, Dobson (1998) discussed Japan's UN-led peace-keeping operations (PKO) to examine the constitutive norms and regulative norms that facilitated and restrained Japan's PKO contribution to international and national security. McDonald (2013) went on to ask why the possession of nuclear weapons by the P5 states, as well as Israel, India, and Pakistan, is not regarded as a threat to international security while North Korea and Iran *are* regarded as grave threats to international security in terms of the role of norms, identity, and representation. Another important concept of constructivism that relates to the current research is the concept of 'othering'. The concept of securitisation requires the social construction of a specific threat that justifies 'actions outside the normal bounds of political procedure' (Buzan et al., 1998, pp. 23–24). Based on the above review of constructivism, we can now examine why we rejected a constructivist approach in favour of the ESIR approach.

### **1.3.2 Taiwan's identity and Japan's re-conceptualisation of Taiwan's membership in international security efforts**

As discussed above, the central points in constructivism are the role of identity and the ideational factors of the state actors within international society. Simply put, the role of Taiwan's national identity and the development of ideational factors in the nation are largely nonrelevant to Japan's defence security policy, as will be examined below. Thus, the constructivist approach is not applicable to the study of Japan's utilisation of Taiwan as a foreign policy instrument vis-à-vis the PRC in international society. While the role of national identity is central in a constructivist-based analysis of international relations, the ESIR regards the role of international society as the central force. For example, Lebow (2016) argued that since the regional and international societies are 'thinner', they have less effect on the development of the multiple identifications of the state, while national identities affect the norms of regional and international society to a far greater extent. However, this constructivist conception of the role of national identities within the regional and international societies fails to take into account that the existence of an anomalous state such as Taiwan has no influence in terms of shaping the norms of international society. However, in the ESIR approach, the role of international society is more significant in affecting the role of the member states, as will be examined in the Chapter 2. If Japan has a regionally privileged status in determining which nation has the right to membership of international society within a regional context, Taiwan's membership must be accommodated by Japan.<sup>4</sup> This

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hierarchical relationship can be more appropriately conceptualised using the ESIR approach than using the constructivist approach.

Furthermore, as Reus-Smit (2009, p. 70) noted, one of the foundations of international society is mutual recognition; thus, what is essential is who is afforded legitimate statehood and full sovereignty. While Japan has full membership within international society due to its recognised statehood and regional status of a great power, unrecognised Taiwan enjoys no such privileges. Here, Rich (2020) examined Taiwanese public perceptions of the nation's diplomatic ties with the recognised states and argued that Taiwan can provide alternative 'creative unofficial relations' for the other non-recognised states within the international community while enhancing its more important informal ties with the US and other major actors. Nonetheless, it should be stated that, realistically speaking, Taiwan's 'creative unofficial relations' cannot function without substantial political backing from major powers such as Japan. In other words, Taiwan requires the support of a regional great power such as Japan to fully realise its diplomatic endeavours within international society of states if it acts like a state-actor (Wendt, 1995).

Thus, this dissertation will examine Japan's approach to the re-conceptualisation of Taiwan's non-official membership within international security through the lens of the ESIR approach. With regard to Japan's approach to membership in terms of regional multilateralism, Hamanaka (2010) observed how the nation has considered arguably the world's most powerful state, the US, in terms of when, why and how Japan concludes that it is in its own interests to include the US in any Japan-initiated regional frameworks, or in regional frameworks initiated by other regional states. Hamanaka



(2010) used potential regional leader state theory to conceptualise how a potentially powerful state such as Japan is incentivised to include or exclude the world's most powerful state, the US. Nonetheless, Hamanaka's (2010) study fails to address how and why Japan proceeds with Taiwan's pseudo membership in the regional environment within the context of balancing its relations with the PRC and Taiwan by inducing the latter to incrementally contribute to Japan's security while continuing to appease the former in terms of the Taiwan issue. In other words, if Japan affords Taiwan explicit membership to a multilateral security forum that requires statehood for membership, this will likely be regarded as the former's recognition of the latter's statehood, which will cause tensions and potential conflict with the PRC, especially given the Anti-Secession Law (2005) that clearly runs against Japan's security enhancement. However, since Taiwan does exist as an informal state-like entity, neglecting the nation completely – especially its competent capability of contributing to Japan's physical security – amounts to a geopolitical waste and may result in Taiwan threatening Japan's physical security if it feels excessively isolated or abandoned within the context of international security efforts related to Sino-Japanese relations.

Taiwan's exclusion in terms of membership within the international society of states makes it a unique case in the international security efforts. While there is ongoing debate over why North Korea and Iran are considered to be grave threats to international security given their potential for possessing nuclear weapons while others are not (McDonald, 2013), both nations continue to be recognised as members of international society, or at least their statehood is not denied. Indeed, both North Korea and Iran are members of the UN, while Taiwan does not even have a seat, despite the fact that the nation is a liberal democratic regime based on human rights and the rule of law,

possesses a highly developed economy with its own competitive currency, and has its own substantial military. Therefore, Taiwan's social actors and norm entrepreneurs – and even the 'state behaviour based on Taiwan's domestic norms' – have minimal, if any, influence on the nation's international security efforts. Indeed, Taiwan's admiration for Japan may entertain the conservative revisionists' desire to beautify Japan's past intra-regional imperialism and colonialism since it provides an idealistic alternative to the PRC's (and South Korea's) historical demonisation of Japan.

Nonetheless, it is extremely difficult to find any linkage between how Japan develops its security policy and the evolution of Taiwan's national identity, even if the debate on Taiwan's national identity may incorporate the nation's preference for having ties with Japan rather than China, which is largely due to Taiwan's identity (He, 2014) and its admiration for the 'already modernised Japan' (Serjrup, 2012a). Meanwhile, Li and Zhang (2017) agreed with Yang's (2016) argument that Taiwanese people have not yet abandoned the ethno-cultural Chinese identity, in addition to adding that the identity convergence between the two sides of the Taiwan Strait is, if difficult, still possible if China embraces the concept of a democratic regime. Nonetheless, regardless of whether Taiwan is Taiwanese or Chinese, policymakers in Tokyo are highly unlikely to consider Taiwan's national identity in terms of its foreign policymaking, except perhaps to confirm the degree of the Taiwan–China separation. This is especially pertinent given that Taiwan remains materially powerless in the face of the regional great power rivalry between Japan and China (He, 2014). Furthermore, the PRC is unlikely to embrace the liberal democratic values and norms that are embraced by the Taiwanese (Hsueh, 2014; Link, 2015; Li and Zhang, 2017; Krejsa and Cho, 2017). Meanwhile, as He (2014) noted, Taiwan's identity politics are grounded in the concept of democracy, which

means the Taiwanese government cannot drastically transform the nation's foreign policy in a way that may contradict the mainstream self-image of Taiwan. Thus, the strong Taiwanese identity based on liberal democratic values is reinforcing the cross-strait political separation. This benefits Japan's regional maritime balance of power in Japan–China–Taiwan relations. However, merely studying Taiwan's national identity cannot help us elucidate why and how Japan has been instrumentalising Taiwan as a foreign policy instrument to enhance its security vis-à-vis the rise of China since Japan's foreign policy decision-making process is completely out of the control of Taiwan, irrespective of the national identity Taiwan adopts. Taiwan is indeed a component of the regional power balance for Japan vis-à-vis the PRC in terms of the issue of the East China Sea. Nonetheless, the more Japan engages with Taiwan as an independent actor, the more it damages the legitimate narrative of the CCP regarding Taiwan being a sacred part of China. As such, the legitimacy of the CCP is questioned, which requires a careful handling on Japan's part of its engagement with Taiwan if the nation intends to manoeuvre the ambiguity of its One-China policy.

If Japan's national security interests regarding Taiwan relate to maintaining the political separation between the PRC and Taiwan in view of the regional maritime balance of power, Taiwan's debates on national identity and security do appear to have some scholastic value for the examination of Japan's security. Wan (2007) argued that while Japan's understanding of the Taiwan issue from the 1980s to the Missile Crisis of the mid-1990s was largely political, it gradually incorporated the security dimension of its understanding of China–Taiwan tensions between the late 1990s and the 2000s. This was due to the change in the international security environment surrounding Japan, which included the change in the dynamics within the triangular relationship involving

normalising Japan, non-democratic China, and democratising Taiwan. Here, Wan (2007) pointed out that Japan has significant interest in the future cross-strait relations due to its geopolitical linkage with the East and South China Sea issues, including in terms of securing the Japanese sea lines of communication. Nonetheless, as Wan (2007) suggested, even the president of Taiwan does not have political leverage to influence Japan's Taiwan policy since Japan's realpolitik interest regarding the latter is linked to its alliance with the US, while the Japanese people remain content with the constraints imposed on Japan's foreign policy, which merely evolves incrementally. While Japan will likely continue to balance its relations with China and Taiwan, Taiwan cannot affect Japan's Taiwan policy in any sense, despite the fact that Japanese public opinion may increasingly express some enthusiasm for a more democratic and Japan-friendly Taiwan as well as some resentment toward a repressive and hostile China (Wan, 2007). In addition, the former Japanese de facto ambassador in Taiwan, Uchida Yoshihisa (2006), noted that Taiwan wants Japan to recognise its role as a military buffer for its neighbour, especially given that the missiles directed at Taiwan from southern China can easily be redeployed against Japan and that Taiwan's defence airspace management is linked to Japan's air security.

In other words, while Japan reiterates the 'non-solution' to the issue of the Taiwan–China separation for political reasons, it has been instrumentalising Taiwan as a security maximisation asset via imparting international security norms generated in international society in which Taiwan does not have a membership in order to manipulate Taiwan's normative behaviours for its own physical security. Thus, Japan can enable Taiwan to behave as if it is, in fact, a member of international society within the regional setting. For these reasons, given that the ESIR places an emphasis on who has the privilege to

be a member of international society based on legitimate statehood, it holds a theoretical advantage in conceptualising how Japan utilises Taiwan as a foreign policy instrument for its own security. As will be further explained in Chapter 3, Japan, as a regional great power, has the power to grant Taiwan semi-membership to international society.

Nonetheless, a number of analysts continue to focus on the debate over domestic politics related to Taiwan's national security under the assumption that such internal debates can enhance Taiwan's future membership within multilateral security forums that require statehood for membership. For example, Babones (2016) argued that Taiwan should seek behavioural change rather than political change and should normalise its status as a de facto state without declaring its independence if it wishes to be taken more seriously within the international community. Elsewhere, Greer (2019) claimed that there are reasons why Taiwan prioritises the purchase of high-end military assets from the US and attempts to develop high-profile indigenous defence equipment rather than use cheap, expendable and mass-producible anti-access assets. This includes the fact that Taiwan believes there is greater political value in its military relations with the US and the fact that raising the morale among the Taiwanese population in terms of its military power is more politically important in symbolic terms within the context of hyper-partisan Taiwanese domestic politics than the nation's actual defence needs (Greer, 2019). As such, Greer (2019) suggested that Taiwan must be invited into high-profile US-led multinational military exercises to raise the nation's morale and increase its defence capabilities. However, neither Taiwan's attempt at behavioural change nor its domestic political interest in how to construct its geopolitical role as a de facto buffer for Japan against the PRC's military pressure (Uchida, 2006) can, in any sense, affect the Japanese elites' debate over Japan's security policy, including in terms of its

conception of the CSD. Furthermore, Japan will never allow Taiwan to play an ‘official’ role in the US-led mini-lateralism, in which Japan is undoubtedly the linchpin. Clearly, it is up to Japan’s political decision-makers to define the acceptable boundaries of Japan–Taiwan security ties within the context of its One-China policy. In short, what is debated in Taiwan has no place in Japan’s security policy on Taiwan.

### **1.3.3 Norm constructivism in relation to Japan**

Here, we must clarify why norm constructivism does not allow for theorising how Japan utilises Taiwan as a foreign policy instrument for its security vis-à-vis the PRC. First, in the norm constructivist school of thought, Japan is largely described as having strong pacifist domestic norms that strictly regulate the nation’s evolution of its strategic security policy in an incrementalistic manner. Regarding this point, Berger (2011) argued that the military-political culture is influenced by the domestic norms, values and beliefs, and that each country has a different reaction to the same event due to its specific military political culture, which is manifested in varying degrees of military power and the use of force. From a constructivist point of view, all the states seek legitimation from both domestic and international audiences in order to mobilise support for the policy in question (Goddard and Krebs, 2018). State behaviour that does not resonate with the dominant domestic norms soon loses its domestic support, while even if the behaviour does resonate with the domestic norm, if it deviates from the international norm, it is rendered illegitimate within international society. Norm constructivists generally agree that Japan has been and will continue to be normalising, even though the resiliency of Japan’s pacifist identity restricts, conditions and retains the evolution of the nation’s defence security policy on an incremental basis. However,

Kallender and Hughes (2019) argued that Japan is heading toward a radical shift in its defence security policy, while also conceding that the nation has undergone some normalisation in recent years in terms of having more self-defence capabilities and accepting a greater defence security role both independently and within the context of the Japan–US alliance. Therefore, it can be argued that the domestic pacifist norms in Japan are no longer considered as a constraint on Japan’s defence security policy. Nonetheless, this remains largely nonrelevant to Japan’s security policy on Taiwan since, even if it has the capability, it simply wants to use Taiwan as a non-traditional security instrument and as a more useful geopolitical buffer against the PRC within the context of the One-China policy.

On reviewing the literature on norm constructivism in relation to Japan, it is clear that the nation seeks the legitimisation of the evolution of its security policy by way of adjusting its defence policy within the boundaries of the legal constraints and its domestic norm of pacifism. As both Hagström and Gustafsson (2015) and Oros (2015) noted, even a conservative revisionist leader such as Abe, who wishes to radically change the pacifist constitution, must adjust the evolution of Japan’s defence security within an acceptable framework of Japan’s pacifist identity. Within the international arena, Funabashi (1991/1992) advocated for Japan’s identity transformation into a ‘global civilian power’ following the nation’s traumatic experience of the Gulf War. Elsewhere, Easley (2017) argued that the future trajectory of Japan is “Normal Japan” which may attempt to incrementally maximise its material power, reputational status, and political influence in line with its national strength, economic scale, and the compliance with international norms within the context of the current international system. Nonetheless, Japan will likely adhere to its pacifist identity, with the pacifist

nature of its institutional and domestic constraints continuing to restrain the evolution of its security policy within the parameters of the pacifist regime (Easley, 2017). Furthermore, it should be noted that many norm constructivists (e.g. Gady, 2015b; Oros, 2015; Hornung, 2016; Easley, 2017) have agreed that, without significant material changes in the international system that will affect Japan's security, the nation is unlikely to deviate from the incrementalistic development of its defence security policy due to the constraints of the nation's pacifist identity.

Kersten (2016) argued that the inherent tension between pacifist and democratic legal norms, Japan's strategic autonomy and its dependency on its alliance with the US may cause Japan's new security identity to fluctuate. Meanwhile, Greenstein and Tensley (2016) pointed out that the major reason why the US and Japan find it difficult to construct a shared collective memory of the atrocities both nations committed during WWII – including the nuclear bombing of Hiroshima – relates to the fact that both have dual identities as victim and victimiser. Nonetheless, historical impunity generally comes at the expense of reconciliation (Greenstein and Tensley, 2016). Kersten (2016) concluded that this is where the normative role of Australia comes into play as an alleviator of the aforementioned tensions. Alongside the US, Australia is a major security partner for Japan and the historical fact that Australia was a victim of WWII gives credence to Japan's new security identity as a future-oriented nation focused on historical reconciliation and shared democratic values (Kersten, 2016). Elsewhere, Lind (2009) pointed out that both the international community and Japan should ask why Germany was able to engage in more dedicated self-reflections and sincere apologies than Japan. Here, Lind (2009) argued that Japan should seek the middle-ground, which lies in acknowledging its imperial misdeeds and the subsequent suffering of its



neighbours as victims of Japanese aggression while giving the Japanese youth ample opportunity to be proud of post-war accomplishments such as economic success, cultural creativity and the forging of a liberal democratic path, which are ensuring Japan is more future-oriented based on Adenauer's model of 1950s West Germany. This would help Japan achieve some reconciliation with its neighbours while containing the political backlash from the Japanese conservatives (Lind, 2009).

However, the following question remains: If the resilience of Japan's domestic norms of pacifism is tangible, how does this affect the nation's security policy on Taiwan? Japan is a regional great power, one that does not formally recognise Taiwan, a nation that has, at best, a minimal influence on the development of Japan's pacifist-based national identity. Furthermore, it is argued that Japan's legitimisation of its security policy through harmonising its defence policy development with its domestic norms of pacifism and legal constraints cannot help us theorise Japan's incremental instrumentalisation of Taiwan vis-à-vis the PRC. This is because Japan's unofficial ties with Taiwan are rooted in the former's One-China policy, and the PRC considers Japan's adherence to the One-China principle to be an essential premise of the healthy development of Sino-Japanese relations. There is always the risk of Taiwan emboldening the Japanese conservatives' historical revisionism (He, 2014; Serjrup, 2012b), which would be detrimental to Japan's physical security if it leads to historical tensions with its neighbours. Certainly, Japan and Taiwan share certain democratic norms, and their historical ties continue to bind the two actors. However, unlike Australia, which has an unquestionable role in facilitating Japan's new future-oriented security identity (Kersten, 2016), it is unclear whether Taiwan has such a role in alleviating the aforementioned tensions, especially in terms of the Japan-led debate over

CSD. It is pointed out here that while Japan and Taiwan indeed share historical tensions, including the issue of ‘comfort women’, the Taiwanese authority tends to keep these non-high-profile issues out of the strategic considerations for Taiwan–Japan relations for its own survival. Furthermore, as will be examined in Chapter 3, Japan–Taiwan relations benefit from the nations’ historical ties, which includes Taiwan’s more unique interpretation of the Japanese colonial rule. Therefore, it remains unclear as to whether either Japan or Taiwan are interested in enhancing a high-profile historical acknowledgement of the former’s aggression within the context of the bilateral Japan–Taiwan relations to push Japan forward as a future-oriented country, an approach espoused by Lind (2009). Overall then, norm constructivism does not present an appropriate theory for conceptualising how Japan utilises Taiwan as a foreign policy instrument.

#### **1.3.4 Japanese identity and its othering**

In this section, we engage with the literature related to the concept of Japanese identity and ‘othering’. Here, it is argued that the identity-based research grounded in constructivism is ineffective for theorising Japan’s instrumentalisation of Taiwan vis-à-vis the PRC, largely because we cannot find a linkage between Japanese identity and the othering of Taiwan and Japan’s physical security. Buzan et al. (1998, p. 25) defined securitisation as ‘constituted by the intersubjective establishment of an existential threat with a saliency sufficient to have substantial political effects’. As pointed out by Hagström and Gustafsson (2015), it would appear that numerous authors (e.g. Gustafsson, 2015; Suzuki, 2015; Hagström and Hanssen, 2015; Tamaki, 2015, Bukh, 2015; Suzuki, 2019) engage in identity-based research on Japan and its othering of its

neighbours to counter the argument that Japan's pacifist identity is fragile in the face of the material changes within the international system surrounding Japan. They clearly observed that Japan is in a normatively higher position in international society vis-à-vis Japan's Northeast Asian 'inferior others' such as China, South Korea and North Korea, while Southeast Asia is defined more as an opportunity and is thus more positively identified. In these studies, China and North and South Korea are largely depicted as 'securitised others' that demonise Japan as a historical aggressor while denying its post-war pacifist national identity. Meanwhile, Japan's othering of its neighbours as 'inferior and immoral entities' may amplify the nation's normalisation of its defence security policy even further while eroding the nation's pacifist constraints. Nonetheless, simply put, these debates cannot help us to conceptualise how Japan utilises Taiwan for its own physical security.

Jamieson (2018, p. 157) argued that in order to measure whether or not the securitisation of others is successful, the following four criteria must be met: (i) identification of the security threat; (ii) articulation of the security threat; (iii) an intersubjective agreement about the security threat; and (iv) demonstrated political effects that cannot be easily reversed. Elsewhere, Arrington and Yeo (2019) pointed out that despite the numerous pledges made by Japan and South Korea to enhance their future-oriented ties, a resurgence of the domestic norms of historical resentment toward Japan has emerged in Korea, exacerbated by Japan's mishandling of its historical contrition towards its imperial history, including the instrumentalisation of economic embargo. Here, Japan's historical tensions with its neighbours may derail the development of its new security identity as a future-oriented nation. Meanwhile, the most complex case is Taiwan (He, 2014; Serjrup, 2012b), which is othered by Japan as an inferior but positive entity and

may thus provide an alternative conception of Japan's imperial history to the demonisation presented by China and Korea. Taiwan also often 'others' Japan, albeit as a 'positive other', in ways that suit its own political needs. This bilateral Japan–Taiwan relationship reinforces Japan's position as the more civilised state while subordinating Taiwan to a position of learning from Japan's past within the hierarchical order. Furthermore, Japan requires the decision-making of strong statesmanship if it is to enhance its historical reconciliations with South Korea and China while persuading the Japanese public that these reconciliations are important to the issue of historical memory. Meanwhile, Japan's historical reconciliation with Taiwan is arguably less crucial to enhancing stable political ties. Certainly, Japan–Taiwan relations involve some degree of historical contention, but this does not affect the bilateral relations as much as in the case of South Korea and China. Nonetheless, Japan does require a different form of political decision-making to enhance its strategic ties with Taiwan, which strongly relates to manoeuvring the ambiguity of its One-China policy.

Meanwhile, as will be examined in Chapter 3, Taiwan can provide an alternative historical view of Japanese intra-regional imperialism to that offered by China and North and South Korea. Thus, the existence of Taiwan may reinforce the ontological security of the conservative revisionists in Japan. Nonetheless, it needs to be stated here that the Japanese conservative revisionist sympathy or the othering of Taiwan as an 'inferior' but 'benign' entity within Asia's hierarchical order will not, in any sense, help shape Japan's security policy on Taiwan. Here, the answer is straightforward. In short, Japan engages with Taiwan only under its One-China policy and will not enhance its defence ties with Taiwan to appease the PRC for its own security. As such, Japan-related identity-based research, including that related to the nation's othering, is not

applicable to how it instrumentalises Taiwan vis-à-vis the PRC. Thus, defining Taiwan as a modernising other in contrast to the already modernised Japan cannot help us to theorise how the former contributes to the latter's physical security. Furthermore, since Taiwan is an unrecognised state, this severely limits its foreign policy leverage vis-à-vis Japan. In short, Taiwan cannot be a security asset for Japan if it is not incrementally accommodated into the regional security environment by Japan while manoeuvring its One-China policy. Therefore, it is difficult to find a connection between notionally defining Taiwan as a 'positive other' for Japan and affording Taiwan membership to the regional security environment. Thus, the identity-based research grounded in constructivism can be rejected as an approach to theorising Japan's instrumentalisation of Taiwan vis-à-vis the PRC for its own physical security.

### **1.3.5 Rejection of Neorealism**

Waltz (Waltz 1979, 113) argued that 'in international politics [military] force serves not only as the *ultimate ratio*, but also as the first and constant one.' Antunes and Camisão (2018) pointed out while defensive realists such as Waltz (1979) perceives states to be security maximising-oriented. In their view, states try to seek sufficient power to maintain security. Meanwhile, offensive realists such as Mearsheimer (2001) advocates for power maximising-oriented state behaviour among great powers in order to ensure their survival in anarchic system. Both defensive and offensive realists consider states to be unitary actors and give little credits to non-state actors, which is not suitable for state-like non-state actors such as Taiwan. Furthermore, as noted above, both defensive and offensive realists give excessive credits to military security, while ignoring the role of international norms based on international law, which inevitably

militarises the debates on Taiwan's international security utility. This has had outsized implications for debates on US-Taiwan relations. Certainly, Taiwan does play a role in Japan's considerations in the regional geopolitical balance of power as a de facto defence buffer for Japan against the PRC (Uchida 2006), yet Japan's security interests regarding Taiwan is not just merely limited to military security but also reaches into non-military security spheres based on international security norms, as will be examined in Chapter 3 and the three case study chapters. Then, if debates on regional security issues involving Taiwan in the field of neorealism is excessively relying upon military security, this is not conceptually appropriate for theorizing Japan-Taiwan security interactions.

For example, one factor that Japan cannot ignore is the argument for the eventual abandonment of Taiwan in the US's grand strategy debates. For examples, Gries and Wang (2019) argued that all three sides in the US-China-Taiwan relations are mired in wishful thinking. Under the Trump administration, the US prioritises America first, while China believes the US can use Taiwan as a bargaining chip and is largely unwilling to defend Taiwan, and Taiwan has convinced itself that the PRC will not attack its shores. Elsewhere, Lynch (2018) argued that, with the advent of the Taiwan Travel Act, the Trump administration may use the 'Taiwan card' as a bargaining chip in its confrontation with the PRC and urged Taiwan not to be a pawn for the Trump administration amid Sino-US tensions, especially given that Trump's domestic political base is unlikely to support Taiwan if cross-strait military conflict arises. Meanwhile, realists such as Mearsheimer (2014) posited that as the PRC becomes ever more powerful in the future, it will become increasingly more difficult for the US to commit to the security of Taiwan. Furthermore, Tang (2014) argued that the multiple factors

including the rapid military build-up of the PLA, Taiwan's domestic political wrangling that delayed the purchase of the US defence assets and reduced the US's trust on Taiwan's eagerness to defend itself, and the US's unwillingness to antagonize the PRC over the Taiwan question all contributed to the change of the cross-strait military balance of power in favour of the PRC. In addition, Taiwan's international isolation and the lack of Taiwan's strategic importance for the US make Taiwan a strategic liability (Tang 2014). Even Gilley (2010), maintained that Taiwan's 'Finlandisation' vis-à-vis the PRC would both secure Taiwan's autonomy and help the US's grand strategy. Here, Gilley (2010) argued for the gradual reduction of the US's security commitment to Taiwan amid the cross-strait détente under the former Ma administration, stating that 'Taiwan's Finlandisation should be seen not as a necessary sacrifice to a rising China but rather as an alternative strategy for pacifying China'.

Some others advocate for US's greater engagement with Taiwan including military ties. For examples, Tucker and Glaser (2011) argued the US should not abandon Taiwan but instead should strengthen ties with Taiwan including the continuous arm sales to Taiwan in order to make sure Taiwan can confidently negotiate with the Mainland China, retain the regional trust of the US among the US allies in Asia, seek for US's expanded economic ties with Taiwan, and utilize Taiwan's democratic model for the region including the PRC's autocracy. Tucker and Glaser (2011) pointed out that if Taiwan is captured by the PRC and is used as a military springboard for the PLA, the PLA can prevent Japan from securing the sea lanes of communication that connects the East and South China Seas. Meanwhile, Haass and Sacks (2020) questioned the wisdom of "strategic ambiguity" for peace and stability in the Taiwan Strait via the Taiwan Relations Act and instead argued for "strategic clarity" without the change of the US's stance on Taiwan's status. In their view (2020), US's such a move will make the PRC

think twice about resorting to the use of force against Taiwan, deters the cross-strait kinetic conflict and signals the US's credibility to defend its "regional allies" other than Taiwan.

Clearly, abandonment/engagement debates on Taiwan in neorealism neglect international security norms that Japan utilises to socialise Taiwan in international society. As will be examined in literatures on de facto states and international society in chapter 2 and literature on Japan-Taiwan relations in chapter 3, non-recognised states including Taiwan is vulnerable to international recognition/derecognition. This binary understanding leads to abandonment/engagement debates on Taiwan, which conceptualise Taiwan as a geopolitical pawn. This is especially the case if the debates on Taiwan are militarised like neorealism. Thus, this research requires an alternative theory, which can socialise Taiwan through international security norms for Japan's security as a foreign policy instrument vis-à-vis the PRC.

#### **1.4 Sources: Tensions between Formal and Informal Sources**

According to Navari (2009, p. 12), students of ESIR 'spend their time in archives getting their hands dirty', are 'immersed in diplomatic archives, memoirs, and newspapers', and 'spend time in international institutions, listening to what international civil servants say and observing what they are doing'. However, while the first point raised by Navari (2009) is highly relevant to this research, his allusion to 'immersion' in certain areas does not necessarily apply to the data gathering and substantiation of the present research. Matsuda (2013) noted the opaque nature of the Japanese government's decision-making process related to the policy on Taiwan and the subsequent inaccessibility. In addition, the tension between the officiality and the



informality of sources complicate the corroboration of the findings within the context of research on relations between the sovereign state of Japan and unrecognised Taiwan (Matsuda, 2013). Certainly, merely investigating archives and surfing the internet will not enable us to verify the validity of the gathered data. However, what is unique about Japan–Taiwan relations is that Japan’s official Taiwan policies often do not surface from governmental sources but from more informal ones. Grix (2019) pointed out that the over-reliance on media sources may indicate a lack of sources to back up the dissertation’s scholastic argument. However, this is precisely the reason why the importance of informal sources needs to be elucidated within the context of informal Japan–Taiwan relations. As noted by Deans (2001), informal Japan–Taiwan relations are supported by informal channels formed to enhance the informal political ties between the two actors. On this point, Wilkins (2012, p. 115) pointed out that ‘[d]ue to the sensitivities attending Taiwan’s anomalous diplomatic status’ both ‘official documentation of and scholarly inquiries into the bilateral relationship are relatively limited’. Indeed, this lack of official documentation and scholarly inquiries also had implications for the methodology utilised in this research. Furthermore, from this research, we can observe how informal sources are documenting, depicting, and promoting Japan’s informal security engagement with Taiwan within the context of Japan’s One-China policy. Thus, what appears to be informal sources and what appears to be secondary sources – such as academic sources, Japanese newspaper interviews with Taiwan’s high-profile figures (e.g. the current and past presidents of Taiwan, and Taiwanese ambassadors in Tokyo), think tank reports, comments made by Japanese elite figures in the unofficial think tank diplomacy involving Taiwan – can be considered as ‘official messages’ in the form of ‘unofficial sources’. Therefore, the fact that Japan is socialising Taiwan as a foreign policy instrument for its own security vis-

a-vis the PRC creates a novel situation, where what appears to be secondary informal sources may actually turn out to be 'semi-official'. This complicated tension between official and unofficial relations creates the unique difficulty of confirming the official attitude of the government of Japan, which in turn makes corroborating the evidence somewhat problematic.

Thus, multiple sources were combined to create an overall picture of what is happening in Japan's security interactions with Taiwan. Due to the nature of the informal relations between Japan and Taiwan, the governmental security agencies in Japan are not willing to publish official data, reports, or other documents that are considered outside of what is acceptable in Japan's One-China policy. Here, how the current author engaged in data gathering to substantiate the creation of knowledge both in empirical and theoretical terms needs to be clarified in order to illuminate how the main argument of this study was initially enhanced before overall claims, evidence, and conclusions were formulated. The unique point in Japan-Taiwan relations relates to the absence of Japan's recognition of Taiwan's statehood, and it is often difficult for readers to discern 'official' sources from 'non-official' sources. For example, when the National Institute for Defence Studies (NIDS) published a large report on the security situation surrounding Taiwan in 2017, it raised tensions between Japan and China, and the PRC government subsequently admonished Japan; however, in the words of Monma (2017a), the report is 'academic' in nature, which indicates 'informality'. Two anonymous officials at the Ministry of Defence in Tokyo (who do not want to be identified due to the sensitive nature of the issue) 'informally' reiterated how the unofficial report of 2017 published by NIDS caused significant tensions with the PRC. Furthermore, even the high-profile fisheries agreement signed between Japan and Taiwan (2013) is

officially a *'torikime'*, meaning it is a private-based pact as opposed to a *'kyoutei'* or *'jyouyaku'* (an international agreement or treaty), thus blurring the demarcation of what is considered as official or informal.

Furthermore, the UN-based agencies do not provide official statistics on Taiwan. One may be reminded of the fact that the US State Department (2020) even made an 'official' press statement denouncing the ICAO for blocking Twitter users merely for referencing Taiwan in order to silence the 'informal' Twitter debates over Taiwan's exclusion, especially in relation to the outbreak of COVID-19. During a private interview with the right-wing *Sankei Shimbun* on 26 February 2020, the current deputy president of Taiwan, Chen Jianren, subsequently expressed his gratitude for Japan's political support in affording Taiwan semi-representation in WHO's technical meeting related to COVID-19 despite the PRC's ostracisation and Taiwan's lack of recognised statehood (*Sankei Shimbun*, 2020). Thus, it is clear that Taiwan's informal grassroots debates on Twitter can be a source of official geopolitical debate, and that the informal Japanese sources such as *Sankei Shimbun* can be an essential avenue for Taiwan to express its official diplomatic message to the Government of Japan. Moreover, due to the nature of the non-official bilateral relationship between Japan and Taiwan, the two actors cannot engage in the official security dialogue that may involve military affairs. Therefore, in terms of Taiwan's informal relations with Japan in the absence of the Japanese government's recognition of Taiwan's statehood, the recourse to informal avenues such as think tank diplomacy also functions as a 'quasi-official' replacement for security-based dialogue with Japan. For example, the Security and Strategy Research Institute of Japan and the Taiwan Strategy Research Association, both of which are private and informal institutes, signed the MOU cooperation agreement to

enhance the institutionalised security dialogue (Security and Strategy Institute, 2019), which is unprecedented. Clearly, the conceptual demarcation between what constitutes ‘official’ sources and what constitutes ‘informal’ sources is highly ambiguous when it comes to Japan–Taiwan security relations. Therefore, we must extensively utilise both to better elucidate the Japanese elites’ perspectives of Taiwan.

Both primary and non-official sources, and a variety of other sources, were extensively used to improve the validity of the narrative on Taiwan’s position as Japan’s foreign policy instrument for improving its security within the context of its One-China policy. Secondary sources were also crucial to enhancing the validity of the findings since Japan’s ties with Taiwan remain unofficial, meaning that official documents are not as readily available as in the case of Japan’s other security partner states. However, the de facto Japanese embassy in Taipei, the former interchange association (now the Japan–Taiwan Exchange Association), publishes monthly reports and writings on various topics related to Taiwan – including culture, history, foreign policy, domestic politics, security affairs, economy and Taiwan–Japan relations – as ‘non-official’ texts. In addition, non-official Japanese academic sources like Toua<sup>5</sup> are often used as an avenue for the former high-profile Japanese figures that were deployed in Japan-Taiwan Exchange Association to express their views on Taiwan, including Japan-Taiwan security ties. This includes the former director; whose previous role was the director of the Joint Staff Office in the MOD. The use of these sources can enhance the validity of the findings. Furthermore, the unofficial memoir of the former ambassador, Uchida (2006), was helpful in confirming the existence of intelligence-sharing in terms of situational analysis and intelligence analysis cooperation between Japan and Taiwan.

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<sup>5</sup> A Japanese Academic Publication on East Asia

Nonetheless, the extensive use of non-official texts does not mean official texts related to a Japan–Taiwan security cooperation do not exist. Indeed, records of parliamentary debates on how Taiwan fits into the Japanese concept of CSD, agreements between Japan and Taiwan in the field of non-traditional aviation and maritime security, and the high-profile quasi-official fisheries agreement do exist. These were also extensively utilised in this research for data gathering and enhancing the validity of the findings. In addition, the ICAO’s official documents helped conceptualise Taiwan’s ‘as if membership’ of the ICAO that Japan was seeking to achieve based on international aviation security norms generated in the ICAO. Both formal and informal texts on bilateral Japan–Taiwan aviation security cooperation helped confirm the validity of these concepts.

#### **1.4.1 Japanese language**

A number of officials in Taiwan, including the former Japanese de facto ambassador, Ikeda Tadashi, and several academics (e.g. Ikeda, 2010; Fukuda, 2018) have expressed their concerns regarding the lack of knowledge about Japan, including the limited linguistic abilities in Japanese among the Taiwanese elites. Due to Japanese colonial rule, the elderly generations of Taiwan may have spoken Japanese, but these generations have since passed away or are no longer active in the policy-making bodies or academia in Taiwan. When the Japanese language is lost, so is the access to broader knowledge on Japan within Taiwan. This gave the author, a native Japanese speaker, a significant advantage in accessing the broader scope of knowledge contained in the Japanese primary and secondary sources, which is simply not available to Taiwanese researchers. In addition, the author can read Chinese text, which helped in supplementing data gathering.

#### **1.4.2 Rejection of the statistical data as an information source**

The prominent international surveys conducted by UN-based security agencies do not include Taiwan due to the political consideration of the PRC's sensitivity and Taiwan's lack of internationally recognised statehood. Furthermore, due to the political inaccessibility of the Japanese government's decision-making body responsible for its Taiwan policy (Matsuda, 2013), creating a statistical survey is virtually impossible. Thus, using a quantitative method for this research was not considered. While Taiwan's governmental and private entities may conduct many interesting quantitative surveys on Taiwan's domestic political affairs, the nation's statistical input has no influence on Japan's Taiwan policy. As discussed above, Taiwan's domestic norms or identity-based debate simply do not matter to Japan's security policy on its neighbour. Meanwhile, while Taiwan's surveys on the PLA's movements around the East China Sea and the Bashi Channel may be of interest to Japan's defence establishments, they are conceptually closer to the intelligence analysis and defence analysis of situational awareness (which are herein discussed in the case studies related to CSD and the ICAO). Nonetheless, this intelligence sharing between Japan and Taiwan does not equate to a quantitative-type methodology. Therefore, a qualitative-type method was deemed to be the better option.

#### **1.4.3 Limited use of interviews and extensive use of elite debates**

Interviews can be essential to complimenting archival and less-official sources. Nonetheless, in this research, interviews were kept to minimum and were used only as

part of a supplementary method for extracting the data or confirming the validity of the evidence. The difficulty of accessing the non-transparent decision-making body responsible for Japan's Taiwan policy (Matsuda, 2013) became a significant barrier to engaging in interview-based research. Therefore, only interviews via written correspondence with a very limited number of high-profile figures were possible. Specifically, interviews with a high-profile Japanese politician (2019) and a high-profile Japanese participant of the track 2 security dialogue between Japan and Taiwan (2019) were conducted through written correspondence to supplement the argument, if not to corroborate the detailed points raised in the case study chapters. However, as a limitation, politicians may often produce a somewhat biased account of events. Nonetheless, non-politicians, such as the former vice admiral, provided the author with a detailed account of how Taiwan cancelled the track 2 security dialogue between the Okazaki Research Centre and the representative of the Ma administration to refocus on a track 2 Japan–US–Taiwan security dialogue. He added that the security dialogue between his organisation and the counterpart in Taiwan was reconvened under the Tsai administration. This somewhat helped supplement this study's argument that, regardless of who is in power in Taiwan, Japan–Taiwan security relations continue to improve incrementally since it is up to Japan's political decision-makers to determine the boundaries of the overall bilateral security interactions, while simultaneously refuting Kawashima's argument (2016) that if the cross-strait relations are stable, Japan–Taiwan relations are more likely to improve.

Since government-to-government interactions are restricted in Japan–Taiwan relations, especially in the field of security, informal exchanges and the subsequently produced informal sources play an important role in elucidating how Japan's security engagement

with Taiwan is conducted. As will be examined in Chapter 3, Taiwan extensively instrumentalises track 2 security dialogues via think tank diplomacy to supplement its diplomacy in the absence of robust official communication channels due to the international non-recognition of Taiwan. Thus, the current author visited numerous think tanks, including Chatham House, the Royal United Service Institute in London, the Sasakawa Peace Foundation in Tokyo, and the Legislative Yuan in Taipei, for relevant data gathering and deeper insight. As for the US-based think tanks – which include the CSIS, the Brookings Institute, and Project 2049 – due to the issue of physical inaccessibility, YouTube was utilised to observe the recorded elite political debates. In addition, YouTube channels dedicated to the Tokyo Foreign Press Club and the Japan National Press Club were examined, when high-profile political figures such as former president Lee Teng-Hui (2015) and Premier William Lai (2017) from Taiwan conducted press conferences on Japan–Taiwan relations in Tokyo. Also, the recorded official comments made by high-profile UN figures such as Ban Ki Moon were utilised from the ICAO’s official channel in YouTube.

#### **1.4.4 Secondary sources**

Finally, while the extensive use of documentary evidence proves the existence of debates among Taiwanese intellectuals, academics, policy-makers and journalists related to Taiwan–Japan relations, the case studies confirm the minimal influence that Taiwan has on its security relations with Japan within the hierarchical order. Again, this documentary evidence supports the argument that it is up to Japan’s political decision-makers to determine the acceptable boundaries of the security interactions between Japan and Taiwan within the context of Japan’s One-China policy. According to *Ziyou*



*Shibao* (2019), the previous de facto Japanese ambassador, Numata Mikio, stated that upon his first meeting with the former president, Lee, the latter characterised Japan–Taiwan Relations as ‘單相思’ three times, which literally means ‘one-sided love’. In other words, while there are many things that Taiwan wants Japan to do, Japan has no intention to respond to their wishes. Certainly, it is erroneous to assume that the extensive data gathering from multiple textual sources and open debates is accurate or valid, especially within the context of the unique tension between what is considered as official and what is considered as informal in Japan’s security engagement with Taiwan as well as the difficulty in accessing the opaque decision-making body responsible for Japan’s Taiwan Policy. However, this does help to better consolidate the argument on how Japan instrumentalises Taiwan as a foreign policy instrument for its own security within the context of its One-China policy while ignoring what Taiwan wants Japan to do in return, except when Japan chooses to accommodate Taiwan for its own benefit.

## **1.5 Multiple case studies**

Regarding the debate on what is considered a case study, Robson (1993, p. 146) stated that it is ‘[a] strategy for doing research which involves an empirical investigation of a particular contemporary phenomenon within its real-life context using multiple sources of evidence’. Here, the case study method is used to examine how Japan is utilising Taiwan as a foreign policy instrument for its security vis-à-vis the PRC, with the case studies designed to demonstrate the validity of this narrative. Maoz (2002) pointed out that when a researcher adopts the case study method, the theory needs to be generalisable in accordance with theoretical consistency to better justify it and to delve deeper into the details of the phenomenon. Therefore, theory-testing, theory-building and theory-refuting approaches are required. For this purpose, it was important to

triangulate the findings on Japan's state behaviour vis-à-vis Taiwan. Regarding this triangulation, Eisenhardt (1989, p. 538) pointed out that a 'triangulation made possible by multiple data collection methods provides stronger substantiation of the constructs and hypotheses'. Thus, this dissertation adopts three case studies. The major advantage of using multiple case studies lies in the capacity for comparing different sets of data, which can lead to a more established cause and effect mechanism and a better theorisation of the social phenomenon this research is attempting to elucidate.

Certainly, in the case study selection, a researcher needs to recognise the selection bias, and some theoretical inconsistency (Maoz, 2002). This dissertation also has a minor theoretical anomaly, which we discuss in the section 1.4.8 on case study on maritime security. Nonetheless, the advantages that stems from conducting case studies are quite significant in terms of delving deeper into the cause and effect mechanism in broader and more explicit fashion and testing the validity of the theory in question. With three sets of case studies from the domains of defence, aviation, and maritime security, we can establish a more consolidated theoretical framework for the social phenomenon in international society in the regional setting, where Japan accommodates Taiwan and induces or rewards Taiwan's specific state behaviours in relation to Japan's security vis-à-vis the threat of the PRC via state-centric international agreements based on international law. Furthermore, given that Taiwan is important for Japan's security due to its role as a military buffer and Japan's secured access to sea and air lines of communications, the case studies could be easily identified within the military, aerial, and maritime security domains. In addition, the three domains of national security can be explained through reference to the state-centric international agreements that Japan signed with Taiwan (or aim to sign) to induce or reward Taiwan's specific state

behaviours in relation to Japan's security. These amount to defence security actions that are debated within the context of the CSD issue in the UN Charter, aviation security within the context of the Chicago Convention of the ICAO, and the fisheries agreement within the context of UNCLOS. If the research can elucidate on how and why Japan socialises Taiwan with international security norms in the three dimensions of defence and aerial and maritime security, it can make a convincing case for the conceptual and empirical validity of the narrative. Furthermore, precisely because this research relies heavily on informal sources due to the informal nature of the relations between Japan and Taiwan, the use of multiple case studies will increase the validity of the narrative. In short, using multiple case studies allows us to better elucidate the low-key but comprehensive nature of Japan's security engagement with unrecognised Taiwan, even within the context of Japan's navigation of its One-China policy.

### **1.5.1 Case study on defence security**

In terms of the issue of CSD, Taiwan can never play an official part in Japan's CSD actions in the absence of the latter's recognition of the former and its One-China policy. It is essential to state here that the very concept of Japanese CSD is disputed, and while Taiwan remains a contested entity. Therefore, the status of Taiwan in terms of whether the Japanese CSD applies to it remains ambiguous at best. Nonetheless, Japan can indirectly encourage Taiwan to voluntarily align its defence policy with Japan's defence security policy to supplement its defence strategy as if Taiwan is indeed a member while increasing the defence role of Taiwan as a military buffer for Japan. Thus, this amounts to an extensive case study aimed at elucidating how Taiwan's 'as if membership' is conceptualised in Japan's interpretation of the tensions between its domestic pacifist

constitution and international law on CSD, and how this legal debate affects Japan's defence security policy on Taiwan. It will allow us to observe how unrecognised Taiwan cannot attain official membership to Japanese domestic debates over the tension between the domestic and international law related to the Japanese concept of CSD, where Japan utilises Taiwan as a defence buffer while incrementally enhancing the latter's contribution to Japan's security via the non-traditional security cooperation within the context of Japan's One-China policy.

Thus, the more Japan increases its defence capabilities around the southeast Western Islands near Taiwan, the more Taiwan's independent defence capabilities become important as a military buffer for Japan's military security vis-à-vis the PRC in the East China Sea. Nonetheless, Japan has no intension of officially committing to Taiwan's physical security vis-à-vis the PRC's aggression, regardless of the fact that Japan's CSD and improved defence security capabilities increase deterrence for Taiwan in the face of the threat of the PRC. In short, Japan is maintaining the ambiguity of its security commitment to Taiwan while it continues to encourage Taiwan to improve its contribution to Japan's security via the enhancement of non-traditional security cooperation through Japan–Taiwan non-military HADR and coastguard cooperation. The case study will also reveal how Taiwan's quiet defence alignment with Japan's defence security through this non-traditional security cooperation with Japan also improves both nations' crisis management capabilities.

### **1.5.2 Case study on aviation security**

In terms of the chapter on the ICAO, this involves a case study aimed at examining the civil aviation security agency in the UN, of which Taiwan is not a member in the absence of recognised statehood and due to the PRC's sanctions. Nonetheless, Japan socialises Taiwan with international aviation security norms created in the ICAO as a foreign policy instrument to better handle the threat of the PRC in terms of air security. Japan has signed numerous aviation-related agreements with Taiwan or has encouraged Taiwan to take specific actions in terms of aviation security in accordance with the security rules and norms based on the Chicago Convention of the ICAO. As such, the case study engages in an extensive empirical investigation on the social phenomenon of how internationally excluded Taiwan has been accommodated into international aviation security efforts by Japan even though it does not officially grant Taiwan explicit membership. Clearly, Taiwan has enjoyed no membership of the International Civil Aviation Organisation in the absence of recognised statehood and the PRC's political sanctions, with the exception of a brief period under the Ma administration. However, the nation's airspace management is closely linked to the stable management of Japan's air lines of communication in the region due to the airspace connectivity between the two nations. While Taiwan is excluded from the ICAO, since its air security is linked with Japan's, the enhanced Taiwanese air security management improves Japan's, provided the former behaves as if it is a member of the ICAO and acts in compliance with the international norms of civil and defence aviation security. Thus, this case study will reveal how Japan has been filling the void resulting from Taiwan's exclusion in the international aviation security efforts. This ICAO-related chapter suggests an alternative membership for an unrecognised state such as Taiwan in multilateral security forums including the UN-related agencies. An 'as if membership' of Taiwan in international security efforts granted through Japan's political power is

conceptualised here, which requires Taiwan to behave according to international security norms as Japan's foreign policy instrument.

### **1.5.3 Case study on maritime security**

Maoz (2002) pointed out that the researcher needs to recognise that each theory has some inconsistency and various anomalies. The current researcher admits that the chapter on the fisheries agreement involves a minor theoretical inconsistency in relation to how it heeded various Taiwanese perspectives. Nonetheless, that is because Japan semi-officially recognised Taiwan as a semi-independent political actor via the signing of the fisheries agreement with Taiwan based on the UNCLOS, which ensured that Taiwan was a semi-equal actor with Japan and China in the East China Sea issue. This meant the third case study involved an anomaly since Japan and Taiwan signed the fisheries agreement, meaning that while it was signed 'informally', it was clearly a de facto 'semi-official' acknowledgement of Taiwan as a stakeholder. As such, Taiwan was granted semi-legitimate membership by Japan. Therefore, this case study is different in nature to the other two case studies, wherein "as if" membership was conceptualised as opposed to a semi-legitimate membership in the marine issues related to the East China Sea. Accordingly, this presents an extensive investigation into the major maritime security crisis on how Japan enhanced peace and stability by granting Taiwan a near equal membership in the East China Sea issue by sharing the marine resources via the fisheries agreement. This phenomenon also removed the possibility of the Taiwan-PRC united front against Japan. As will be examined in the chapter on the fisheries agreement, Japan acknowledged Taiwan as a de facto autonomous political actor that operated independently from the PRC in the marine-related East China Sea

issue. This created the need to examine Taiwanese perspectives since Japan acknowledged Taiwan's semi-legitimate membership alongside Japan and China. As such, from the PRC's perspective, Japan violated its One-China policy in the context of Sino-Japanese regional great power management. Thus, the PRC retaliated against Japan, as was manifested in China's informal refutation of Japan's sovereignty over Okinawa (*The New York Times*, 2013). As was argued earlier in our rejection of a constructivist approach for this research, the more Japan engages with Taiwan as a semi-independent actor that is almost equal to Japan and the PRC, the more it affects the PRC's ontological insecurity and the legitimacy issue of the CCP.

Nonetheless, since Japan treated Taiwan as a semi-equal participant in the maritime issue related to the East China Sea, Taiwan was accorded semi-official membership. This made Taiwan a 'semi-official member' whose perspectives are worthy of attention, as a negotiating partner in regional security issues for Japan as opposed to merely being Japan's foreign policy instrument. It is because the bilateral fisheries agreement signed between the two nations is 'Japan-Taiwan bilateral relations' based on understanding the two nations are semi-equal only on this particular marine issue in the East China Sea. This runs contrary to the CSD and the ICAO, where Japanese policymakers deal with Taiwan as 'a foreign policy issue' in Sino-Japanese relations, wherein Taiwan has no political power in influencing Japan's foreign policy. Thus, the need to examine bilateral Japan-Taiwan relations in terms of Taiwanese perspectives surfaced. Therefore, unlike the chapters on CSD and the ICAO, which did not regard Taiwan as a 'legitimate actor' that is equal to Japan or the PRC, the chapter on the fisheries agreement includes a discussion on the dynamics of how Japan-Taiwan relations affected Japan's decision to sign the agreement with Taiwan despite the fact that this

was considered a violation of Japan's One-China policy and the PRC's claim of sovereignty over Taiwan.

Nonetheless, as will be explained, the hierarchical relations between a regional great power that is Japan and an unrecognised Taiwan remain solid within the regional setting. Therefore, Japan's socialisation of Taiwan as if it is a member of international society has theoretical consistency, regularity, and continuity. Thus, the case study on the fisheries agreement, while somewhat inconsistent, sharpens and reinforces the theoretical validity of the proposed theory in this research. Japan's accommodation of the internationally isolated entity, Taiwan, is theoretically generalisable to how Japan accommodates other internationally isolated actors, such as the Philippines under the Duterte administration, as will be discussed in the concluding chapter.

#### **1.4.9 Summary**

The constructivist-based literature on Taiwan, the norm constructivism related to Japan, and the work related to Japan's identity and othering cannot allow us to conceptualise why and how Japan accommodates Taiwan as a foreign policy instrument via socialising it as a part of the international security efforts vis-à-vis the threat of the PRC. In addition, Japan's non-recognition of Taiwan also creates a unique situation where there is an inherent tension between Japan's 'formal' engagement with Taiwan and its 'informal' engagement, which has certain implications for this research. Thus, this study is aimed at reconceptualising how Japan accommodates Taiwan's membership to the international society of states via a different theoretical approach. The next chapter presents a literature review related to the ESIR and to de facto states in general. This



will help elucidate how existing studies have conceptualised the way in which the Eurocentric powers of the West have been accommodating the non-sovereign political communities, including non-recognised states. The review will also address whether the ESIR has examined Japan's accommodation of Taiwan into international society for its own regional security in terms of whether or not this presents a weakness. For certain, this perspective deserves more scholastic attention from the ESIR.

### **1.5 Significance of the Study**

The PRC has been pressuring Japan not to engage in any military or strategic relationship with Taiwan in the context of Japan–China–Taiwan relations. However, as will be explained, Japan has not been meekly following its One-China policy. Indeed, this study will outline how Japan has gradually improved its indirect security ties with Taiwan even within the context of its One-China policy, a point that is highly significant. Despite the prevalent characterisation of Japan as a reactive state (Funabashi, 1991/1992; Calder 1988, 2003), the nation has been playing an under-appreciated security role through its engagement with Taiwan in view of managing its relationship with the PRC. First, Japan has been incrementally accommodating the non-state entity Taiwan in the regional setting by affording it quasi-membership despite the absence of statehood. Therefore, Japan's incremental accommodation of Taiwan functions to create new international security norms and rules within international society in the regional setting. Second, Japan has been incrementally instrumentalising unrecognised Taiwan as an international security asset for its own security, despite its One-China policy. Third, if Taiwan presents a loophole in the regional security environment (which

dictates that it has no access to the multilateral international security efforts that require statehood for membership), Japan has been accommodating Taiwan to mitigate such a missing linkage in non-traditional international security efforts through its unique security behaviour. That is, it has enabled Taiwan to behave as if it is a part of the non-traditional security efforts. As such, Japan has been innovating the new international security norms related to how to engage with de facto states within international society. If it can be demonstrated that Japan is indeed utilising Taiwan as a foreign policy instrument, this will highlight Japan's underappreciated but unique security role within international society in the regional setting. This will, in turn, contribute to our understanding of Japan's unique conception of security, which is different from that of the US.

If, despite the geographical proximity (and the obvious importance of the sea and air as lines of communication for Japan's security due to Taiwan's strategic location), Japan is less committed to the security of Taiwan, a number of questions emerge. First, if Japan has kept the Taiwan issue low-key in Sino-Japanese relations – which is in direct contrast to the way the Taiwan issue occupies a central position in US–China relations – why is Japan incrementally accommodating Taiwan for security purposes vis-à-vis the PRC? Second, what kind of security gains has Japan received by accommodating Taiwan? Third, how has Japan exploited Taiwan for its own security while not treating the latter as an equal security partner in the absence of recognition? Within this context, Japan can be a provider of diplomatic space to enable Taiwan to behave as if it is a part of the international security efforts, even if it cannot officially participate in the attendant multilateral forums given its lack of statehood.

## **1.6 The Relevance of Japan**

The primary locus of this study in terms of inclusion/exclusion is Japan. There exist a vast number of studies on how the West has been including or excluding the non-Western powers, including the works of Bull and Buzan (1979, 2014), while there are numerous works related to how the non-Western powers have been responding to the expansion of international society. However, studies on how Japan has been accommodating an excluded member of international society (Taiwan) are virtually non-existent.

Understanding the role of Japan's accommodation of a non-sovereign political community such as Taiwan within the regional security environment is essential. Japan assumes a security leadership role as the most important ally of the US in the region, while, until fairly recently, it was the second largest economic superpower in the world. Taiwan is certainly a less visible issue in Japan's foreign policy due to the former's unique status. However, Taiwan remains an important neighbour for Japan due to its geopolitical importance. The informal nature of the virtual diplomacy conducted within Japan–Taiwan relations is neglected in studies in the field of international relations, despite its significance to the East Asian region (Deans, 2001). Japan remains the second largest democratic economic entity in the world, and its role as a regional security provider is emerging as it continues to normalise its international security role. Therefore, Japan's engagement with Taiwan is crucial to understanding the regional security environment. If Japan has been accommodating the de facto state of Taiwan within international society, this will shed new light on the underappreciated security

role of Japan within the context of the nexus of inclusion/exclusion in regional security studies and in the ESIR.

## **Chapter 2. Literature Review on the English School and De**

### **Facto States**

#### **2.1 Introduction**

This chapter reviews the existing literature on the ESIR and de facto states in general to answer the following questions:

- What is the current state of the English School of International Relations?
- How does the English School accommodate excluded outsiders in international society?
- What is a de facto state, and why is international society in favour of territorial integrity and biased against de facto states?
- How has international society engaged with de facto states without recognition?

These questions will be used to identify the strengths and weaknesses of the current literature to generate a new question: How can a regional great power Japan accommodate the de facto state of Taiwan in international society in terms of its security while balancing its ties both with Taiwan and the PRC? In other words, this review considers how the existing literature on the ESIR and the de facto states has not considered the perspective of how the non-European regional great power Japan has been engaged in the inclusion of Taiwan in the international society of states in order to enhance the regional order.

#### **2.2 What is the English School of International Relations?**

Early contributors to the ESIR, such as Hedley Bull (1977), argued that the international system is simply a component of international society, that is, the states, sovereignties, political communities, and even human elements that constitute the rules and norms that determine order. Bull (1977) conceptualised such an international society in terms of the need to understand the sociology of European history to understand international society, which has spread throughout the globe. Here, Bull (1977) argued that even under conditions of disorderly anarchy, this does not mean chaos ensues, as was argued by the Hobbesian view of the world, and that the political communities that exist still constitute the basic rules and norms of stable order. For this order to exist, rules and norms are essential, even if they are subject to normative changes. Bull (1977) identified international relations as social relationships and argued that the three pillars of social functions – security against violence, observance of agreements, and property rights – are essential to forming a society. As such, early English School contributors, such as Bull (1977), focused on how to maintain order rather than the enhancement of justice within international society. In other words, the early English School emphasised the coexistence of a society of states. Meanwhile, modern English School theorists such as like Buzan (2014) went further in maintaining that the society of states is essential while focusing more on the rules and norms involved in state-centric solidarism.

Early prominent English School scholars, such as Watson (1984) and Bull (1977), emphasised the importance of the primary institutions that constitute the essential components of international society, such as the balance of power, international law, diplomacy, war, and the great power management. Their grand narrative appears to follow the primary line that the rules and norms that regulate the contrived power

balance, the use of international law to regulate relations among states, the diplomatic missions to communicate with each other, the control of damage through the rules of just war, and the privileged positions of the great powers. Therefore, according to Brown (2009), international society is a norm-governed society wherein at least the minimum rules are followed, and wherein the member states of the society accept certain responsibilities in view of forming a society of states. Regarding the importance of the primary institutions, Buzan (2014, p. 17) pointed out that social changes to such institutions occur and stated that the primary institutions are

constitutive of both states and international society in that they define not only the basic character of states but also their patterns of legitimate behaviour in relations to each other, as well as the criteria for membership of international society.

For example, regarding the changing nature of the balance of power and the great power management, Bull (1977) highlighted that while the balance of power in nineteenth-century Europe was based on the concept of the 'Concert of Europe', the balance of power during the Cold War involved two superpowers with different ideologies that also had nuclear weapons. It can be stated that the role of the great powers that make the rules for lesser states has not changed in terms of being constitutive elements of the primary institutions. As such, Buzan (2014) argued that the social forms of the balance of power are conceptually different from the Hobbesian worldview of anarchy or the neorealist understanding of the balance of power (Waltz, 1979). In short, the mechanistic understanding of the balance of power does not have prominent status in the English School. However, Buzan (2014) pointed out that the English School considers the socially constructed balance of power to be both contrived and accidental.

Meanwhile, other ESIR scholars, such as Wilson (2016), have questioned when the concepts of the institutions became primary institutions.

Elsewhere, Schouenborg (2012) argued that the primary core institutions that constitute international society are socially constructed entities and are thus malleable. While many of the examples listed in this study are often considered to be revolutionary events – such as the French Revolution, international fascism, international communism, and the EU supranational state – alternative historical narratives of these events can recount the distinct possibilities of creating unique core institutions that may challenge the supremacy of the international society of the Westphalian sovereign states. Some of the core institutions originate from the regionally differentiated conditions in regional international society, but legacies can still exist beyond the transregional outreach in a regionally unrestrained manner. The French Revolution inspired a concept known as ‘popular will’ or ‘popular sovereignty’, which is necessary for the legitimacy of a sovereign state. Meanwhile, international fascism discredited the legitimacy of colonialism, international communism discredited the Soviet Union as an empire of sorts, and the EU created new conditions for the legitimacy of internal structures, such as the abolishment of warfare inside the EU.

### **2.2.1 The pluralist and solidarist debate**

One of the debates related to pluralism and solidarism can essentially be identified as the tensions between human rights and sovereign equality. Bull (1977) preferred pluralism and order over justice based on positivist law and mutual respect of



sovereignty in international society, at least within a European context, while he acknowledged the importance of a shared culture to bind states. Within the contemporary context, one of the most controversial debates related to pluralism and solidarism is identified as relating to humanitarian intervention, the responsibility to protect (R2P), and sovereign equality. Therefore, international society has a moral obligation to intervene and violate the sovereignty of a state if the state in question is violating the human rights of its citizens or the state authority cannot stop a massacre. Buzan (2014) argued that the pluralist/solidarist debate is not mutually exclusive but mutually complementary, describing it as yin and yang. Meanwhile, Buzan (2014), Bull (1977), and Watson (1984) denied the possibility of the creation of a world society based on human elements as it is unrealistic, while Buzan (2014) argued for the emerging convergence of more interests and values among states to form more state-centric solidarist societies of states. Elsewhere, Knudsen (2016) appeared to support the idea of a normalised R2P and humanitarian intervention as a fact of life within the contemporary setting.

### **2.2.2 Membership of non-European entities in international society**

The English School is often criticised as being Eurocentric, and rightly so. In the English School grand narrative (Wight, 1977, 1952; Bull and Watson, 1984; Watson, 1992, 1990), when the expansion of the European international society began, there were many regional societies that were separated from each other, with each regional society having its own distinct civilisation-specific rules and norms for mutual interaction. Any contact between the civilised European states and the non-European political communities in different civilisations could not be conducted based on similar

rights and equality, which were accorded to sovereign states with similar civilisational traits in Europe. In the absence of the shared rules and norms between the civilised European states in the West and the barbarians and savages in the rest of the world, equality did not apply. Thus, the civilised Europeans engaged on equal terms with like-minded states in Europe while enhancing the civilisation mission elsewhere. The civilised peoples in Europe needed to define the standard of civilisation to accommodate non-European uncivilised peoples if the West was to enhance its contact with the barbarians and savages in the rest of the non-European uncivilised world.

It is important to note that traditional ESIR theorists such as Bull (1977) considered the expansion of international society as corrosive since non-Western societies bring more cultural diversity and undermine the rules and norms of the Eurocentric international society. The civilised peoples in European states constructed the shared rules and norms of respecting each other as equals based on the practice of recognition, reciprocity, and respecting mutual sovereignty, which enhanced international law, diplomacy, and trade in the society of states in Europe, while the barbarians and savages among the non-European peoples were excluded from such fair treatment (Ringmar, 2014, pp. 448–452). Ringmar (2014) argued that the primary reason why Europeans engaged in brutal acts against non-Europeans in the non-Western world (while paying close attention to conforming to the rules and norms in diplomacy, trade, and warfare in the European society of states) was because the former were able to confirm their identity as civilised Europeans. Therefore, the brutal treatment of uncivilised non-Europeans, who were incapable of following international norms, elevated the higher social status of the Europeans. The only way for the inferior non-Europeans to be treated as equals by the superior Europeans was to behave like accultured Europeans within global international

society. Therefore, the European recognition for equal treatment was essential for the admittance of non-Europeans into European international society and for their survival.

For Bull (1977) and Watson (1984), international society expanded to the rest of the world from Europe through global decolonisation and the creation of newly independent states, whose local elites were immersed in European cultures. Elsewhere, Keene (2002) pointed out that the early English School theorists ended up being accused of sanitising its accounts both by eliding the coercive nature of Eurocentric expansion of international society and defining the 'civilisation standard' to legitimise the subordinate positions of the non-European peoples below the civilised peoples in Europe within the framework of the expansion of international society. In criticising such a Eurocentric account, Little (2015) argued that while both the early English School theorists, Bull and Watson, and the modern English School theorist, Buzan, emphasised the creation of a European society of states, upon historical examination, it is clear that international societies existed elsewhere before they emerged in nineteenth-century Europe, and that these non-European societies talk about 're-admission into the international society'.

So much of the literature on the English School has not changed its Eurocentric attitude in defining the West as a metropolitan core and the rest of the world as periphery. Here, Stivachtis (2015) argued that the Eurocentric civilisation standard for inclusion in and exclusion from international society observed historical continuities, even though the criteria for the forms of civilisation standard may have changed. Stivachtis (2015) also observed that only the civilised states were admitted into international society, which required the members of international society to engage in external relations that were

based not only on the proper codes of conduct but also on civilised domestic norms, such as good compliance with the norms of human rights and democracy based on international law. Furthermore, Buzan (2014) argued that even after decolonisation, the concept of the civilisation standard is well and alive and still practised in international society in the form of conditionality and human rights. From Buzan's (2014) perspective, while economic aid is considered normative practice for first-world countries in the contemporary context, the concept of the standard of civilisation is still used in practice, if not in rhetoric, in terms of exercising moral authority and power over third-world countries. In fact, Buzan (2014) noted that membership of certain clubs of international organisations and in society retain Eurocentric standards of measurement, such as human rights, democracy, capitalism, development, and ecologism. Indeed, Buzan (2014) argued that as the diffusion of international society was facilitated, the tension between universal sovereign equality, non-intervention, and the Eurocentric global order may take shape, but the West still has the upper hand in determining who is civilised or uncivilised within the context of broader international society if the insider/outsider of the Western civilisation applies.

While international society has conceptual flexibility to accommodate non-European entities as members of international society if they meet the standards of civilisation, these international bodies are not generally recognised as equal. For example, Suzuki (2005) observed how Japan, as a semi-civilised state, had to encounter the Janus-faced European international society. Furthermore, while agreeing with Buzan's insistence on the English School's theoretical flexibility, Englehart (2010) discussed how Siam used British high culture and class-based elitism to downplay the Eurocentric racial prejudice against the people of Siam by establishing stronger personal ties with British

elites and royalty to maintain the sovereign independence of Siam and to avoid Western colonisation. The non-European entities had to internalise their humiliation in view of being treated as equals if they were to be admitted into the Eurocentric international society.

Meanwhile, in the English School accounts, many of the 'non-civilised peoples' that were excluded from international society attempted to upgrade their international status by conforming to the institutions discussed earlier, while others did not. For example, Zielonka (2013) argued that while the EU could be regarded as a normative power that shapes the external environment through the promotion of liberal democratic values, human rights, good governance, and the rule of law, the core normative components generated are Western European values. Here, Zielonka (2013) noted that a close examination of the EU's core values through discursive analysis reveals the imperial nature of dictating 'outsiders' through the normative impositions that resemble the mission of civilisation. Central and Eastern European states were accommodated into the club if they embraced the EU's core values, while Arab states are unlikely to accept such imperial values for religious reasons and due to the experience of European colonialism (Zielonka, 2013).

Meanwhile, it is also undeniable that the non-Western states that avoided direct Western colonisation had to accommodate Western superiority to seek equality and respect from the Western core. The most successful case is arguably Japan, which defeated two regional empires – China and Russia – and became the first non-European empire in its own right. For example, Lai (2014) argued that in nineteenth-century power politics, the vague concept of civilisation using positivist international law became a vital

instrument to measure the compliance of outsiders with civilisation. Here, Lai (2014) observed that Japan fully grasped the importance of international law and enhanced its reforms and improved the European narratives of Japan's foreign policy behaviours. Meanwhile, the author also noted that China proved itself to be incapable of comprehending concepts, such as international law, during the first Sino-Japanese War, and that Japan was accommodated in the elite club of international society, while China was defined as barbarous after the war. Furthermore, Wirth (2015) argued that the significant reason why Japan enhanced its alliance with the US, even after the demise of the Soviet Union, is that the former instrumentalised its alliance with the latter as a normative link to define itself as a member of Western international society. As such, Japan was able to maintain a superior civilisational position in ideational and social terms regarding the rise of China and the Asian Century (Wirth, 2015). After the Meiji restoration, Japan attempted to become a member of the Eurocentric international society while placing Asia in a subordinate position.

It is entirely possible that the conception of great power is malleable within the framework of the English School. In fact, Zhang (2011) argued that the concept of China was invented and reinvented in the English School's concepts of international society from the early stages of the theory's academic development. In Zhang's (2011) view, China was first conceptualised as having a similar society of states or entities in the pre-modern 'Warring States' era that resembled Western international society. However, China was subsequently regarded as an uncivilised or barbarous state following the Opium Wars, revolutionary China was essentially seen as a self-imposed outsider during the Cultural Revolution while leading the third-world's revolt against the West before it was transformed into one of the would-be great powers as

conceptualised by Bull (1977) following its reform and opening-up policy. According to Zhang (2011), China is now regarded as both a facilitator and a challenger of the Western-dominated world order, concluding that pluralists tend to emphasise cultural diversity – including in terms of non-intervention and regime diversity – and thus retain more favourable views of China, while the solidarists – who assert that human rights and democracy are the new standards of civilisation – tend to view China as a challenger to the Eurocentric international society.

Elsewhere, Suzuki (2008) described Japan and China as ‘frustrated great powers’ suffering from ontological insecurities because of ‘recognition games’ aimed at gaining entry to the elite club of international society. Importantly, Suzuki (2008) observed that both nations appear to be interested in impressing the privileged and established Western elite states, which means the traditional Western privileged great powers’ standing can be consolidated. As such, as Suzuki (2008) noted that the privileged Western great powers are able to consolidate their standing if frustrated great powers such as Japan and China attempt to conform to the norms created by the West in the process of attaining the same privileges. In other words, in Suzuki’s view (2008), Japan and China are inadvertently reproducing the normative structures of the current international society, which is led by the West, as opposed to overthrowing it. Here, it is essential to note that if non-Europeans attempt to conform to Western standards of civilisation, non-European states can also inadvertently further consolidate the West’s global rule-making authority and normative power in the process of acculturating Western rules and norms.

Upon examination, both Japan and China try to shoulder international responsibility and comply with international norms while continuing to respect their historical norms. In the English School's understanding of Japan and China, both would-be great powers attempt to use their normative self-identifications to enhance their international standing within the modern context. For example, Black and Hwang (2012) argued that both nations tackled the issue of piracy in the Gulf of Aden based on their respective self-identification through the culturalist and post-colonialist approaches. According to these authors, China's foreign policy elites based their state behaviour regarding the issue of piracy on its self-identification of *Tianxia* and considered the Somali pirates to be inferior, while they also noted that China also gave the role of *Tianxia* to the UN for China's legitimacy and authority and acted based on its own non-interference policy following the Somalis' call for help. Meanwhile, Japan enhanced its anti-piracy operations in Somalia based on its self-identification as a cultural marker lying somewhere between the members of international society and those of the non-international society, where Japan's domestic anti-militarist norms – such as dispatching the crews of the JCG along with the MSDF – and the normative sensitivity of respecting local cultures – which stemmed from its successful anti-piracy policy in Southeast Asia – proved to be transferable to the Gulf of Aden (Black and Hwang, 2012).

Elsewhere, Zarakol (2010) argued that the outsiders of the Eurocentric international society that suffered from the imposed ontological insecurities had to be incorporated into the European elite club of international society, but that these outsiders were forced to internalise their identities of inferiority and subordination and were defined as barbarous, uncivilised, less human and less enlightened than their European counterparts. Here, Zarakol (2010) pointed out that these oppressions contributed to the



hardened stance toward the acceptance of past crimes committed by non-European states such as Japan and Turkey. By accepting the international historical narratives of their past wrongdoings, non-European countries are admitting their morally inferior positions regarding Europeans within the hierarchical international society.

Following this logic, the existing literature has focused on how semi-civilised states, including Japan, are accommodated in the elite club of Eurocentric international society. In other words, the Eurocentric international society in the West accommodates non-Western entities, such as Japan, in paternalistic-like narratives. The exception here is Black (2012, 2014), who, in challenging such a Eurocentric narrative, argued that through a non-military maritime security policy, Japan has also become a regional and global norm entrepreneur in Southeast Asia and the Gulf of Aden. Zhang (2015) argued that while the globalisation of international society penetrated the regional society of East Asia, the localisation of the primary institutions, such as sovereignty and the developmental states, needs to be recognised while the regional differentiation of international society in the region also affects the configuration of the global international society. However, Zhang (2015) concluded that whether the existence of regional international society in East Asia can be proved is, at best, debatable.

Interestingly, what has not been discussed at all in the existing English School literature is how Japan's accommodation of regional outsiders such as Taiwan relates to the grand regional narrative. In other words, Japan has been treated and researched as an outsider itself and as a latecomer to global international society and has received little academic attention in the existing literature of the English School. In fact, Japan is largely treated as a non-European recipient or a good student of Western civilisation and is rarely

regarded in terms of being a regional early comer that accommodates regional outsiders such as internationally unrecognised Taiwan. One critique the current author would like to direct to the current international society theory is that while this theory is flexible enough to accommodate all political communities, including non-sovereignty-based entities, there are hardly any studies on how the regional great power of Japan can accommodate de facto state entities such as Taiwan. This critique entails how such an accommodation shapes new rules and norms for primary institutions in the evolution of international society. Therefore, the grand narrative of this research on the ESIR is how Japan has been expanding international society to accommodate a non-sovereign political community, Taiwan, for its security in regional settings. Japan's relations with Taiwan affects Japan's contrived balance of power with China, its diplomacy with China and Taiwan, its use of international law in relation to Taiwan, its potential involvement in a war with China over Taiwan, and its great power management with China. Therefore, there is room for studying the use of international society theory to elucidate Japan's accommodation of Taiwan while maintaining a relationship with China in view of securing the regional order.

## **2.3 De Facto States in International Society**

Now we can move onto the discussion related to how international society's engagement with the de facto states has been understood in the existing literature.

### **2.3.1 The issue of legitimacy and illegitimacy of de facto states in international society**

If the politico-legal conditions discussed in the previous chapter qualifies an entity in question as a state, what makes other political communities de facto states in international society? It is commonly agreed that a de facto state is a political reality in which a state-like entity functions quite well as a domestic sovereign entity but suffers from a lack of international recognition of statehood within international society and from the prominent international institutions (Pegg, 1998; Harvey, 2010). While there is a dearth of in-depth literature on de facto states, Scott Pegg is a pioneer on the studies of unrecognised states, and his paper ‘International Society and the De Facto State’ (1998b) can be seen as one of the most influential works on the issue. Unlike Robert Jackson’s work entitled ‘Quasi-States: Sovereignty, International Relations and the Third World’ (1993), which used the term ‘quasi-state’ to categorise a non-recognised state-like entity, Pegg uses the term ‘de facto state’ to distinguish unrecognised state-like entities from quasi-states that may be internationally recognised but do not have an effective domestic governance. On this point, Pegg (2000, p. 91) stated the following:

[n]o matter how long or how effective its territorial control of a given area has been, that control is neither recognised nor is it considered legitimate. The quasi-state is legitimate no matter how ineffective it is. Conversely, the de facto state is illegitimate no matter how effective it is.

Meanwhile, Fabry (2010) argued that without state recognition by the international society of states, a political community in question – such as a de facto state – cannot join the society of states and insisted that recognition and self-determination are two sides of the same coin. Furthermore, which de facto states have the right to obtain an international legal personality remains highly contested within international society. For example, Jeffrey’s (2016) observation on Somaliland enhances Pegg’s (1998a)

conceptualisation of a de facto state. Here, Jeffrey (2016) argued that despite the presence of relatively good governance, democracy, and a nascent economy that requires no international aid, in the absence of international recognition of statehood, Somaliland remains illegitimate in the eyes of the international community as a de facto state. The African Union is also reluctant to afford Somaliland recognition due to the potential rise in demand from other breakaway or independent movements (Jeffrey, 2016). This lack of international recognition also subsequently galvanised the internal coherence between the different sectarian clans in Somaliland under the common goal of achieving international recognition, and if this is indeed achieved, this may have huge regional repercussions (Jeffrey, 2016). It is fair to say that however well Somaliland is functioning domestically, it continues to be treated as a de facto state without international recognition and is regarded as illegitimate on the international stage.

Furthermore, Pegg and Kolstø (2015) argued that while the internationally illegitimate Somaliland enjoys a high degree of internal legitimacy among its population, the internationally recognised Somalia functions as a failed state. According to the authors, the people of Somaliland most desire security and peace from its government, which the internationally illegitimate authority in Somaliland has been able to deliver since internationally legitimate Somalia committed brutality against its people. Here, Pegg and Kolstø (2015) pointed out that the parent state of Somalia has no such capabilities at all to deliver this to people in Somaliland, while the people of Somaliland have no desire for unification with such a failed parent state. However, the authors concluded that the lack of international aid for Somaliland (due to of its non-international recognition) hampered its economic growth, while the strong internal legitimacy has

not brought about international recognition for the nation, adding that this situation will likely continue for many years to come. It is fair to say that while the international recognition gave the failed state of Somalia a legitimacy in international society, the de facto state of Somaliland is unwilling to be associated with the de jure state of Somalia even at the expense of potential material benefits, such as international aid, that comes from state recognition via unification.

Meanwhile, to classify the state-like entity as a de facto state, the entity must have the capability to establish ties with other countries (Bartmann, 2008). However, this remains a grey area. Indeed, the capability to enter into a relationship with other countries remains a contentious issue in international relations since there are no clearly defined rules and regulations in international law regarding the number of recognised states that are legally required to gain the necessary capacity for entering into relations with other states (James, 1986). There is also no substantive evidence to demonstrate that a de facto state needs to obtain a recognition of statehood from any major global powers, including from the five privileged permanent members of the United Nations Security Council. For example, while South Ossetia is recognised and is militarily, economically, and politically protected by Russia, it is still regarded internationally as a de facto state. Therefore, what constitutes the capacity for entering into relations with other countries is ambiguous. Furthermore, as Harvey (2010, p. 19) stated,

[the] lack of agreement among scholars over how best to represent unrecognised entities as an analytical concept, and the contentious issue of which examples should and should not be included as case studies, has become a defining feature of literature and debate on this subject.

On this point, Berg and Toomla (2009, p. x) argued that it is wrong to regard the de facto states universally as ‘internationally unrecognised territories’ since the level of recognition of these entities in international society varies significantly, and the normalisation of the relations with these entities is a better option than encouraging the re-integration of these entities into the parent states or encouraging a form of power-sharing. Furthermore, Berg and Kuusk (2010) argued that sovereignty is an ambiguous concept and whether the entity in question has control over its external and internal sovereignty is more of a political question, even though the legal debate on sovereignty is always prioritised in international society, including within the context of the English School. Regarding this point, Berg and Kuusk (2010, p. 47) stated the following:

[n]eedless to say, this society was made up of countries which were ready to recognise each other’s sovereignty on the condition of reciprocity. But while having that sovereignty, legal power for mutual recognition does not necessarily mean that authorities are able to exercise full control over their jurisdictions in one or the other way.

However, it is essential to point out that such a debate may contribute to solidifying unequal relationships in the hierarchical nature of international society between the sovereign states – especially the great powers – and the de facto states. Such an unequal relationship gives great powers unilateral authority to recognise or even further delegitimise the de facto states according to the former’s national interests, while the opposite does not apply for the de facto states. In short, reciprocity does not exist in the relations between the great powers and the de facto states, and the former’s privileged status places the latter in a subordinate and politically inferior position within international society. In critiquing this unequal relationship, both Berg and Kuusk (2010) and Pegg (1998) pointed out that it is time to admit that sovereignty is simply an

artificial concept. For certain, a de facto state's undetermined status does significantly reduce its foreign policy leverage regarding its relations with great powers in an unequal manner. Therefore, as noted above, which political unit has the international legal personality depends on the will of international society, especially among the great powers.

### **2.3.2 Preference for territorial integrity and a bias against de facto states in international society**

Why does international society have to keep de facto states illegitimate? Here, it can be argued that there is a strong tendency to maintain the territorial and sovereign status quo and that there exists a strong bias against the secessionist entities in international society following global decolonisation. This means that after independence from the former colonial powers was achieved by the newly established states, their defined sovereign territories became somewhat sacrosanct. For this reason, it is challenging for the aspiring states to achieve independence, and such bias against de facto states has become one of the significant constraints that inhibit such entities' potential for external behaviours.

Caspersen (2018) argued that when the de facto state attempts to engage with the broader world, it always creates a tension between self-determination and territorial integrity in varying degrees, and that when the engagement is conceived, both the parent state and the de facto state have very different concepts of what constitutes engagement. Here, Caspersen (2018) held that, for the parent state, the engagement means re-

integration of the breakaway territories or the hierarchical relationship that defines the parent state as a gatekeeper from which the de facto state must gain the approval to engage with recognised states or international institutions. Meanwhile, for the de facto state, it means engagement with the broader world to consolidate its de facto separation or hope for eventual recognition (Caspersen, 2018). For example, Dalay (2017) observed that the global powers – the USA, Russia, and the UK – and the regional actors – Turkey, Iraq, and Iran – all disagreed with the Kurdish aspiration for statehood in a referendum in 2017 and instead recommended that Kurdistan compromised by obtaining more constitutional rights within the context of the Iraqi federation or the confederation.

### **2.3.3 Engagement without recognition**

The preference for territorial integrity and the bias against de facto states within the international society of states creates the need for international society to engage with de facto states in ways that have little effect on the status quo. Engagement without recognition (of statehood) is becoming an increasingly important topic in international relations. Here, Ker-Lindsay (2013) was probably the first to conceptualise engagement without recognition for third-party states to interact with the contested state bilaterally, with the author noting that the international community has a high degree of latitude in terms of direct engagement with an unrecognised entity (with implicit recognition) in question while maintaining the explicit intention of not recognising it as a sovereign de jure state. The author then argued that engagement with non-recognition takes multiple forms, ranging from participation in less formal conferences, establishing a non-official quasi-embassy, and making a less clear-cut declaration of non-recognition, while if the



recognising state wants to have extensive relationships with the contested state, it can do so as much as it wants provided it maintains the position of non-recognition. In other words, as Ker-Lindsay (2015) explained, this can constitute a non-recognition in all but name, in that the explicit and implicit recognition exists in a political sense with such intentions. Both bilateral and multilateral engagements with the contested state are possible but always create confusion and misinterpretations (Ker-Lindsay, 2015). Furthermore, while the bilateral interactions between the recognising state and the contested state create confusion, the multilateral engagements require even greater caution due to the higher collective authority and the legitimacy accorded (Ker-Lindsay, 2015).

Meanwhile, Ker-Lindsay and Berg (2018) argued that as the international understanding on engagement without recognition with the contested states grows among the policymakers and academics within the international community, there are two patterns among the conceptions of what constitutes engagement without recognition, the first of which relates to the levels of willingness on the part of international society to engage with the contested states, while the second relates to the role of the engagement of supranational actors such as the EU with the contested states. Here, Ker-Lindsay and Berg (2018) claimed that a better understanding of the concept of engagement without recognition would help mitigate the stigmatisation of the contested states for conflict management and settlement mechanisms in international society. However, the academic strand that focuses on the de facto states does not appear to agree on how international society should engage with the de facto states. On this point, Pegg and Berg (2016) maintained that the traditional narrative on how the sovereign states deal with de facto states needs to be revisited, with the authors

observing that the international environment surrounding the de facto states is not as hostile as has been said, calling into question the claim that the international community has no principled method of engagement with de facto states. Here, Pegg and Berg (2016) confirmed the existing literature's validity of the critical emphasis on great power politics using the de facto states and international society's liberal bias toward more democratised de facto states in their preference for engagements, while the authors also found the method of how to address the linguistic representations of the officials in the de facto states as irrelevant and rejected the importance of foreign diaspora's domestic political influence on the great powers' foreign policy on the de facto states in question.

## **2.4 How to Engage with the De Facto States**

Here, we move on to the analysis of the literature related to the engagement with the de facto states in general.

### **2.4.1 Overview: Engagement with the de facto states – three approaches**

Previous studies on international engagement with de facto states highlight that there are different conventional approaches to this aspect within international society, which include the active containment of the de facto state, ignoring or having a limited engagement with the de facto state and the imposition of constraints on de facto states in reaching out to others, and the EU's attempt to engage with its regional de facto states in a low-key manner. The existing literature largely addresses the promotion of democracy and human rights due to the bias towards addressing selections between Western states in the context of EU policy (e.g. Popescu, 2007; Hock, 2011; McNamara, 2014). This approach may appear to have some degree of academic validity in terms of

assessing the strategic intentions of Western powers. However, Ker-Lindsay (2013) argued that while engagement without recognition is becoming increasingly important in international politics, there is a wide variety of international engagement with unrecognised states due to concerns over how much the state can engage with de facto states.

These three approaches have been considered depending on the strategic calculations of the members of international society. In fact, it is clear that the existing literature tends to regard the de facto states as the generators of regional insecurities and turmoil within the existing international system. These three main approaches are discussed in detail below.

#### **2.4.2 Active containment of the de facto states**

This containment strategy, which involves the active opposition of de facto states through embargoes and sanctions, is made possible when the third-party states consider de facto states to present a grave threat to their national security. The concerned third-party states are compelled to mobilise the political and economic measures at their disposal to contain the perceived threat posed by the de facto states. The continuation of this containment strategy may potentially backfire in the mid- to long-term future in two ways: the increase of international criminal activities from and in the de facto states and the increasing sense of diplomatic and political isolation, which will lead to potentially more aggressive behaviours by the contained de facto states.

In terms of international criminal activities, Northern Cyprus and the Republic of Dniester were examined by Scott Pegg, Pal Kolstø, Charles King, and Julian Duplain. During the 1990s, Northern Cyprus turned into an active loophole for international criminal gangs exploiting the gross lack of extradition and taxation agreements (Pegg, 1998a). In another example, Kolstø (2006), King (2001), and Duplain (1995) examined the case of the Dniester Republic, with Kolstø (2006, p. 728) stating that '[t]he Dniester Republic has a thoroughly criminalised economy, based on smuggling and the fake brand industry' and that '[t]he Republic has also been accused of being a free haven for fugitive gangsters and former KGB officials in hiding'. Elsewhere, King (2001) asked the pertinent question of why these de facto states could rationalise the use of the criminalised economy based on patronage, corruption, and illegal trades. Meanwhile, Kolosove and O'Loughlin (1998, p. 1) pointed out that, in the post-Soviet space, 'the elites of de facto states have strong criminal backgrounds and specialise in the illegal transit of weapons, drugs and money laundering'.

It could be argued that such a containment policy may be one of the most effective strategies if the strategic intention of external powers is to substantially undermine the very existence of the targeted de facto state. However, it can also create unintentional negative repercussions for international society, also having substantial negative implications for international and regional security, especially if they block the targeted de facto state entirely.

For example, Heydarian (2017a) pointed out that Marawi, a Muslim majority region in Southern Mindanao with a specific independence movement, attracted ISIS fighters from the Middle East and Caucasus regions and engaged in urban warfare that

prolonged the internal war in Mindanao, which also has numerous porous borders that allow easy access for the Jihadists into Malaysia and Indonesia. According to Heydarian (2017a), the US, to which Duterte is said to express frequent hostility, pledged counter-terrorism support, specifically for urban warfare, where the armed forces of the Philippines lack experience, while Australia dispatched two AP-3C Orion surveillance aircraft for the intelligence, surveillance, and reconnaissance activities. In another example, Heydarian (2017b) argued that there is a significant need for reconstruction and re-integration of the 600,000 displaced residents in post-conflict Marawi, lest the discontent and radicalisation of the Muslim population may follow.

One crucial aspect of King's 2001 article 'The Benefits of Ethnic War: Understanding Eurasia's Unrecognised States' is the author's rationale behind why these international criminal gangs have succeeded in developing state-like entities with some effective governance, even if they are gross violators of human rights or are entirely against the international norms of democracy upheld in these Caucasus and Eurasian regions. The connection between organised criminal gangs and domestic political leaders was also noted by both Collier and Hoeffler (2002) and Hock (2011). What these four authors have in common is that they attribute the theory of greed and grievance in civil wars to this connection between organised crime and domestic politics in these de facto states. According to this theory, domestic leaders in politically fragile states often preserve such organised crime deliberately in the absence of effective internal control mechanisms and attempt to maximise the economic benefits of the criminalised economy (Hock, 2011).

### **2.4.3 Ignoring or having a limited engagement with the de facto state: Can de facto states reach out to international society?**

In terms of generally ignoring the de facto states and having limited dealings with them, this often takes the form of strict non-access to economic aid from the international organisations or existing states. For the impoverished de facto states, not being able to obtain external aid to build the economy is harmful. James (1986) critiqued this non-access to approach by arguing that the sovereignty of a nation-state should amount to the right to deliver material benefits to the de facto state in economic terms, not merely in terms of providing territorial or geographical border definitions.

As Pegg (1998a, p. 6) stated, '[m]ore costly to the de facto state is the general inability of most intergovernmental organisations and non-governmental aid agencies to deal with non-sovereign entities' while in examining the case of Eritrea, Pool (1993, p. 402) stated that '[a]t independence, Eritrea carries with it a heavy burden of prolonged warfare and famine, enters a world economy in great difficulty and at a time when the guiding orthodoxy of lending is highly restrictive'.

It must be noted here that behind this economic neglect of the de facto states by the international organisations or recognised states, there exists a strategic trade-off by the third-party states regarding the parent state as patronage for these unrecognised entities. In exchange for undermining the de jure independence movements in the de facto states, the recognised states provide the de facto states with economic rewards by granting them access to economic aid from the international organisations, and therefore the

foreign direct investment toward the de facto states is enhanced. However, Hock (2011) argued that the reluctance on the part of the recognised states and the international organisations in terms of enhancing their engagement with the de facto states derives from the long-standing importance attached to the territorial integrity and inviolability of state borders. Regarding this point, Jackson (1987, p. 531) stated the following:

[o]nce sovereignty is acquired by virtue of independence from colonial rule, then extensive civil strife or breakdown of order or governmental immobility or any other failures are not considered to detract from it.

However, some proactive and creative economic initiatives commenced by certain de facto states must be scrutinised. For example, despite the trade embargoes and the travel sanctions imposed on it, Northern Cyprus has made its higher education industry into a lucrative international business that generates handsome economic benefits. This presents a viable alternative economic activity that attracts international students from across the world into the reputable local universities (*The New York Times*, 2014).

Regarding this new development, Koldas et al. (2018) argued that the case of Near East University in Northern Cyprus could be a unique case in terms of how a private non-state actor in a de facto state can reach out to international society. Here, the authors discussed the benefits of internationalisation and branding without established state support even in the absence of international recognition of Northern Cyprus, emphasising the use of the women's sports teams to enhance the international reputation of the university by attracting more international students and enhancing the community-building. This is most notably because universities in Northern Cyprus are excluded from international networks such as Erasmus due to the non-recognition of the nation.

The problem is that for certain extremely impoverished de facto states, such as Eritrea, it is fair to say that it is virtually impossible to expect these entities to produce creative economic measures such as those adopted by Northern Cyprus for economic self-sufficiency and survival. In short, internal conflicts, the interplay of criminality and domestic leaders, and economic weakness in these vulnerable de facto states make legitimate economic activity extremely difficult. In addition, for international society, the political- and security-related costs of ignoring and having limited dealings with the de facto states are only recognised in the long term. Realistically speaking, international society does not appear to be required to pay significant political or economic prices by neglecting the small, impoverished de facto states of today. After all, Eritrea, Somaliland, Chechnya, or the Islamic areas in the Mindanao island of the Philippines are often considered to be of minimum economic and political importance for international society. However, it must be noted that this non-access to international aid for de facto states (due to the limited damage inflicted on regional and international security) is overly simplistic. Granted, it may be possible to ignore the problem in the short term, but it may create a significant problem in the long term.

Fazal (2018) argued that the secessionists tend to be more attuned to international humanitarian law to gain more international recognition, which was the case in the Catalan independence movement as well as in Somaliland and Iraqi Kurdistan. However, Fazal (2018) also pointed out that these secessionists may also conclude that, if their good behaviour in the international society of states is not adequately rewarded, they may turn to further violence to gain their independence. Here, the authors noted the case of South Sudan, which ignored international law and the norms of non-violence



against civilians and still achieved legitimate independence. In fact, Fazal (2018) suggested that an alternative way to alleviate the problem is giving these secessionists access to soft recognition from international economic or financial organisations in the wider world.

Therefore, in the long term, this approach may be counterproductive to the geopolitical stability of the region and, potentially, the globe. In addition, as Pegg (2000) argued, for small, impoverished de facto states, having access to outside help when developing economic activities may make a huge difference to their long-term 'national' security and survival. Furthermore, the recent brutal internal military conflict that occurred in the de facto state of Marawi in Mindanao and which devastated the whole city in 2017 should not be ignored, given that this was due to the general neglect of this de facto state. In fact, Mindanao, including Marawi, is now regarded as having the potential to be transformed into another transregional base for radicalised religious-based terrorism. In the Philippines, under the Duterte administration that began in 2016, one of the security cooperation agendas between the nation and Japan has revolved around the counterterrorism related to the issue of Mindanao (Parameswaran, 2017), which indicates that Japan cannot afford to ignore the de facto state in its region. However, Iwami (2018) argued that the human securitisation of the ODA under the legal reforms of the Japanese security policy is observable and that, in theory, the geographical scope of the Japanese PKOs has been expanded, including in terms of the participation of the non-UN authorised missions and in the more flexible use of force in certain limited conditions. Nonetheless, Iwami (2018) concluded that Japan remains reluctant to instrumentalise the SDF for peacebuilding operations, including in terms of the Mindanao issue, with the nation likely to continue to instrumentalise the ODA to

contribute to peace and stability in the post-conflict resolutions in Marawi (Iwami, 2018).

The de facto states have very limited capabilities to reach out to international society unless others accommodate them within this context. However, with the exception of Northern Cyprus, which, as noted above, demonstrated various unique ways to reach out to the international society in a low-key manner, international society is unwilling to give much diplomatic space to the de facto states.

#### **2.4.4 The EU's low-key engagement with de facto states**

The current literature on the EU's engagement with de facto states suggests that the EU is employing soft power approaches within its geographical periphery surrounding the former Soviet Union. 'Soft power' means making others do what we want through the attractiveness of the actor (Nye, 2004; Hock, 2011). In other words, the soft power approach of a state actor involves the use of cultural, social, diplomatic, political, educational, or ideational instruments in a non-coercive manner to encourage other countries to behave in a way that resonates with its national interests.

International society's limited engagement generally takes place in the low-key form of humanitarian support, financial support, or the enhancement of democracy or civil society in these unrecognised states to avoid the sensitive issue of secession. Popescu (2007, p. 14) defined the EU's engagements with Abkhazia and South Ossetia as follows:

(i) to decrease the (financial) dependence of the secessionist entities on Russia and to give them an opportunity to diversify their options, ii) to create links between the secessionists and Tbilisi and promote reconciliation, and iii) to promote knowledge about Europe and its values.

Whether or not these approaches are regarded as non-political, they can certainly be questionable. Indeed, it is essential to note that the very existence of an unrecognised state is disputed, which means that any engagement with the disputed entity, such as a de facto state, will inevitably be contested or politicised.

Behind this limited engagement, there lies the intention to depoliticise the engagement as far as possible. Regarding this point, Pegg (1998, p. 8) stated: '[f]or international society, the greatest potential cost to this approach is angering the sovereign state on whose territory the de facto leadership operates'. Meanwhile, Hock (2011) studied the case of the EU's limited engagement with Abkhazia and suggested that while the EU began to provide a humanitarian form of financial aid in 1997 to this war-torn de facto state, the support undoubtedly lacked an organised and coordinated plan and sufficient financial aid was not delivered due to the lack of strategic importance, the geographic distance, and the highly dangerous situation of Abkhazia for the EU. The soft power approach may appear to assist the grassroots development of Abkhazia in terms of, for example, increasing employment and job opportunities for the locals, providing financial and humanitarian assistance for refugees and nutrition programmes for the locals and diaspora groups (Hock, 2011). However, it is clear that the EU does not want to raise political tensions by touching upon such sensitive issues. Nonetheless, it needs to be stated here that the problem is that engagement with any entity can be politically disputed even if the EU intends to keep it apolitical.

In fact, Hock (2011) argued that soft power approaches are only successful in gaining some support from politically active civil society and democratic activists in these de facto states; however, these democratic values, based on the Lisbon treaty, have not necessarily received the wider support of the general population in Abkhazia. If soft power is defined as persuasive power (Nye, 2004), this limited engagement by the EU with Abkhazia requires re-adjustments to encourage the latter to behave in a way that aligns with the former's interests. According to Popescu (2007), the opposition party in Abkhazia often claims that the NGOs dispatched from the EU are often associated with spies and agents working for the Western powers, and that these Western NGOs carry out espionage operations for the Georgian government in Abkhazia. It would appear that regardless of what the EU's intention may be, a degree of politicisation is inevitable in its dealings with Abkhazia.

It is clear that the EU is undertaking a rather low-profile engagement with the de facto states located on its geographical periphery. Since these de facto states still heavily rely on Russia for their strategic survival (Toal and O'Loughlin, 2014), the limited acceptance and acknowledgement of de facto states does not appear to incentivise these states to behave in accordance with the EU's interests. It is highly unlikely that the EU's low-key soft power approaches in engaging with unrecognised states will transform these entities within the EU's periphery into international and regional security assets for the EU.

## **2.5 Summary**

This literature review highlighted the strengths and weaknesses of the existing literature related to the ESIR and to de facto states in general. The strength of the current literature lies in how it has proven the flexibility of its theoretical structure in terms of how international society can accommodate non-sovereign political communities, including de facto states, within its grand narrative, despite its Eurocentric nature.

Meanwhile, relevant studies share the common perspective that de facto states are singularly regarded as regional security issues or the generators of problems within international society. Furthermore, since the recognition of de facto states is likely to create more problems, engagement without recognition is becoming a topic of increasing interest in the current literature on de facto states in international society.

However, none of the relevant studies consider de facto states as potential peacemakers, if they are given opportunities to contribute to regional peace and stability by others. A further weakness relates to the fact that Japan, a non-European regional great power that accommodates outsiders such as Taiwan within international society, has not been addressed by the existing studies in the body of literature related to the ESIR and de facto states.

Therefore, the contribution of the current thesis will be to construct a grand narrative on how Japan has been the main protagonist in expanding international society to incrementally include an excluded entity (Taiwan) in a non-Eurocentric manner. As such, the study will treat Japan as a core member of the institutions in international society, one that regards Taiwan as a subordinate peripheral outsider in a paternalistic way. This new grand narrative is conceptually different to how Japan is included in the Eurocentric international society as a non-European outsider by the Western powers within the context of conventional non-Western approaches to the English School. In fact, as yet, there has not emerged a grand narrative that regards Japan as an essential

insider of the core institutions of international society, one that creates the rules and norms for the regional order through its engagement with an outsider of the society of states (Taiwan).

As will be examined in the next chapter, Japan's accommodation of Taiwan is unique in the sense that it contributes to shaping the rules and norms for the regional order. It will be argued that Japan is socialising Taiwan as a foreign policy instrument to enhance its own regional security interests in accordance with its own standards of civilisation for international society without fully recognising Taiwan and while still officially following the One-China policy within the context of the regional security environment.

## **Chapter 3. Japan–Taiwan Relations, Japan’s Foreign Policy Instruments, and Japan’s Socialisation of Taiwan through International Security Norms**

### **3.1 Introduction**

The previous chapter elucidated on how the ESIR is theoretically flexible enough to deal with the accommodation of non-sovereign political entities into international society, including de facto states, by the European great powers, even though the entities in question cannot attain fully-fledged membership. This chapter builds on this by explicating how the non-European regional great power Japan accommodates Taiwan into the international society of states for the sake of its own security, without recognising Taiwan within the context of its One-China policy.

First, we review the literature related to Japan–Taiwan relations to build the argument that it is up to Japan to decide what kind of security interactions the two nations will engage in within the hierarchical relations in the absence of Japan’s recognition of Taiwan in international society, and that Japan navigates the ambiguities of its One-China policy to incrementally utilise Taiwan as a security asset in ways that do not destabilise Japan–China–Taiwan relations. Second, we review the literature related to Japanese foreign policy instruments to ascertain the security contribution Japan has made to international society, and to elucidate on what the nation is willing to do and what it is unwilling to do in its security engagements with Taiwan in the context of its One-China policy. In addition, we attempt to clarify how Japan’s security interactions with Taiwan will remain incremental, regardless of whether it adheres to the Yoshida Doctrine or shifts toward the more radical Abe Doctrine. Third, we conceptualise how Japan has been encouraging Taiwan to behave as if it is a member of international

security efforts based on international security norms for Japan's security, – despite Taiwan's non-access to the multilateral security forums in the absence of any statehood – while pacifying its One-China policy.

### **3.2 The Hierarchical Relationship Between Japan and Taiwan**

In the words of Morris (2017, p.3), 'this is a compelling association in today's Taiwan, where real and imagined traces of "Japaneseness" are treasured for their making Taiwan as separate from "China" proper'.

However, it may be favourable for the ontological security of the Taiwanese identity for the nation's people to regard themselves as at least partially Japanese, albeit that such an incorporation of 'Japaneseness' into what defines Taiwanese identity further reinforces the Taiwanese geopolitical subordination to Japan within international society. As noted in the previous chapter, if accommodated actors such as Japan, China or Turkey – which have historically been incorporated by the Eurocentric great powers into international society – attempt to demonstrate normative compliance with the Western norms, this inadvertently consolidates the Western unilateral moral authority of defining who is civilised and who is not. The same social structure applies to the contemporary relations between the non-European regional great power Japan and subordinated Taiwan. Therefore, since Japan engaged in the civilising mission of the 'barbarians' in Taiwan during the Japanese colonial period, the social structure within which Japan is currently civilising Taiwan in a unilateral manner has changed little. As such, Japan continues to hold the moral authority to judge whether Taiwan is behaving in accordance with the Japanese concept of the standards of modern civilisation for



Japan's security within the context of its One-China policy in the regional security environment. Following this logic, for Japan, Taiwan's interpretation of its history under Japan's colonial rule also functions as a foreign policy instrument.

On this point, Sejrup (2012) argued that Taiwan is always regarded as a pupil of Japan's historical modernity and progress as a metropolitan core, positioning Taiwan as a subordinate periphery in the former Japanese empire. This defines Japan as progressive and modern while defining Taiwan as progressing and modernising. Here, Sejrup (2012) pointed out that Taiwan attempts to learn from Taiwanese essentialised and simplified interpretations of its Japanese past to overcome the present socio-political problems in the nation, and added that when Taiwan finds Japan committing transgressions in its territory – such as exploiting the impoverished local women for prostitution tourism – it simply attempts to justify it by attributing it to the transregional hierarchical economic order and conceding that Taiwan also exploits local women for prostitution in the lesser-developed Southeast Asian region and in China, thus rendering the controversy non-problematic. Sejrup (2012) went on to point out that Japan also notes its colonial accomplishments in Taiwan to highlight the contemporary improvements there in order to raise its status vis-à-vis Taiwan. Clearly, the social structure wherein Taiwan learns from Japan's past to improve its own ongoing progress inadvertently consolidates the normative superiority of Japan over Taiwan in a hierarchical manner. Meanwhile, Japan's misconduct is justified by subordinated Taiwan, which attempts to imagine the transregional hierarchical society by placing Japan at the top of the ladder as the most civilised while conceptualising Taiwan as currently progressing in the middle of the hierarchy and placing the rest of the region as more normatively inferior (Sejrup, 2012). In addition, as Sejrup (2012) stated, conservative politicians in Japan utilise this

Taiwanese imagination of the hierarchical society of states as an instrument to justify the conservative or right-wing interpretations of Japan's past imperial history.

Furthermore, Lim (2018) argued that there exist two major dimensional reconciliations because of the selective remembering and forgetting in Taiwan in terms of its historical reconciliations with Japan. Here, Lim (2018) observed that, on an external level, Taiwan largely achieved reconciliation with Japan even under the KMT regime, and that while Japan and Taiwan have also had various historical disputes, the government in Taiwan is unwilling to jeopardise its relations with Japan for political reasons, unlike with the Koreas and the PRC. Meanwhile, at a domestic level, things are more complicated, and the two different historical memories of the Taiwanese who lived under Japanese colonial rule as Japanese imperial subjects and those who fought the war of resistance against the Japanese in mainland China still foster lingering tensions (Lim, 2018). However, the cultural affinity toward Japan is observable in transgenerational manners, including among those who experienced anti-Japanese education in Taiwan during the KMT authoritarian era, with Taiwanese people becoming fonder of Japanese culture, which demonstrates the Taiwanese flexibility vis-à-vis Japan. Lim (2018) concluded that the simplistic and binary classifications of the perpetrators and victims should be avoided in the historical reconciliation. It is important to state here that even the KMT under Chiang-Kai-Shek established traditional ties with the LDP under pro-Taiwan figures such as Kishi Nobusuke in the post-war period for the ROC's political survival as a small country, and that Taiwan's political leverage vis-à-vis Japan became even more weakened and limited after the Japanese de-recognition of the ROC in favour of the PRC. Therefore, whether Taiwan likes it or not, it needs to engage with Japan in a peaceful manner for its own survival

in the absence of Japanese recognition. It can be argued that one of the reasons why Taiwan is not interested in bringing up the historical disputes with Japan for political reasons is that, unlike with South Korea and the PRC – which are recognised as sovereign states by Japan – Taiwan remains a de facto state and its subordinate position below Japan significantly reduces its foreign policy leverage vis-à-vis Japan, while a reciprocity of recognition exists between Japan, South Korea and the PRC in a legally equal sense. Given this regional political environment, Taiwan functions merely as an object to be accommodated by Japan in the context of its One-China policy.

### **3.2.1 Japan–US alliance and Taiwan**

Security-related studies on Japan have frequently discussed Taiwan within the context of how it is embraced in the Japan–US alliance as a consumer of extended security deterrence (Kotani and Auer, 2005; McDevitte, 2005; Yang, 2005). Japan is traditionally believed to have taken a low-key approach to the issue of the Taiwan Strait. Matsuda (2018) discussed the implication of the issue of the Taiwan Strait for the Japan–US alliance, including from the perspective of CSD, and argued that while Japan takes lesser roles and missions in relation to the US, it continues to play a substantial role in the security of Taiwan in the context of the Japan–US alliance. Meanwhile, those who argued for Japan’s middle power status tend to downplay the nation’s role in providing security for Taiwan, even in the context of the Japan–US alliance. For example, Soeya (2011) argued that the Japan–US alliance guideline of the 1990s was meant to deter North Korea, despite Chinese suspicions of Japanese involvement in the issue of the Taiwan Strait.

Due to the lack of international recognition of Taiwan, Japan cannot address its relationship with Taiwan in the same way as it does with the ‘official’ sovereign states that stand on an equal footing in international society. Moreover, Japan’s official adherence to its One-China policy is premised on the government’s acceptance of engaging with Taiwan in only socio-economic and civilian terms, not in strategic security terms, let alone in terms of defence ties. Regarding this point, Soeya (2005) argued that unlike the widely held belief that Japan–China–Taiwan relations are becoming more pro-Taiwan and more anti-China, Japan’s policy toward Taiwan remains pro-China, while the issue of the Taiwan Strait remains deeply embedded in the Japan–US alliance, meaning Japan is unable to create its own independent strategy on Taiwan (Soeya, 2005). Matsuda (2012, 2013) provided a more nuanced analysis of the security role of Japan as a ‘minor’ and a ‘passive balancer’. Overall, the existing security-related studies involving Japan tend to regard Taiwan’s existence as a low-key issue despite Taiwan’s geostrategic importance for Japan.

### **3.2.2 Taiwan’s attempt to upgrade its place in Japan’s foreign policy initiatives**

Lin (2014) rightly pointed out the geostrategic importance for Japan as a trading nation of securing the sea lanes of communication by leaving Taiwan in friendly hands, geographically connecting Taiwan with strategic chokepoints between the East and South China Seas in the first island chains. However, Lin (2014) also non-critically introduced Richard Samuel’s argument that while the Japan-US alliance is important for Taiwan’s security, Taiwan is more important for the structure of the Japan–US alliance due to the potential risk of ‘alliance collapse’ without Japanese assistance during the cross-strait conflict due to the strategic linkages between the US’s

commitment to the defence of Taiwan and the Japan–US alliance. However, it must be stated here that the Japan–US relationship functions as a global security provider, as exemplified by the Free and Open Indo-Pacific strategy, while the issue of the Taiwan Strait is a region-specific issue. Therefore, it is incorrect to say that Taiwan is more important for the Japan–US alliance than the other way round. However, this does not mean Taiwan has no place in Japan’s transregional strategies such as the Free and Open Indo-Pacific strategy. On this point, Matsuda (2019) argued that while Japan is unlikely to mention Taiwan explicitly in its Indo-Pacific strategy, this does not mean that Taiwan has no role, with Japan more likely to utilise Taiwan as a ‘hidden asset’ in the initiative.

Furthermore, the hierarchical bilateral relations between Japan and Taiwan also help to create diplomatic environments wherein Taiwan’s political input into Japan’s security policy on Taiwan has a minimum influence, if any. One symbolic example that substantiates this point relates to Taiwan’s lively debates on Japan’s potential creation of the Taiwan Relations Act (TRA). Here, it is essential to note that the potential enactment of the Japanese version of the TRA is a domestic Japanese law, over which Taiwan has zero control in terms of any final decisions, even though it can be surmised that Taiwan can at least engage in informal or ‘behind-the-scenes’ lobbying activities. On this point, Taiwan’s current de facto ambassador in Tokyo, Frank Hsieh, admitted at the legislative Yuan that it is very difficult for Taiwan to convince Japan to adopt the Japanese version of the TRA since the latter abruptly terminated diplomatic ties with the former in 1972 without creating such a legal document (*Taipei Times*, 2017). Furthermore, in an interview conducted by Tzou Jiing-wen, Kishi Nobuo, the then minister for foreign affairs and the brother of Prime Minister Abe, stated that ‘Japan is not currently making any moves toward implementation of a TRA-like policy, but the

National Diet has done research in this area' (*Taipei Times*, 2016). Meanwhile, according to Rira Monma (2018), the head of China Research at the Ministry of Defence in Tokyo, as the current deputy foreign minister, Kishi Nobuo stated that there is the possibility that the Japanese version of the TRA may see progress in the next two to three years, without stipulating a clause for Japanese security involvement in Taiwan, such as the provision of weapons, at the trilateral security convention involving the US, Japan and Taiwan that was held in Taipei in December 2017, where Taiwan was described as an 'important partner'. Therefore, while Taiwan may wish to secure Japan's more reliable security commitment to peace and stability in the Taiwan Strait, it is highly unlikely that Taiwan will be able to obtain such a security commitment from the government of Japan. Overall then, the hierarchical nature of Japan–Taiwan relations is clear, and it is up to Japan to lead the relations in strategic security terms given that it can exercise important political authority to incrementally accommodate Taiwan in the international society of states.

### **3.2.3 Taiwan's domestic policy analysis of its relationship with Japan**

From this perspective, even though scholars working in the field of Taiwan studies analyse the nation's relations with Japan through the perspective of domestic policy analysis, their understanding of Japan is unlikely to be heeded by the government of Japan. For example, the English-language literature on Japan–China–Taiwan relations, such as the work of He (2014), has discussed Taiwan's 'national' historiography vis-à-vis its self-image in relation to Japan and China as historical 'significant others' in the context of identity politics in Taiwan. Here, He (2014) argued that such identity politics vis-a-vis the Japanese–Chinese nexus affects Taiwan's foreign policy preference in terms of its relationships with Japan and China. Elsewhere, Chen and Hwang (2015)

analysed the sentiments of Taiwan's younger generations toward Japan and China in relation to the issue of the Senkaku Islands through examining online debates, concluding that even though Taiwan has incorporated Japan largely positively and China somewhat negatively into its national identity construction, this does not necessarily mean that Taiwanese netizens would side with Japan against China in the issue of maritime sovereignty over the East China Sea.

However, as examined earlier, without official recognition of Taiwan by the government of Japan, it remains questionable as to whether Taiwanese identity politics would afford the nation any foreign policy leverage to affect Japan's security policy on Taiwan. Meanwhile, Dreyer (2016) elaborated on the Japan-related policy of each of the Taiwan administrations in chronological order, with reactions from both Japan and China. Here, the author briefly illuminated the Tokyo–Taipei relations under the authoritarian KMT era as an analytical template, specifically elucidating on Japan–Taiwan relations after Taiwan's democratisation, from Lee Teng Hui to the last Ma administration. Dreyer (2016) rightly concluded that Japan–Taiwan relations are likely to improve under the current Tsai administration and that Japan is unlikely to concede to the PRC's demands over Taiwan.

Meanwhile, Deans (2000) examined how the opposition political forces and nationalists in the PRC, Japan and Taiwan exploit the issue of the Senkaku Islands to embarrass the legitimacy of the ruling elites while the ruling elites attempt to downplay this issue. Therefore, for Deans (2000), the symbolic importance of the islands in question within the context of internal politics among these three actors is more important than how the three nationalisms affect the regional political environment.

However, the studies based on Taiwan's domestic policy analysis vis-à-vis its relations with Japan would be unlikely to illuminate 'Japan's security policy' on Taiwan, largely due to Taiwan's unrecognised status, which significantly reduces its diplomatic influence on its more powerful neighbour. Taiwan's 'domestic sovereignty' may grant itself an internal space for lively democratic discussions on its domestic policy on Japan within the context of internal politics, but it must be stated here that such internal debates in the de facto state are not the solution to the nation's international predicament of being in diplomatic limbo, including in terms of its subordinate relations with Japan in international society.

#### **3.2.4 Vulnerable Taiwan within the context of Sino-Japanese relations**

Taiwan appears to be concerned about the potential enhancement of the Sino-Japanese relationship and the attendant strategic implications for Japan–Taiwan relations. This was especially true in 2017, since that year marked the 45th anniversary of the normalisation of official Sino-Japanese diplomatic ties, as expressed by the chief secretary, Zhang Shuling, at the Taiwan–Japan Relations Association. As Shuling stated, Taiwan hopes it does not become a 'zero sum game' (Radio Taiwan International Japanese, 6 June 2017). Certainly, Japan's strategic understanding of Taiwan also includes the realist understanding of the balance of power. For example, regarding Japan's strategic thinking on power politics vis-à-vis its relationship with Taiwan and the PRC, Hornung stated the following:



[p]oor relations between Beijing and Tokyo provide Japan with the latitude to seek improved ties with Taipei to hit back on Beijing. In other words, Japan can play a ‘Taiwan card’ against the PRC. It is not a coincidence that most of the improvements in Japan–Taiwan ties since Abe came into office came against a backdrop of spiralling Beijing-Tokyo relations (Brookings Institute Homepage, 2018).

As examined, Japan has a far greater influence in this bilateral relationship. Notably, this was the case even under the tenure of President Ma Ying Jeou, who has a reputation for being anti-Japanese, when Taiwan signed the fisheries agreement with Japan (Ogasawara, 2015). Here, Takeuchi Takayuki (2012) questioned the political sincerity of the Ma administration’s East China Sea Peace Initiative by pointing out that Ma had used provocative language such as the ‘non-removal of the use of force’ (against Japan) when he was mayor of Taipei. Regarding Ma’s record of anti-Japanese activism during his early tenure in 2008, the then chief executive of the Ma administration, Liu Chao-shiuan, even cited ‘the use of force [against Japan] if necessary’ when referring to the maritime tensions with Japan over the East China Sea that ensued following the collision between the Japanese coastguard patrol ship and the Taiwanese fisheries boat near the Senkaku Islands (Kiyomizu, 2010). Meanwhile, Matsuda (2013) elaborated on how Ma expended significant political effort to negate the Japanese image of Ma as an anti-Japanese figure following this maritime incident, since it was not in Taiwan’s national interests to have Ma labelled as anti-Japanese. In other words, there is an established mechanism in Taiwan, which functions to enhance ties with Japan for its own strategic survival within the context of the hierarchical Japan–Taiwan relations, regardless of how the domestic political debates on Japan evolve in Taiwan.

Furthermore, it is essential to state here that Taiwan can maintain its de facto independence only by securing Japan and the US as strategic supporters vis-à-vis its relationship with China. On this point, Leng and Liao (2016) analysed the hedging strategy of the Ma administration in the context of Sino-Japanese relations and argued that the administration tried to maximise Taiwan's autonomy and security interests by enhancing its relations with the US, Japan and China at the same time. However, the point that is not adequately discussed in this study is that despite the suggestion that Taiwan's hedging strategy can be a model for other small and middle-sized regional powers in the face of emerging China, Taiwan will remain a de facto state given the absence of international recognition and the existence of the PRC's One-China principle. As such, Taiwan lacks the foreign policy leverage to influence the dynamics of the Japan-US-China great power relations in any meaningful way and continues to be on the receiving end of this triangulated power relationship. Finally, unlike this study's suggestion of Taiwan potentially being a model for the other small and medium-sized regional powers in terms of its hedging strategy, we must address the fact that since it is an unrecognised state, Taiwan cannot be compared with Japan's other regional security partners. As Leng and Liao (2016) also confirmed, Japan is now a major lynchpin in the regional hedging strategy within the context of Sino-US relations. However, Japan has no intention at all to recognise Taiwan, which is a necessary process if Japan were to upgrade its security ties with Taiwan in a high-profile manner. In fact, Japan will likely continue to improve these ties in an incremental and low-key manner in the absence of recognition of Taiwan, which would ensure that Taiwan does not significantly disrupt Sino-Japanese relations.

### **3.2.5 The Taiwan issue in Sino-Japanese relations**

As discussed in Chapter 2, the de facto states are often regarded as issues to be managed, diffused, and ultimately solved as if these unrecognised entities were regional troublemakers. However, if Taiwan is a source of tension in Sino-Japanese relations, there is a clear strategic need for Japan to discipline the state behaviours of Taiwan to ensure the nation contributes to regional peace and stability. Bush (2019) cautioned the potentially more liberalised use of Taiwan's domestic referendum, including in terms of the issue of Taiwan's legal status, since the PRC might interpret such a development as an act of secession and consequently trigger the use of force. Bush (2019) further questioned whether the US's security commitment to Taiwan was solid enough under the Trump administration in the case of an outbreak of war, alluding to the developments of domestic politics in Taiwan, especially pertinent if Taiwan does not obtain prior approval for such acts from the US. As conceptualised in the ESIR, if the great powers can unilaterally impose the rules and norms on the small states (Bull, 1977; Buzan, 2014), it is possible that Japan would also interfere, disagree, or at least express non-agreeable views regarding the developments in Taiwan. This would be especially pertinent if Japan incrementally expands the use of Taiwan as a foreign policy instrument vis-à-vis the PRC. One needs to be reminded of the fact that the former de facto Japanese ambassador in Taiwan, Uchida Katsuhisa, expressed some political disagreement regarding Taiwan's domestic referendum of 2004, which led to Japan's concern over the potential increase in cross-strait tensions and the subsequent adverse effects on Japan's security and national interests (Uchida, 2006, pp.186–194).

Elsewhere, Wang (2000) argued that while Japan enormously benefitted from the 1972 system, where it simultaneously enhanced its economic and political relationships with China and its economic relationship with Taiwan, this geopolitical arrangement has subsequently eroded, largely due to the Taiwan factor in the revised Japan–US alliance guidelines of 1997. Wang (2000) concluded that while Japan’s strategic preference remains a peaceful solution of the cross-strait issue involving China and Taiwan, the strengthened Japan–US alliance locked Japan further into the possible future cross-strait military contingency, albeit reluctantly. Therefore, from this geopolitical perspective, the Taiwan issue is a major cause for concern in terms of Sino-Japanese relations. While Wang (2000) appeared to erroneously believe that Japan recognised China’s claim over Taiwan, he also wrongly suggested that this interpretation means Japan’s Taiwan policy differs from that of the US. Here, it is important to stress that while Wang’s misinterpretation of Japan’s position on Taiwan must be corrected, this study focuses on advancing the view that Japan’s Taiwan policy is indeed unique and creative in terms of its security measures, as will be examined later.

Meanwhile, other analysts approached the Taiwan issue from the perspective of Japan’s past imperial history. For example, Zha (2001) argued that while Taiwan’s inclusion in the Japan–US alliance is troublesome for the PRC, the Beijing government tends to hold that the Taiwan issue is, in strategic terms, more of an issue that must be dealt within the context of Sino-US relations. Here, Zha (2001) suggested that the greater concern regarding the Taiwan issue in Sino-Japanese relations is how the Taiwan-independence advocates in Taiwan and the Chinese Communist Party in Beijing disagree in terms of their respective interpretations of the historical legacy of the Japanese Empire, while the two sides remain sensitive to the Japanese governmental

stance on Japanese imperial history, albeit in different terms. As Zha (2001) noted, this has created both historical and cultural divisions on the two sides of the Taiwan Strait, even though the Taiwan issue is more of an 'irritant' than a 'destroyer' in Sino-Japanese relations.

It is noteworthy that analysts such as Lynch (2018) are expressing their concerns regarding the Trump administration's use of the Taiwan card vis-à-vis China, while other analysts, such as Mazza (2018), are more concerned with the Taiwan–China tensions, with their views seemingly favouring President Tsai's more restrained approach to the cross-strait tension over President Xi's more nationalistic approach, be it real or perceived. Meanwhile, Gries and Wang (2019) argued that Taiwan's underestimation of the PRC's resolve to wage the cross-strait war and the Taiwanese distrust of its military's self-defence capabilities, the PRC's underestimation of the US's political will to defend Taiwan, and the unreliability of the Trump administration may all contribute to miscalculations within the potential cross-strait conflict. If this hypothesis is true, Japan's prudent behaviour vis-à-vis Taiwan is, in conjunction with the Japan–US alliance, even more critical for the regional order. In fact, as Kawashima (2019) pointed out, the Sino-US confrontation, and the US's more visible treatment of Taiwan under the Trump administration in relation to the PRC, have not had a direct impact on Japan's relations with Taiwan.

### **3.2.6 Taiwan as a security asset for Japan**

As examined earlier, Taiwan has no foreign policy leverage to influence Japan's Taiwan-related policy. However, this does not mean that Taiwan cannot be a security asset for Japan. In fact, as Chow (2016) noted, while Taiwan may have only limited access to international economic forums such as the WTO, the APEC, and the Asian Development Bank, it remains a developed economic entity to be reckoned with and is still a crucial global supply chain. Furthermore, Taiwan aspires to being a member of the TPP and the RCEP in the future, despite the PRC's political obstruction. In fact, in this sense, Taiwan needs to work on its internal reforms regarding its regulatory regimes if it is to substantially improve its economic efficiency and transparency in compliance with global standards. Here, Chow (2016) pointed out that even though Taiwan's participation in the TPP may have limited economic dividends for both Japan and the US, the positive net effects for the social well-being in these two countries are potentially huge. It is essential to state here that this means Japan is a significant player given its significant economic status (the largest) in the TPP and the RCEP (the second largest after China), especially after the withdrawal of the US from the TPP's negotiations under the Trump administration. Taiwan is a regional medium-sized developed economic power, and economic power remains an important component in the balance of power for the ESIR (Bull, 1977). Therefore, if Japan invests political capital in its relationship with Taiwan, the latter can still be a security asset for the former, provided Japan can assist in granting Taiwan membership to the trans-regional economic blocks.

Nevertheless, deLisle (2016) argued that Taiwan must adopt more creative approaches if it is to meaningfully participate in international organisations or become a stakeholder in the regional security affairs, such as the issues surrounding the East and South China

Seas. Here, deLisle (2016) largely discussed the role of US–Taiwan relations in improving Taiwan’s international space in addition to the role of Taiwan’s relationship with Japan as a supplementary instrument for enhancing the former’s presence in the diplomatic endeavours. However, if Taiwan wishes to be recognised as a military buffer for Japan, as the former Japanese diplomat in Taiwan Uchida Katsuhisa (2006) noted, deeper investigations into how Taiwan can be a security asset for Japan are required. Furthermore, if Taiwan is regarded merely as a military buffer for Japan, Japan does not need to creatively reconceptualise how Taiwan can be a security asset beyond the military defence of its southern flank. To maximise Taiwan’s underappreciated security resources as well as its economic and technological power, democratic norms, and geographical importance for Japan’s security – even in the absence of international recognition – Japan’s engagement with Taiwan requires more nuanced investigations, as will be undertaken herein.

Meanwhile, other academics, such as Fukuda (2018), have noted the importance of Japan simultaneously balancing its relationships with both China and Taiwan such that it can gain maximum benefits from both sides. Here, Fukuda (2018) argued that while maintaining peace and stability is the most important factor for Japan’s national interests regarding the issue of the Taiwan Strait, given the PRC’s more active security policy vis-à-vis the East and South China Seas, Japan’s relationship with Taiwan is essential due to Taiwan’s geostrategic position, even though the complex dynamics of Japan–China–Taiwan relations render Japan–Taiwan security cooperation highly problematic. However, even Fukuda (2018) admitted the existence of military information sharing between Japan and Taiwan through the deployment of the retired SDF officials and the active officials of the Japanese coastguard in the Japan–Taiwan

Exchange Association in Taipei, the track 2 and track 1.5 security talks between Japan and Taiwan, and so on. This means that Japan has been navigating the complexity of the One-China policy to incrementally improve its security cooperation with Taiwan in ways that would not destabilise Japan–China–Taiwan relations. In other words, if Japan uses its security relationship with Taiwan more creatively, it can utilise Taiwan as a security asset for its own regional security interests. Overall then, low-key but creative security interactions between Japan and Taiwan are essential.

### **3.2.7 Japan's quiet and creative diplomacy vis-à-vis its relationship with Taiwan**

The hierarchical relations between Japan and Taiwan, and the existence of the China factor, result in the political need for Japan to resort to creative diplomacy to navigate the ambiguities of the One-China policy. The positive aspect of creative diplomacy is that it helps conceptualise Taiwan as a quasi-dialogue partner or even as a low-key and hidden but cooperative partner for regional security affairs, albeit incrementally.

Kawashima (2016) argued that the stable cross-strait relations between China and Taiwan under the Ma administration led to the PRC taking a non-interference stance vis-à-vis Japan–Taiwan relations, and advanced the argument that Japan and Taiwan were able to sign high-profile agreements, including the fisheries agreement, without a significant negative reaction from the PRC. Furthermore, Kawashima (2016) concluded that Japan–Taiwan relations are closely structured in relation to the 1972 system and the Japan–US alliance. Certainly, as was discussed above, the China factor continues to affect the development of Japan–Taiwan relations, and Japan's security policy



remains centred on the Japan–US alliance. However, such a mechanistic understanding understates the nuances of Japan’s creative diplomacy, which incrementally expands Japan’s security engagement with Taiwan, even under the framework of the 1972 system and the Japan-US alliance. Despite the recent cross-strait tensions under the Abe and Tsai administrations, it is noteworthy that Japan and Taiwan enhanced their law enforcement cooperation in the form of the anti-smuggling agreement, the expansion of intelligence sharing, and the coastguard exchanges, including the conclusion of the bilateral maritime rescue and search agreement, as will be examined in the chapters on the ICAO and CSD.

Meanwhile, Thomas and Williams (2017) argued that in terms of Japan–Taiwan relations, Taiwan’s para-diplomacy conducted via subnational interactions with its counterparts in Japan enhances the attendant relations, and the hybridity of high-politics and low-politics can be blurred in this context since the low-politics in Taiwan often affect the enhancement of the high-politics. This development was manifested in how Taiwan’s massive civilian financial donations provided to Japan further improved the Japanese people’s positive sentiments toward Taiwan, and in how, as a window for negotiations, the Japanese non-official proxy authority also responded to Taiwan’s overtures for the conclusion of the fisheries agreement, as will be examined in the chapter on this agreement. Elsewhere, Thomas and Williams (2017) analysed how certain subnational actors in Taiwan often play the proxy role of the central authority, including in the negotiations over the fisheries agreement with Japan, and discussed how the central authority in China is sensitive toward the subnational ties among local authorities in Japan and Taiwan that bypass the bilateral government-to-government ties in the context of the One-China principle. It is certainly true to say that Taiwan is

fairly adept at creatively enhancing its ties with Japan – perhaps with the exception of the MOFA-based central authority diplomacy – in the absence of Japan’s governmental recognition, and there is certainly room for further expansion of such subnational ties between the non-state actors from Japan and Taiwan in economic, cultural, social or even occasional political terms. Meanwhile, as argued by Deans (2001), while there are a number of de facto institutionalised bilateral channels between Japan and Taiwan regarding routine tasks such as issuing visas – which may function in the role of de facto embassies due to the nature of informal politics – Taiwan has to rely on informal channels to enhance its ties with Japan, channels that present clear limits to what is possible, especially in terms of high-politics. Specifically, Deans (2001) focused on the role of Nikkakon, the group of Japanese lawmakers that engages in informal parliamentary diplomacy with Taiwan in the absence of official ties. However, as Deans (2001) pointed out, such informal ties are somewhat fragile since they are significantly influenced by the overall directions of Japanese domestic politics, and the Taiwanese reliance on Japanese individual politicians can be personality-based.

However, these studies failed to address how, in terms of security and military ties, the role of the Japanese state is essential since the Japanese central authority maintains a grip on the SDF, the coastguard, and the national police agency for national security, while it also failed to address how it is up to the government of Japan to decide whether Japan is interested in enhancing its security ties with Taiwan. As will be examined later, Japanese informal diplomacy does play a role in enhancing the security ties with Taiwan, especially since Japan’s One-China policy is premised on non-military, non-security and/or non-political interactions with its neighbour. In other words, it must be pointed out that the government of Japan uses proxy diplomacy in creative ways to

communicate regarding the strategic, military, and security issues with Taiwan through the track 2 and track 1.5 security dialogues via the retired officials and active academics operating as proxies, including the participation of former prime ministers such as Abe (before he became the prime minister again), the parliamentary diplomacy, or the informal window of the communication channels with Taiwan in the absence of official ties, as will be elaborated on in the three case study chapters.

Importantly, in contrast to the times within which Deans (2001) discussed the limited roles of the institutionalised informal communication channels that were not capable of handling the high-politics in 2001, it would appear that Japan has incrementally expanded the roles of such informal communication channels with Taiwan, including within the security dimension. Yeh et al. (2015) argued that Japan and Taiwan concluded the fisheries agreement by shelving the issue of sovereign ownership of the Senkaku Islands and by allowing the fishing vessels of both sides to fish without being interfered with by the respective maritime law enforcements within the de facto EEZs through the non-official (yet officially empowered) proxy agencies in 2013. Nevertheless, Japan continues to consider the China factor due to the PRC's claim over Taiwan, and this special treatment only applies to Japan and Taiwan within the context of the fisheries agreement over the East China Sea. Importantly, Yeh et al. (2015) pointed out that, in fact, Japan considered Taiwan to be a claimant separate from the PRC in relation to the issue of the East China Sea, and effectively eliminated its strategic concerns over the cross-strait united front, which could have placed Japan under significant geopolitical pressure regarding the defence of the East China Sea. In fact, the two sides utilised an amicable bilateral relationship that differs in nature to Japan's other bilateral ties in Northeast Asia. Yeh et al.'s (2015) collaborative work on

the Japan–Taiwan fisheries agreement helps to illuminate Japan’s strategic calculation that resulted in this creative diplomacy, that is, Japan’s utilisation of the aforementioned semi-official proxy agencies such as the former Interchange Association, which engaged in negotiations with Taiwan, albeit with the attendance of officials from governmental agencies from both sides. Here, even in the absence of the Japanese government’s lack of recognition of Taiwan, Taiwan was tacitly recognised as an ‘semi-official actor’ in the issue of the East China Sea, while the bilateral fisheries committee was established such that the follow-up issues could be handled in a bilateral context. While Yeh et al.’s (2015) assertion that the creation of a regional fisheries management organisation that includes Japan, China, South Korea and Taiwan in the East China Sea will not be seriously considered due to Taiwan’s lack of international recognition and its lack of foreign policy leverage, it can be stated here that this does indicate that a relatively low-key and minor issue, such as the conclusion of the fisheries agreement with Taiwan, represents significant geopolitical behaviour in terms of Japan’s creative diplomacy, while utilising Taiwan as a security asset, as will be elaborated in the chapter dedicated to the fisheries agreement.

### **3.2.8 Semi-institutionalised Japan–Taiwan proxy communication channels and Sino-Japanese great power management**

If Japan is to utilise Taiwan as a security asset, the former must communicate with the latter regarding security issues while navigating the ambiguities of the One-China policy. Here, Japan must engage through creative means. In other words, it is clear that the incremental semi-institutionalisation of the informal communication channels between Japan and Taiwan that define the latter as ‘a dialogue partner’ or ‘a de facto

stakeholder' are gradually becoming semi-normalised, which is helping to encourage Taiwan to behave in accordance with Japan's security preference or its standard of civilisation within the international liberal order, while not excessively disrupting Japan's relations with the PRC in the context of its One-China policy for regional great power management.. Therefore, while Taiwan suffers from its international exclusion, Japan has been providing help to allow its neighbour to enhance its links with international society through the alternative means of quasi-formal communication channels to incrementally accommodate Taiwan into the regional security environment in ways that do not require Taiwan's statehood for membership.

Specifically, for the case of Taiwan, Bartmann (2008, pp.117–118) stated that 'Taiwan's unique position in the international system is that it is able to follow established diplomatic protocols in some situations', adding that it 'must resort to paradiplomacy in most of its critical relationships with other states'. Elsewhere, Abb and Yang (2018) argued that while Taiwan gives greater autonomy to the smaller and medium-sized think tanks in terms of creating ideational diversity under the democratic regime, in comparison with the highly centralised think tanks that are politically loyal to the CCP in the PRC, Taiwan has skilfully used the established major think tanks for the track 2 diplomacy and has nurtured personal ties with its counterparts in the region amid its international isolation and the PRC's sanctions. Furthermore, as Abb and Yang (2018) noted, Taiwan's major think tanks are coordinating with the Kyoto University's prestigious Southeast Asian Studies programme to enhance President Tsai's top foreign policies, such as the New Southbound Policy, to explore collaborations with their counterparts in Southeast Asia. Regarding this point, the former de facto Japanese director in Japan-Taiwan Exchange Association Ogata Makoto (2016, p. 20) pointed

out that while the PRC is indicating its stance in attempting to constrain the Tsai administration's foreign policy behaviour, Japan and Taiwan need to strengthen the track 2 diplomacy and the civilian exchanges between the two nations, especially since Taiwan has numerous potential high-profile officials in waiting in Taiwanese think tanks, who may play a central role in the decision-making body of the government if there is a change of administration in Taiwan.

Here, it is essential to point out that Japan's dual relations with Taiwan and the PRC still operate under the framework of its One-China policy, and that Japan will not destabilise the triangulated relations for the sake of enhancing its ties with Taiwan, even though the nation is utilising Taiwan as a foreign policy instrument for its own security and that of the region in general. In this process, while Japan may incrementally semi-officialise its informal communication channels with Taiwan, the management of the inevitable tensions between Japan's One-China policy and the skilful use of semi-institutionalised informal communication channels in a way that does not incur the wrath of the PRC are essential for Sino-Japanese regional great power management. Regarding this point, President Tsai (Office of the President ROC, 2 March 2019) asked Japan to begin bilateral security talks through the respective communication channels in ways that respect Japan's preferred form and prioritise the substance of security communication, while she also expressed her understanding of the legal difficulty that stems from the absence of Japan's legal recognition of Taiwan, subsequently requesting Japan to overcome such obstacles in an interview with *Sankei Shimbun*. However, it is clear that Japan is not interested in Taiwan's plea. Meanwhile, Kingston (2018) argued that Japan has become more resolute in enhancing its ties with Taiwan in a way that is less attentive to the PRC's sensitivity on Taiwan in recent years, especially under Abe.

In the light of this regional strategic environment described by Kingston (2018), the current research will observe how Japan has incrementally expanded the scope of such informal proxy communication channels with Taiwan. If Japan concludes that Taiwan is improving the former's security, it may reward Taiwan by widening the opportunities for a greater range of foreign policy exchanges in semi-official communication channels. Furthermore, as was discussed above, the role of Nikkakon in the political communication with Taiwan is becoming ever more critical in Japan–Taiwan relations, and other forms of 'quasi-official' informal communication channels are emerging to facilitate the bilateral discussions and negotiations of the relevant regional security issues, as will be examined in the case study chapters.

### **3.3 Literature on Japan's Foreign Policy Instruments**

This section reviews the literature on the recent developments surrounding Japan's foreign policy instruments to elucidate what the nation is willing to do and what it is not willing to do in terms of its security relationship with Taiwan within the context of its One-China policy. As noted in the introductory chapter, it is up to Japan's political decision-makers to determine the acceptable framework, meaning Japan has the overwhelming authority to decide what is possible and what is not possible in its security interactions with Taiwan in view of appeasing the PRC. Here, Japan carefully manoeuvres the ambiguity of its One-China policy so as not to breach the framework too much while incrementally maximising Taiwan's potential for enhancing Japan's security in the region. The section also aims to elucidate on how Japan's utilisation of Taiwan as a foreign policy instrument for its own security remains more incrementalistic in comparison with Japan's other security partners vis-à-vis its

complicated relationship with the PRC, regardless of whether Japan adheres to the Yoshida Doctrine or shifts to the more radical Abe Doctrine. Importantly, if Japan's security interactions with Taiwan are deemed to enhance normative regional order via non-kinetic and non-traditional security cooperation, Japan will be more willing to utilise Taiwan as a foreign policy instrument within the context of its One-China policy. It is noted here that Japan's non-traditional security cooperation with Taiwan must not involve high-profile kinetic military components, and must be regarded as normative, humanitarian and non-coercive from the perspective of international security norms and Japan's domestic pacifism. Thus, Japan-Taiwan non-traditional security ties will not breach its One China policy.

### **3.3.1 Yoshida Doctrine or Abe Doctrine?**

Singh (2016) argued that Japan's security identity that was shared among the Japanese institutions during the Cold War, was the peace-state security identity that shaped and constrained Japan into being a minimalist, economic-based, and reactive state in terms of its security, which favoured its subordinate position in the Japan-US alliance that was built on the Yoshida Doctrine. In the post-Cold War period, this was replaced by the internationalist identity that shaped Japan's security policy into being more internationalist and more proactive in giving Japan a more balanced role both within the context of the Japan-US alliance and outside of it. Furthermore, as Singh (2016) noted, Japan's peace-state identity was built on the civilian bureaucrats who prioritised the MOFA and the MOIT in Japan's security policy-making body, reducing the MOD to a weaker position in the process, while the change in the balance of power during the post-Cold War period in Japanese domestic institutional politics allowed the



internationalist security identity to flourish, which increased the role of the SDF and the MOD in the framework of the Japanese security policy-making body. Meanwhile, the ‘presidentialisation’ that afforded the prime ministers a greater role allowed for swifter and more powerful security decision-making actions, which was manifested in the refuelling missions in the Indian Ocean and the dispatch of the SDF in Iraq.

Meanwhile, Pehlivan Türk (2016) argued that Japan has been shifting from being a pacifist or peace state, wherein the concept of the national role stemmed from the Yoshida Doctrine, to an international peacekeeping state, utilising human security and comprehensive security in greater degrees through the more active use of the PKO for international security in the post-Cold War era. This is largely due to international pressure, the changes in domestic leadership and the social norms, and Japan’s stronger desire for international prestige, which includes its aspirations to be a permanent member of the UNSC. As such, Japan’s national conception role expanded the territorial conception of its national security from one of homeland defence to one of world security through peacekeeping. Here, it is clear that the evolution of Japan’s security identity in the post-Cold War era also enhanced its more proactive stance in its engagements with Taiwan while being less attentive to the PRC’s hypersensitivity on Taiwan, as will be discussed in the chapter on the fisheries agreement.

Meanwhile, Lande (2018) claimed that in examining the reassurance, arms, and alliance building, Japan’s security policy vis-à-vis China continues to be explained in terms of defensive realism. In Lande’s view (2018), even under Abe, Japan has not deviated from the Yoshida Doctrine, and insists that Japan has certainly increased its capabilities both independently and in its role in the Japan–US alliance, while it continues to focus

on homeland defence. It is essential to state here that Taiwan is Japan's de facto defence proxy or at least a less-recognised military buffer. In short, Taiwan functions as a deflective barrier in the face of the PLA's significant military resources, which could otherwise be directed at Japan. Indeed, the mere existence of Taiwan as a separate entity to the PRC reduces the Chinese military pressure on Japan's southern flank. Furthermore, Japan's recent increased military presence in the East China Sea is encouraging Taiwan to accept its neighbour's defence strategy, albeit indirectly, which is exemplified by the way that Taiwan has been paying close attention to Japanese deployments of land-based anti-ship missiles in the Nansei Islands, as will be examined in the chapter on CSD.

Meanwhile, other authors, including Hughes (2017), have asserted that Japan is shifting to the Abe Doctrine, which means it is more likely to resort to the use of force in order to assist the US's war efforts due to international structures such as the Japan-US alliance, the indivisibility of the US's national security interests with those of Japan, and the weakened domestic hurdles for restraining Japan's domestic decision-making bodies. However, it is clear that regardless of whether Japan adheres to the Yoshida Doctrine and continues to pursue international security incrementally or whether it shifts to the Abe Doctrine and seeks a more radical shift in national security policy, its security interactions with Taiwan remain unquestionably incremental. As will be examined in the chapter on CSD, Taiwan's ambiguous status in the Japanese conception of CSD in the absence of international recognition, Taiwan's role in the Sino-Japanese regional great power management issue, and the absence of Japan's recognition of Taiwan's statehood render Japan's security interactions with Taiwan gradualist at best. Therefore, Japan's security interactions with Taiwan offer the least researched case to

demonstrate how the former's foreign policy is not determined by foreign pressures alone. Precisely because Japan's security interactions with Taiwan face numerous hurdles, this offers a unique case study for elucidating on how Japan creatively utilises Taiwan as a foreign policy instrument to enhance its own security vis-à-vis the PRC in ways that will not excessively antagonise its powerful neighbour.

### **3.3.2 Japan's utilisation of international norms and rules as foreign policy instruments**

The current foreign minister, Kono (2018), emphasised that the key aspect for the Indo-Pacific strategy is Japan's strength in enhancing the 'rule of law' and its 'high-quality agreements' while cooperating with the various stakeholders, including the PRC, and stated that Japan's strategic vision does not go against the PRC's One Belt One Road; rather, it aims to ensure Japan's contribution will complement the PRC's vision. Therefore, it must be stated here that Japan is not necessarily interested in confronting the PRC.

Nonetheless, Asplund (2018) argued that Japan is only interested in linking the provision of the ODA to the ASEAN states as a collective unit as a way of 'othering' China to enhance the strategic upper hand in the context of Sino-Japanese competition in the region. Here, Asplund (2018) pointed out that Japan is not interested in bringing up the issue of universal values such as human rights or democracy in providing the ODA in the context of bilateral ties with the individual ASEAN member states for political reasons, such as Japan's history of regional imperialism, the risks of pushing the ASEAN member states further into the geopolitical orbit of China, and the non-

subscribing attitudes of the illiberal regimes among the ASEAN member states, except for the enhancement of the maritime rule of law through the capacity building of the maritime law enforcements for the littoral states in the South China Sea. For these reasons, Asplund (2018) argued that Japan is probably not interested in being a normative power in the region, except for the relatively successful case of Japanese normative diffusions of enhancing the maritime rule of law as a foreign policy instrument to achieve the upper hand over China in the region. Meanwhile, Dreyer (2019) claimed that Japan and Taiwan will resort to their mutual geostrategic importance, their shared democratic values, and the generally positive perceptions of the Japanese colonial era in Taiwan to improve the bilateral ties, while neither side is interested in antagonising the PRC, even under Abe and Tsai.

As such, it can be stated here that it would appear that Japan is utilising additional foreign policy instruments when it comes to Japan–Taiwan relations, such as the shared democratic values and its colonial ties with Taiwan, as opposed to its individual bilateral ties with the ASEAN member states, where these normative and ideational factors are retained as marginal priorities on bilateral levels, despite the geopolitical fact that Japan utilises its strategic ties with both Taiwan and the ASEAN member states to enhance its power balance in relation to the PRC. In other words, Japan can utilise universal values such as human rights and democracy and its past imperial history to enhance its ties with Taiwan in positive ways, which is not the case for its relationships with its individual partners in South East Asia.

Elsewhere, Foot (2017) stated that contrary to the power transition theory, the US has used great power management techniques as a foreign policy approach to stabilise its

power relationships with Japan and the PRC. According to Foot (2017), the US instrumentalised its alliance with Japan from the 1990s on to encourage the latter to increase its security role within the Japan–US alliance for regional and global security purposes. As such, Japan would not be an independent strategic power capable of challenging the US’s primacy. In addition, the US initially considered the PRC to present a weak counterbalance vis-à-vis the Soviet Union, and encouraged the normative alignment by helping the PRC to join the WTO with the caveat that it would encourage the PRC to liberalise its political regime in the future, such that the PRC and the US would converge in mutual national interests. Here, Foot (2017) pointed out that the problem is that while the US and the PRC achieved a degree of convergence in their shared understanding of global governance, the PRC ended up being a military challenger to US dominance in the region while Japan did not develop into such a comprehensive challenger due to the Japan–US alliance. Foot (2017) went on to highlight that in terms of Sino-Japanese relations, while the PRC is unwilling to give Japan the great power status that Japan feels it deserves, Japan is enhancing its internal balancing and external balancing, including in terms of the capacity building of the Philippines and Vietnam and forging greater political and strategic ties with India and Australia. It is important to state here that, at present, Japan is not showing any significant sign of potentially violating its One-China policy in its relations with Taiwan, with the exception of the case of the fisheries agreement, which can be interpreted as a sign of the violation of great power management if adherence to the One-China policy is defined as a rule and the code of conduct in Sino-Japanese relations.

### **3.3.3 Japan’s non-kinetic use of the SDF for peace diplomacy**

Patalano (2015) argued that while the coercive nature of the naval forces and the attendant regional developments may lead to regional security competition, in terms of Japan, the nation has also instrumentalised the MSDF for trust-building through the HADR for Japan's foreign policy. Specifically, Patalano (2015) pointed out that natural disasters are becoming increasingly significant regional risks to human security, particularly in the Asia Pacific region, and since Japan has a complex military history in view of its past imperialism, the existence of Japanese domestic pacifist norms – and the fact that Japan is a maritime state itself – the role of naval diplomacy for peaceful purposes in the context of the HADR will continue to be essential for Japan's regional security initiatives. It is essential to state here that Japan's peaceful utilisation of its MSDF is manifested through the enhancement of security relations with other security partners.

For example, as Patalano (2016) argued, despite the fact that Japan–NATO security relations have undergone gradual improvements, it was the anti-piracy operations by the navies of Japan and NATO that enhanced the naval cooperation, interoperability, and operational coordination. As such, Japan uses its MSDF as a foreign policy instrument for naval cooperation to enhance global common interests, such as the sea lines of communication, maritime governance and stability, and to combat any international non-traditional security threats (Patalano, 2016). Meanwhile, Patalano (2016) admitted that the return of sea control and traditional naval deterrence cannot be dismissed due to the rise of China and a resurgent Russia. However, Patalano (2016) also pointed out that even China and Russia joined the anti-piracy operations in the Gulf of Aden, which means the era of global naval cooperation continues to hold sway, including in terms of Japan's instrumentalisation of its MSDF for peaceful purposes.

Clearly, since Japan's One-China policy disallows it from engaging in explicit defence ties with Taiwan, a high-profile defence diplomacy with Taiwan is not an option, except in terms of some form of ad hoc intelligence sharing. However, Taiwan's autonomous self-defence capability would help to contribute to the stable development of the crucial sea lines of communication around Japan's southern flank, albeit indirectly, provided Taiwan remains a de facto state. In addition, Japan has been indirectly involved in the defence of the sea lines of communication near Taiwan since the later part of the Cold War, as exemplified in the 1,000 nautical miles of defence, as will be examined in the chapter on CSD.

#### **3.3.4 Japan's instrumentalisation of the security partnership to enhance defence interoperability and normative power**

Bacon and Burton (2018) argued that although it was NATO that initiated the concept of natural partnerships and strategic parallelism as strategic narratives, Japan was a good recipient of such strategic narratives, and Abe instrumentalised such strategic narratives to enhance the security and political relations with NATO by conceptually linking the instability of Eastern and Central Europe (e.g. Ukraine) and the issues of the East and South China Seas for Japan. Furthermore, NATO's concept of collective security was also instrumentalised by Japan to enhance military interoperability, including in terms of the issue of piracy in the Gulf of Aden and in the horn of Africa. While Japan does not regard NATO as a major participant in the hard security issues of the Asia Pacific region, especially in terms of the issue of the East China Sea, it still views it as a normative and political power, one that shares the norms of rules-based

order and the rule of law in the international liberal order. For certain, Japan is still somewhat displeased with how NATO mishandled the issue of Crimea, and with the general expansion of NATO and the EU. Japan made an overture to Russia, and both sides are still committed to the development of these strategic narratives in enhancing ties between the nations.

Similarly, it can be stated here that Japan also uses shared liberal democracy, human rights, and the notion of an 'important partnership' as strategic narratives vis-à-vis its relationship with Taiwan. Much like how Japan and NATO diverge in terms of their respective interests with Russia, Japan is not necessarily willing to commit itself to Taiwan's security explicitly due to the concerns over antagonising the PRC. Nevertheless, the mere existence of Japan as a regional power does provide the geostrategic balancing effects for the survival of Taiwan vis-à-vis the PRC.

Vosse (2018) argued that Japan instrumentalised its anti-piracy operations to enhance its naval cooperation with international actors such as NATO, the EU, and other independent deployers in the Gulf of Aden. Here, in obtaining significant operational experience from working with non-US partners, Japan proved to both its own people and the international community that it has the capabilities to deploy its naval and aerial forces in the distant military bases in Djibouti, utilising its own successful regional anti-piracy contributions in Southeast Asia – such as ReCAAP and the Information Sharing Centre – to diffuse such international security norms in the Gulf of Aden. The nation thus gained an opportunity to contribute a Japanese commander to the multinational force, and somewhat influenced its own international security policies, such as Abe's CSD policy. Furthermore, as Vosse (2018) concluded, in terms of de-centring from the



US, Japan indeed increased its own foreign policy leverage and independent international security contributions from this experience. It is essential to state here that as Japan gains more independent international security instruments besides the Japan–US alliance, this also influences its autonomous foreign policy leverages vis-à-vis the cross-strait issues. However, Japan will not engage in high-profile security partnerships with Taiwan akin to Japan’s security ties with NATO, the EU, and other international actors due to its One-China policy. Elsewhere, Wu (2018) pointed out that Taiwan cannot even participate in multilateral security forums, including ReCAAP.

### **3.3.5 Japan’s utilisation of non-traditional security efforts in accordance with international norms**

Ishizuka (2013) argued that Japan’s instrumentalisation of the PKO, the anti-terrorism units, and the HADR for international security would raise its status and prestige in international society, would improve its security vis-à-vis non-traditional security threats and would enhance its prospects of being a permanent member of the UNSC. However, Japan still needs to improve its overall crisis management capabilities including in terms of its rapid deployments, logistical capabilities, and a more flexible use of force by amending its constitutional restraints (Ishizuka, 2013). In addition, Ishizuka (2013) pointed out that while Japan’s instrumentalisation of the PKO and the anti-terrorism units is political, the HADR is more normative, which means the latter is the least controversial approach, while the capabilities required for non-traditional security issues are all interconnected and cannot be developed independently.

Elsewhere, Iwami (2018) argued that contrary to the realist arguments made by Hughes (2015), which overstate the security reform initiated by Abe as revolutionary and radical, Japan's security reform appears to be more incremental, as is argued by constructivists such as Oros (2015, 2017a, 2017b) and Singh (2013a). Here, Iwami (2018) claimed that even though the human securitisation of the ODA under the legal reforms of the Japanese security policy is observable and, in theory, the geographical scope of the Japanese PKOs has been expanded, including in terms of the participation of the non-UN authorised missions and the more flexible use of force in certain conditions, Japan remains reluctant to instrumentalise the SDF for peacebuilding operations, including in the issue of Mindanao. Iwami (2018) concluded that Japan is likely to continue to instrumentalise the ODA to contribute to peace and stability in the post-conflict resolutions in Marawi.

Meanwhile, Matsuda (2012) pointed out Japan would not yield to its One China policy if Japan's cooperation with Taiwan in global security is humanitarian in nature or may affect Japan's public health issues without Taiwan's participation. Japan has enhanced the bilateral non-traditional security cooperation with Taiwan by increasing the bilateral coastguard search and rescue cooperation, as well as by increasing its anti-terrorism activities, its anti-transnational organised crime cooperation, and its economic security cooperation with airspace and aviation security implications – such as the bilateral Open Skies Agreement, and the civilian HADR cooperation – in ways that do not conflict with its One-China policy in view of enhancing its security, as will be examined in the chapters of CSD and the ICAO. Since Taiwan is geographically located in a geostrategic chokepoint that connects Japan, South East Asia and the PRC via the interconnected seas and airspace, the role of non-traditional security in enhancing the

stable border security between Japan and Taiwan is crucial to minimising the risks of maritime, aerial, and transnational organised crime as well as terrorism. These non-traditional security threats may originate from Japan's southern neighbours, including both Taiwan and South East Asia, and there is a lesser-known non-traditional security role of Taiwan in law enforcement that contributes to Japan's security, as will be examined in the ICAO chapter.

Meanwhile, Heng (2015) argued that Japan has been utilising its smart power, which involves integrating the hard and soft powers of the military and civilian assets such as JICA, JCG, and NGOs in the arenas of the Gulf of Aden, Iraq and the South Pacific in terms of anti-piracy operations, humanitarian reconstruction efforts, and HADR for its international security efforts. While the military may be threatening and coercive in nature, depending on how it is utilised, it can also generate the combination of hard and soft power, which amounts to smart power for Japan, which is essential if the SDF is to establish some legitimacy, trust and coordination among the target countries and international society in general. Finally, Heng (2015) pointed out that although the use of smart power may be regarded as taking away the necessary resources from the SDF for traditional tasks such as countering the threat of North Korea and China, the use of smart power through the SDF for international security will increase Japan's allies and friends within international society. It can be stated here that Japan similarly utilises Taiwan as a foreign policy instrument to expand its regional security contribution by utilising the latter's relatively affluent security resources, especially in Southeast Asia and in South Pacific Region, in the field of non-traditional security in ways that do not violate Japan's One-China policy.

Meanwhile, Cohen (2018) argued that the current US foreign policy that appears to reduce its internationalist security commitment is not of Trump's making but signals a more foundational shift in the US, which was mainstream prior to WW2, especially among the older generation of the Americans including the elites that understood America's importance as a vanguard of international security vis-à-vis the rise of fascism. With the disappearance of Communism, the US is likely to be more transactional in its approach to international security. Arguably, the government of Japan is concerned about the absence of US leadership in global security and governance. Therefore, if the US's general willingness to provide for global security turns out to be uncertain in the long term, including in the Asia Pacific region, it is possible that Japan will have no choice but to shoulder more responsibility, albeit unwillingly, for the stable development of the regional order, including in terms of the security of the sea lines of communication in the East and South China Seas. Within this geopolitical context, Japan may become incrementally more interested in utilising Taiwan's security resources indirectly for its own security in the context of its One-China policy.

### **3.3.6 Japan's diversification of security partners**

Fatton (2018) argued that the main reason why Japan is enhancing its strategic autonomy from the US and is increasing its hard balancing actions against the PRC relates to how it perceives the growing unreliability of the US as a security guarantor for Japan's national security and the PRC's increasingly coercive behaviour vis-à-vis the issues of the East and South China Seas. Japan is using internal balancing and a diversification of its security partners in the region as instruments to bolster its autonomy as a hedge in the context of the Japan-US alliance and to counterbalance the

rise of China. Meanwhile, Hughes (2018) examined the Japanese diversifications of arms transfers and arms exports and imports as part of a case study and concluded that Japan has been hedging against abandonment and entrapment in the context of the Japan–US alliance ‘within’ this bilateral alliance, not ‘outside’ of the alliance, which is central to Japan’s security policy. Here, Hughes (2018) pointed out that Japan may also attempt to reduce the expensive arms costs by joining an international collaboration in terms of arms developments, while all the security partners that Japan is pursuing to enhance its security ties for the arms transfer strategy are also allies or partners of the US.

In contrast, Auslin (2016) argued that Japan is attempting to increase its security contributions through a more robust security policy, that is, a strengthened alliance with the US and the security partnerships with like-minded countries such as India, Australia, and the ASEAN states, commensurate with its economic power to ensure that the international liberal order in the Asia Pacific is maintained, and that no single power – especially the authoritarian state of China – dominates the region. As such, Japan is embracing realism in its foreign policy while the population remains pacifist.

Gronning (2017) claimed that the fact that Japan has been enhancing its bilateral security ties with the Philippines and Vietnam at the expense of the Cold War-style security dependence on the US can be explained by multiple factors, both domestic and international. These include the sudden shift in the geopolitical balance of power in the region with the rise of China, and the existential challenge to Japan’s national security interests in the maritime domain, the domestic reforms of the security policy and the attendant stance in Japan, Japanese nationalism, and the nation’s attempt to mitigate its concern about the uncertainty of the Japan–US alliance, developing its own foreign

policy leverage to keep the US committed to the security of Japan within the context of the Japan–US alliance. However, Gronning (2017) also pointed out that Japanese security ties with the Philippines and Vietnam have domestic and international constraints that keep the development of the bilateral security relations incremental, namely, the latent power disparity between Japan and China, Japan’s significant edge in terms of the overall power disparity between the two regional security partners, Japanese domestic norms of pacifism, and Japan’s preoccupation with the security of the East China Sea in relation to the South China Sea.

It can be stated here that Japan cannot explicitly engage in a security partnership with Taiwan in the absence of Japan’s recognition of Taiwan, as it does with other security partners such as India, Australia, and the ASEAN member states. The reason for this is straightforward: if Japan enhances its military ties with Taiwan, this will breach its One-China policy and will induce the risk of destroying the relationship with the PRC. Thus, Taiwan may declare itself an important partner for Japan, while this creates a strategic need for Taiwan to demonstrate its worth as a valuable partner and to regularly remind Japan of its often-forgotten existence in the hierarchical Japan–Taiwan relations in international society. Nonetheless, Taiwan will never be officially designated as Japan’s defence partner and Japan will not officially express its commitment to the defence of Taiwan. However, Taiwan may still be useful for Japan in terms of its power politics with the PRC even if Taiwan remains a non-state actor, provided Japan utilises Taiwan strategically as a foreign policy instrument in the context of its One-China policy.

### **3.3.7 Japan’s pacifist identity**

Gibson (2016) argued that although Japan's pacifism remains tentative, and there is a disturbing trend of a nationalistic shift in Japanese society, the significant number of peace actors in Japanese domestic politics continue to push for peace education. In his words, '[c]onflict, as peace education teaches, is inevitable; the means to resolve conflict need not be, however, a default setting of violence' (Gibson, 2016, p.106). In contrast, Patey (2017) maintained that the pacifist national identity in Japan remains highly robust, to the point, in fact, that even a minor global security contribution – such as that of the PKO in South Sudan – may trigger a large backlash at home if handled inappropriately and may potentially result in the downfall of the Abe administration, given the former defence minister Inada's resignation over the issue of the cover-up of the military log in the MOD.

Other scholars of Japanese pacifism have analysed Japan's pacifist norms within a historical context. Here, Anno (2018) observed that there have always been some tensions between Japan's national identity and the notion of democracy, noting that in the later part of the Edo period, with the arrival of the black ships, as the shogunate was regarded as incapable of achieving modernisation, the larger political actors were invited into the creation of the political community in Japan, which led to the nascent form of political liberalisation. In Anno's (2018) view, during the Meiji period in Japan, as the sovereign ruler, the emperor allowed Japan to adopt Western modernisation and various domestic political reforms in the context of imperial rule to join the elite Eurocentric international society. Meanwhile, Japan responded to the nascent form of domestic democratic experiments and attempted to enhance its more liberal international norms in international society in accordance with the Wilsonian ideals (Anno, 2018). In the post-war period, Japan's national identity was firmly rooted in the

domestic pacifist norms, which infused the Japanese with a unilateral pacifist narrative as opposed to making democratic development a key component of its national identity. Therefore, as Anno (2018) argued, Japan has been more interested in peace diplomacy than democracy promotion in its foreign policy agenda. Even in the contemporary context, Japan has not yet found a way to reconcile the tension between its unilateral pacifism – which also involves somewhat revisionist historical narratives – and its democratic development that has some elements of parochialism – all of which complicate Japan’s relationships with its immediate neighbours. Meanwhile, Curtis (2013) argued that Japan’s foreign policy since the Meiji Restoration has maximised its standing in the prevalent international system as opposed to making it in its own image, and stated that Japan is likely to adhere to the Yoshida Doctrine even under Abe. Curtis (2013) concluded that despite Abe’s nationalist tendency, the radical departure from the previous foreign policy – manifested in its autonomous foreign policy with the fully-fledged military – is unlikely, if Japan continues to believe that the security relationship with the US in the context of the US’s regional dominance is maintained and that the economic relationship with China benefits Japan.

As discussed in the previous chapter, there exists a general bias against the secession movements, with unrecognised entities labelled as troublemakers in international society, and the PRC is obliged to resort to non-peaceful means including the use of force by the anti-secession law if Taiwan becomes a *de jure* state. Therefore, Japan must consider its domestic pacifism with reference to these geopolitical factors. Some may argue that such a domestic pacifist norm has been weakened, but are the Japanese people willing to be involved in a cross-strait kinetic conflict? Whether Japan remains pacifist or not, if the Taiwan Strait is a regional flashpoint, Japan is likely to utilise



Taiwan in ways that contribute to the alleviation of regional security issues. Thus, Japan will utilise Taiwan to enhance the stable development of the regional order based on Japan's pacifist norms in ways that would not provoke the PRC excessively in the context of Japan's One-China policy, even though it will continue to provide deterrence for Taiwan vis-à-vis the PRC through the Japan–US alliance and through its own unique initiative. Therefore, in order to make Japan-Taiwan security interactions normative, humanitarian and less coercive, they will be kept low-key but comprehensive non-traditional security cooperation in ways that do not violate Japan's One China policy excessively. All these factors will likely ensure Japan's security interactions with Taiwan remain incrementalistic, regardless of whether Japan adheres to the Yoshida Doctrine or shifts to the more radical Abe Doctrine, while utilising Taiwan to enhance normative developments in the region.

### **3.4 Taiwan's Diplomatic Exclusion and Japan's Socialisation of Taiwan through International Security Norms**

This section reviews the existing literature on Taiwan's diplomatic handicap, which conceptualises how Taiwan cannot participate in the multilateral security forums that require 'statehood' for membership. It can be stated here that precisely because Japan is restricted in its hard security relationship with Taiwan by its own One-China policy, it needs to instrumentalise Taiwan as a quasi-autonomous non-traditional security actor for Japan's security and the wider region, in contrast to the PRC, which has, allegedly, been causing tensions in the East and South China Seas in recent years. It is essential to note that, as a de facto state, Taiwan is isolated from international non-traditional security efforts, including anti-terrorism, anti-transnational organised crime in the

maritime, aerial, and cyber domains, international law enforcement, and even medical security operations such as the global fight against epidemics. However, this means Taiwan's under-utilised security resources and roles should be better-utilised such that it is not be a generator of international security issues and contributes to the stable development of regional order. The argument here is that Japan has a unique role to play in terms of improving Taiwan's voluntary compliance with international security norms to mitigate the regional security loophole that stems from Taiwan's non-access to the multilateral security efforts. The discussion here will help illuminate how Japan aims to enhance Taiwan's voluntary alignment with its own national security interests and its voluntary compliance with international security norms.

#### **3.4.1 Taiwan's diplomatic limbo: its under-utilised security resources and non-accessibility to updated information on international security**

The existing literature on the international utility of Taiwan focuses on its diplomatic efforts in expanding international space after effectively losing an official seat in the UN (Wang and Ching-Hsin, 2001). Glaser (2015) discussed Taiwan's limited international security roles, specifically in terms of the field of non-traditional security and the role of the US in helping Taiwan to expand its international security contributions and quasi-representations in the international organisations amid its exclusion from the international organisations that require 'statehood'. Glaser's work (2015) rightly considered Taiwan's non-representation in international organisations to be a loophole in international security bodies since, by preventing Taiwan from accessing updated knowledge on international security and from making its own international security contributions, it prevents the nation from utilising its own

knowledge and experiences. However, Glaser's work does not specifically address how Taiwan can be an international or regional security asset for regional great powers such as Japan. In other words, if Japan can connect Taiwan with the updated knowledge on the international security regulations and rules that are produced in multilateral security forums and is able to provide Taiwan with avenues to contribute its own knowledge and experiences to manage the international security risks to Japan and others, this would serve Japan in terms of its security and that of the region in general. Therefore, it is noted here that Japan's security engagement with Taiwan offers the former an opportunity to develop its creative bilateral and multilateral diplomacy through its engagements with the latter.

#### **3.4.2 Japan can enhance Taiwan's voluntary compliance with international security norms**

Since Taiwan is an immediate neighbour, Japan's security is affected if Taiwan remains a loophole or a missing link in international non-traditional security in terms of the efforts against international terrorism, transnational organised crime, or even in the fight against epidemics, since these non-traditional security issues know no borders. On this point, the current de facto Taiwanese ambassador in Tokyo, Frank Hsieh (2018a), argued that Taiwan's security is directly linked to Japan's security, and as a stakeholder, Taiwan must not be ignored for the peaceful solution of the ongoing airspace and aviation security issue in the Taiwan Strait. Here, the ambassador called on Japan's various sectors to help Taiwan in mitigating the civilian aviation tensions with the PRC. As will be discussed in the ICAO chapter, Japan's approach to engaging with Taiwan will socialise Taiwan in accordance with international security norms, which include the enhancement of the stable management of air security in the East China Sea and

Taiwan's neighbouring seas and airspaces for Japan's security. Certainly, since the Koizumi administration, while Japan has continued to officially follow the One-China policy, its engagements with Taiwan have gradually started to take form in terms of a de facto 'One China, One Taiwan policy' (Yang, 2009).

### **3.4.3 Japan's higher position to reward Taiwan for normative security behaviours in the hierarchical Japan–Taiwan relations**

In addition to this geopolitical development, as discussed earlier, Taiwan may not be able to formally participate in the multilateral security frameworks, including the UNCLOS, in the absence of 'statehood'. However, if Japan invests significant political capital here, it can still instrumentalise Taiwan for international security, and can still enhance Taiwan's regional security profile to strengthen its own standing in the region despite its One-China policy and Taiwan's international isolation. Furthermore, as deLisle (2011) argued, while although Taiwan is not a member of the UN or the UN-related security agencies where membership requires statehood, Japan can still enhance Taiwan's pseudo participation 'as if' it is a member of such international organisations. Here, deLisle (2011) pointed out that Taiwan's unilateral compliance may increase its hope for future entry into international organisations by enhancing its compliance with international law, thus increasing its benefits from international society. In other words, it needs to be stated here that even though the international organisations and institutions may ignore unrecognised states and may reject their membership, this does not mean Taiwan is prohibited from enhancing its voluntary compliance with the international regulations and agreements made in such international organisations. Furthermore, it also needs to be stated here that Japan is free to help Taiwan behave in

accordance with international law to enhance the international normative order for Japan's regional security interests. Finally, since Taiwan's ontological security relies on Japan as a positive other as discussed earlier, the latter functions as a normatively higher entity in the hierarchical Japan–Taiwan relations, which gives Japan an influential authority to grant semi-recognition to Taiwan as reward for Taiwan's good security behaviour, including by way of signing bilateral security-relevant agreements to elevate Taiwan's prestige in international society, even within the context of Japan's One-China policy. Japan's security behaviour vis-à-vis Taiwan is in sharp contrast to how the PRC has been sanctioning Taiwan's aspiration to be represented in international security bodies that require 'statehood' for membership, as will be examined in the ICAO chapter. Therefore, Japan could aim to make Taiwan a *normative* asset in multinational security efforts even though Taiwan is internationally excluded through the PRC's sanctions.

As such, it needs to be stated here that if Taiwan can participate in Japan-led international and regional security efforts, despite the international exclusion, this would incrementally fill the void in regional security efforts. On this point, the current de facto Taiwanese ambassador in Tokyo, Frank Hsieh (2018b), argued that Japan and Taiwan can still cooperate with each other even though Taiwan suffers from various harassments from the PRC in the form of diplomatic sanctions, the cross-strait aviation tensions in the Taiwan Strait, the economic sanctions against Taiwanese business in the PRC, and the exclusion of Taiwan from the WHO. The ambassador then went on to argue that this is especially the case considering both actors have already established bilateral non-traditional security cooperation, such as the bilateral anti-natural disaster efforts, and can work together to mitigate the ongoing Sino-US trade tensions, including

Taiwan's aspiration to be a member of the Japan-led TPP. Thus, if Japan incrementally uses Taiwan's security contributions to fill the power vacuum that stems from Taiwan's absence in multilateral security efforts, it can turn Taiwan into an instrument for its power politics with the PRC. Certainly, Taiwan may resist some of the political demands from Japan in the context of Taiwan's domestic politics, but it will ultimately have to gradually satisfy Japan's strategic needs in the context of hierarchical Japan–Taiwan relations due to the absence of Japan's recognition and the PRC's threat of using force against the nation. Here, it is essential to state that it is ultimately up to Japan to decide whether it is willing to push the boundaries of what is possible in the Japan–Taiwan security relationship if it adheres to its One-China policy.

#### **3.4.4 Engagement with Taiwan is a litmus test for Japan's creative diplomacy**

Meanwhile, Drifte (1998) argued that Japan's commitment to bilateralism, especially within the context of its alliance relationship with the US and others, has rendered its multilateral diplomacy less effective and less imaginative, including in terms of its aspiration to become a permanent member of the UNSC. Taiwan is not a member of the UN, and its non-participation in the UN-relevant security agencies could affect Japan's security interests. Therefore, it can be argued that Japan could renegotiate the membership of Taiwan in international security efforts in informal terms, meaning Taiwan can be a security asset 'as if' it were a member of the UN, while Japan could prove its creative diplomacy on a global level. Similarly, Babones (2016) argued for a normalisation of the de facto state of Taiwan as opposed to making it a de jure state, which would ensure it is taken seriously in international society. In Babones' (2016) view, a behavioural change rather than a political change in Taiwan is essential to

ensuring the world prevents the PRC from dictating to Taiwan on the PRC's terms. In other words, it can be stated here that Japan's socialisation of Taiwan in terms of improved compliance with international norms would help Taiwan to be more of an autonomous security actor while pacifying the PRC's sensitivity on the Taiwan issue in the context of Japan's One-China policy. Meanwhile, Drifte (1998) argued that Japan lacks debates on why it has to be a permanent member of the UNSC and what it plans to do if this were the case, other than budgetary and procedural contributions, while its permanent membership in the UNSC may increase the fear of inequality among the UN members in the developing countries due to the global perception of Japan siding with the US too closely. If Drifte's view (1998) is correct, it can be stated here that Japan's re-conceptualisation of the membership in multilateral diplomacy operations, including the UN, through its informal engagements with Taiwan in international security efforts may provide an alternative view of Japan's creative diplomacy in international society and may stimulate more discussions about what kind of international security contribution it will provide as a normalised great power.

### **3.5 Summary**

Reviewing the literature related to Japan–Taiwan relations has demonstrated that Japan has an influential authority to accommodate Taiwan into the international society of states for its own security. The analysis of Japan's foreign policy instruments elucidated what Japan is willing to do and what it is unwilling to do in its security relationships with Taiwan within the context of its One-China policy. Japan is willing to enhance non-traditional security cooperation with Taiwan for the former's security if this bilateral cooperation is normative, humanitarian and non-coercive in nature without breaching its One China policy. In addition, regardless of whether Japan adheres to the

Yoshida Doctrine or shifts toward the Abe Doctrine, its security interactions with Taiwan remain, at best, incremental. Meanwhile, the assessment of the literature on Taiwan's diplomatic exclusion has explicated how Japan has a significant role to play in encouraging Taiwan to voluntarily behave in accordance with international security norms in the multilateral security forums that require statehood for membership, despite Taiwan's non-access to multilateral security efforts. With all these points in mind, the following case study chapters will elucidate how Japan can accommodate Taiwan into the international society of states for Japan's security within the context of its One-China policy in empirical terms.



## **Chapter 4. Collective Self-Defence**

### **4.1 Introduction**

This chapter is dedicated to the concept of CSD and elucidates, with reference to ESIR theory, how Japan has incrementally accommodated Taiwan in the areas of indirect defence and non-traditional security. As was argued in the previous chapters, it is up to Japan's political decision-makers to decide what the nation is willing to do and what it is unwilling to do in terms of Japan–Taiwan security interactions. As such, how Taiwan fits into the Japanese concept of CSD also reflects Japan's decision-making, while Taiwan's political input regarding Japan's security policy has no place in Japanese debates on its CSD due to the hierarchical relations. In short, Japan uses Taiwan as a foreign policy instrument to maintain the regional balance of power with the PRC, but Japan also navigates its One-China policy in its security engagement with Taiwan to pacify the PRC for regional great power management. Furthermore, Japan's socialisation of Taiwan through international security norms indicates how Japan incrementally instrumentalises Taiwan as a normative security asset for its own security as well as that of the region, while Taiwan cannot be a full member or earn full status in Japan's concept of CSD in relation to pacifying the PRC. Therefore, Taiwan needs to demonstrate its worth as a security asset in the hierarchical Japan–Taiwan relations in international society, with this mechanism consolidating Japan's strong position against Taiwan in normative terms. Also, if Japan-Taiwan security cooperation were to progress, it would be conducted in the field of non-traditional security, which is regarded as normative and less-coercive in international society, since the bilateral normative security cooperation will make it difficult for the PRC to sanction it despite Japan's One China policy. Finally, this chapter clarifies how Japan's security interactions with Taiwan remain incrementalistic, regardless of whether the nation

sticks to the Yoshida Doctrine or shifts toward the Abe Doctrine, since Japan continues to navigate the ambiguities of its One-China policy to seek acceptable boundaries regarding how far the nation is willing to enhance its security cooperation with Taiwan.

First, the Japanese concept of CSD is addressed before we discuss Taiwan's ambiguous status within this concept to elucidate how Taiwan cannot be a full-fledged member here in the absence of Japan's official recognition in the hierarchical Japan–Taiwan relations, albeit that Taiwan continues to benefit from the greater deterrence Japan offers through CSD policies. Following this, we examine how Taiwan regularly reminds Japan of its security contribution to Japan, and how it consolidates Japan's power politics with the PRC, even in the context of its One-China policy. In short, Taiwan's indirect defence alignment with Japan supplements Japan's defence security against the PRC. Due to its One-China policy, Japan does not engage in kinetic military ties with Taiwan, while it does engage in ad hoc intelligence exchanges, especially those related to the development of the PLA, and the two actors continue to engage in semi-institutionalised security talks while Japan navigates its One-China policy. Next, we examine Japan–Taiwan coastguard relations to illuminate the extent to which the bilateral constabulary cooperation is acceptable to Japan within the context of its One-China policy, demonstrating what Japan is willing to do and what it is not willing to do in its security interactions with Taiwan in relation to the Japanese concept of CSD. We also examine Japan–Taiwan humanitarian assistance and disaster relief cooperation to illuminate how acceptable the bilateral HADR is to Japan within the context of its One-China policy and how it remains difficult for the PRC to oppose this since it is more normative than political. This demonstrates how the low-key HADR cooperation is incrementally indicating what Japan is willing to do in its security interactions with Taiwan in relation to the Japanese concept of CSD.

## **4.2 What is Collective Self-Defence in the Japanese Context? Political Tensions between Domestic Law and International Law**

First, we examine the political tension between the evolution of the Japanese government's interpretations of its domestic pacifist constitution and international law to elucidate the concept of CSD within the Japanese context. In the case of Japan, the contradictions in its post-war pacifist constitution and the UN Charter have resulted in tensions in Japan's domestic political context regarding the rights of the use of force as a sovereign state. Discussing these tensions between domestic law and international law is essential to explaining why Japan was legally able to defend only itself, despite the international legal permissibility provided by the UN Charter. It is also essential to discuss the evolution of Japan's defence policy, which has incrementally allowed the nation to engage in self-defence despite its pacifist constitution. This discussion is essential since, even after the reinterpretation of the pacifist constitution, Japan's CSD is severely constrained in terms of its international and regional security contributions due to the lingering tensions between domestic and international law in Japan.

In early post-war Japan, amid strong anti-militarist sentiment, Japan enacted a pacifist constitution that renounced war 'and the threat or use of force as a means of settling international disputes' (The Constitution of Japan, 3 November 1946). In fact, Japan, as a sovereign state, literally renounced the use of force or any kind of war potential by stating the following:

[a]spirng sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as a means of settling international disputes. In order

to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognised (Article 9, The Constitution of Japan, 3 November 1946).

However, on 20 May 1957, the National Defense Council and the cabinet initiated the Basic Policy on National Defense (Ministry of Defense [MOD], 1957). According to this policy, the government of Japan's interpretation of the renunciation of war potentially referred to military aggression, and it did not deny Japan's right to defend itself against threats to its own existence (MOD, 1957). In addition, Japan's interpretation of its pacifist constitution allowed it to possess the minimum required defence capabilities (MOD, 1957), with the government of Japan allowing an exclusively defence-oriented policy with the minimum necessary level of self-defence (MOD, 1957). In other words, Japan unilaterally regarded its right to self-defence as permissible in the domestic legal context, but voluntarily considered the use of force to settle international disputes as unconstitutional while embracing such domestic legal arrangements.

International law does not prohibit the use of force by sovereign states as a means of individual defence or CSD. Regarding the permissibility of these actions, Article 51 of the UN Charter (1945) states the following:

[n]othing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the

Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Therefore, UN member states have the inherent right to possess the military means to defend themselves or to conduct CSD. In accordance with this right, using the 1957 National Defence Policy, Japan internalised the international legal norms regarding individual defence despite the explicit prohibition of war potential and the use of the rights of belligerency by its pacifist constitution. As noted above, nation states are legally allowed to cooperate to counter threats posed by a foreign country through CSD according to Article 51 of the UN charter. However, under its exclusively defence-oriented policy, Japan did not internalise its international legal norms on CSD and officially decided to maintain a self-imposed prohibition on its use. Regarding the Japanese government's stance here, the Annual White Paper on the Defence of Japan (2013) stated the following:

[i]nternational law permits a state to have the right of collective self-defence, which is the right to use force to stop an armed attack on a foreign country with which the state has close relations, even if the state itself is not under direct attack. Since Japan is a sovereign state, it naturally has the right of collective self-defence under international law. Nevertheless, the Japanese Government believes that the exercise of the right of collective self-defence exceeds the minimum necessary level of self-defence authorised under Article 9 of the Constitution and is not permissible (Section 2 in the Constitution and the Right of Self-Defence in the defence of Japan Annual White Paper, 2013).

Under its exclusively defence-oriented policy, Japan voluntarily relinquished its international legal right to defend other countries. The Japanese government considered CSD to be beyond the minimum necessary level of self-defence allowed by its pacifist constitution. However, regional security mechanisms such as NATO require member states to be able to exercise CSD to gain membership according to Article 5 of the North Atlantic Treaty (4 April 1949). In principle, Japan considered CSD to be beyond its constitutional limits until the reinterpretation of its pacifist constitution under the Abe administration in 2014, which, in theory, enabled Japan to engage in such activity (MOD, 2013). Before this reinterpretation, CSD was officially regarded as unconstitutional since the CLB's definition of the minimum-required defence regarded CSD to go beyond this in military terms (Green and Hornung, 2014). Regarding Japan's long-held interpretation of its pacifist constitution and the highly restrictive defence behaviours that stemmed from it, Singh (2013c, p. 79) stated the following:

[s]uch an interpretation overshadowed the legal provisions of UN Charter accrued to Japan as a member of the organisation, namely Article 51 that permits all member states to carry out individual defence activities and participate in collective security and collective self-defence activities that involve military action.

Even though international law applies to all sovereign member states equally regardless of their might, size, and wealth, it by no means implies that every sovereign state must accept it. For example, according to Wakefield (2016), nations can always waive their rights even if these rights are defined by international law. According to this legal logic, while international law permits nation states such as Japan to resort to CSD, this does not mean that Japan is obliged to internalise such an international legal norm. As such,

Japan is allowed to abandon such rights voluntarily if deemed to be in the interests of the nation. Accordingly, domestic law and international law often conflict in terms of how international law is understood within the domestic legal-political context.

#### **4.2.1 Japanese pacifism**

Mori (2015) stated that Japan internalised a unilateral pacifist mindset in the post-war period. Behind the Japanese people's strong resistance to the reinterpretation of Japan's pacifist constitution lies widespread unilateral pacifist norms. The Japanese believe that Japan alone can maintain regional peace as long as the nation adheres to the pacifist constitution. In relation to this, Patey (2017) argued that if Japanese people do indeed adhere to their pacifist identity, even minor global security issues such as Japan's contribution to the UNPKO in South Sudan may endanger the security reforms initiated under Abe. Furthermore, Japan has long used its domestic pacifism, including its pacifist constitution, as a shield to deflect political demand from the US that Japan shoulders more security responsibility in the post-war period and thereafter. Finally, Japan's main goal in facilitating CSD is to uphold the liberal regional order in international society for its own security through its contribution to regional peace and stability, including in terms of the Taiwan Strait. Here, Japan's national interest lies in not becoming involved in the cross-strait war. Therefore, calls from Chen Shui-bian and Lee Teng-hui for Japan's greater regional security leadership, and Ma Ying-Jeou's endorsement of the Japan-US alliance have no effect on Japan's regional security policy in the face of its domestic pacifist norms and its lack of recognition of Taiwan.

The people of Japan continue to strongly resist the amendment of the pacifist clause of Article 9 of the constitution. For example, according to a public opinion survey on public attitudes toward the constitution conducted by the NHK in April 2016, support

for the amendment of Article 9 is relatively low, with only 22.15% of those surveyed stating that the amendment was necessary, while 39.2% stated the opposite (NHK, 2016). In addition, even the LDP and the Koumei Party's recommended constitutional scholars argued that CSD would be unconstitutional without amending the pacifist clause of Article 9 (Nikkei Shimbun, 2015).

Nevertheless, Prime Minister Shinzo Abe argued that an overly strict reading of the pacifist constitution would inhibit the effective deterrence of a Japan–US alliance at a critical juncture in matters of regional security issues if Japan did not contribute more to the alliance (Prime Minister of Japan and His Cabinet, 2014). At the same time, what actually constitutes a minimum use of force remains a controversial subject since the advancements in military technology and various other aspects have drastically changed this concept. However, the Japanese government still clearly maintains that the defence capabilities that the constitution allows Japan to possess must be within the scope of minimum defence. In this sense, weapons that are regarded as violating the Japanese pacifist constitution, such as intercontinental ballistic missiles, long-range bombers, or attack aircraft carriers, are considered to be strictly unconstitutional (MOD, 2014). Even the largest helicopter carriers constructed in the post-war period, which include Izumo and Kaga, were designed for anti-submarine warfare to ensure they remain defensive in nature (Reuters, 2017). In short, in line with Japan's defensive capabilities as a whole, such military resources remained within the legal boundary of the pacifist constitution, as interpreted by respective LDP governments. Furthermore, a helicopter carrier used its airlift capabilities to enhance search-and-rescue operations and to provide food and medical support in remote regions during HADR missions in the Philippines for peaceful and humanitarian purposes (Miller, 2014).



#### **4.2.2 Consequence of the tensions between domestic law and international law**

The tension between domestic law and international law has manifested itself in terms of obstacles to Japan's execution of CSD. In fact, among the world's primary state actors, Japan's military power is the most legally constrained (Institute for International Policy Studies [IIPS] 2017). For example, according to the International Peace Cooperation Act of 1992, Japan needs to adhere to the five following principles to participate in international peacekeeping operations:

1. The parties to the conflict must have reached a ceasefire agreement.
2. The parties to the conflict must consent to Japan's participation.
3. Operations must maintain strict neutrality.
4. Japan can withdraw its troops if any of the basic requirements are not met.
5. The use of force must be limited to the minimum needed to protect the lives and safety of personnel.

However, the Japanese concept of CSD does test situational constraints by allowing previously banned missions such as police-like missions (*Kaketsuke keigo*). However, these missions continue to face severe legal constraints. Since Japan's international security contributions are still severely restricted by its domestic legal constraints, its SDF personnel face more severe risks in any given conflict. In South Sudan, for example, even though the Japanese SDF personnel in the Peacekeeping Operation Unit were engineering soldiers and were not specially trained for battlefield situations, they were given police-like missions, including rescuing its own nationals or defending other peacekeeping personnel from other countries (Isezaki, 2016). Regarding how the

domestic legal constraints impeded Japan's international security efforts in South Sudan in operational terms, Isezaki (2016) stated the following:

[t]he UN force's senior officers are well aware that the SDF are not a constitutionally sanctioned military organisation, and that Japan is not equipped with a legal system that allows it to pursue criminal responsibility for military transgressions overseas. This is precisely the kind of scenario the United Nations is most anxious to avoid. Nor is the UN force's top command likely to assign an engineering unit to engage in armed rescue operations.

In addition, Tatsumi (2017) noted Japan's strong domestic aversion to the SDF engaging in any situation resembling actual combat in South Sudan. For example, according to *Mainichi Shimbun*, approximately 300 local soldiers were killed in combat by either government forces or the rebels in Juba in South Sudan in July 2016. In fact, SDF engineering units had been operating there even though the UN had issued a warning regarding the potential breakout of genocide (*Mainichi Shimbun* Editorial, 2017). Furthermore, many UNPKO activities are conducted in the most high-risk regions of the world. Here, referring to the United Kingdom's international peacekeeping efforts, a high-profile panellist stated at RUSI's conference on the United Kingdom's PKO that 'more than 45%–55% of PKO activities are classified as high risk' (RUSI, 2015). Despite the Japanese government's insistence that the SDF engineering units have 'reached a juncture' in their decision to withdraw from South Sudan, it is clear that the strongly pacifist streak in Japanese public opinion has influenced the Japanese government's decision to withdraw its SDF from South Sudan (Tatsumi, 2017).

Certainly, if the logic discussed above is strictly followed, it could be rightly reasoned that the strategic interests of Japan, such as the enhancement of the Japan–US alliance,

trump the importance of domestic law. However, this would have a significantly negative effect on the rule of law and the division of powers, which are essential for the development of liberal democracy in Japan. Therefore, even after the reinterpretation of its pacifist constitution, Japan needs to develop its own defence and security policy in accordance with the strict restrictions. For example, while a pre-emptive strike by cruise missiles launched by the SDF to minimise the risk of North Korean missile launches against Japan is not necessarily unconstitutional according to the traditional interpretation of the constitution, Japan does not currently have such offensive capabilities (Miller, 2017). Despite Japan's reinterpretation of its pacifist constitution, the nation's defence and security policy remains defensive in nature due to the domestic legal constraints imposed by the country's minimum defence capabilities. Nevertheless, the debate on pre-emptive strikes is intensifying, as manifested in the LDP's policy proposal, which explicitly calls for the possession of independent pre-emptive strike capabilities (LDP, 30 March 2017). In addition, Japan decided to acquire joint strike missiles from Norway in 2019 (*Defense News*, 2019), while the date of delivery remains unknown.

With the international security environment deteriorating for Japan due to the military rise of China, the instability in the Korean Peninsula, and the proliferation of international terrorism, the nation does need to shoulder its share of regional security responsibility commensurate with its own national strength, albeit incrementally. Japan also needs to enhance the international liberal order, which has benefited the country in the post-war era. Elsewhere, the US and the UK would appear to be gradually shifting their central focus away from the traditional foreign and security policies of the post-war international liberal order, as indicated by the election of US President Donald Trump, the decision on Brexit, and Trump's virtual lack of concern for universal

concepts such as human rights. Therefore, Japan must determine what kind of security and foreign policy it views as appropriate in the context of the Japan–US alliance and the enhancement of its own defence and security capabilities for regional peace and stability in the Asia Pacific region and beyond (IIPS, 2017).

### **4.3. Taiwan’s Ambiguous Status in the Japanese Concept of CSD**

As discussed in the previous chapters, Taiwan cannot attain full membership status in international society even though Japan accommodates it for its own security. It is up to Japan to decide what the nation is willing to do and what it is unwilling to do regarding Japan–Taiwan security interactions within the hierarchical order, including how Taiwan fits into the Japanese concept of CSD. To understand how this plays out, we must first examine the ambiguous status of Taiwan in relation to this concept. In fact, Taiwan’s unrecognised status in the hierarchical Japan–Taiwan relations means its explicit membership in the Japanese concept of CSD is not part of the equation. For example, regarding the government-to-government Japan–Taiwan security talks that President Tsai requested in 2019, the incumbent foreign minister, Kono Taro, stated ‘Japan has been maintaining non-governmental substantive relations with Taiwan, so our government will respond to the statements properly based on the above-mentioned foundation’ (MOFA, 2019).

However, to enhance Japan’s security, it remains possible to partially renegotiate Taiwan’s position in CSD operations in legal terms. Neither the tension between domestic law and international law in Japan’s legalistic politics nor Taiwan’s unique status in international law can help us to clarify how Taiwan is conceptualised within the Japanese concept of CSD. However, Japan can still instrumentalise Taiwan for its own security within the context of Japanese CSD, while Taiwan’s security can still be enhanced through the country’s nebulous status in the Japanese CSD operations. For

certain Taiwan cannot influence Japan's approach to CSD; however, the nation will have opportunities to remind Japan of its standing within the Japanese concept of CSD if it contributes to Japan's security and regional security in general.

Abe argued that a more proactive stance by Japan on regional and global security would enhance the Japan–US alliance. However, while the alliance is bound by international treaty and the concept of CSD is legally permissible under the UN Charter, neither is necessarily above Japan's domestic law, as was discussed earlier. This fact complicates Japan's potential utilisation of CSD. Furthermore, an entity that is unrecognised by international law, as is the case with Taiwan, will potentially complicate Japan's concept of CSD. Taiwan does not have a defined status in international law, and, unlike the US, Japan is not legally bound to commit to Taiwan's security in the absence of a domestic law such as a Japanese version of the Taiwan Relations Act. Taiwan's atypical status raises one crucial question: is it legally permissible for Japan to defend Taiwan by activating the Japanese concept of CSD? Clearly, to resolve the issue of defending Taiwan in military terms within the context of both international law and domestic law, the Japanese government will need to further debate the legality of defending its neighbour via CSD.

The former foreign minister, Kishida Fumio, stated during the parliamentary debate of 15 June 2015 at the House of Representatives that Japan's concept of CSD includes 'divided' and 'unrecognised' states. However, Japan has relinquished all rights, titles, and claims to Taiwan, which means it is not in a position to determine the legal status of Taiwan under the San Francisco Peace Treaty (House of Representatives, 2015).

Even after the security bill was passed in 2015, Japan did not engage in high-profile global military support. This involves maintaining collective security by providing

logistical or indirect military support, including refuelling, missile and air defence, or sea mine disposals in multinational military operations against ISIS in the Middle East. Oros (2017a) pointed out that despite the concept of global security responsibility espoused by former prime minister, Koizumi Junichiro, with Japan's regional security situation severely deteriorating in recent years, Japan's top national security priorities are now related to its immediate neighbours. This means that Japan can choose when to exercise CSD and how it engages in military action within the context of a Japan–US alliance and its relations with other security partners during a regional or global security crisis, especially if the crisis does not directly threaten Japan's national security.

If Japan's provision of security and deterrence for Taiwan vis-à-vis the PRC through the application of the concept of CSD encourages Taiwan to seek de jure independence, this will be detrimental to Japan's security. Japan's interests vis-à-vis Taiwan are to incrementally integrate Taiwan into international society in view of allowing the latter to contribute to the former's security and that of the region as a foreign policy instrument. However, regionally specific security issues such as the Senkaku Islands issue have, to some extent, complicated the development of stronger Japan–Taiwan relations and have obscured the 'Taiwan factor' within the context of the Japan–US alliance, as will be discussed in the chapter on the fisheries agreement.

To determine the potential applicability of CSD vis-à-vis Taiwan, the conditions imposed by the Government of Japan regarding the use of CSD must be examined. The security bill provides 'three new conditions' for the use of force: (i) when an armed attack against Japan has occurred, or when an armed attack against a foreign country that is in a close relationship with Japan occurs and as a result threatens Japan's survival and poses a clear danger to fundamentally overturn people's right to life, liberty, and

pursuit of happiness; (ii) when there is no appropriate means available to repel the attack and ensure Japan's survival and protect its people; (iii) the use of force limited to the minimum extent necessary should be interpreted to be permitted under the Constitution as measures for self-defence in accordance with the basic logic of the government's view to date (The Guideline on Peace and Security Legislation, 2015). While the reinterpretation of the constitution did expand Japan's international security contributions in geographical, situational, and operational terms, the scope of the SDF's military activities continues to be strictly restricted.

Japan's defence and security policy must be exclusively defence oriented, and the primary role of the SDF remains to consolidate Japan's alliance with the US (Green and Hornung, 2014). In theory, Japan's operational and situational scope for providing logistical support and conducting defensive operations, such as providing missile defence or conducting anti-submarine warfare, has increased following the reinterpretation (Green and Hornung, 2014). However, Japan's current defence system is restricted by the Japan-US alliance. Therefore, it is highly unlikely that Japan will conduct independent military intervention on behalf of Taiwan. At the same time, if the US decides to conduct military intervention in Taiwan in the face of PRC aggression, Japan may be able to provide support. At present, Japan is maintaining some strategic ambiguity regarding this matter (Matsuda, 2017).

Japan's CSD has, in theory, increased its deterrence capabilities vis-à-vis the PRC's potential invasion of Taiwan and can provide greater naval warfare support, including in terms of the previously banned missile defence. It has also comparatively enhanced the MSDF's anti-submarine and anti-sea mine warfare capabilities to better defend a US Navy intervention during any Taiwan contingency. In addition, Japan has the third

largest global economy and highly robust defensive military capabilities, and it is the only regional security actor with ample strategic clout in the Asia Pacific region that is willing to forge stronger ties with Taiwan in any meaningful way, regardless of PRC opposition. Meanwhile, Watanabe (2015) pointed out that the US's more high-profile treatment of Taiwan was also facilitated by Japan's CSD since the aforementioned security bill strengthened the Japan–US alliance and reduced the security burden imposed on the US in the Asia Pacific region. Here, it can be inferred that these developments mitigate the political constraints imposed on Japan's engagement with Taiwan.

Nonetheless, Japan must meet the above three conditions and must convince its general population that Taiwan warrants the activation of CSD operations. Furthermore, the former foreign minister, Kishida, has avoided explicitly answering the question of whether Taiwan meets the following criterion: 'an armed attack against a foreign country that is in a close relationship with Japan occurs and as a result threatens Japan's survival'. During a debate on the security bill, Kishida further stated that unrecognised or divided states are included in the Japanese concept of CSD, but the Government of Japan is not in a position to determine Taiwan's status (House of Representatives, 2015). Japan probably has arguments to ensure Taiwan meets the criteria for the potential applicability of CSD in order to defend it. For example, Beijing's One-China principle – which proposes the 'one country, two systems' method as an ultimate resolution of Taiwan's status – would negatively affect Taiwan's 'internal popular sovereignty', which stems from Taiwan's vibrant democracy (Stokes, 2017).

Taiwan's belief in the universal values of human rights, democracy, and popular sovereignty may help justify Japan's use of CSD as a deterrent vis-à-vis the autocratic



PRC. Indeed, the nation as whole has favourable sentiments toward Taiwan due to the latter's vibrant liberal democracy and good record on human rights, while a coercive China is seen as posing a threat to both countries' regional maritime security environments and the maintenance of the inclusive and liberal regional security order. Meanwhile, Taiwan has been contributing to Japan's human security in a broader sense, as indicated by the massive donations it made to Japan during the triple disasters in Tohoku in 2011, while the nation has also been contributing to regional soft security, such as in the case of the non-military HADR.

It is open to debate which country meets the criteria for the potential applicability of Japanese CSD. Even South Korea, which will be a frontline state actor in the occurrence of any contingency on the Korean Peninsula, requires Japan to obtain consent from the ROK government for the SDF to land in ROK territory (National Diet Library Research and Rippou KousaKyoku, 2016 Kikuchi). Furthermore, the Japanese Diet needs to approve the use of CSD. However, Taiwan has made huge Japanese investments and enjoys significant trade ties with its neighbour, while it remains an essential choke point for both air and sea lines of communication. If Taiwan is left unattended and falls into the hands of the PRC, this will pose a major military threat to the southern flank of Japan, and the military takeover of the Senkaku Islands will be a realistic possibility.

While Japan is not powerful enough to unilaterally shape the future course of the issue of the Taiwan Strait, it can prevent China from dominating Taiwan and making unreasonable unilateral changes to the status quo without the US's participation. In fact, Japan is the only significant regional military and security actor that can allow the incremental inclusion of Taiwan into the regional security environment. In addition, if the US refuses to be bound by the One-China policy and seeks to reinterpret its own

national interests under the Trump administration (Stokes, 2017), Japan's security contribution in terms of deterrence for Taiwan against the PRC's potential aggression will be even more crucial for achieving stable regional security. From this perspective, it is telling that the former secretary general of the National Security Council under the Ma administration, Su Chi, suspected Japan's intentions in deploying the SDF on Yonaguni Island – a non-disputed Japanese island that is geographically close to Taiwan – when a cross-strait rapprochement was ongoing.

Japan engages with Taiwan by partially accommodating the nation into its non-kinetic military cooperation strategy (e.g. through intelligence sharing) or into its non-military maritime security alignment through the concept of CSD. Japan's regional security efforts with Taiwan also help to create a stable and peaceful external environment for the latter, despite the military and non-military threats from the PRC. This, in turn, is strategically beneficial for the defence of Japan's southern flank given Taiwan's role as a military buffer.

Furthermore, Japan has taken symbolic political actions with strategic implications, including partaking in the bilateral fisheries agreement with Taiwan. This is especially pertinent if Japan's security interests are perceived to be violated within the context of China–Taiwan relations. Taiwan has been perceived by various international observers to be behaving, at least to some extent, in concert with the PRC against Japan vis-à-vis the issue of the East China Sea or the Japan–US alliance following the nationalisation of the Senkaku Islands by the Government of Japan in 2012. Meanwhile, Japan has made a political move that is considered favourable for the strategic alignment of Taiwan in accordance with the Japan–US alliance, as will be elaborated in the chapter on the fisheries agreement. In addition, the recent official change in the name of the de

facto Japanese embassy in Taiwan from the Interchange Association to the Japan–Taiwan Exchange Association in 2016 is an indication of Japan’s interest in strengthening its ties with Taiwan. In fact, this change in name was the first since Japan’s derecognition of the ROC. Moreover, according to Ishihara (2013), an expert investigator (Senmon Chousain) was deployed in Japan’s de facto embassy in Taipei when former president, Lee, was given the opportunity to conduct a high-profile press conference during his visit to Tokyo in 2015 while Japan was debating the security bill. Here, a number of individuals in the ‘green camps’ in Taiwan argued that this constituted a recognition of the importance Japan attached to its relationship with Taiwan (Japan–Taiwan Exchange Association, 2015). In addition, as a political morale booster for Taiwan, Prime Minister Abe listed Taiwan as an independent actor along with South Korea and China during a speech he made on the 70th anniversary of WWII (Japan–Taiwan Exchange Association, 2015).

Japan is not obligated to defend Taiwan since, unlike the US, it is not bound by the TRA. While Japan is not taking concrete action to enact such a law, Kishi Nobuo, the state minister for foreign affairs, stated in an interview with the *Taipei Times* (2016) that the Diet has studied the issue. However, this point constitutes a unique development in Japan–Taiwan relations. As was discussed in Chapter 3, grassroots people-to-people ties are vital for enhancing bilateral cooperation, including in terms of the HADR, in Japan–Taiwan relations due to Taiwan’s unrecognised status. This status requires the nation to rely on semi-institutionalised informal communication channels and civilian exchanges in the absence of official communication channels.

#### **4.3.1 Japan’s less committed yet incrementally significant security policy for Taiwan**

Taiwan’s ambiguous status in the Japanese concept of CSD is manifested in Japan’s

lack of commitment to Taiwan's security. Japan has long avoided shouldering any explicit security responsibilities for Taiwan in view of pacifying the PRC and conducts the regional great power management in accordance with ESIR theory. However, according to Sasaki (2010), following the missile crisis in the Taiwan Strait, the stronger Japan–US alliance became the most significant factor for raising the threat perception regarding Japan-related security issues for the PRC. Further, the Taiwan factor within the Japan–US alliance became the most significant perceived threat for the PRC. The stronger Japan–Taiwan relations under Prime Minister Abe and President Tsai have been viewed with strong suspicion by the PRC.

#### **4.3.2 Japan's non-engagement in arms sales to Taiwan**

A Japan–Taiwan security cooperation that is potentially more robust is likely to create difficulties with the PRC. However, as discussed in Chapter 3, it is up to Japan to decide what it is willing to do and what it is unwilling to do, meaning any defence exchange with Taiwan that may excessively antagonise the PRC is not seriously considered by Japan. For example, at least two of the academics writing about Taiwan – Cole (2016) and Dreyer (2016) – expressed a desire for technological access to build indigenous submarines in Japan in the face of the US's apparent unwillingness to sell such high-profile military assets to Taiwan and the US's non-production of diesel submarines. However, Japan will not sell high-profile naval assets to Taiwan since this may have the obvious consequence of ruining the fragile Sino-Japanese relationship within the regional great power management.

Importantly, Monma (2017b) pointed out that it is considered illegal for Japan to sell or provide any form of military equipment or technology to Taiwan in the absence of a relevant defence agreement between the two nations. However, he also admitted the

possibility of Taiwan secretly approaching Japanese military technicians. In fact, Japan is legally allowed to jointly develop defence equipment, defence provisions, and defence transfers only with countries that have signed the ACSA with Japan, and is extremely unlikely to sign such a high-profile defence agreement with Taiwan (Monma 2017b). Furthermore, as Monma (2017b) highlighted, Japan and Taiwan have not even signed the GSOMIA, which would institutionalise intelligence sharing. Therefore, while informal exchanges of opinions between Japanese and Taiwanese officials may be possible, Taiwan's desire to acquire the technology used in Japanese submarines cannot be realised.

#### **4.3.3 Japan's CSD in Asia Pacific and Taiwan**

Shuhenjitaihou's geographical application did not specifically include Taiwan in its language; rather, it ensured the potential applicability vis-à-vis the Taiwan Strait was 'situational', clearly contributing to the deterrence for Taiwan vis-à-vis the PRC's potential aggression. The security bill enacted in 2015 expanded both the geographical and the situational limits of Japan's international security contribution, including in terms of Taiwan. The former de facto Japanese director in Japan-Taiwan Exchange Association in Taipei, Makoto Ogata, stated that Japan can now, in theory, defend the US military during any contingency in the Taiwan Strait, thereby offering Taiwan further protection vis-à-vis the PRC (Ogata, 2016). In addition, Japan's maritime forces can now defend the US navy, even during peacetime operations (Asahi Shimbun, 2016). This has further strengthened American military primacy in the Asia Pacific region, including in terms of deterrence measures against potential Chinese aggression towards Taiwan. From this perspective, it is fair to say that Japan's incremental shouldering of regional security leadership responsibilities in the US-led regional order in the Asia Pacific region has informally yet significantly contributed to creating a stable regional

security environment for Taiwan. This was necessary for the development of a vibrant democracy in Taiwan, especially given that the military threat from the PRC became more serious before and during the missile crisis in the Taiwan Strait between 1995 and 1996. Ogasawara (2012b) pointed out that without conducting a military takeover of Taiwan, it is unlikely that the PRC could enter into a realistic military conflict with Japan over the Senkaku Islands. In addition, as Ogata (2013) highlighted, Taiwan has been communicating the strategic message to Washington that it is also playing a role in the US's rebalancing by enhancing its defence and deterrence capabilities.

#### **4.3.4 Political risks of high-profile defence cooperation**

Taiwan has been long aware of the risks of having explicit security ties with Japan. For example, even when Taiwan was under the Chen administration, which called on Japan to take on a larger regional security leadership role and called for non-materialised Japan–Taiwan–US trilateral security ties, the US requested not to allow Japanese observers to attend the annual Han Kuang military drill in Taiwan in 2006 (Wikileaks, 2006). In 2007, Taiwan's then defence minister, Lee, expressed his desire for the US to facilitate explicit Japan–Taiwan–US military cooperation (Wikileaks, 2006). The then director of the American Institute in Taiwan, Stephen Young, expressed his appreciation for the ROCMND's decision to not invite nine Japanese observers – seven of whom were retired general officers or retired flag officers – to observe the military drill (Wikileaks, 2006). Such strategic compromises arose from Taiwan's communication with the PACOM regarding the Japanese participation, but Young expressed reservations for the subsequent year's Japanese observation participation (Wikileaks, 2006).

The prevention of cross-strait espionage by the PRC – as manifested in the cases of the

former ROC army major general, Hsu Nai-chuan, and the former air force colonel, Liu Chi-ju – must be strictly ensured if Taiwan is to attain Japan’s political and strategic trust. Sharp (YouTube, 2016) discussed the view expressed by the former deputy defence minister, Lin Chong-pin, that the major motive behind Chinese espionage attempts that involved collaborators from Taiwan was to discredit Taiwan as an untrustworthy security partner to the US. Furthermore, upon retirement from his position as a de facto Japanese director in Japan-Taiwan Exchange Association in Taipei, Ogata (2016) stated that even though the numerous espionage cases in Taiwan have been ruining the political trust of Japan and the US toward the former, Taiwan has not undertaken effective measures to combat them.

Certainly, Japan has no political control over cross-strait espionage cases. Nonetheless, certain potential grassroots confidence-building measures may be considered. For example, if Japan delivers significant political capital, the defence education exchange between Japan and Taiwan may be an area for consideration (Sahashi, 2014). Here, Ogata (2013) pointed out that Japan–Taiwan relations constitute an unofficial substantive partnership as opposed to an alliance relationship, which excludes defence education exchanges. In 2017, 21 international students graduated from the National Defence Academy of Japan, and their countries of origin included Vietnam, the Philippines, Thailand, Indonesia, Mongolia, Cambodia, and East Timor but not Taiwan (*Sankei News*, 2017).

#### **4.3.5 Japan remains ambiguous in its defence commitment to Taiwan while providing it with greater deterrence**

For these reasons, a Japanese version of the TRA is yet to materialise, while it is highly possible that it will in the future, with the nation perhaps not openly committed to the military security aspects of its relations with Taiwan, as Dreyer (2016) pointed out.

However, Japan has been, albeit incrementally, providing space for Taiwan to expand its regional security contributions to its neighbour's security. The IIPS, a prominent Japanese think tank that, allegedly, has some influence on the Abe administration's strategic thinking, stated soon after President Trump's inauguration that 'a triangular framework consisting of Japan, the United States, and Taiwan should also be constructed' (IIPS, 2017)

While the question of how Taiwan fits into the Japanese concept of CSD remains ambiguous, Japan does provide deterrence for Taiwan vis-à-vis the PRC through its incremental accommodation of its neighbour into international society in defence terms. The Japan–China naval and para-military standoff has been providing the PLA and the Chinese Coast Guard with de facto battle experience in military and paramilitary aspects in the East China Sea (geographically just north of Taipei and Keelung). These battle experiences would no doubt prove useful in the case of a Taiwan contingency (Mazza, 2014). If the PRC succeeds in capturing the Senkaku Islands, Taiwan will risk facing the regular naval presence of both the PLA Navy and the Chinese Coast Guard there. As such, Taiwan will have to expand its own limited defence capabilities to defend its northern flank, complicating potential Japanese military intervention options. As will be discussed in the fisheries agreement chapter, the PRC claims that Taiwan is a part of China and that the Senkaku Islands are a part of Taiwan. This is the PRC's strategic rationale for claiming that the PRC is the 'true defender' of Taiwan's practical interests, such as its fishing rights, vis-à-vis Japan. This rationale was discredited after Taiwan signed a fisheries agreement with Japan. It is in Taiwan's national security interests to distinguish itself from the PRC vis-à-vis the issue of the East China Sea lest it risks being isolated from both Japan and the US.



Meanwhile, Japan's military deployments indicate its interest in keeping Taiwan as a security asset in the regional security environment. Regarding the Ma administration's attempt to reconcile with the PRC and Japan's military deployment on Yonaguni, Lai L-Chung, the director of foreign policy studies at a Taiwan think tank, stated in 2009 that '[a]s a result of the government moving closer to China, distancing itself from the US and opposing Japan', Taiwan has gone from being 'a friend that cooperates with the US and Japan to a country that the two allies must defend themselves against. The stationing of troops on Yonaguni will be the first step in this change' (*Taipei Times*, 2009). Regarding this development, Japanese Vice Admiral Umio Otsuka explicitly admitted that the main purpose of deploying the SDF on Yonaguni was not simply to conduct a military defence of the Senkaku Islands but also providing deterrence for Taiwan (Sasakawa Peace Foundation, 2016). Taipei did not publicly protest the military activities at Yonaguni, such as the building of a radar station or the deployment of SDF troops, even though the island is only 67 miles from Taiwan and 93 miles from the Senkaku Islands (Leaf, 2014).

Mayor Yoshitaka Nakayama of the Ishigaki island announced that the island would accept the deployment of 500 to 600 GSDF soldiers equipped with surface-to-air-missiles and surface-to-ship-missiles in the face of the threat of Chinese intrusion in the East China Sea and North Korean ballistic missile launches (Asahi Shimbun, 2016). These forces are expected to engage in a naval and aerial blockade of the Nansei Islands during any contingency involving PLA invasion. In addition, Calvo (2013b) pointed out that Taiwan will monitor the development of Japan's amphibious capabilities (including its mobile anti-ship cruise missiles), which will require Japan to adopt a more integrated approach to military organisation. It has been suggested that surface-to-air missiles, which are more mobile and survivable and can challenge the PLA's superiority

in air defence more effectively, can offer a reasonable alternative to expensive fighter jets, which Taiwan has not been able to purchase for a long time (*Defense News*, 2016). Furthermore, in January 2017, Japan engaged in a military simulation drill involving Taiwan and the PRC amid rising cross-strait tensions. Now that Japan can, in theory, engage in CSD operations, it is attempting to determine what kind of logistical support it can provide during any Taiwan contingency with US observer participation (*Japan Times*, 2017). Again, in theory, the Japanese SDF can now rescue Japanese nationals and can provide military support for any US intervention. According to Reuters (2017), rescue missions for Japanese civilians living in Taiwan and the naval protection of the US Navy were included in the simulation drill conducted by the SDF in 2017, which greatly annoyed the PRC.

Japan's military consolidation of the Nansei Islands would lead to a potential naval blockade against the PLA Navy's attempt to cross the first island chains in order to advance into the wider Asia Pacific region. In addition, the Hard ROC's mine warfare and anti-ship cruise missiles will be crucial to keeping PLA aggression in check. The fact that Japan's national security strategy has become more aligned with the US's military intervention strategy for any contingency in Taiwan will indirectly yet significantly help Japan's own efforts to achieve military fortification of the Nansei Islands. The Hard ROC strategy is aimed at inflicting maximum costs on the PLA through a protracted war, meaning the US would likely come to the conclusion that Taiwan is worth defending, while Japan would provide safe maritime and air routes through its naval and air defence capabilities for US reinforcements. This would both help increase Taiwan's strategic survivability and enhance Japan's security. Under the Tsai administration, the military stance on enhancing Taiwan's asymmetric capability to contain Chinese aggression by increasing its military capabilities and inflicting

maximum kinetic and non-kinetic damage on the PLA is clear. Taiwan's 2017 QDR emphasises a 'multi-deterrence strategy' that uses asymmetrical methods to force invading PLA forces into 'multi-dilemmas'. Taiwan's military has admitted to possessing a certain strike capability in relation to the Chinese mainland, while Taiwan's defence minister, Feng Shih-kuan, revealed that the PRC has deployed a new type of medium-range ballistic missile that is capable of hitting Taiwan and other target locations in the first island chains, including the Philippines, Okinawa, and mainland Japan (*Focus Taiwan*, 2017).

#### **4.3.6 Okinotorishima**

Chiou I-jen, a high-profile figure in the National Security Council, became a representative of the East Asian Council, an avenue for Taiwan to diplomatically communicate with Japan under Tsai administration. Chiou was present during Taiwan's maritime talks with Japan, indicating the strategic emphasis the Tsai administration places on its efforts to boost the nation's ties with Japan (Nojima, 2016). Here, Ma Ying-Jeou attempted to dispute the legal status of Okinotorishima in terms of Taiwan's 'fishing rights' even though the island is strategically essential for both Japan and Taiwan. If cross-strait war breaks out and the US decides to send in reinforcements, the Japanese MSDF will have to conduct undersea warfare to secure safe passage for the US Navy (Kotani Asia Maritime Transparency Initiative, 2016). Geographically located between Guam and Taiwan, Okinotorishima is legally defined as an island in UNCLOS legislature and has strategic value for Japan since the vast seas that surround it consist of routes the US navy can use in the case of a Taiwan contingency. In such a scenario, the Japanese MSDF will have to destroy any adversarial submarines and sea mines (Kotani Asia Maritime Transparency Initiative, 2016). According to Kotani, if Taiwan disputes the legal status of Okinotorishima by engaging in the 'freedom of navigation',

this will benefit the PRC's anti-access and area-denial strategy for complicating US intervention efforts during a Taiwan contingency (Asia Maritime Transparency Initiative, 2016). Meanwhile, if Okinotorishima loses its status as an island, and Japan subsequently loses 200 nautical miles of the EEZ, then Chinese government ships will be able to engage in scientific surveys of the EEZ zones claimed by Japan in the seas around Okinotorishima without Japan's consent. These surveys will benefit China's naval warfare capability, including in terms of its anti-access and area-denial strategies, and will help streamline the PLA's naval ability to counter US intervention during a Taiwan contingency (Kotani Asia Maritime Transparency Initiative, 2016). Fortunately, the Okinotorishima issue was politically shelved after the Tsai administration decided to wait for arbitration by the UNCLOS (Lin Asia Maritime Transparency Initiative, 2016b).

Since Taiwan is not even a member of the UNCLOS, it is impossible for Taiwan to resolve the issue. This is a beneficial phenomenon for Japan wherein the absence of Taiwan's statehood, which is a requirement for membership in international maritime security efforts, functions to enhance Japan's superior position over subordinate Taiwan in international society.

#### **4.4 Taiwan's Strategic Need to be an Asset for Japan**

As discussed in Chapters 2 and 3, Taiwan must regularly obtain approval from Japan due to its unique status and its ontological security stance, which regards Japan as a 'positive other'. As such, Taiwan must regularly prove its worth as a defence asset to Japan in the hierarchical Japan-Taiwan relationship, and it is up to Japan to decide whether Taiwan is a valuable asset within international society. For certain, Taiwan remains a component of the Sino-Japanese regional balance of power. However, a non-

sovereign community such as Taiwan can be a component of the balance of power within the ESIR paradigm but not in that of the mechanistic school of realist power politics as argued by Waltz (1979). In terms of the former, a non-state actor such as Taiwan can be instrumentalised for Japan's security vis-à-vis the regional balance of power with the PRC, as discussed below.

#### **4.4.1 Taiwan's defence contribution to Japan's security**

The PLA's navy and air force have been crossing the Miyako Strait and the Bashi Channel on an increasingly frequent basis in order to advance into the Western Pacific areas, including the east coast of Taiwan. This is making both the Japanese and Taiwanese militaries nervous (Panda, 2017). On this point, Hideaki Kaneda (2016), a former Japanese vice admiral, stated that Taiwan is the most important country for Japan's security and, as such, Japan can no longer afford to exclude Taiwan from its political, diplomatic, and defence engagements, especially given the geographical connectivity between the East and South China Seas and the mutually reinforcing security threats, including the salami slicing tactics, posed by the PRC. Kaneda (2016) pointed out that even though the Nansei Islands can be heavily defended by the Japanese SDF, the Bashi Channel, which is located south of Taiwan, may be comparatively weak. This may enable the PLA's nuclear and diesel submarines, combat ships, and bombers to easily cross into the Western Pacific. Furthermore, currently, Taiwan only possess four submarines, while the PRC has 60, which heavily tilts the military balance of power in favour of the PRC. Therefore, Kaneda (2016) suggested that while the US was able to monitor the geopolitical developments in the Bashi Channel until just recently, it is becoming difficult for the country to sustain its military primacy, which means that Japan needs to enhance its security ties with Taiwan, the Philippines, and the US to enhance ISR activities for the defence of the Bashi Channel.

Considering the PLA's traditional weakness in the ASW (Goldstein, 2011), Taiwan's acquisition of P3Cs from the US has helped consolidate its defence of the Bashi Channel. The former president, Ma, mentioned the importance of conducting maritime patrols around Taiwan's vast maritime areas by the P3Cs, including the overlapping maritime boundaries with Japan and the Philippines (*Focus Taiwan*, 2013). Koda Yoji (2017), a retired vice admiral, argued that Japan can block the Bashi Channel using its naval capabilities because Japan and the US have the upper hand in securing geographical choke points. Therefore, Taiwan should use its aforementioned capabilities to supplement Japan's deterrence capabilities vis-à-vis the PLA's navy in the Bashi Channel. In addition, the Japan-US led 'Fish Hook Undersea Defence Line' – which connects various undersea intelligence network systems across key chokepoints from Japan to Southeast Asia, including Okinawa, Guam and Taiwan – is crucial to detecting any PLA's submarine movements in the first island chains (Singh 2016). Allegedly, this undersea intelligence system also covers the Bashi Channel.

In February 2017, Taiwan deployed PAC3 surface-to-air missiles to expand its air defence in its south-eastern airspace after the PLA's air force conducted several military drills (*Taipei Times*, 2017). Taiwan's ADIZ is missing a corner in the southeast due to the 1959 agreement with the US that allowed American fighter jets to fly from Okinawa to the Philippines. Taiwan's deployment of PAC3 surface-to-air missiles could offset this preparedness deficit (*Taipei Times*, 2017). Meanwhile, Chen Wei-han stated the following:

Japan, South Korea and Vietnam are also armed with supersonic anti-ship missiles with ranges of more than 150km, and Taipei should explore the possibility of cooperating with neighbouring nations to create a defence network

that extends to major bodies of water within the first island chain (*Taipei Times*, 2017).

It would appear that Taiwan is enthusiastic about demonstrating its intelligence capabilities to Japan and becoming a potential security asset for its powerful neighbour in view of the balance of power with the PRC.

In December 2016, Liaoning, the PRC's aircraft carrier, sailed through the Miyako Strait and then into the Bashi Channel to advance into the South China Sea (*The Independent*, 2017). Following this geopolitical development, Japan's MSDF submarines also crossed the Bashi Channel to advance into the South China Sea to enhance the nation's strategic ties with Vietnam and the Philippines and to send a strategic message to the PRC regarding the illegally occupied and militarised Chinese artificial islands (*Sankei News*, 2016). Following this, Japan's Izumo class helicopter carrier sailed in the South China Sea from Yokosuka in May 2017 to engage in a naval drill with India and the US in the Indian Ocean in July 2017. This required its helicopter carrier to cross the Bashi Channel, which is geographically located to the south of Taiwan and to the north of Luzon in the Philippines (Reuters, 2017).

#### **4.4.2 Taiwan as an intelligence provider for Japan's military security**

The extent to which Taiwan's intelligence-sharing cooperation with Japan's military has been institutionalised is unclear, despite the unambiguous evidence that Taiwan provided the military intelligence for a PLA nuclear submarine's intrusion into Japanese territorial waters in 2003 and for a North Korean missile launch in 2012. In 1999, retired Japanese SDF officers and diplomats frequently visited Taiwan to provide political and military advice and tours in Japanese military bases (Dreyer, 2016). The geopolitical development necessitating Japan's enhancement of its intelligence exchanges with

Taiwan involved how Japan lacked independent military threat assessment capabilities in relation to Taiwan during the missile crisis in the Taiwan Strait during the period of 1995 to 1996, as will be discussed in the chapter on the ICAO. In 2003, Japan dispatched Nagano Youichi, a retired Japanese military officer, as its first de facto defence attaché in Japan's de facto embassy in Taipei (Yang, 2009). According to the *Washington Post* (2006), Nagao engaged in talks with the Taiwanese government and military officers and frequently communicated military information and reports back to Japan. Yang (2009) argued that the dispatch was an indication that Japan had enhanced its semi-official ties with Taiwan and a symbolic recognition of the emphasis the Japanese government placed on cross-strait issues and Japan–Taiwan security relations. Japan's acknowledgement of Taiwan as an intelligence-sharing partner for Japan's SDF was also symbolic.

Uchida (2006), the former de facto Japanese ambassador to Taipei, admitted that Japan–Taiwan relations involve the intelligence and information sharing that is significant for Japan's national security. Meanwhile, Uchida (2006) also admitted to the existence of intelligence sharing related to situational analysis and individual information sharing in Japan–Taiwan relations. According to Uchida (2006), Taiwan immediately notified Japan of the intrusion of a PLA submarine into Japan's territorial waters in November 2003. While Uchida (2006) was not certain whether this was the first piece of intelligence Japan received regarding the intrusion, he believed that such intelligence sharing can be critical if both Japan's and the US's intelligence fail.

Chinese elites in the PRC have expressed some concern over Taiwan's provision of military intelligence to Japan. For example, Liu (2006), the deputy director at the Department of International Relations at the prestigious Tsinghua University, pointed



out, in reference to Taiwan's *Zhongguo-Shibao*, that Taiwan's ST anti-submarine aircraft immediately detected a Chinese nuclear submarine and sent this vital intelligence to Japan and the US in November 2004. Meanwhile, Sahashi (2014) pointed out that while Japan and Taiwan would both benefit from regular intelligence exchange arrangements, this would require Japan to make difficult political decisions. In addition, Uchida (2006) discussed the importance of military information sharing to avoid accidents both at the naval and aerial levels. Taiwan and Japan especially need to develop a good mechanism for prior notifications in designated seas. Through this mechanism, Japan could be informed of any Taiwanese naval drills beforehand, especially when the drills are being conducted in international waters (Uchida, 2006). Without this knowledge, Japanese civilian ships and fishing vessels may be put at risk (Uchida, 2006). Uchida (2006) also discussed the importance of intelligence sharing for air forces on a bilateral level, which will be discussed in the chapter on the ICAO.

With heightened tensions in the East and South China Seas, it is possible that the US and Japan will include Taiwan in their regional military intelligence cooperation. For example, Chen cited the RAND report in stating the following:

China could trigger deeper military partnerships between its neighbours and a stronger US presence in the region, with Taiwan reportedly establishing a cooperation with the US and Japan that allows the three nations' military aircraft to be identified as friendly by radar (Taipei Times, 2017).

Taiwan has placed an early warning radar surveillance system at the top of Le Shan Mountain, which can monitor, detect, and track incoming flying objects such as ballistic and cruise missiles, military aircrafts, and stealth fighters at a range of more than 3,000 miles, giving Taiwan time to make an immediate response through competent military

intelligence gathering and analysis capabilities. While the system is expected to be upgraded by 2018 (Military Aerospace Electronics, 2016), at present it can conduct ISR activities from the Korean Peninsula to the South China Sea, especially in terms of submarine-launched ballistic missiles (Military Aerospace Electronics, 2016). Furthermore, during the symposium hosted in Taipei on 14 December 2016, Taiwan's National Security Council's deputy secretary-general, Tseng Ho-jen, disclosed that Taiwan was sharing military intelligence with the United States and argued that the PLA's military activities constituted a threat to Taiwan, Japan, and the US. The council also confirmed that Taiwan is equipped with the capabilities and confidence to deal with such a threat (*Focus Taiwan*, 2016). Clearly, Taiwan wants to use ISR capabilities to prove that it can be a defence asset to Japan and an important component in the Japan–US alliance.

#### **4.4.3 Taiwan as a potential regional cybersecurity contributor for Japan**

There exists the potential for cybersecurity cooperation between Japan and Taiwan. While Japan's National Information Security Centre has its own 'cybersecurity strategy', which emphasises the importance of engaging in policy coordination dialogue with the US and other like-minded regional states regarding bilateral cybersecurity cooperation, Taiwan is completely excluded from the strategy (Cunico, Nien-chung, Uchimura at CSIS 14 January 2015). Taiwan is a major springboard for the PLA to test its cyberattack capabilities given the shared language for crime purposes and military operations, which includes massive cyberattacks intended to cripple Taiwan's command, control, and logistics during a cross-strait contingency (Cunico, Nien-chung, Uchimura at CSIS 14 January 2015). Informal, ad hoc anti-cybercrime cooperation may exist between Japan, Taiwan, and the US, and Japanese and Taiwanese firms may engage in informal cyber-security discussions, but what has not been addressed is that Japan and

Taiwan have a low-key yet 'official' cybersecurity cooperation arrangement based on the APEC.

The APEC is one of the few multilateral mechanisms that allow Taiwan to fully engage as an economic entity and to engage in security relationships with other countries, including with Japan on low-key grassroots yet 'official' levels. For example, in 2010, Taiwan's National Communications Commission hosted 18 APEC economies, including Japan, in a discussion on ICT developments related to, for example, information and cybersecurity. Similar events were hosted in both 1996 and 2003 (National Communication Commission, 30 June 2010). During the 2010 event, Taiwan proposed the 'Deployment of Disaster Information Distribution System and Service Model by NGO Exemplar Platforms' (National Communication Commission, 2010) and obtained co-sponsorship from Japan. According to the event, an estimated US\$50,000 would be invested to study how best to combine cloud computing, open resources, online community websites, and various governmental and private resources for the effective response to disasters and the subsequent necessary reconstruction projects (National Communication Commission, 2010). In the absence of formal diplomatic channels, Taiwan's grassroots yet official security channels with Japan, such as the APEC, are a vital component of Japan-Taiwan security relations. In fact, this is an underappreciated component of the regional security environment and includes operations such as cybersecurity vis-à-vis HADR cooperation.

Whether this form of security cooperation can affect the regional power politics in Japan's geopolitical calculus remains to be seen. Nevertheless, it does have symbolic value in relation to Taiwan's contribution to regional security. In addition, Matsuda (YouTube, 2017) pointed out that while Taiwan's guest membership in the ICAO was

rejected due to the PRC's sanctions, the nation continued to be represented by the APEC. An APEC event in Taiwan also discussed the nation's potential for law enforcement cooperation for cybersecurity operations with other countries, including Japan, which will be discussed in the chapter on the ICAO.

#### **4.4.4 Japan's renegotiation of Taiwan as a security dialogue partner**

As discussed in the previous chapter, for Taiwan, track 2 diplomacy is significantly different in nature from the track 2 diplomacy pursued by de jure states. For example, according to the *Taipei Times*, Edwin Feulner, the founder of the Washington-based Heritage Foundation, played a key role in the first Tsai–Trump phone call (*Taipei Times*, 2016b). Japan has been accommodating 'semi-official' track 2 diplomacy with Taiwan in relation to Japan's security and has incrementally expanded the 'official' side of its unofficial security dialogue channels with Taiwan. Japan renegotiated Taiwan's membership as a security dialogue partner in international society without explicitly recognising its officiality. In addition, much like in the US, as the former de facto director Ogata in Japan-Taiwan Exchange Association in Taipei (2013) pointed out, those who are working at prominent think tanks and universities in terms of the track 2 diplomacy in Taiwan can be easily deployed in the central political decision-making body if there is a change in administration. However, the concept of track 2 and track 2 diplomacy is ambiguous in Japan–Taiwan security dialogues, necessitating the creation of unique semi-institutionalised communication channels.

In September 2011, Abe attended a track 2 security dialogue as a high-profile political figure from the opposition party with former prime ministerial experience and argued that Taiwan was an important partner for Japan, one that shared its universal values of democracy, freedom, and peace (Nihon Ritouki-No-Kai in Aichi Branch, 2015).

However, the fact that he attended the dialogue as the leader of the opposition party may have diminished the symbolic political importance of his argument to a great degree (Nihon Ritouki No Kai in Aichi Branch, 2015). At the same time, it can be argued that the fact that Abe attended the dialogue at all is significant within the context of the reassessment of the strategic value of Taiwan's track 2 diplomacy in its security communications with Japan. Here, Yang (2009) pointed out that the shared perception of the threat the PRC poses for both nations' national security played a significant role in facilitating security talks between Japan and Taiwan. The track 2 security dialogue was instrumentalised to put political pressure on Taiwan to diffuse any maritime security tensions with Japan amid other maritime tensions in the East China Sea resulting from the perceived cross-strait united front against Japan before the conclusion of the fisheries agreement. For example, at the Heritage Foundation's conference in Washington that was held in early 2013, the former US deputy assistant secretary of state for East Asian affairs, Randy Schriver – while clearly indicating that the US prioritised its alliance with Japan over the TRA – stated that 'Japan is arguably Taiwan's second-most important security partner' and added that '[i]f Taiwan undertakes activities that cause problems with Tokyo, that will cause problems with the United States and that should be avoided' (*Taipei Times*, 2013). Furthermore, Su Tseng-chang, the former director of the Executive Yuan, who competed with Tsai for the presidential nomination, also visited the LDP's think tank in Tokyo to exchange views with Japanese legislators regarding the negotiations on the impending fisheries agreement and insisted that Taiwan enhance its diplomacy based on its shared values with Japan, the US, and South Korea for stability and prosperity in Northeast Asia (Japan–Taiwan Exchange Association, 2013). Here, Ishihara (Japan–Taiwan Exchange Association, 2013) pointed out that the DPP was conscious of Abe's value-based

diplomacy and expressed a keen sense of rivalry with a PRC that does not share its political values. Regarding this visit, the *Taipei Times* (2013) reported the following events:

[t]he senator — the brother of Japanese PM Abe — said that Ishiba did not propose to ‘include Taiwan in the US-Japan Security Treaty’, but underlined that policymakers and countries should get to understand Taiwan better before assessing Asia-Pacific security situations, and Taiwan should not be ignored or excluded from any security plans.

While at this time the DPP was an opposition party, and it was the KMT that ultimately concluded the fisheries agreement with Japan, the political heavyweights in both the KMT and the DPP were clearly conveying a strategic message about enhancing Taiwan’s ties with the Japan–US alliance through ‘track 2 diplomacy’ with the LDP’s think tank in Tokyo. The conclusion of the fisheries agreement provided symbolic leverage for Taiwan to strategically align with the alliance.

Such a security dialogue was instrumentalised to encourage Taiwan to improve its self-defence capabilities and to become an asset within the Japan–US alliance. For example, at the conference organised by Project 2049 in December 2016, Schriver insisted that Taiwan must develop its self-defence capabilities to deter the PLA from invading the nation (Project 2049, 2016). Meanwhile, Matsumura (2010 page123) insisted that, in partnership with the US, the Japanese government communicates its strategic message through ‘unofficial’ security talks to convince Taiwan to acquire military assets and to maintain a cross-strait balance of power amid the rapid development of the PLA’s capabilities. Elsewhere, Matsumura (2010 page123) argued that Japan should welcome the professionalisation of the Taiwanese military, including in terms of the abolition of

the conscription system, and should allocate more financial resources to the acquisition of US-made weapons. Matsumura (2010) also insisted that Japan and the US jointly encourage Taiwan to develop self-defence capabilities qualitatively through track 2 security dialogues. Regarding Taiwan's acquisition of the P3Cs, President Ma argued in 2013 that the P3Cs acquired by Taiwan were qualitatively equal to the US's P3Cs (*Focus Taiwan*, 2013). This qualitative upgrade of Taiwan's military hardware clearly boosted the country's military morale. Meanwhile, Ogata (2016) further pointed out that rather than acquire second-hand military hardware, Taiwan acquired the upgraded version of its F16A/Bs. In addition, the P3Cs and Patriot PAC3s boosted Taiwan's air defence capabilities, anti-submarine warfare capabilities, and missile defence capabilities. In fact, these are still used by Japan and the US in terms of frontline defence, which has, in turn, increased Taiwan's confidence in its self-defence capabilities.

Foreign Minister Joseph Wu called on Japan to open a security dialogue mechanism between Japan and Taiwan in his interview with *Sankei Shimbun* in 2018. If Japan encourages more communication with Taiwanese think tanks, the Tokyo MOD's think tank, NIDS, may or may not engage with its Taiwanese counterpart in the future. An informal exchange of ideas through the publication of informal reports can shape policy-making decisions related to Japan–Taiwan relations. For example, NIDS published its China Security Report on Taiwan–China relations, stating the following:

[i]t is possible that if Taiwan devotes less of its efforts to self-defense, China's actions will become even more expansionistic. In that sense, Taiwan's attention to improving its self-defense capabilities may influence the stability of the region as a whole. Further, maritime affairs also become important since Taiwan lies at the nexus of international channels of navigation tying together the East

China Sea, the South China Sea, and the Pacific Ocean. As geographical confrontation in East Asia takes on new dimensions, the strategic importance of Taiwan will likely increase as well (NIDS China Security Report, 2017, p. 80).

As discussed, Taiwan's self-defence capabilities cannot be underestimated in their ability to supplement the military balance of power for Japan in terms of the issues of the East and South China Seas, the Bashi Channel, and the wider Pacific regions and in terms of preventing the PLA Navy's advancements. Russel Hsiao, the executive director of the Global Taiwan Institute – the only Washington-based think tank that solely focuses on issues related to Taiwan (Brooking Institution, 2017) – indicated that the informal reports published by NIDS on Taiwan–China relations are important for Taiwan's policy-making elites in terms of understanding Japan's strategic thinking and making better decisions regarding issues pertaining to the Taiwan Strait.

Furthermore, based on track 2 diplomacy, where high-profile figures are represented, Taiwan's attempt at regional strategic adjustment in accordance with the shift in the regional security environment is significant. For example, the former Indian defence minister, George Fernandes, attended a conference entitled 'India–Japan–Taiwan Triologue: Prospects for Democratic Cooperation' that was hosted by a Taiwan think tank in Taipei (*Taipei Times*, 2004). Reportedly, this informal conference aimed to promote the awareness of potential areas of tripartite cooperation involving India, Japan, and Taiwan in the areas of economic growth and trade, high-tech industry, and democratic development, as well as other inter-regional issues that are of vital interest to these nations (*Taipei Times*, 2004). As will be discussed in the chapter on the ICAO, the issue of how to reduce Taiwan's excessive economic dependence on the PRC is one component of the regional security environment. Under the current Tsai administration,



as one of its foreign policy priorities, Taiwan is shifting its diplomatic focus toward Southeast Asia and India to address the issue of economic security (*Taiwan News*, 2017). Importantly, under the Modi administration, India is not interested in being bound by the One-China policy in the absence of the PRC's One-India policy (*Taiwan News*, 2017). Ogata (2016) expressed the view that under the New Southbound Policy initiated by the Tsai administration, Taiwan will seek multi-dimensional relations with both the ASEAN states and India. This will require Taiwan to reject unification with China while placing pivotal emphasis on its ties with Japan and the US in view of deepening its relationships with regional states other than the PRC. In addition, the brochure distributed in September 2016 by the New Delhi-based India Foundation at the Shangri-La Hotel in Singapore – where it functioned as a co-host with Nanyang University's RSIS – pointed out that, along with participant member states that discussed the ties between India and the ASEAN states, a Taiwanese representative, Hung Mao-tien – president and board chairman of the institute for National Policy Research in Taiwan – somewhat surprisingly gave a talk on maritime security at the pre-conference comity workshop (Cordner, 2016). According to Cordner (2016), high-profile pro-Taiwan Japanese figures such as Kishi Nobuo, minister of state for foreign affairs, were present. Clearly, Taiwan is not excluded from the strategic cooperation between Japan and India in the Indo-Pacific Region.

#### **4.5 Japan–Taiwan Non-Traditional Security Cooperation: Japan–Taiwan Coast Guard Relations**

It is difficult for the PRC to sanction Japan-Taiwan non-traditional security cooperation at constabulary levels since coastguard exchanges are considered less-coercive and

more normative. Bateman (2003) argued that the coastguard is suitable for facilitating regional maritime security cooperation given its confidence-building effects, the less escalatory nature of maritime policing, and the importance of protecting the marine environment. Furthermore, if Japan–Taiwan security interactions are conducted at the constabulary level, it is harder for the PRC to oppose to it than military cooperation, while the constabulary cooperation between Japan and Taiwan helps the latter to align itself more with the former within the context of Japan–China–Taiwan relations. As such, the coastguard cooperation between Taiwan and Japan has positive effects in terms of regional peace and stability, while the One-China policy remains unbreached within the context of Sino-Japanese regional great power management. Thus, Japan is instrumentalising Taiwan as a maritime constabulary asset for non-traditional security efforts within the context of Japan’s One-China policy. However, this cooperation will be discussed in more detail in the chapters on CSD and the fisheries agreement since any Chinese maritime intrusions of the East China Sea are largely conducted by white hulls, and Japan is more concerned about grey zone contingency.

Taiwan cannot be represented in the ReCAAP or the Information Sharing Centre due to the sanctions imposed on it by the PRC, which have prevented the nation from gaining access to intelligence on regional maritime piracy and crimes and from communicating its own maritime piracy issues in its neighbouring seas (Glaser, 2015). However, it is precisely because Taiwan cannot be included in multilateral maritime security cooperation in the region that its bilateral coastguard cooperation with Japan and other countries, such as the Philippines, is even more critical for maritime peace and stability in the East and South China Seas and the Bashi Strait. In short, Japan can enhance its non-traditional maritime security cooperation with Taiwan bilaterally through these coastguard exchanges.

According to Glaser (2015), Taiwan engages in coastguard cooperation with other states, which, in addition to Japan and the Philippines, includes Malaysia, Thailand, Indonesia, and Vietnam, in relation to maritime anti-human trafficking and maritime anti-drug smuggling. The author also pointed out that Japan engages with Taiwan for annual mutual visits and working-level meetings for limited coastguard cooperation (Glaser, 2015). Furthermore, according to an interview with Foreign Minister Joseph Wu (*Taipei Times*, 2019), Taiwan has signed a coastguard agreement with the Marshall Islands, and President Tsai plans to sign coastguard agreements with Palau and Nauru during official visits to these countries – which still have official ties with Taiwan – to provide them with patrol vessels in the future. Reportedly, the new sea patrol cooperation pact concluded between Taiwan and Palau enables Taiwan to conduct training, exchange patrol personnel, fight maritime cross-border crimes, protect Palau’s fishing vessels, and engage in a joint maritime rescue drill in the seas around Palau using Taiwan’s 1,800-tonne patrol frigate (*Focus Taiwan*, 2019). In fact, Wu (*Taipei Times*, 2019) pointed out that despite the vast oceans surrounding these island states, their coastguard capabilities are limited, and Japan, Australia, and the US have thus already provided them with patrol vessels. Clearly, Taiwan can supplement Japan’s maritime law enforcement capacity-building efforts for Palau in the South Pacific, which are a part of Japan’s Indo-Pacific strategy.

#### **4.5.1 Japanese constabulary asset sales to Taiwan**

It is unknown whether the Japanese government or a non-state actor in Japan was responsible for maritime constabulary asset sales such as the export of a coastguard patrol ship to Taiwan despite the One-China policy. Even after the Japanese de-recognition of the ROC, Japan’s maritime security activities, including constabulary asset sales to Taiwan, continued. To understand Japan’s maritime capacity-building

efforts for Taiwan's maritime law enforcement, the Taiwan Coast Guard's main missions must be discussed. Here, Morris (2017) explained that the three main missions of the coastguard are: (i) the regulation of coastal zones under national jurisdiction, (ii) the inspection of cargo entering and exiting ports, and iii) the investigation and seizure of smuggling operations and illegal vessels or people entering or exiting the country. Other important missions include search and rescue, intelligence gathering, and support for maritime research and development (Morris, 2017).

The Japan-made coastguard patrol ship that is officially named *Dexinguang* was produced in Japan's shipyard in 1977 and participated in Taiwan's maritime law enforcement activities for 37 years, with its security missions including anti-drug smuggling and search-and-rescue missions in Taiwan's waters (CNA, 2015). Reportedly, the *Dexinguang* succeeded in conducting an anti-drug smuggling mission in the ocean in the south of Taiwan, while it also engaged in escort missions to ensure the safety of fishing vessels during the Taiwan–Philippines maritime tensions that stemmed from the tragic killing of a Taiwanese fisherman by the Philippines Coast Guard in 2013 (CNA, 2015). Clearly then, the *Dexinguang* was utilised for operations involving both Taiwan and the Philippines, both of which are considered to be Japan's security partners.

#### **4.5.2 Potential for Japan–Taiwan coastguard relations**

Sahashi (2014) noted that coastguard exchanges have the potential for growth if Japan allocates political capital to enhancing Japan–Taiwan relations. Regarding this point, in an interview with *Yomiuri Shimbun* (2016), President Tsai discussed Taiwan's intentions to enhance its maritime search-and-rescue cooperation, to resolve any fisheries issues, and to enhance its marine scientific cooperation with Japan through

maritime cooperation dialogue. In fact, President Tsai expressed her strong political interest in improving the bilateral ties with Japan for regional stability and stated that ‘from Taiwan’s perspective, PM Abe is someone we [have been] quite familiar with over a long period of time. We also understand that he has goodwill toward Taiwan’ (Reuters, 2016). On examining this non-traditional maritime security cooperation between Japan and Taiwan, Kotani argued that both nations can engage in a dialogue on regional maritime security issues such as maritime piracy and marine environmental protection (Global Taiwan Institute, 2016). Coastguard exchanges should be also enhanced via maritime cooperation dialogue. In terms of the Taiwanese perspective, the vice president of the Taiwan Brain Trust, Lin Ting-hui, suggested that the two coastguard operations can establish a ‘notification system within the maritime law enforcement agencies and a hotline between the competent regulatory authorities on marine affairs’ and added that ‘[t]he two sides could even conduct joint maritime rescue drills, loan each other equipment to fight marine pollution’ and ‘conduct bilateral training and exchanges for law enforcement and marine affairs personnel’ (Asia Maritime Transparency Initiative, 2016a).

#### **4.5.3 Concrete Japan–Taiwan coastguard relations**

As discussed earlier, maritime-related tensions surfaced between Japan and Taiwan during the Okinotorishima issue, even though the EEZ around the island is a vital route for the defence of Taiwan within the context of Japanese CSD. However, in 2017, the two nations signed an MOU agreement over the emergency and rescue operations carried out by the coastguards and essentially shelved the legal dispute over Okinotorishima (*Focus Taiwan*, 2017). Monma (2018) admitted that Japan had dispatched a coastguard attaché to the Japan–Taiwan Interchange Association and hinted at the possibility of close daily communications with the coastguard in Taiwan

while suggesting that this will likely lead to bilateral joint search-and-rescue drills between the two coastguards in the near future. In 2018, a Taiwanese fishing vessel was rescued by an MSDF helicopter 190 kilometres from Iwojima after the Japanese coastguard received a rescue signal from the vessel and subsequently launched an aircraft search (Asahi Shimbun, 2018). Thus, the Japanese military and coastguard were instrumentalised to rescue a Taiwanese civilian entity in Japan's maritime domain, and interestingly, it appears this incident has not brought about a diplomatic crisis in Sino-Japanese relations.

#### **4.5.4 Taiwan's misinterpretation of Japan's maritime security ties to the Philippines**

As discussed in Chapters 2 and 3, the de facto state of Taiwan's political input has no effect on Japan's security policy given the strong hierarchical relationship, with the more powerful Japan able to impose rules and norms on its subordinate Taiwan, which is clearly manifested in the Japan–Taiwan–Philippines coastguard ties. According to Kotani, Taiwan has expressed concerns over Japan's maritime law enforcement capacity building in relation to the Philippines Coast Guard. This concern is related to the fact that Taiwan holds the largest land feature, Itu Aba, in the South China Sea and is worried about the Philippines' potential use of Japan-provided coastguard ships, which could weaken Taiwan's maritime security in the area (Asia Maritime Transparency Initiative, 2016). However, while maritime-related tensions between Taiwan and Japan or the Philippines do occasionally surface then, the major challenge to the Taiwan Coast Guard comes from the PRC (Morris, 2017). In fact, Taiwan's coastguard has engaged in tabletop exercises and other drills with its Philippines counterparts (Glaser, 2015). Nonetheless, Japan, Taiwan and the Philippines clearly require enhanced communication mechanisms to ensure the message regarding the

importance of the Philippines for Japan's regional security is clearly grasped by Taiwan. In short, the Japan-provided coastguard assets will safeguard the Philippines' interests in the South China Sea and will help it to combat maritime crime, piracy, and terrorism to defend the liberal maritime order in international society, which will, of course, also benefit Taiwan.

As discussed in Chapter 2, in the ESIR paradigm, great powers are accorded special privileges that smaller states are unable to enjoy. Japan is no exception to this rule within the regional context. As a regional great power, Japan can lay down rules and norms to compel smaller nations such as Taiwan to behave in accordance with Japan's preferences. Meanwhile, while the Philippines may not be a particularly strong country, it does enjoy the legal privileges afforded to a sovereign state. This is not the case for Taiwan. As such, if the two nations face maritime tensions, Japan will not side with Taiwan because the sovereign state of the Philippines has a higher legal status than the de facto state of Taiwan within international society.

#### **4.6 Japan–Taiwan Non-Traditional Security Cooperation in the HADR**

It is difficult for the PRC to sanction the development of Japan–Taiwan security relations if this involves humanitarian components such as the HADR, despite the Sino-Japanese great power management of Taiwan. This is due to the fact that such a sanction would damage the PRC's reputation within international society. Japan's CSD operation can enhance its regional soft security leadership, including in terms of the HADR, while Taiwan can be a supplementary asset for Japan in international society. Miller (2014)

pointed out that Japan's defence policy that is aligned with the concept of proactive contribution to peace will mean the nation remains largely defensive in the East China Sea but will be more proactive in soft security affairs such as the HADR. This became clear when Typhoon Haiyan struck the Philippines in 2013. In East Asia, where natural disasters have resulted in huge numbers of casualties, the HADR has become an essential component of regional security affairs. Japan and Taiwan are both natural disaster-prone areas in the region, which means both have expertise in this non-traditional security field. If the Japan–Taiwan HADR-based cooperation is enhanced, this will improve the crisis management capabilities of the two actors, which could then subsequently be applied to other contingencies. In fact, non-traditional security cooperation has special symbolic importance for Taiwan given that non-controversial humanitarian international soft security cooperation involving, for example, the HADR and non-military medical cooperation have significant political implications, as indicated by the improvement of Japan's perception of Taiwan after the latter donated generously and provided emotional support to the former during the triple disasters of 2011. Importantly, Japan can accommodate Taiwan into international society by cooperating in HADR activities with Taiwan on humanitarian grounds, while Taiwan can enhance its HADR cooperation with Japan to help increase its importance in the Japan–US alliance and to counter the PRC's attempts to exclude Taiwan from it. This will also help to further tip the Sino-Japanese regional balance of power in Japan's favour.

#### **4.6.1 Taiwan's HADR capabilities and the PRC's sanctions**

With the endorsement of the US, the Taiwanese Air Force transported relief supplies using a C-130 transport plane and used US military bases for refuelling and repairs to help Haiti during the massive earthquake of 2010 (Guilloux, 2016). Furthermore,



Taiwan's air force and navy provided both official and private relief supplies using the C-130 transport plane and a landing ship-tank for HADR operations during Typhoon Haiyan in 2013 (Guilloux, 2016). These activities demonstrate Taiwan's contributions to supplementing Japan's HADR activities both regionally and globally. However, given the PRC's sanctions, Taiwan has been severely restricted in carrying out HADR missions on either an international or regional scale. For example, in 2015, the PRC pressured the Nepalese government into refusing to accept an emergency response search-and-rescue team from Taiwan following the huge earthquake in Nepal, while the Nepalese government did accept medical help from Taiwan (*New York Times*, 2015). In fact, Taiwan has significant HADR capabilities, as manifested in its replenishment ships, which include the AOE 532 Panshih that forms part of the ROC navy. This provides Taiwan with naval and aerial re-supply capabilities with state-of-the-art medical facilities, even when it is physically away from its port (Strategic Review, 2015). In addition, on the grassroots level, Taiwan's massive donations and emotional support for Japan during the 3/11 triple disasters in the Tohoku region increased the awareness among the Japanese of Taiwan's potential to carry out HADR cooperation, as will be examined in the chapter on the fisheries agreement. In fact, the Ma administration cited humanitarian work as one of the major components of Taiwan's second line of defence, one that clearly enhances Taiwan's international development contribution (Glaser, 2015). These geopolitical developments have ensured that Japan–Taiwan HADR cooperation are critical given that the sheer scale of the damage resulting from natural disasters such as the 2004 tsunami in Southeast Asia, the 2011 triple disaster in Japan, and 2013's Typhoon Haiyan calls for major transnational efforts.

#### **4.6.2 Japan's instrumentalisation of the HADR to enhance its security ties with Taiwan**

The MOFA in Tokyo immediately announced the dispatch of a specialised search-and-rescue team following the massive earthquake in eastern Taiwan in 2018 (MOFA, 2018). Abe offered his condolences, displaying a picture of his calligraphy on Facebook (*Taipei Times*, 2018). Reportedly, the specialised search-and-rescue team members consisted of the MOFA, the JICA, the Tokyo Fire Department, the Tokyo Police Department, and the Japan Coast Guard's Tokyo branch, while specialised HADR equipment was also dispatched (*Taipei Times*, 2018). Clearly then, Japan had chosen to openly dispatch the necessary relevant personnel and soft security equipment. Furthermore, in 2018, Abe used Twitter to express his gratitude to Taiwan in Mandarin Chinese in response to President Tsai's Twitter message expressing (in Japanese) her condolences and readiness to provide support for the natural disaster that occurred in western Japan (Yahoo Qima Xinwen, 2018).

In addition, according to the then mayor of Tainan City, Lai – who was known for having a strong background in foreign affairs and who later became a premier – Japan's investigation team arrived in Tainan's earthquake-stricken region to determine what support was needed by the local citizens following the huge earthquake of 2016 (Japan National Press Club, 2017). This development was appreciated by both Lai and the locals, especially given that other countries had been sending goods to Tainan without any consideration for the local needs (Japan National Press Club, 2017). This proves that the Japanese understand the importance of information gathering and intelligence analysis for effective HADR missions and demonstrates the significance of grassroots exchanges in times of natural disasters for Japan–Taiwan security relations. In fact, following the 1999 earthquake in Taizhong, the Japanese rescue team arrived in Taiwan

before those of any other country. In short, since both Japan and Taiwan face the risk of natural disasters such as earthquakes and typhoons, enhanced technical and personnel cooperation will undoubtedly increase the regional security.

The NGO Peace Winds visited Japan and Taiwan for disaster preparedness coordination in April 2017, bringing Japan, Taiwan, the US, and the Philippines together to improve the regional capacity and collaboration in disaster relief activity (Peace Winds, 2017). Based on previous Japan–Philippines–US and Japan–Korea–US trilateral preparedness initiatives, Taiwan is a natural partner for such initiatives due to its vulnerability to diverse natural disasters, its geography, and its strong interest in regional cooperation (Peace Winds, 2017). The dialogue for the Peace Winds initiative included participants from the Ministry of Foreign Affairs, the Ministry of National Defence, various other government stakeholders, a number of NGOs, and various private sectors from both Japan and Taiwan (Peace Winds, 2017). This initiative was aimed at making Taiwan a natural partner and improving its HADR cooperation with Japan, the US, the Philippines, and various other countries.

Japan also instrumentalises the APEC as an avenue to cooperate with Taiwan for regional security matters such as the HADR. Glaser (2015) pointed out that a large majority of Taiwan’s HADR cooperation relates to participation in the APEC’s Emergency Preparation Working Group, which is authorised to enhance emergency preparedness for natural disasters in the region. The Taiwanese Li Wei Sen is co-chair of the group alongside Kyoshi Natori (Glaser, 2015).

#### **4.6.3 Taiwan’s HADR contribution to Japan’s regional soft security leadership and soft power projection in international society**

Taiwan’s air force and navy engaged in huge HADR operations during Typhoon Haiyan,

which severely affected the Philippines in 2013 (Glaser, 2015). If Japan's large deployment of the SDF in the post-war period during Typhoon Haiyan was a major component in enhancing the nation's soft power in the Philippines, then Taiwan's HADR missions certainly supplemented Japan's HADR operations, albeit indirectly, which is in sharp contrast to the PRC's delayed dispatch of one hospital ship and its provision of severely limited financial support, despite domestic and international criticism (Reuters, 2013).

Thus, the HADR is deemed to be a non-politicised political soft power contributor for Japan in the regional security environment. Taiwan can potentially play a supplementary role in Japan's regional soft security leadership and can enhance its regional soft power in partnership. According to the Philippines's National Security Policy implemented between 2011 and 2016, natural disasters were regarded as one of the main national security priorities for the Philippines (Philippines Government National Security Policy 2011–2016). Clearly, Japan–Taiwan HADR cooperation has relevant regional security implications for the Philippines and a number of other Southeast Asian member states. In fact, Japan participated in an anti-disaster drill with Malaysia and Australia in Taipei in March 2019 (*Taiwan Today*, 2019).

Japan's JICA undertook the training of Taiwanese HADR experts during the 2000s. Here, Japanese disaster relief team members trained with their Taiwanese, Singaporean, and Filipino counterparts to improve their knowledge and rescue skills for overseas disasters (Japan JICA, 2005). Following the huge landslide caused by the typhoon that hit Kaoshiung in 2010, Japan and Taiwan signed a mutual help agreement to improve sand control, with the two nations engaging in mutual exchanges involving anti-disaster experts and academics to improve sand control technology and minimise the risk of

landslides (Taipei Economic and Cultural Representative Tokyo, 2016). Currently, Taiwan is proposing that it cooperates with Japan in providing anti-disaster and post-disaster models to Southeast Asian countries to help them improve their capacity building and better handle the effects of climate change (Taipei Economic and Cultural Representative Tokyo, 2016). In fact, the tiny Pacific Islands state of Palau – which has official ties with Taiwan – called for anti-drought support from Japan and Taiwan after it imposed a state of emergency due to a lack of drinkable and useable water (AFP, 2016), with climate change cited as the reason for the drought. Here, Japan may have agreed with Taiwan’s views on the security of Palau as an anomalous case, while Palau diplomatically recognises Taiwan as a *de jure* state. As discussed in Chapter 2, international society is biased in favour of sovereign states, which can be somewhat detrimental to non-sovereign political communities. Therefore, Taiwan can enjoy some equality in its relations with Palau in international society as a sovereign state, which increases Taiwan’s political importance in the South Pacific and in relation to Japan’s Indo-Pacific strategy.

#### **4.6.4 HADR cooperation with Taiwan as a strategic shield for Japan’s normative power in the Sino-US rivalry**

The PRC may instrumentalise the HADR as leverage to lure Taiwan away from the Japan–US alliance and towards a cross-strait united front strategy. In other words, Japan’s enhancement of its HADR cooperation with Taiwan can be viewed as a strategic asset used to firmly lock Taiwan into the Japan–US alliance. A similar view was expressed in Shang-Su Wu’s 2016 research on the HADR in Taiwan. Here, Wu (2016) discussed the possibility of the PLA utilising the natural disasters that may strike Taiwan as a justification – on humanitarian grounds – for the deployment of the PLA on Taiwan’s soil to ‘safely’ and ‘legitimately’ invade Taiwan. According to unclassified

documents from the US's de facto embassy obtained from Wikileaks, during Typhoon Morakot, Ma's incompetence in effectively handling the damage inflicted by the typhoon was heavily criticised. The PRC could have attempted to exploit this fact to dispatch its military and land on Taiwan's soil (Wikileaks, 2011).

In addition, the typhoon was a turning point in terms of reducing the number of black hawk helicopters in favour of heavy lift helicopters for HADR operations in Taiwan. This was welcome news to the PLA (Wikileaks, 2011) since it could easily disrupt the regional military balance in the Taiwan Strait (hitherto sustained by the Japan-US alliance; Wikileaks 2011). However, both US C-130 aircraft and naval vessels arrived in Taiwan to lead massive HADR operations. Meanwhile, for unspecified reasons, Japan's MSDF vessel's port call was declined (Wikileaks, 2011). Had things turned out differently, Japan-China-US relations over Taiwan may have been negatively affected due to the Taiwanese leadership's lack of judgment and mismanagement (Wu, 2016). Clearly, the geopolitical developments surrounding Typhoon Morakot in Taiwan have increased the strategic need for Japan to enhance its HADR cooperation with Taiwan as well as its normative power in the Sino-US rivalry.

#### **4.7 Summary**

Japan is navigating Taiwan's ambiguous status in the Japanese concept of CSD while instrumentalising Taiwan for its own security. Meanwhile, Taiwan is benefiting from Japan's greater deterrence capabilities vis-à-vis the PRC. Taiwan's self-defence capabilities are also an indirect military asset for Japan in reducing Chinese military pressure on Japan's southern flank. Japan-Taiwan security relations may develop further in the field of non-kinetic military cooperation – including in terms of intelligence sharing – and in the field of non-traditional security, including track 2

security dialogue, coastguard exchanges, and the HADR. If Japan enhances non-traditional security ties with Taiwan in ways that are regarded as normative, humanitarian and non-coercive, such as the coast guard exchanges, and the HADR, Japan can still appease its One China Policy. Furthermore, Japan can tilt Sino-Japanese power-political relations in its favour by instrumentalising Taiwan in terms of non-kinetic defence security and a non-traditional security asset. This will, in turn, enhance Japan's standing vis-à-vis the PRC within the context of the One-China policy. Meanwhile, Japan will continue to navigate the ambiguities of the regional great power management with the PRC. Finally, regardless of whether Japan adheres to the Yoshida Doctrine or shifts toward the Abe Doctrine with regard to its external security policy, the nation's security ties with Taiwan will continue to make incremental progress. The next chapter examines how Japan can socialise Taiwan through compliance with norms and rules generated in international security agencies, the membership to which requires statehood, such that Japan can enable Taiwan to contribute to Japan's security through aviation participation.

## **Chapter 5. International Civil Aviation Organization**

### **5.1 Introduction**

In this chapter, we examine how Japan has gradually accommodated Taiwan as a normative aviation security asset into the regional aviation security environment. This has allowed Taiwan to contribute to Japan's security by modifying the balance of power in relation to the PRC, while Japan continues to navigate the ambiguities of the regional great power management with the PRC within the context of the One-China policy. Taiwan can never become a full-fledged member of the International Civil Aviation Organization (ICAO) since the organisation requires statehood for membership, but Japan can enhance Taiwan's 'as if' membership, thereby allowing Taiwan to fill the void in Japan's international aviation security efforts. While Taiwan is attempting to prove itself as a valuable aviation security asset for Japan, according to the ESIR, this is, in fact, consolidating Japan's superior position in the hierarchical Japan–Taiwan relationship. This chapter also elucidates on how Japan can socialise Taiwan through compliance with international security norms and rules without affording it explicit membership; rather, Taiwan will be given an alternative opportunity to enable the nation to behave as if it is a member of international security efforts. Here, we adopt the area of aviation security as a case study.

First, we discuss what the ICAO is and how Taiwan has been a marginalised entity within the organisation in the absence of its membership, which requires statehood, even though Taiwan has ample expertise and resources to contribute to international aviation security, including in terms of Japan. Second, we discuss how Taiwan's marginalisation with regard to the ICAO affects Japan's aviation security through conceptualising what Japan can do to instrumentalise Taiwan in terms of international



aviation security efforts. Third, we examine the implications of Japan's enhancement of its aviation security ties with Taiwan within the context of the ICAO. Fourth, using an Open Skies agreement as a case study, we examine the geopolitical implications of this agreement and how Japan instrumentalises Taiwan as an economic security asset in the power politics related to Sino-Japanese relations. Fifth, we examine the PRC's non-normative Air Defence Identification Zone and how it negatively affects the regional legal order in aviation terms, while we also discuss how the role of Taiwan as an autonomous stakeholder in the ADIZ issue fits into the regional aviation security. Lastly, we examine Japan–Taiwan anti-international terrorism and anti-transnational organised crime cooperation to illuminate how Japan can enable Taiwan to behave as if it is a member of the ICAO, despite the lack of official membership in the absence of statehood.

## **5.2 What is the ICAO and what does it mean for Taiwan?**

### **5.2.1 The main agenda of the ICAO**

The ICAO is a UN-specialised agency that was established in 1944 by member states to manage the administration and governance of international civil aviation based on the Chicago Convention, where the member states and industry groups arrive at a consensus on the rules and norms of international civil aviation, and the recommended practices, policies for safety, efficiency, economic sustainability, and environmental responsibility in civil aviation. Furthermore, ICAO member states attempt to ensure that their national civil aviation practices and regulations conform to international norms. This allows global civil flights to operate safely. The ICAO also attempts to support the coordination of aviation capacity building for states to pursue multilateral progress in air safety and navigation, maintain air transport standards, and audit civil aviation capabilities for the air safety and security of the member states (ICAO, n.d.).

Clearly, since aviation is closely linked to airspace/airport management, the air force, law enforcement, air safety, aerial economy, and air transport, the ICAO is essential to the security of both Japan and Taiwan.

### **5.2.2 Taiwan as a marginalised entity in the ICAO**

The ICAO restricts its membership to states that are members of the UN according to Article 93 of the Chicago Convention (ICAO, 2006 p. 42). Taiwan was formally excluded from the ICAO after it was expelled from the UN and the PRC replaced the ROC within the organisation. Taiwan's legally unrecognised statehood complicates its participation in international organisations. President Barack Obama's explicit statement regarding Taiwan's non-representation at the ICAO in 2013 illustrates how non-statehood becomes a hindrance to accessing international organisations that require statehood for membership:

[t]oday I have signed into law H.R. 1151, an Act concerning participation of Taiwan in the International Civil Aviation Organization (ICAO). The United States fully supports Taiwan's membership in international organisations where statehood is not a requirement for membership and encourages Taiwan's meaningful participation, as appropriate, in organisations where its membership is not possible. My Administration has publicly supported Taiwan's participation at the ICAO and will continue to do so. Consistent with my constitutional authority to conduct foreign affairs, my Administration shall construe the Act to be consistent with the 'One-China' policy of the United States, which remains unchanged, and shall determine the measures best suited to advance the overall goal of Taiwan's participation in the ICAO (The White House, 12 July 2013)

Clearly, the US has to consider the One-China policy before supporting Taiwan's participation in the ICAO. For Taiwan to be represented in the ICAO, both sides of the Taiwan Strait would have to make certain compromises. In fact, a compromise on Taiwan's statehood and the PRC's One-China principle was negotiated in the ICAO. The US supported Taiwan's bid for observer-ship in its negotiations with the PRC, but the PRC opposed the US and instead sought a way to subordinate Taiwan within the context of the policy (*Taipei Times*, 2013). In the US's domestic politics, the issue of how Taiwan can be represented in the ICAO, which honours the TRA and would not overtly breach the US's stance on the One-China policy, became a decidedly political one (Kan and Morrison, 2014).

Meanwhile, Taiwan recommenced its bid to regain observer-ship in the ICAO in 2009 under the Ma administration, despite its lack of member status in the UN, which, as noted, is a requirement for membership in the ICAO (Glaser, 2013). While Taiwan consistently attempted to regain its 'observer' status despite the lack of international recognition regarding its sovereignty, it was ultimately up to Sino-US negotiations to determine how Taiwan's creative representation in the ICAO would be achieved. Regarding Taiwan's limited success in achieving restricted representation in the ICAO, Glaser (2013, pp. 18–19) pointed out that Jean Shen – the director general of Taiwan's Civil Aeronautics Administration – led a delegation at the ICAO triennial meeting as a guest and stated that Taiwan would continue its efforts to obtain observer-ship for 'professional, pragmatic, dignified and meaningful' participation in the ICAO.

The above approach has created significant difficulties for Taiwan. Here, Glaser (2013) highlighted that while Taiwan's guest participation was meant to upgrade Taiwan's Flight Information Region to the ICAO standard, the guest-status was only applicable

as a one-time access pass to the Triennial ICAO assembly. In short, Taiwan's attendance at the technical meeting was not secured, and a new invitation was required for Taiwan to have its guest-status renewed such that it could attend the next assembly in 2016. These conditions are similar to those related to Taiwan's limited participation in the WHO. Meanwhile, the PRC can prevent Taiwan from participating in the ICAO if the DPP comes to power. To achieve some form of limited participation, Taiwan will have to downgrade itself to a local entity in the context of the One-China policy (*Taipei Times*, 2013). The PRC's Taiwan Affairs Office's spokesman stated the following:

[t]he way that the Chinese Taipei CAA was invited by the ICAO council president as his guest reflects our goodwill to our Taiwanese compatriots and our sincerity to maintain the momentum of the peaceful development of cross-strait relations (*Taipei Times*, 2013).

Taiwan is concerned that China's growing influence in global governance vis-à-vis international organisations may affect its international space in negative terms. Since the incumbent secretary general of the ICAO is a PRC national with a background in air safety issues and a prior position in the General Administration of Civil Aviation of China, collective anxiety surfaced in Taiwan regarding the sanctions imposed by the PRC against Taiwan's limited participation in the ICAO (*Focus Taiwan*, 2016b). During the ICAO triennial, after the exclusion of Taiwan as a guest became public, Taiwanese journalists were barred from attending the triennial assembly (*The China Post*, 2016). This development led the Reporters Without Borders organisation to issue the following statement denouncing the ICAO: '[j]ournalists should not be prohibited from covering events because of their nationality or the nationality of the media they are affiliated with' (*The China Post*, 2016). Reportedly, a Paraguayan officer in the ICAO revealed that the

secretary general of the ICAO, Fang Liu, who was from the PRC, warned that if representatives from other countries attempted to speak up for Taiwan, their microphones would be muted (Zhongyang Tongji She, 2016).

### **5.2.3 Japan's accommodation of Taiwan into international aviation security**

Taiwan was prohibited from attending the triennial assembly in the ICAO in 2016, and the nation reportedly expressed its political will to ask Japan and the US for help (China Post 2016). Frank Hsieh, the current de facto ambassador for Taiwan in Tokyo, requested support for Taiwan's participation in the triennial assembly in 2016 from the Japanese general public and from the Government of Japan in an article published in *Asahi Shimbun* (2016). These developments suggest that Taiwan considers Japan to be a critical ally for international aviation security in the ICAO vis-à-vis the PRC's sanctions. Nevertheless, Japan's attempt to enhance Taiwan's international security profile will inevitably conflict with the PRC's aim to downplay Taiwan as a domestic issue in the context of the One-China principle. Japan thus needs to navigate its Sino-Japanese great power management regarding Taiwan and must instrumentalise Taiwan in terms of aviation security in accordance with the primary institutions in international society.

Taiwan does not possess the latest database provided by the ICAO that contains the most up-to-date international aviation security and safety intelligence and information since it is not represented in the organisation. This has put Taiwan's civil aviation in jeopardy due to the discrepancies in aviation safety and security standards and rules between Taiwan and the international community. Crucially, the exclusion of Taiwan conflicts with the current No Country Left Behind campaign proposed by the ICAO. This campaign assists member states of the ICAO, especially those from developing countries, to improve their capacity building and to harmonise international civil

aviation security and safety standards (ICAO, 2014).

#### **5.2.4 Taiwan as a missing link in international aviation security: its implications for Japan's security**

Since Taiwan is a highly developed democratic polity, its lack of access to the latest aviation security and safety database in the ICAO is unquestionably an anomaly. In fact, Taiwan is indispensable to international aviation activity. For example, the nation manages 18,000 nautical miles in its flight information region (FIR) and borders four other FIRs (Kao, 2016). Shen, the former de facto Taiwanese ambassador in Washington, pointed out that Taiwan's FIR is seven times larger than its own territory (YouTube, 2015). In fact, Taiwan's CAA handled a total of more than 1.5 million air traffic control services and 58 million air travellers in 2015 alone (Kao, 2016). From Japan's aviation and economic security perspectives, Taiwan's missing link in international aviation security is detrimental since Japan and Taiwan operate more than 700 direct flights on a weekly basis, which is numerically equal to the number of cross-strait flights (Hsieh, 2016). Crucially, even the Palestinian Liberation Organization was granted observer status in the ICAO in 1977 despite the fact it does not have a single aviation facility (Glaser, 2013).

Clearly, the Japanese government understands that the geopolitical implications of the PRC's sanctions on Taiwan in the ICAO negatively affect Japan's own aviation security. This is due to the risks posed to the air lines of communication between Japan and Taiwan and the sheer scale of the aviation-related economic activities between the two actors. The PRC sanctioned Taiwan's participation in the ICAO when it participated as a guest under the Tsai administration in September 2016 (Nikkei Shimbun, 2016). Here, the PRC shifted the blame to the Tsai administration in the DPP by stating that Taiwan

is merely a province of China and does not have the right to attend the ICAO (Nikkei Shimbun, 2016). Regarding this development, the chief cabinet secretary in the Abe administration, Suga Yoshihide, stated that 'it is desirable for Taiwan to participate in it [the ICAO] in one way or another', adding that Japan and Taiwan operate numerous regular direct flights and that Japan should ensure the safe and stable development of international civil aviation (Nikkei Shimbun, 2016). These comments clearly suggest that the Japanese government considers the absence of Taiwan in the ICAO to be detrimental both to international aviation security and Japan's security. This makes Japan's aviation security engagement with Taiwan even more critical.

#### **5.2.5 Taiwan as an aviation security asset for Japan's security and beyond**

It is essential that Taiwan maximises its aviation security ties with Japan and other countries to enhance its own aviation security and safety capabilities and to open up alternative revenues for Taiwan to obtain the most up-to-date aviation intelligence and information. As the Malaysian government's behaviour vis-à-vis the search-and-rescue operation for Malaysian Airlines Flight MH370 (most of the passengers were from the PRC) indicates (Reuters, 2015), updated airspace management and aviation security intelligence capabilities for each ICAO member, including Taiwan and China, is essential for international security. Indeed, this will have positive implications for Japan's aviation security. Japan has legitimate security interests vis-a-vis Taiwan's quasi-participation in the ICAO. Even if Taiwan's lack of statehood makes it difficult for it to engage in a high-profile security relationship with Japan, this does not mean that Taiwan cannot contribute to Japan's security or to international security, including in the East China Sea. In fact, one of the main contributions Taiwan can make to regional security relates to the field of intelligence. Non-traditional, transnational, and multi-dimensional aviation security do not depend on the concept of sovereignty, but

do depend on international cooperation to mitigate any issues. It is here that the exclusion of Taiwan from international aviation security cooperation and networking simply does not make sense. The Aviation Intelligence Report of 2015 stated the following:

[i]n short, tackling global issues will require global cooperation and the ability to move faster than the current regulatory process. If we are to be effective in combating these new kinds of threats, sovereignty will need to be left at the door and a new level of collaboration between countries, agencies and all industry stakeholders will be essential (Brooks, 2015, p. 4)

This quote applies to Taiwan, which is marginalised from international security efforts despite the strong capability, affluent resources, know-how, and technical knowledge it possesses. We can look at what ensued with Taiwan's HADR cooperation vis-a-vis Malaysian Airlines Flight 370 to understand the consequences of excluding Taiwan from international aviation security efforts. According to Glaser (2015), while Taiwan's air force and navy were immediately dispatched to Malaysia following the tragic disappearance of the civilian aircraft in 2014, the PRC pressured the Malaysian authorities to send them back. Thus, Taiwan's aerial and naval HADR missions were eventually withdrawn (Glaser, 2015, p.31).

As a potential contribution by Taiwan's intelligence to international aviation security in the ICAO, Kuang-shih Yeh, the minister of transportation and communication, pointed out that Taiwan was the first polity that brought a communications, navigation, and surveillance air traffic management system into service in 2011. In fact, the ICAO had proposed such a globally coordinated system of air navigation in the 1980s (Yeh ROC MOFA, 2013).



### **5.3 Japan's Instrumentalisation of Taiwan as an Aviation Security Asset in relation to the Sino-Japanese Balance of Power**

Japan's instrumentalisation of Taiwan as an aviation security asset generates an alternative narrative regarding Taiwan in face of the conventional narrative that Taiwan is a geopolitical source of tension or pawn in great power politics. The latter narrative was manifested in 'the abandonment of Taiwan theory' in Sino-US relations. Here, Fan (VOA Chinese, 2016) argued that if Taiwan has no value for the US, it is possible that it would abandon Taiwan, as was the case in the 1970s. Therefore, Taiwan must emphasise its shared democratic values and strategic importance in handling the US's relations with the PRC (Fan VOA Chinese, 2016). The Japan–Taiwan aviation security cooperation will help to improve the geostrategic value of Taiwan in the eyes of the US in aviation security terms.

If bilateral Japan–Taiwan relations help improve international aviation security, Taiwan will become an aviation security asset for international security as opposed to merely being the subject of the 'Taiwan issue' in Sino-US and Sino-Japanese tensions, despite its status as a de facto state. Furthermore, Taiwan can diversify its strategic narratives for Japan's security beyond the excessively emphasised narrative of Taiwan's geographical importance for its neighbour's defence of its sea lines of communication. Furthermore, greater aviation security and safety cooperation between Japan and Taiwan would help to mitigate Japan's concerns regarding Taiwan's strategic alignment with the PRC on regional aviation security issues, especially in terms of the East China

Sea. Japan can instrumentalise Taiwan as an aviation security asset vis-à-vis the PRC to affect the regional balance of power – even though Taiwan is a non-state actor – in accordance with the primary institutions in international society related to the ESIR.

### **5.3.1 Risks posed by Taiwan’s inability to receive aviation intelligence and information: Implications for Japan**

Regarding the exclusion of Taiwan from the ICAO’s triennial assembly, the de facto incumbent Taiwanese ambassador in Washington, Stanley Kao, stated the following:

[a]s aviation safety knows no boundaries and requires close cooperation of countries around the world, keeping Taiwan out for political reasons does not serve ICAO’s mission, and has left the global aviation security system incomplete’ (*Washington Times*, 2016b).

Taiwan has been obtaining ICAO data through informal diplomacy by engaging with ICAO member states, but this has proven to be costly in terms of both budget and time. According to Julie Yu Wen Chen (2013), Taiwan relied on receiving ICAO’s air security intelligence and information from the US’s FAA. However, due to certain US aviation security policy changes, this intelligence and information may have been Americanised and thus different from what the ICAO was expecting the member states to provide (Julie, 2013). In some cases, such a delay and disadvantage in obtaining aviation data jeopardised the aviation security in Taiwan’s airspace and airport-related facilities despite the criticality of Taiwan’s airspace. Taiwan was often not even aware of the technical and regional meetings conducted by the ICAO due to its lack of ICAO membership (ROC MOFA, 2011). For example, according to the ROC’s MOFA, in 2006, the new security rules imposed by the ICAO regarding liquids, aerosols, and gels in cabin luggage was not relayed to Taiwan in a timely manner. In fact, the rules were implemented in 2007 without Taiwanese authorities being informed. Taiwan was not

even aware of this policy change until its aviation authority was asked for its comments on the matter, which led to massive confusion in Taiwan's aviation security and safety (ROC MOFA, 2011). The issue of incompatibility was also discussed (ROC MOFA, 2011). Given that Taiwan depended on the US's FAA for aviation safety information (Chen, 2013), and given that this information was often Americanised, it was generally not aligned with the ICAO's security policy. This, in turn, created the issue of incompatibility in the audit system (which was reported by the US's FAA). In short, it was difficult for Taiwan's FIR to adjust to the ICAO's standards (ROC MOFA, 2011). Furthermore, most of the ICAO member states underwent a universal safety program to improve their audit systems but, given Taiwan's exclusion, the credibility of its audit system was frequently questioned (ROC MOFA, 2011). In addition, Taiwan's information and intelligence sharing with ICAO member states was severely limited due to its non-representation (ROC MOFA, 2011).

The issue of the compliance of Taiwan's aviation rules and regulations with international standards and norms has direct implications for international civil aviation security and safety. For example, the fatigue issue among pilots is significant for Taiwan's aviation safety, as was manifested in Trans Asia's ground collision with urbanised areas in 2015 (*Aerotime News*, 2016). In a more recent case, China Airline, the largest airline in Taiwan, experienced its first major strike by its pilots, which was partly due to the fatigue issue (*Japan Times*, 2016). The strike affected air transport routes such as those between Taipei and Fukuoka. Clearly then, the fatigue issue in Taiwan's civil and commercial airlines that fly over the airspace between Taiwan and Japan must be addressed in compliance with the international standards and rules of the ICAO. This may have direct implications for aviation security and safety, as well as for the economic security of Japan and Taiwan. From this perspective, Taiwan must be

accommodated into international civil aviation security and safety networks by Japan.

### **5.3.2 Japan's socialisation of Taiwan through international aviation security norms for Taiwan's as if membership**

Nevertheless, as stated earlier, for the PRC and the ICAO, Taiwan is considered neither a state nor an international organisation, and the PRC is extremely sensitive to any political gestures that may imply Taiwan's sovereignty. In fact, the PRC opposes any foreign intervention in this matter, and it was incensed by the US's overt ties with Taiwan. While Japan's signing of an Open Skies agreement with Taiwan was considered provocative from the standpoint of Taiwan's legal status and led to some discomfort in the PRC, Japan's low-key, less visible yet significant approach to upgrading Taiwan's air safety and security is certainly a creative one. Furthermore, even if the role Japan plays in cross-strait relations is low-key in comparison with the role played by the US due to the absence of a Japanese version of the TRA, Japan still provides Taiwan with a quasi-platform to enable the latter to behave as if it is a semi-legitimate aviation security actor, thus contributing to international aviation security. As such, Taiwan probably better meets the required criteria for potential future membership in the ICAO. Of course, while whether Taiwan can arrange with the PRC to obtain representation in the ICAO is not a matter for Japan to decide, Japan can still provide alternative representation options to Taiwan.

### **5.3.3 Japan's utilisation of the ICAO's regulations to improve Taiwan's aviation security contributions**

The ICAO lacks a formal international aviation dispute resolution mechanism to deal with high-profile contentious aviation security issues, such as the Air Defence Identification Zone (ADIZ). Meanwhile, the ICAO is still the representative authority

on normative developments in international civil aviation security. The Chicago Convention regulates international civil aviation rules and standards, and the ICAO provides the most authoritative data available on civil aviation issues, including security and safety issues, to signatory member states. Taiwan's reincorporation into the ICAO would be a symbolic recognition of the nation's international aviation security contributions. In fact, Japan has used ICAO recognition to evaluate the strategic reliability of other state aviation actors. For example, only after the ICAO acknowledged that the Philippines had cleared certain aviation security and safety standard issues did Japan lift restrictions on international flights to the Philippines and sign an Open Skies agreement with it in 2013 (Rappler, 2013).

The ICAO also does not have a mechanism to carry out legal punishments against non-normative aviation actors. For example, even after the coercive ADIZ was unilaterally established by the PRC to regulate the airspace in the East China Sea in 2013, the legal clarification of the controversial ADIZ remains ambiguous, as will be examined in the ADIZ section. Nonetheless, the ICAO does have the normative authority to create international norms for international aviation security and safety, which defines certain aviation behaviours as unacceptable in accordance with international norms on aviation security. For example, Parameswaran (The Diplomat, 2015) pointed out that Thailand was downgraded to a category 2 nation by the ICAO in 2015. This means that Thailand was red flagged for deficiencies in several areas following an audit. As will be examined in the ADIZ section, if certain aviation behaviours are regarded as more normatively progressive and can be emulated within international society, then more peaceful and amicable Japan–Taiwan aviation security relations will be regarded as more normative in the ICAO in relation to the PRC's coercive aviation behaviours.

Japan may not have the authority to influence Taiwan's representation in the ICAO, but the sheer scale of Japan–Taiwan aviation relations requires Taiwan to be an aviation security asset. This helps contribute to peace and stability in terms of regional aviation security. It is within this context that Japan's engagement with Taiwan plays an incremental and low-key yet significant, substantive, and symbolic role in ensuring Taiwan attains 'as if' membership in international society, including in terms of aviation security and safety in the ICAO. Much like Japan used the UN's mandate as an avenue to overcome domestic constraints and incrementally enhance its international security in the post-Cold War era (Singh, 2013d), the nation has been utilising various bilateral political measures and concluding aviation security relevant agreements with Taiwan to afford its neighbour opportunities to behave like a semi-legitimate non-state actor in aviation security in accordance with the ICAO's standards.

## **5.4 The implications of Japan's enhancement of aviation security ties with Taiwan in the context of the ICAO**

### **5.4.1 Japan's civil aviation security strategy and Taiwan**

The development of civil aviation is essential for Japan's national security strategy. Regarding the centrality of the aviation development in Japan, which includes the Japanese commercial aviation that occupies the centrality of the third arrow in Abenomics, Cronin (2013) argued that Japanese civil aviation is a great indicator of whether the third arrow will be successful. Within the context of Sino-Japanese relations, Japan is currently competing with China to develop its own commercial jets, and will attempt to internationally promote them as an alternative civil aviation option for strategic use in view of the established Western commercial jets. This indicates the civil aviation's cruciality for Japan's global strategic and economic agendas (Forbes, 2015). Meanwhile, amid the rising tensions in the East and South China Seas, the

strategic importance of aviation is becoming ever more critical. These developments in Japan's aviation mean aviation security is becoming essential to Japan's overall security. Here, Japan cannot afford to have Taiwan as a missing link when shaping the emerging regional aviation security environment for its own security vis-à-vis the PRC.

The US is directly responsible for enhancing the international space of Taiwan based on the TRA (American Institute in Taiwan, 1979). The Government of Japan did not issue an explicit official statement regarding Taiwan similar to Obama's 2013 bill on Taiwan's ICAO participation. This indicates that Japan prefers a low-key approach in contrast to the US's TRA, given the lack of a solid domestic legal and institutional framework defining Japan-Taiwan relations. Therefore, Japan's usual trade-off with the US in terms of the opportunity to play a high-profile role in diplomatic leadership in return for obtaining maximum national security for Japan can be implicitly observed in the form of Japan's indirect support to Taiwan for expanding Taiwan's international security profile. This support was manifested in terms of Taiwan's de facto greater representation in the area of international aviation security.

Japan has utilised Taiwan's potential civil aviation security capabilities by concluding a number of high-profile agreements, if not state-centric treaties, with Taiwan, such as an Open Skies agreement. Japan has helped Taiwan become part of the regional Open Skies regime in East Asia, ensuring Taiwan is an alternative independent aviation security asset to the PRC. Finally, Japan has incorporated Taiwan within anti-global terror and anti-transnational organised crime networks.

#### **5.4.2 Japan-Taiwan aviation-related law enforcement cooperation and its geopolitical implications**

As noted, Taiwan has been excluded from international organisations that require

statehood for membership. Following the PRC's sanctions against its guest participation in the ICAO, Taiwan has expressed even greater strategic interest in participating in other international security agencies such as Interpol (*Taipei Times*, 2016). Interestingly, while Taiwan lost its official seat in the UN in 1971, it remained a member of Interpol until 1984 (Glaser, YouTube, 2015). This indicates the importance of Taiwan's participation in international policing efforts. In fact, it is not unfeasible that excluding Taiwan will make it a potential loophole for international terrorist and transnational crime organisations.

From this perspective, Japan's civil aviation security cooperation with Taiwan—including in terms of international anti-terrorism and anti-transnational crime, airport security, and border and immigration security – benefits Japan's own security situation. Crucially, Japan and Taiwan concluded three bilateral law enforcement agreements that are essential for deterring anti-international terrorism and anti-transnational organised crime. The first was an agreement related to anti-terrorism financing through money laundering, while the second was an agreement over intelligence sharing for border and immigration security (Interchange Association Archive, 2014) and the third was a customs enforcement agreement for combating smuggling and enhancing the clearance system via information sharing and expertise (*Taiwan Today*, 2017), all of which serve to enhance Japan's international security. Regarding the importance of intelligence and information sharing for regional law enforcement efforts, including in financial terms, in recent years, Taiwan's neighbours with sizeable Islamic populations in Southeast Asia have been receiving unfettered access to financial support from Wahhabi foundations in Saudi Arabia to promote a less tolerant interpretation of Islam (Nikkei Asian Review, 2016). Furthermore, according to Lai L Chung, in 2006, North Korean ships frequented the port in Kaohsiung in Southern Taiwan largely because Taiwan is



an essential sea line of communication for North Korean shipping. Here, Chung recommended that Taiwan import stronger military warning radar intelligence capabilities from the US to initiate air defence intelligence sharing with Japan (*Taipei Times*, 2006). In fact, using the US's secret intelligence, Taiwan detained a North Korean ship and confiscated 150 barrels of chemical rocket fuel in 2003 (Glaser, YouTube, 2015). This suggests that Taiwan's security cooperation with other countries, including Japan, is not only essential for bilateral Japan–Taiwan law enforcement cooperation but that it also has huge geopolitical implications for international and regional strategic-security issues such as the non-proliferation of WMDs in the Korean Peninsula.

#### **5.4.3 Taiwan's exclusion: its negative implications for aviation security, and Taiwan's potential role in aviation security for Japan**

The former UN secretary general, Ban Ki-Moon (2016), stated in his ICAO address that no member state can be left behind as a specialised agency in the UN for the sake of global aviation safety and security. Nonetheless, as discussed earlier, Taiwan had been excluded from the ICAO until it gained inclusion in late 2013. However, the nation was again excluded from the ICAO's triennial in 2016 despite the fact that its airspace presented a highly critical flight route for civil aviation and its lack of representation in the ICAO may have put the global and regional civil aviation field at risk due to the lack of up-to-date aviation safety and security intelligence and information provided by the ICAO. Regarding the re-exclusion of Taiwan from the ICAO and its negative security implications for international security, Nigel Evans – a member of the UK's House of Commons and co-chair of the British–Taiwanese All-Party Parliamentary Group, who was a part of the visiting British delegation in Taiwan – asked what the big difference was between 2013 and 2016 (*Focus Taiwan*, 2016). The answer was that 'far

more aircraft and passengers' are flying in Taiwan's airspace, meaning 'it is more important today than it was three years ago that Taiwan participates in this aviation conference' (*Focus Taiwan*, 2016).

In addition, as was discussed in the literature review, Taiwan is essential for a stable balance of power and the enhancement of the legal order regarding regional maritime security issues in the East China Sea and beyond. The same applies to the defence of airspace. For example, Taiwan's Ministry of Defence revealed that a powerful early warning radar that was newly deployed by the military in Hsinchu county in Taiwan in 2012 detected and monitored missiles launched by North Korea (*Focus Taiwan*, 2012). Here, a ministry official stated how '[o]ur long-range early warning radar system detected the North Korean rocket flying over waters some 200 kilometers east of Taiwan' and added that 'the first and second stages of the rocket crashed into the waters off South Korea and the Philippines, respectively'. Furthermore, the *Taipei Times* described Taiwan's powerful air defence radar as 'the most powerful EWR installation on the face of the planet' one that can 'simultaneously track as many as 1,000 airborne targets the size of a golf ball within a range of 3,000km' (*Taipei Times*, 2012).

At least one former de facto Japanese ambassador and one former director in Japan-Taiwan Exchange Association have acknowledged the criticality of instrumentalising Taiwan's intelligence capability for Japan's security. For his part, the former de facto ambassador of Japan in Taiwan, Uchida (2006), stated that Japan and Taiwan need to have more consolidated security dialogue mechanisms and pointed out that inadequate information and intelligence sharing between the two actors regarding military aviation may increase the risk of air incidents. Here, Uchida (2006) revealed that once Taiwan falls into the hands of the PRC, missiles initially directed at Taiwan from mainland

China may be easily re-directed at Japan. Meanwhile, in 2013, a former director at the Japan-Taiwan Exchange Association, Ogata, who has a high-profile military background as the former director of the J1 Joint Staff Office MODA, suggested that, in addition to cooperating for non-military maritime security and the HADR, Japan and Taiwan should cooperate to implement guidelines for an aviation contingency in the geographically connected airspaces between the two nations (Ogata, 2013).

#### **5.4.4 Japan's position on Taiwan's restricted international space**

As discussed in the CSD chapter, if Japan's security ties with Taiwan are considered humanitarian in nature, as is the case with the HADR, it will be normatively difficult for the PRC to sanction them. According to Matsuda (2012), Japan would not accept the One-China policy in the PRC's favour if a global security issue stemming from Taiwan's exclusion was considered a humanitarian issue or had the potential to negatively affect Japan's public health issues. Japan will navigate the ambiguities of the regional great power management with the PRC if the security issue in question is considered humanitarian by international society within the context of Japan's One-China policy.

Taiwan was excluded from WHO until the Ma administration came to power. Nonetheless, Japan, under the Koizumi administration, explicitly supported Taiwan's representation in WHO in ways that would satisfy all the stakeholders (Matsuda, 2012). In fact, even the PRC was losing the moral high ground in resisting Taiwan's participation in WHO for humanitarian reasons. Domestically, the lack of access to essential medical intelligence and information in Taiwan, which were necessary to effectively minimise the outbreak of SARS in the nation, led to outrage among the Taiwanese population (Shen, YouTube, 2015). Furthermore, according to Shen, the former de facto Taiwanese ambassador in Washington, since Taiwan was the second

largest state affected by the outbreak of SARS, despite the fact that the virus was first transmitted from the PRC to Taiwan, international society was convinced to accommodate Taiwan (Shen, YouTube 2015). Along with the US and the EU, Japan supported Taiwan diplomatically in a high-profile manner. Meanwhile, while the PRC attempted to subordinate Taiwan into the One-China policy framework, much like in the case of the ICAO, the PRC's attempt to encourage WHO to reject Taiwan was a failure (Matsuda, 2012). Consequently, Taiwan was granted observer status in the World Health Agency, a major organ of WHO.

#### **5.4.5 Japan's low-key stance vis-à-vis Taiwan in 2013 and high-profile stance vis-à-vis Taiwan in 2016 in the ICAO**

Unlike the US and the EU, Japan did not take a strong stance regarding Taiwan's guest representation in the ICAO in 2013. More than 80 MEPs from the EU called upon Raymond Benjamin, the former secretary general of the ICAO. Among them was Charles Tannock – a MEP from the UK and chairman of the EP–Taiwan Friendship Group – who stated that '[t]he Taipei FIR plays a critical role in this area', adding that '[i]t is clear that it would be of significant benefit, both to Taiwan and to the ICAO, to allow Taiwan to participate in the organisation as an observer' (European Business Review, 2013). Meanwhile, as was discussed earlier, Obama signed a bill explicitly supporting Taiwan's representation in the ICAO.

Interestingly, unlike in 2013, Japan decided to take a stronger stance against Taiwan's ostracisation by the PRC regarding the ICAO in 2016. Suga Yoshihide, a part of the Abe administration, expressed some displeasure about the ostracisation (Nikkei Shimbun, 2016). Furthermore, in an official statement, the ROC's MOFA (2011) referenced the Japanese government's public support for Taiwan's aspiration to be represented in the ICAO. While the reason behind the change of stance by the Japanese

government requires further research, one interesting development is that the grassroots support for Taiwan in Japan has become ever more consolidated in recent years.

For example, around 130 pro-Taiwan councillors from across Japan and from delegations in Taiwan cities (headed by Hsieh) gathered in Wakayama City and created the so-called Wakayama Statement. According to the statement, since the number of Japan–Taiwan annual personnel exchanges had already reached six million, the delegation supported Taiwan’s participation in the ICAO and other international organisations (*Taipei Times*, 2016c). Furthermore, Japan’s public reacted to Taiwan’s exclusion from the ICAO, with *Yomiuri Shimbun*’s (2016) editorial arguing that instead of intimidating Taiwan, China should enhance its economic activities and conduct dialogues with it. Even the liberal-leaning *Asahi Shimbun*’s (2016) editorial argued that the pressure China had put on the ICAO to exclude Taiwan had put aviation security at risk.

## **5.5 The Bilateral Japan–Taiwan Open Skies Agreement**

### **5.5.1 What is the Open Skies agreement?**

The EU has been attempting to harmonise safety regulatory standards by implementing consistent safety and security rules for different aircraft and operations based on potential risk assessments in accordance with the ICAO. Here, the union has effectively created one sky over the airspace of Europe, which has become known as a ‘cabotage’ (Shimoi, 2010). The EU’s ‘open skies’ model inspired ASEAN states in the 1990s to create an integrated aviation market for aviation security and safety (European Commission Press Release Database, 2014).

The bilateral Japan–Taiwan Open Skies agreement symbolically accommodated Taiwan as an independent aviation security asset. Crucially, the agreement

institutionalised the deregulation of the amount of air traffic between Japan and Taiwan and allowed an unlimited number of scheduled flights to be operated between the two nations (*China Post*, 2011). Tokyo was initially exempted from these effects but was soon also subjected to a greater number of flights, as is examined below. Furthermore, the agreement gave both sides so-called ‘beyond rights’, allowing both Japanese and Taiwanese airlines to transport passengers to a second country from Japan or Taiwan and from that country to a third country, and so on (*China Post*, 2011).

Meanwhile, Shimoi (2010) argued for an East Asian regional open skies regime given that the East Asian region is the fastest growing commercial aviation market, faster even than the EU or North American markets. The bilateral Japan–Taiwan Open Skies agreement followed this global trend. The agreement itself aimed for greater commercial aviation activities between Japan and Taiwan. The fact that Japan negotiated and concluded such an agreement with Taiwan itself is a de facto recognition of Taiwan as an important regional aviation entity in the East China Sea, one that is independent from the PRC in the regional aviation security environment.

### **5.5.2 The Open Skies agreement’s geopolitical implication from a historical perspective**

The geopolitical implications of the Open Skies agreement become clear through an examination of the history of Japan–US aviation relations. Following the surrender of Imperial Japan in 1945, the GHQ ordered a ban on Japanese civil aviation. However, after the signing of the San Francisco Peace Treaty, the ban was lifted (Cronin, 2013). Subsequently, the US and Japan signed an agreement in 1952 that granted them carrier rights to increase or decrease their weekly number of flights without prior notification. This was, in essence, the beginning of the historical process for the Japan–US Open Skies agreement concluded in 2010 (Cronin, 2013). The US considered a ban on Japan’s

civil aviation to be strategically beneficial to its interests in that it wanted to ensure that Japan would not revive its air force after WWII and become a threat again. However, with the intensification of the Cold War and the breakout of war in the Korean Peninsula, a political need emerged to revive Japan's aviation sector and airspace for geo-strategic reasons. Cronin (2013) pointed out that the treaty on aviation signed with Japan in 1952 during the Korean War granted US carriers unlimited beyond rights to utilise Japan's airspace and airports as a hub to other destinations in the rest of Asia.

In the case of the UK, regarding the strategic, sovereign, and national security implications of the Open Skies agreement, Dodds and Adey (2014) stated the following:

[w]e might be reminded of their historical evolution in this context, as Paul K. Saint Amour's alerts us to a 1955 summit held in Geneva when President Eisenhower proposed an open skies agreement with the Soviet Union, France and Britain, that would permit aerial reconnaissance into each other's territory for 'photographic reassurance' of each country's weapons arsenal. The Soviet's refusal would lead to the deployment of high-altitude spy planes like the U2.

### **5.5.3 Japan-Taiwan Open Skies agreement: Geopolitical Implications for Taiwan's airspace**

The fact that Taiwan signed the Open Skies agreement with Japan is geopolitically critical. Following Japan's termination of the diplomatic recognition of the ROC, the most salient issue the country faced in terms of maintaining unofficial ties with Taiwan related to bilateral civil aviation (Kiyomizu, 2009). Japan signed a bilateral Open Skies agreement with Taiwan that is commercial in nature yet requires Japan to exercise significant political decisions. This indicates that Japan recognised Taiwan's de facto independent airspace as separate from the PRC since it was Taipei that Japan negotiated

the agreement with and not Beijing. According to Matsuda (YouTube, 2014), Japan's conclusion of the agreement with Taiwan certainly increased the PRC's ire. Nevertheless, the Open Skies agreement is cited as evidence of peaceful bilateral Japan–Taiwan relations in Taiwan's official online archive of the bilateral Japan–Taiwan fisheries agreement (ROC MOFA, 2013, p. 2). The Open Skies agreement symbolises the mutual political trust that binds Japan and Taiwan while the former navigates the ambiguities of the One-China policy in relation to the regional great power management in Sino-Japanese relations.

The UK and Russia instrumentalised the Open Skies agreement for a 'confidence-building measure'. This allowed the two sides to conduct de facto unarmed intelligence, surveillance, and reconnaissance activities using civilian aircraft within mutual airspace and aviation facilities, including aerial military facilities (UK Defence Journal, 2016). Following the conclusion of their bilateral Open Skies agreement, Japan and Taiwan were able to enhance their aviation security and safety-related procedures in equal measure. Defining it as one component of their commercial naval aviation activities, Japan and Taiwan also signed an agreement for naval aviation search-and-rescue cooperation (*Focus Taiwan*, 2013). This had positive effects in the East China Sea in terms of non-traditional security and safety. According to the Taipei Economic and Cultural Representative Office (2013) in the US, the function of this agreement is as follows:

[u]nder the agreement on sea search-and-rescue, the Taipei Mission Control Center and Tokyo Rescue Control Center will closely cooperate and coordinate their actions in aviation accidents, and arrange visits, training sessions and other activities on a regular basis to enhance capabilities.



#### **5.5.4 Economic balance of power and Japan's accommodation of Taiwan into the regional commercial aviation regime**

Unlike with the PRC, which from time to time boycotts Japanese products, stops inbound Chinese tourists from entering Japan, or even conducts violent anti-Japanese demonstrations, Japan's tourist ties with Taiwan are far less influenced by geopolitical risks; rather, they serve as an economic security instrument vis-à-vis the PRC's economic coercion. Taiwan has long considered Japan to be an economic balancer as Taiwan's economic reliance on mainland China continued to expand (Ogasawara, 2014). If economic security is a component of the balance of power theory in the ESIR, Japan, as the second largest trading partner of Taiwan, is essential for maintaining the cross-strait balance of power in Taiwan's favour. Furthermore, the fact that Japan and Taiwan signed an Open Skies agreement to streamline and expand civilian flights without governmental intervention can not only be understood within the context of greater economic security and commercial benefits but can also be interpreted as a consolidation of Taiwan's de facto airspace independence. The PRC cannot interfere with civilian flight routes between Japan and Taiwan since neither Japanese nor Taiwanese airlines are affected by governmental intervention. Thus, thanks to Japan's political and economic leadership, Taiwan is being incorporated into a growing regional aviation regime.

For Taiwan, the diversification of economic partners is a major component in the issue of the Taiwan Strait vis-à-vis Taiwan's survival in the face of the PRC's economic coercion. The question of how Taiwan can enhance this in creative terms in relation to Japan is an important component of the emerging regional security environment in East Asia, including in terms of the cross-strait issue. A Taiwan that is economically less reliant on the PRC may find it easier to strategically contribute to Japan's security in

the Japan–China–Taiwan power politics relationship. Crucially, economic power is an important component of the balance of power in primary institutions in international society according to ESIR theory, which means the Japan–Taiwan Open Skies agreement can help to tilt the Sino-Japanese and Sino-Taiwanese balance of power in Japan’s favour.

#### **5.5.5 The Open Skies agreement: Increased Japan-Taiwan tourism**

Greater Japan–Taiwan bilateral civil aviation cooperation has been a critical factor in increasing the number of Taiwanese tourists visiting Japan after the triple disasters in the Tohoku Region in 2011, which has been achieved by institutionalising a greater number of airlines to connect Japan to Taiwan at various regional airports via the Open Skies agreement (Ikegami, 2015). For example, Haneda and Songshan airports commenced regular international flights following the opening of a new terminal at the former (Ikegami, 2015). According to Nikkei Business, the Open Skies agreement encouraged a greater number of low-cost carrier operators to fly between Taiwan and Naha. From March 2013 to March 2014, a record 627,000 international inbound tourists visited Okinawa, a 64% increase on the previous year. Meanwhile, Taiwan witnessed slightly more than 40% in international inbound tourist traffic and accounted for the largest nationality group of foreign tourists in Okinawa (Nikkei Business, 2014). Ikegami (2015) noted that the Open Skies agreement between Japan and Taiwan made it possible for local airports in both nations to open new flight routes between each nation, which served to remove restrictions on airlines that operate regular flights, to abolish restrictions on local destination airports besides Haneda and Narita, to start an unlimited number of flights, to remove restrictions on charter flights, non-regular flights, and cargo flights, and allowed free openings of new flights between Japan and Taiwan

in the local airports of each nation.

### **5.5.6 The PRC's instrumentalisation of economic coercion against Japan, Taiwan, and others**

According to Guo (*Taipei Times*, 2016), China has been instrumentalising economic measures to coerce other states in recent years, most notably Japan, the Philippines, and Taiwan. When rare earth metal exports to Japan were suspended after a Chinese fishing vessel that had rammed into a Japanese coastguard vessel was detained in 2010, Japan suffered due to its over-reliance on the PRC for the supply of such metals, which are essential to the nation's high-tech industry (Hiranuma, 2016). According to Guo (*Taipei Times*, 2016), this coercive use of economic measures often backfires, in this case potentially encouraging the PRC to stop using them. Japan cooperated with the US and the EU to bring a lawsuit in the WTO against the PRC, and the PRC defence was lost (*Taipei Times*, 2016).

Furthermore, the PRC instrumentalised a reduction in the number of Chinese inbound tourists visiting Taiwan. For example, Guo pointed out, to force the Tsai administration to accept the 92 consensus or to admit that both sides of the Taiwan Strait belong to 'One China', the PRC restricted the number of inbound Chinese tourists visiting the nation (*Taipei Times*, 2016). A number of travel agencies in the PRC began to promote Chinese inbound tourism in terms of eight cities and counties, where voters chose the KMT camps as the best option for weeklong holidays for the Chinese (*Taipei Times*, 2016a). Meanwhile, the PRC authorities expressed their support for establishing a liaison centre in China to promote tourism in these eight cities and counties in Taiwan as well as various areas in China (*Taipei Times*, 2016a). In comparison with August 2015, the number of inbound Chinese tourists visiting Taiwan decreased by 30% (*Yomiuri Shimbun*, 2016).

Regarding this development, Taiwan's Mainland Affairs Council issued the following statement through its vice chairman, Chiu Chui-cheng: '[t]he government's policy of welcoming Chinese tourists remains unchanged, but we do not welcome (Beijing's) political arrangement of Chinese tourist schedules in Taiwan' (*Focus Taiwan*, 2016). President Tsai expressed her concerns over the over-reliance on China for Taiwan's economic security and expressed her willingness to explore the economic opportunities offered by the ASEAN and South Asian regions in partnership with Japan in her interviews with the *Yomiuri Shimbun* (2016). For example, China Airlines, Taiwan's largest airline, announced it would add another direct flight to Palau to boost Taiwanese tourism there. In fact, since 2017, Palau has been going through a crisis due to China's travel ban, which was implemented after Palau expressed its diplomatic recognition of Taiwan (Travel and Tour World, 2019). This development in Taiwan–Palau aviation ties can potentially contribute to Japan's Indo–Pacific strategy in the South Pacific if Taiwan can provide Palau with a sustainable supply of tourists.

#### **5.5.7 The Japan–Taiwan Open Skies agreement: sustainable Japan-Taiwan tourism and commercial security vis-à-vis the PRC's economic coercion**

Stable commercial ties with diverse economic partners will make Taiwan less reliant on the PRC. For example, the DPP administration led by Tsai Ing-Wen saw the decreasing number of Chinese inbound tourists visiting Taiwan as a form of economic coercion, one that was instrumentalised by the PRC. However, this was countered by increasing the number of visitors from Japan and South Korea (*Taipei Times*, 2016f; Dong Wang, 2016). As the aforementioned open skies model of the EU indicates, the Open Skies agreement between Japan and Taiwan aims to harmonise the bilateral aviation system, rules, and norms between the two actors, but it also requires Taiwan to implement more reforms in its aviation sector and airspace management in view of greater profit-making

in accordance with the international aviation norms of the ICAO. For example, the TransAsia airline in Taiwan opened new flight routes between Taiwan and Narita Airport following the bilateral Japan–Taiwan Open Skies agreement (Naritayakuwarigenjo, 2013). From January to June 2016, the number of Taiwanese tourists to Japan amounted to more than 2.15 million, the third largest inbound tourist group after Chinese and Korean tourists, with the rise of low-cost carriers between Japan and Taiwan the main factor behind the increase (*Focus Taiwan*, 2016).

The ROC's Ministry of Transportation and Communications also recognised the strategic importance of instrumentalising Japanese inbound tourism as a countermeasure to the PRC's use of tourism as a method of economic coercion. After the Tsai administration came to power in 2016, the ministry announced its intention to increase the number of Japanese inbound tourists to two million, stating that it would give out free tickets to one Japanese passenger from a Japanese tourist group that consisted of four people flying in from big cities in Japan (*Focus Taiwan*, 2016a). Japan and Taiwan can largely contribute to each other's sustainable economic development through reciprocal tourism and the bridging of regional aviation networks via the Open Skies agreement to mitigate the effects of PRC's coercive instrumentalisation of Chinese tourists.

## **5.6 The PRC's Non-Normative use of the ADIZ**

This section first examines what the air defence identification zone (ADIZ) is and how the PRC's ADIZ issue affects Japan's aviation security in the regional security environment. In addition, it also examines how the PRC's ADIZ compares in relation to the normative use of the ADIZ in accordance with international law and norms. It then examines the PRC's recent hostile military aviation behaviours before it scrutinises

the role of Taiwan as an aviation security asset for Japan vis-à-vis the PRC's ADIZ issue in the regional aviation security environment. It finally elucidates how Japan instrumentalises Taiwan as an aviation security asset vis-à-vis the PRC's ADIZ to enhance Japan's security.

### **5.6.1 What is the ADIZ for?**

Regarding the function of the ADIZ and its historical development, Welch (2013) stated the following:

[a]n ADIZ is a publicly defined area extending beyond national territory in which unidentified aircraft are liable to be interrogated and, if necessary, intercepted for identification before they cross into sovereign airspace. The concept is a product of the Cold War: in the 1950s, the United States declared the world's first ADIZs to reduce the risk of a surprise attack from the Soviet Union.

It would appear that the PRC is not an exception to utilising the ADIZ to achieve its own security in terms of the defence of its airspace. Regarding the normative functions of the ADIZ, Welch (2013) pointed out that if utilised properly, an ADIZ functions to reduce mid-air collisions, combat illicit narcotic trafficking, assist in search-and-rescue missions, and reduce the need for sorties in fighter jets for visual inspections. The last function is the most critical in increasing the transparency for stable aerial interceptions and improving the certainty in air defence.

As such, the ADIZ's normative function is to enhance the security of coastal states and protect their airspace against suspicious aircraft. If used properly, this would not present a geopolitical risk that would increase regional aviation security tensions. The normative practice of the ADIZ is conducted with the necessary aviation

communication tools, which include radio frequencies and transponders, and by engaging in communication with incoming aircraft to ensure aviation and airspace safety (Rinehart and Elias, 2015). Such communication applies to any aircraft that intends to fly over or through the national airspace of one state (but not to civilian aircrafts), as opposed to the state aircrafts that only intend to fly over or through the international airspace over one state's exclusive economic zone. These practices are shared by the US, Japan, South Korea, the UK, Australia, and various other nations (Welch, 2013). Furthermore, the Chicago Convention does not illegalise ADIZs, which allowed the PRC to claim that its ADIZ is not a violation of international laws and norms.

In the following subsections, the question of how the PRC's ADIZ has increased tensions over the airspace in the East China Sea is addressed. While the Chicago Convention does not have an explicit clause prohibiting the use of an ADIZ (Rinehart and Elias, 2015), the PRC's unilateral ADIZ has detrimental effects on international norms and regional aviation security.

### **5.6.2 Japan's defence minister's view of the PRC's non-normative ADIZ**

Regarding the PRC's use of the ADIZ, the former defence minister, Tomomi Inada, stated at the CSIS in Washington that 'in November 2013, China announced the East China Sea Air Defence Identification Zone or ADIZ', adding that 'this ADIZ was declared over the large swath of international airspace over the East China Sea'. The Chinese announcement was also made in a way that suggested the airspace over the Senkaku Islands was a part of China's territorial airspace. According to China's announcement, any aircraft flying in China's ADIZ must abide by the rules imposed by China's defence ministry. If an aircraft did not follow China's instruction, Chinese armed forces would respond by taking emergency defensive measures. This presents a

serious infringement of the freedom of flight in international airspace. The Japanese government strictly protested against China and demanded that China revoke these measures. In fact, Japan remains steadfast in both word and deed (Inada, 2016).

### **5.6.3 The tension between the PRC's ADIZ and normative ADIZ**

Only the Chicago Convention currently contains comprehensive rules and norms based on the framework of international law for defining how an airspace should be legally governed (Dutton, 2009). Here, Dutton (2009, p.692) pointed out that the Chicago Convention regulates civil aviation rules and practices adopted by the ICAO; however, crucially, the convention distinguishes between civil aircraft and state aircraft such as military, customs, and constabulary aircraft, while the convention lays down detailed rules pertaining to civil aircraft only.

The PRC deviates from international norms and practices in its ADIZ interpretation and practice. In fact, the nation has cited domestic law such as the PRC National Defence Law, the PRC Civil Aviation Law, and the PRC Flight Regulations as legal grounds to justify its unilateral ADIZ (Rinehart and Elias, 2015). This suggests that the PRC applies national law to aviation security and safety in international airspaces.

Dutton (2009) also noted the normative practice of state aircraft paying due regard to the safety of civil aircraft in accordance with the Chicago Convention. Since 1998, somewhat controversially perhaps, state aircraft cannot resort to the use of force against civil aircraft during flight or risk the lives and safety of people on board during an interception. Despite this, the PRC's ADIZ continues to threaten international aviation security. In short, the PRC does not distinguish between the state aircraft and civil aircraft that fly over or through the PRC's claimed exclusive economic zone in the East China Sea. The disputed exclusive economic zones in these seas deliberately overlap



with other claimants such as Japan, South Korea, and Taiwan (Pilger US–China Economic and Security Review Commission, 2016). Furthermore, the PRC has threatened to use defensive emergency measures against any aircraft that does not comply with the PRC’s unilateral ADIZ (Pilger US–China Economic and Security Review Commission, 2016). In addition, the PRC’s ADIZ requires both types of aircraft, civil and state, to maintain close communication with aviation authorities in the PRC, even if they have no intention of flying over or through PRC’s national airspace (Pilger US–China Economic and Security Review Commission, 2016). A few days after the PRC’s announcement of the ADIZ, as a sign of defiance, Japan, South Korea, and the US flew their military aircraft over the PRC’s airspace to signal their non-recognition of the ADIZ (Pilger US–China Economic and Security Review Commission, 2016).

There is no provision in either the ICAO or UNCLOS that stipulates that the use of ADIZ gives one sovereign state authority to exercise a stronger sovereign claim over contested territories or seas. However, the PRC’s ADIZ closely resembles the PRC’s claimed exclusive economic zone that encompasses the Senkaku Islands (Kotani, 2014), thus creating the perception that the PRC intends to assert its sovereign claim over the islands. In addition, the PRC did not notify Japan, the US, South Korea, or Taiwan about its ADIZ even though the ADIZ overlaps with all of these states’ own ADIZs. This created tensions with regard to regional security, as suggested by Inada’s statement. As discussed earlier, the ADIZ does not give the PRC stronger sovereign claim over the Senkaku Islands due to the absence of clauses allowing this in the Chicago Convention-based ICAO and UNCLOS. However, it does pose a threat to regional aviation security in the East China Sea given the restrictive effects on the freedom of flight in the airspace over this area. Furthermore, Japan has avoided having its ADIZ cover the airspaces in Takeshima and the northern territories out of diplomatic consideration for the other

claimants to these territories (Hirakawa, 2013). From a geopolitical perspective, as Inada (2016) asserted, the PRC's unilateral announcement of the ADIZ coverage of the airspaces over the Senkaku Islands in the East China Sea is unquestionably provocative.

The US disappointed Japan when it announced that American commercial aircraft would notify its flight plans to Chinese aviation authorities in compliance with the PRC's ADIZ, even when the aircraft did not intend to fly over or through the PRC's national airspace. This created some discord in the aviation security policy coordination in the Japan–US alliance (Rinehart and Elias, 2015). Martin Dempsey, a former general of the US army, answered a question on this topic from Gideon Rose, the editor of *Foreign Affairs*, in June 2016 (Dempsey and Rose, 2016) by stating that the US needed to admonish the PRC through both diplomatic and military channels, but the Chinese insisted that the current international rules and norms were created at a time when it did not play a major role in global politics and now that it was stronger, it wanted to renegotiate these rules and norms. The US was somewhat successful in reinforcing the international rules of maritime behaviours with the PRC, but it has not made much progress in terms of aerial behaviour norms (Dempsey and Rose, 2016). Clearly, the US military recognises the importance of defending the rules-based aviation security order vis-à-vis the PRC, but needs to make more effort to ensure international aviation security norms prevail.

#### **5.6.4 The PLA's coercive military aviation behaviours**

Following the unilateral announcement of the ADIZ in the East China Sea by the PRC, a PLA military ship harassed the US Navy's aviation activity in 2013 in the South China Sea (Kawamura, 2014). Subsequently, from March 2014 to May 2014, PLA military aircraft approached US aircraft and maintained excessively close proximity, which is, of course, regarded as dangerous (Kawamura, 2014). Furthermore, in July 2014, the

PLA Navy unilaterally dispatched military spy ships to the RIMPAC in Hawaii (within the US's EEZ) for military intelligence gathering during a high-profile US-led multilateral naval exercise. This led the US to believe that similar intelligence-gathering activities conducted by their own agencies were acceptable to the PRC (Kawamura, 2014). However, the US Navy's P-8A aircraft was continuously harassed by the PLA's fighters in the South China Sea in August 2014. Finally, the PRC commenced the construction of an air force base on the artificial islands of the Paracel Islands in the South China Sea (Kawamura, 2014).

In recent years, the PLA's aviation behaviours have been causing Sino-Japanese tensions. For example, in 2014 and 2015, Japan's ASDF scrambled its fighter planes 943 and 873 times, respectively, which is numerically equivalent to the final stage of the Cold War era. A large bulk of the scrambling was conducted against PLA aircraft (Hokazono, 2016). Meanwhile, PLA pilots engaged in dangerous aviation manoeuvres during joint military drills conducted by the PRC and Russia in the East China Sea and a Japanese aircraft engaged in legitimate intelligence gathering was threatened by PLA aircraft manoeuvring in very close proximity. This behaviour deviated from the Chicago Convention's aerial rules defined in the ICAO (Hokazono, 2016).

In addition, as the recent high-profile case of the PLA's coercive aviation behaviours in the East China Sea suggests, the PLA's bombers and jet fighters flew over the Miyako Strait to advance into the Pacific Ocean in a formation involving 40 military aircraft, with the ostensible aim of conducting 'routine missions' in September 2016 (*Asahi Shimbun*, 2016). According to the *Asahi Shimbun*, the PLA's formation included H-6K strategic bombers and Sukhoi Su-30 fighter jets to improve reconnaissance, combat, aerial refuelling, and other capabilities, making this, according to the MOD, the first

time that Chinese fighter jets were detected in the Miyako Strait. This clearly sent a strategic signal to Tokyo (*Asahi Shimbun*, 2016). Furthermore, the PRC conducted its first military aviation exercise in the Western Pacific, flying over the airspace in the strategically vital Bashi Channel (*Asahi Shimbun*, 2016). Interestingly, the Japan-based US air force undertook its own military aviation activity, which was interpreted as a countermeasure to the PLA's military drill in the Bashi Channel. Clearly, the PRC regards the airspaces in the East and South China Seas as geographically essential choke points.

#### **5.6.5 The role of Taiwan for Japan's security vis-à-vis the PRC's ADIZ issue and the Japan–Taiwan ADIZ issue**

Here, we examine how Taiwan is attempting to become an aviation security asset for Japan vis-à-vis the PRC's ADIZ. The PRC has not declared an ADIZ over the airspace of the main island of Taiwan. According to Mark Stokes (2015), a retired Chinese general from the PLA suggested the Taiwan issue is a domestic one, meaning the PRC is not required to declare an ADIZ over Taiwan. However, despite the low visibility in the regional security environment, Taiwan is also a stakeholder. Chief Cabinet Secretary Suga Yoshihide deplored Taiwan's exclusion from the ICAO in 2016 and stated that one of the reasons Taiwan should be included in the ICAO is that Japan and Taiwan operate numerous direct flights. According to Michael Cole (2013), following the announcement of the ADIZ, Taiwan was forced to use 100 transponders per day to communicate its civilian flight charts to the PRC's military authorities. Furthermore, in 2010, aviation security tensions between Japan and Taiwan surfaced regarding the former's expansion of the ADIZ over the airspace west of Yonaguni Island in the East China Sea (*Taipei Times*, 2010). Clearly, despite its unrecognised status, Taiwan is a

quasi-independent regional stakeholder in the ADIZ issue in the East China Sea, and Japan clearly views Taiwan as an aviation security asset.

Regarding the above expansion, the retired JSDF general, Toshimichi Nagaiwa (2014), complained that Taiwan's attitude toward Japan was more aggressive than Taiwan's more discreet attitude under the Ma administration toward the PRC's ADIZ. Meanwhile, Singh (2013c, p87) pointed out that the Japanese were concerned about potential PLA aggression towards the Yaeyama Islands during a Taiwan contingency. Here, Singh (2013c, p87) noted Japan's lack of independent threat assessment capability during the Taiwan Missile Crisis of 1995 to 1996. According to Sakashi (2014), Japan's expansion of the ADIZ over Yonaguni in 2010 was intended to enhance intelligence, surveillance, and reconnaissance based on the concept of dynamic defence and joint military training as well as the joint use of military facilities as a part of the Japan–US alliance. Furthermore, Sakashi (2014) argued that the lack of strong communication channels between the foreign and defence ministries of Japan and Taiwan was highlighted by the former's expansion of the ADIZ over the airspace west of Yonaguni Island. Japan is aware of the strategic need to communicate with Taiwan on matters of air defence and air security for the defence of the Nansei Islands. The military defence of air control in Taiwan and the Nansei Islands is strategically interlinked from the perspective of Japan's security in terms of both civil and military aviation.

Despite the initial restrained attitude of the former Ma administration vis-à-vis the PRC's ADIZ over the airspaces in the East China Sea, Taiwan conducted a large military drill involving the air force in the new ADIZ areas in 2014 (*Focus Taiwan*, 2014). While it cannot be confirmed whether Taiwan had a clear resolve to align itself strategically with Japan and the US during this military drill, Taiwan did intend to demonstrate its

independent diplomatic stance in relation to the PRC's ADIZ. Regarding this military drill, *Focus Taiwan* (2014) reported the following:

[s]ailors who joined the mission said it showed that Taiwan was not scared away by China's announcement in November 2013 of an ADIZ spanning a large part of the East China Sea that was seen as an attempt to assert territorial claims in the region.

In addition, following the unilateral announcement of the PRC's ADIZ, the Taiwan Air Force increased its air patrols within Taiwan's ADIZ (Schreer, 2014). If Japan is afraid of a potential cross-strait united front against it in the event of a contingency in the East China Sea, Taiwan's independent stance vis-à-vis the PRC's ADIZ may have tilted the balance of power in Japan's favour.

Crucially, the airspace over the East China Sea will be a strategically important air defence line against the PLA Air Force during a Taiwan contingency or a contingency in the East China Sea around the Senkaku Islands. Furthermore, the Senkaku Islands are geographically located just north of Taipei, which means it makes strategic sense that the Taiwanese military pays close attention to the aerial and maritime behaviours of the PLA in the East China Sea. Stokes (2014) argued that depending on the geographical boundaries of a potential future South China Sea ADIZ declared by the PRC, it will be possible for the PLA to geographically and militarily isolate Taiwan from other strategically vital first-island chains. As discussed in the CSD chapter, Taiwan appreciates the more solidified Japanese military presence in and around Taiwan since this indicates that both Japan and the US are willing to provide greater, if unstated, deterrence for Taiwan vis-à-vis the PRC. Tellingly, during the military drill in the Bashi Strait close to the northwest Philippines that was conducted by the PRC's

military, US military aircraft, including the F/A 18C of the marine corps, landed in southern Taiwan's Tainan airport (Stars and Stripes, 2015). The aircraft landed in Taiwan after departing from the Japan-based US military base in Misawa on 31 March 2015 to repair 'some mechanical issues' on its way to Singapore, where they were to participate in a military exercise (Stars and Stripes, 2015).

Uchida (2006) warned that Taiwan's Air Force and Japan's ASDF need to have greater awareness of the geographical boundaries on each side of the ADIZ between Japan and Taiwan, especially if Taiwanese military aircraft accidentally trespass into the Japanese side of the ADIZ. In such a scenario, Japanese military aircraft may scramble or use a laser beam against the intruder, resulting in panic among the Taiwanese aircrew and subsequently leading to a dangerous situation. The lack of bilateral strategic communication channels between Japan and Taiwan regarding regional aviation security issues was one of the factors that led to harsh protests by Taiwan against Japan in 2010. At the time, Japan had slightly expanded its own ADIZ over Yonaguni Island in Okinawa Prefecture (*Taipei Times*, 2010; Sakashi, 2014). As discussed earlier, one of the disadvantages of Taiwan's non-representation in the ICAO is its limited number of aviation security exchanges with contracting member states of the organisation. If Taiwan was better represented in the ICAO, it could create more solid communication channels with Japan to resolve regional aviation security issues, including the sensitive issue of airspace security management. Furthermore, following the unilateral announcement of the PRC's ADIZ over the East China Sea, the US and Japan officially submitted a letter to the ICAO asking whether a state has a right to dictate to or restrict commercial and civil aircraft over skies that are geographically out of the state's jurisdictional regions via the civilian air traffic controllers (Rinehart and Elias, 2015). Elsewhere, Yasuda (2016) argued that Taiwan's participation in the ICAO would be

meaningful given the regional aviation security developments related to the issue of the ADIZ. In fact, it would be even more critical to examine the PRC's expansion and reorganisation of its sphere of influence over aerial domains to maintain peace and stability in the airspace in the Taiwan Strait and its periphery.

As a concrete counter-measure against the PRC's ADIZ, Japan convened a Japan–ASEAN summit on the freedom of overflight and civil aviation safety in Tokyo in 2014 without explicitly admonishing the PRC in reputational terms in relation to international law originating from the ICAO and UNCLOS (Rinehart and Elias, 2015). In addition, after Taiwan was allowed representation in the ICAO as a 'guest', the nation took the opportunity to protest against the PRC's coercive aviation measures. This included, for example, the PRC unilaterally announcing the use of civilian routes for commercial airlines in 2015, routes that are very close to Taiwan's FIR in the middle of the Taiwan Strait, which Taiwan saw as a coercive measure against it (*Focus Taiwan*, 2015).

## **5.7 Japan–Taiwan Anti-International Terrorism and Anti-Transnational Crime Cooperation**

Following the 9/11 terrorist attacks, the Chicago Convention was reviewed to prevent such attacks from occurring again (IATA, 2001). At the same time, many states strengthened their anti-terror measures and established inter-state cooperation to combat terrorism. Here, the ADIZ issue discussed in the previous section remerged in the ICAO's national security discourse (Dutton, 2009). However, a lesser known fact is that both Japan and Taiwan conducted anti-terror measures after 9/11 (Uchida, 2006) to meet the new challenges that arose with regard to aviation security and safety according to the standards of the ICAO. According to Yang (2009), Japan's departure from the One-China policy of 1972 is clear from the fact that Japan and Taiwan conducted semi-



official security policy cooperation and coordination bilaterally and established a bilateral anti-terror security policy. This bilateral or multilateral law enforcement cooperation with Taiwan was not limited to international policing issues; rather, it was deemed as a significant political activity that required Japan to exercise political capital for its own security.

Japan has been instrumentalising Taiwan as a normative security asset to combat international terrorism and engaging in law enforcement cooperation for combating anti-international terrorism and anti-transnational crime activities. As discussed in the literature review, a de facto state often becomes a loophole for international terrorism and transnational crime activities. Here, Kawamoto (2016) argued that Japan must have the capability to deal with the threats of international terrorism and transnational crime, even during peacetime. In fact, Japan must also contribute to preventing states from becoming fragile and vulnerable to incubating violent threats. It requires further study to elucidate why the PRC appears to grudgingly acquiesce Japan-Taiwan constabulary cooperation. As in the case of the CSD, non-military policing cooperation appears not to cross the redline for the PRC in the context of Japan's One China policy. Japan-Taiwan anti-international terrorism and anti-transnational organised crime cooperation presents a suitable case study for elucidating how Japan has been enhancing Taiwan's as if membership in anti-international terrorism and anti-transnational crime efforts in accordance with the international security norms of the ICAO.

### **5.7.1 Geopolitical importance of airport security**

Airports play a geopolitical role as a gateway for international travellers entering and leaving a country. They facilitate the free movement of people and must account for the consequences of unintentionally offering better mobility to international terrorists and

transnational crime organisations. Airport security has become one of the most critical components of the war on terror, or the anti-terror efforts. Regarding the importance of airport security, Dodds and Adey (2014) stated the following:

[f]or one thing, as others have noted, the airport has been a key site for investigating how and with what consequences the war on terror has manifested itself in terms of security and surveillance with ever greater attention given to monitoring and evaluating the body and behaviour.

The ICAO regards airport security as an integral part of the global fight against international terrorism, and in 2018, ICAO Secretary General, Fang Liu, and Assistant Secretary-General and Executive Director of the Counter-Terrorism Executive Directorate, Michèle Coninsx, signed an agreement to enhance cooperation between the two agencies in terms of intelligence sharing on border control, aviation security, and counter-terrorism. Here, Liu stated that '[i]t [the agreement] also recognises our shared emphasis on prioritising more sustainable travel facilitation solutions', adding that this included 'travel document security, citizen identity management, and the international standardisation of passenger data exchange' (The ICAO, 2018).

### **5.7.2 Japan–Taiwan airport security cooperation**

Clearly, Taiwan is being ignored by the ICAO and UNCTED's cooperative initiative due to its ostracisation by the PRC. However, on closer examination, it would appear that Japan has been enhancing Taiwan's 'as if membership' in international counterterrorism and anti-transnational crime efforts. In 2004, the ROC's Executive Yuan ratified a bilateral immigration control agreement based on the mutual decisions made by Japan's semi-official interchange association, Japan's de facto embassy in Taiwan, and Taiwan's East Asia Relations Commission (Yang, 2009). Both Yang

(2009) and the *Mainichi Shimbun* (Shijienian Jian, 2005) pointed out that this semi-official bilateral agreement between Japan and Taiwan enabled the staff in charge of immigration control and restriction issues from both countries to visit each other's airports when the security need arose and made it possible to screen visas and passports beforehand to detect and prevent suspicious figures such as potential terrorists and criminals from entering either nation. Elsewhere, *Mainichi Shimbun* (2004) noted that the immigration office in Japan considers such anti-terror efforts at airports to be efficient measures to minimise the security risks stemming from overseas terrorists entering Japan. For example, from 2002 to 2003, Al-Qaeda's high-ranking members clandestinely entered Japan via Singapore using forged passports.

Japan and Taiwan signed an agreement over intelligence and information sharing and law enforcement cooperation in terms of border and immigration security on 20 November 2014 (Interchange Association 2014). Due to this agreement, the two actors have been able to comprehensively cooperate on border and immigration security issues through the Ministry of Justice in Japan and the Ministry of Interior in Taiwan. For example, immigration officers from each side can now collaborate, conduct annual consultations, conduct functional exchanges on an ad hoc basis in times of need, can engage in data sharing on immigration issues and information sharing for technological cooperation to strengthen the border security on both sides, and can carry out emergency communication and coordination to prevent the use of forged passports and forged documents and the illegal entry of aliens within the legal boundaries of the relevant divisions of the Ministry of Justice and the Ministry of Interior. If a change occurs within any division, immediate notification is now required (Interchange Association 2014). Furthermore, an anti-terror financing and anti-money laundering agreement was signed between Japan and Taiwan in 2012. This is essential for

intelligence and information sharing and the effective implementation of bilateral law enforcement and security cooperation as well as for conducting bilateral economic activities for Japan–Taiwan relations (Interchange Association, 2012). In 2017, Japan and Taiwan concluded an agreement on customs enforcement that enabled the two sides to combat smuggling and to streamline clearance procedures via information and expertise sharing (*Taiwan Today*, 2017). Taiwanese nationals travelling to Japan have been subject to possible Japanese immigration and customs screening processes through the pre-clearance system at Taiwan Taoyuan International Airport since the middle of 2017 (*Taipei Times*, 2016).

### **5.7.3 The issues with airport security in Taiwan: Implications for Japan’s security**

Cost-effective aviation has facilitated the movement of criminals and illegal goods on a global scale, including in Taiwan. Certain airport security issues can be major and may potentially affect Japan’s security with regard to the proliferation of both light and heavy arms. For example, in 2012, a Taiwanese-American woman and her children who were travelling with a handgun and bullets were caught by the aviation police in Taiwan’s Taoyuan Airport (*Taipei Times*, 2012). The woman and her children were flying from John F Kennedy Airport to Osaka, Japan, and then to Taipei, Taiwan. The security checks at these three airports could not detect the weapons, which called into question the robustness of airport security. Furthermore, in 2014, during a security check, the aviation police held up a China Airlines aircraft at Taiwan’s Taoyuan Airport after it was found to be transporting the components of 36 AIM missile warheads (*Taipei Times*, 2014). Here, the Ministry of National Defence had to intervene to clarify that these weapons were intended to be secretly transported to the US for free repairs (*Taipei Times*, 2014). The poor secrecy management and lack of communication between the aviation police and the Ministry of National Defence was highlighted in

this case, raising widespread alarm regarding hypothetical situations in which such high-profile weapons could fall into the hands of terrorists (*Taipei Times*, 2014). On a positive note, it was proven that the aviation police in Taiwan are able to detect high-profile military components for missiles (*Taipei Times*, 2014).

The issue of corruption must be tackled if the reliability of airport security is to be improved. For example, the ‘Honey Trap’ case of 2016 revealed the extent of corruption among aviation police. Here, a female Chinese spy seduced a high-ranking Taiwanese aviation officer into procuring Chinese-manufactured X-ray security equipment by falsely claiming that the equipment was produced in Japan (*Taipei Times*, 2016).

#### **5.7.4 Japan–Taiwan airport and port security intelligence sharing and multilateral efforts**

Japan and Taiwan engage in intelligence and information-sharing cooperation in relation to anti-international terrorism and anti-transnational crime as well as contingencies that involve airport security and port security. Ito (2016) described how eels caught by Taiwanese fishermen – which are prohibited from being exported to Japan by the Japanese government – are shipped to Hong Kong and legally re-exported to the Japanese market using aerial and maritime transport. Tackling such cases of smuggling will require aviation security cooperation and transnational intelligence sharing among Japan, Taiwan, and various other countries.

During an interview done by Konno, the former head of the fisheries development foundation in the Taiwan region, Ling, expressed some dissatisfaction with the Japanese government’s policy on legally importing eels from Hong Kong and suggested that Japan amend its laws that ban the import of such goods from Taiwan. In fact, Japan, Taiwan, South Korea, and the PRC have been conferring over the measures needed to

resolve this smuggling-related problem. Huang Hong-yen, who serves in the fisheries division of the agricultural committee of the Executive Yuan in Taiwan, stated in an interview that since 2012, Taiwan, Japan, South Korea, and China have been conducting informal consultations to achieve multilateral cooperation for data sharing on the smuggling of eels. Based on the multilaterally shared data, they voluntarily restricted the fishing of eels (Konno, 2016). However, Huang revealed his long-term desire to make this cooperation legally binding (Konno, 2016). Crucially, in certain cases, such as the eel smuggling case, Taiwan and the PRC have agreed to conduct transnational policing cooperation despite their adversarial relationship.

According to the Joint Statement of the Bureau of Fisheries of People's Republic of China, the Fisheries Agency of Japan, the Ministry of Oceans and Fisheries of the Republic of Korea and the Fisheries Agency of Chinese Taipei on International Cooperation for Conservation and Management of Japanese Eel Stock and Other Relevant Eel Species (2014 17 September), the Fisheries Agency in Chinese Taipei is represented as a "participant" due to its position as an "economic entity" in the APEC together with the PRC, Japan and South Korea. Chinese Taipei engages in intelligence and information sharing with the counterparts from those nations on this security issue.

Regarding the sensitive multilateral intelligence cooperation between political and military adversaries, Naim (2012) noted the low-trust issues among national police agencies (including Interpol), especially those in adversarial or unreliable states. While national law enforcement agencies go to great lengths to ensure the confidentiality of their intelligence, they generally remain wary of excessive sharing. Given this context, the Japan–China–Taiwan–Korea informal multilateral intelligence-sharing cooperation vis-à-vis the eel smuggling case is significant.

### **5.7.5 Travel documents, border security, and identity management**

While Japan and Taiwan have no extradition agreement, de facto bilateral or even multilateral law enforcement cooperation between them in terms of aviation security is still possible. In 2011, the ICAO's regional seminar that was held in Singapore discussed the critical nature of biometric and border security as follows:

[a] key finding from the 9/11 Commission Report was that 'for terrorists, travel documents are as important as weapons.' The issuance and integrity of travel documents, border security and identity management remain an integral part of global counter-terrorism capacity-building efforts in furthering the objectives of UN Security Council Resolution 1373 (2001) (The ICAO, 2011).

Japan, Taiwan, and other countries in the region are cooperating to share intelligence related to travel documents, the identities of suspicious figures, and border security in accordance with the principles of the ICAO.

Japan's National Police Agency's white paper of 2012 described a transnational crime investigation case that involved examining travel documents, the identity of the criminal, and the border security for transnational policing efforts operating in accordance with the ICAO's practices involving biometric security technology. The paper stated the following:

[t]here was a South Korean national that committed the robbery of a luxury ring by using a false identity as a Japanese female in Tokyo, then proceeded to commit a similar robbery of a ring in Taipei, Taiwan. Nevertheless, he was identified through the security cameras and the manner in which the crime was committed was found to be similar to the case in Japan. By the time he entered

his next destination, which was South Korea, his passport was recorded as that of a robber because Japan–Taiwan–South Korea’s relevant law enforcement agencies declared a transnational emergency and conducted speedy intelligence and information sharing regarding his transnational movements. The security camera image was shared among the three parties, and the South Korean Police investigated the transnational crime activities of the criminal and arrested him for the robberies he committed in Japan and Taiwan (Japan National Policy Agency, 2012).

Furthermore, the white paper confirmed that Japan and Taiwan cooperated in terms of sharing intelligence on the facial image, fingerprints, and transnational movements of the criminal. The stolen passport used when the criminal entered South Korea was on record with the police in Taiwan, and the confession made by the criminal’s contacts led to the identification of the criminal. Clearly, Japan and Taiwan are cooperating in the form of making bilateral or multilateral law enforcement efforts in intelligence sharing.

Japan and the United Nations Office on Drugs and Crime (UNDOC) agreed to cooperate to facilitate the capacity building of airport security, including in terms of the introduction of the latest facial recognition systems and explosive detection techniques in Southeast Asian states in view of combatting international terrorism (*Mainichi Shimbun*, 2016a). Taiwan’s Southeast Asian neighbours may be vulnerable to radicalisation and terrorism due to the regional diffusion of ISIS. As such, the UNODC conduct the training of airport crews and introduced the latest security devices developed by Japan (*Mainichi Shimbun*, 2016a). For certain, ISIS is utilising the porous borders of ungoverned de facto states in Southeast Asia as safe havens for conducting



international terrorism (Kurlantzick, 2016).

Reportedly, 69 Taiwanese nationals are listed as ISIS targets (*Taipei Times*, 2016e). Foreign Minister David Lee stated that his ministry received intelligence from the Taipei Representative Office in the UK in June 2016 and from London's Metropolitan Police Service Counter Terrorism Command (*Taipei Times*, 2016e). During the era of White Terror, the corrupt KMT regime of the ROC under Chiang Kai Shek had a criminalised economy (*The Economist*, 2014). Even after Taiwan's democratisation, the PRC supported pro-PRC political forces in Taiwan. For example, it supported the Bamboo Union, whose 'spiritual leader', Chang An-lo, was suspected of being a triad leader in Taiwan and spent 17 years in the PRC as a fugitive. However, the PRC denied this (*The Economist*, 2014). A crucial incident for Japan's security came in the form of Chiang An-lo's meeting with the local Okinawan mafia groups that were allegedly conducting narcotic trafficking in Okinawa (*Ryukyu Shimpo*, 2016). Considering Taiwan's importance to Japan's security, and given the upcoming Olympics event in Tokyo in 2020,<sup>6</sup> ensuring Japan-Taiwan intelligence sharing on travel documents, border security, and identity management while facilitating Taiwan's 'as if membership' in the ICAO's anti-terrorism and anti-transnational crime efforts will be crucial.

#### **5.7.6 The airport security cooperation between Japan and Taiwan: Implications for the contingencies in Taiwan and the East China Sea**

Law-enforcement cooperation for anti-international terrorism and anti-transnational crimes at airports or ports between Japan and Taiwan presents a crucial countermeasure to any potential PRC invasion of Taiwan and the Nansei Islands in Japan. One of the characteristics of the grey zone scenarios is the greater use of non-traditional armed

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<sup>6</sup> The games were subsequently postponed until 2021 due to the Covid-19 pandemic.

groups such as maritime militia, spies, and insurgents, which do not fit into the traditional definition of hard power. According to Sato, the former director general of the Japan Coast Guard, in the process of becoming a ‘maritime power’, the PRC has been utilising non-military tactics (*Yomiuri Shimbun*, 2016). For example, Mochida (2014), the former chief of staff of the GSDF Western Army 7th Brigade Field Operation Bureau, argued that, as the case of Crimea shows, the hybrid nature of warfare can involve a greater use of unofficial militia. Here, the Japanese SDF or the Taiwanese military would confront non-traditional adversary forces, including armed non-military militia, and this hostile militia may attempt to occupy airports or naval ports to disrupt any logistical advantages during a contingency. Mochida (2014) went on to argue that Japan–Taiwan–US militaries should conduct contingency analyses and consolidate the information and intelligence sharing regarding the results of the analyses among the three actors. After studies were conducted on the needs of the various police forces by the NSC and the relevant security organs in Taiwan, since May 2019, Taiwanese airport police have been equipped with submachineguns to better deal with terrorist threats (*Taiwan News*, 2019). Scott W. Harold (2016), the associate director of the RAND Center for Asia Pacific Policy, noted the importance of fortifying airfields and aviation-related facilities to improve the survivability of critical air assets during a contingency.

#### **5.7.7 Taiwan’s as if membership in international security and the hierarchical Japan–Taiwan relations**

Interestingly, the PRC has not openly condemned this Japan–Taiwan anti-terror airport security cooperation. It is not implausible to assume that the PRC would react negatively to any Japan–Taiwan semi-official security cooperation as a violation of the One-China policy, especially if the cooperation was commenced under the Koizumi

and Chen administrations, both of which were perceived as hostile to the PRC. However, the aforementioned case of the smuggling of marine products such as eels suggests that China is willing to collaborate with Taiwan – albeit informally – when the need arises. Given this scenario, if any Japan–Taiwan security cooperation is conducted at a constabulary level, the PRC may begrudgingly acquiesce to it within the context of Sino-Japanese regional power management. Therefore, the issue of whether Japan can enhance Taiwan’s *as if membership* in anti-international terrorism networks in accordance with the ICAO’s security norms depends on how Japan navigates its One-China policy while securing a space for Taiwan to enhance its contribution to Japan’s security. It is up to Japan to determine what form of security contributions Taiwan is permitted to make, provided Japan continues to instrumentalise Taiwan as an aviation security asset while pacifying the PRC by appropriately navigating the One-China policy. This hierarchical relationship grants Japan an influential moral authority to determine the normative security behaviours that Taiwan must adhere to. As discussed in Chapters 2 and 3, to be accommodated into the Eurocentric club of elite powers, ‘non-civilised’ peoples must meet Western civilisation standards and must be recognised as equals by the ‘civilised’ Europeans. However, according to the ESIR, this merely serves to consolidate the Eurocentric hierarchical global order within international society. Similarly, to meet the expectations set by the regional great power Japan, Taiwan needs to make an effort to meet its neighbour’s security preferences. Taiwan’s compliance with Japan’s security expectations and its attempts to obtain recognition from Japan are consolidating the hierarchical Japan–Taiwan relationship. Japan rewards Taiwan through new bilateral agreements related to anti-terror efforts provided the latter meets the former’s security requirements or if the international security environment requires Japan to conduct new anti-terror efforts. Japan cannot

leave Taiwan to fend for itself within the context of international security despite the latter's lack of international recognition. In short, Japan expects Taiwan to complement its own security priorities by regulating and structuring its security behaviours in accordance with the international security norms of the ICAO. Thus, Japan may give Taiwan an alternative avenue to improve Taiwan's international standing by enhancing Taiwan's *as if membership* in international security efforts. However, this may also force Taiwan into becoming, if not a disposable geopolitical pawn, a permanent international security policy instrument for maintaining Japan's balance of power in relation to the PRC.

Kawashima (2016) argued that since Japan–Taiwan relations improved under Ma Ying Jeou, who sought closer ties with the PRC, the PRC tolerated the stronger Japan–Taiwan relations until the DPP came to power in 2016 under Tsai. However, during the administration of Chen, who experienced more tensions with the PRC than the Ma administration, Japan and Taiwan engaged in more frequent high-profile contact (Nojima, 2016). Lee Teng Hui admitted that high-profile secret strategic security dialogues were conducted among Japan, Taiwan, and the US on a frequent basis, in which Tsai participated twice (*Asahi Shimbun*, 2016). In the written communication involving the author of this dissertation and Hideaki Kaneda – a former vice admiral of Japan's Defence Force – Kaneda expressed that, as a frequent participant in Japan–Taiwan security talks, he had a difficult time under Ma Ying Jeou. The PRC may attempt to hinder the development under Abe and Tsai of stronger Japan–Taiwan ties that enhance the security of both nations. In fact, it has already sanctioned Taiwan's international space, including in terms of its guest membership in the ICAO. That is precisely why Japan–Taiwan aviation security ties are essential and why it is worth investigating the role of Japan in accommodating Taiwan in its international aviation

security efforts.

## **5.8 Summary**

Japan utilised the ICAO's security and safety regulations to instrumentalise Taiwan for its own aviation security. Here, it encouraged Taiwan to behave in accordance with the ICAO's principles regarding the Open Skies agreements, the ADIZs, and law enforcement. All of these aspects have significant security implications for Japan's security and the balance of power vis-à-vis the PRC in the East China Sea and beyond. Despite Taiwan's non-access to the ICAO due to the PRC's sanctions and the absence of membership due to its lack of statehood, Japan can socialise Taiwan in terms of complying with the ICAO's international aviation security norms and rules, such that the former can enable the latter to contribute to Japan's aviation security.

Meanwhile, Japan's non-traditional aviation security cooperation such as the airport security and the international anti-terrorism efforts appear to make the PRC acquiesce incrementally growing Japan-Taiwan security cooperation despite the former's One China policy. Clearly, if Japan adheres to security cooperation based on international security norms, it is difficult for the PRC to sanction security ties between Japan and Taiwan.

The next chapter examines Japan's direct intervention that acknowledged Taiwan as a de facto stakeholder in the maritime security issues in the East China Sea through the fisheries agreement. This agreement propelled Taiwan to an almost equal level to Japan and China as a semi-legitimate actor in the issue of the East China Sea, which ensured Taiwanese perspectives more appreciated by the Japanese. However, the agreement also antagonised the Chinese since it was regarded as a violation of Sino-Japanese great power management. It also drove a wedge into the potential cross-strait united front

against Japan, while Taiwan's subordinate position vis-a-vis its powerful neighbour remains unchanged within the hierarchical Japan–Taiwan relations in international society.

## **Chapter 6. The Fisheries Agreement**

### **6.1 Introduction**

Japan's conclusion of the bilateral fisheries agreement with Taiwan has significant geostrategic implications for Japan's policy on Taiwan–China relations and for enhancing Japan's balance of power in the East China Sea area in relation to the PRC. The agreement helped Taiwan assert itself as a quasi-legitimate security actor in the East China Sea issue. This case study chapter is different in nature from the other two case study chapters since, within this context, Japan has politically acknowledged Taiwan as a quasi-legitimate actor. This has created the need for Taiwanese perspectives to be further examined, as opposed to CSD and ICAO perspectives, which effectively render Taiwanese political inputs nonrelevant in the hierarchical Japan–Taiwan relationship. This is because unlike the CSD and ICAO perspectives wherein we discussed Japan's dealings of Taiwan as Japan's foreign policy, Japan's signing of the fisheries agreement with Taiwan acknowledged Taiwan as a semi-independent stakeholder in the marine issue in the East China Sea. Thus, this chapter discusses not merely Japan's Taiwan policy as part of its foreign policy, but also bilateral Japan–Taiwan relations. Moreover, the agreement was regarded as Japan's attempt to drive a wedge into the cross-strait united front and to undermine the PRC's concept of One China (which includes Taiwan). From the PRC's perspective, the agreement was a violation of the One-China policy and a detriment to Sino-Japanese great power management. The agreement also enhanced Taiwan's as if participation in international maritime security efforts in terms of law enforcement and economic security. Furthermore, Japan concluded the fisheries agreement with Taiwan despite the maritime tensions in the East China Sea. We can use this point to elucidate how Japan and Taiwan were able to peacefully solve their maritime issues and achieve amicable

Japan–Taiwan relations through the perspective of the ESIR.

First, it discusses how the fisheries policy has been traditionally conceptualised as part of comprehensive security issues without consideration of the power politics in Japan, with the exception of the Japan–Taiwan fisheries agreement. Second, it examines the geopolitical implications of Japan’s instrumentalisation of the fisheries agreement with Taiwan in relation to Japan–China–Taiwan relations. Third, due to the nature of the fisheries issue, it examines how the agreement affected law enforcement and economic security for Japan, Taiwan, and Okinawa. Fourth, with reference to the ESIR perspective, it examines the normative dynamics behind how Japan and Taiwan aimed to create amicable relations and addresses how these dynamics allowed the peaceful signing of the fisheries agreement despite the maritime tensions in the East China Sea and the fact that the hierarchical Japan–Taiwan relationship remained unchanged.

## **6.2 What is the Traditional Fisheries Policy in Japan? Japan’s Comprehensive Security and Food Security Policy**

Smith (2015) argues that Japan’s fisheries policy is deeply rooted in the concept of comprehensive security, which encompasses the food security of the entire Japanese populace. As with all international security issues, Japan must alleviate any uncertainty and risks stemming from other state or non-state actors. Regarding how this fisheries policy became an important foreign policy for Japan, Smith (2015, p. 5) noted that as distant-water fisheries became more critical, the contact among foreign fishermen increased. However, this also increased the international friction, which meant the international management of fisheries resources became a more urgent issue for the Japanese government. In short, this was no longer simply a domestic issue, but an issue firmly related to foreign policy.



The international fisheries issue has not involved traditional security concerns for Japan. In fact, the nation's fisheries policy prior to the bilateral Japan–Taiwan fisheries agreement was not regarded as a major strategic instrument in the regional balance of power. Regarding the conceptual differences between comprehensive security and national security, Smith (2015, p. 5) pointed out that unlike traditional power politics, comprehensive security regards the pursuit of reliable trading partners and routes, economic security, and stable access to natural resources to be as critical as the conventional militarised conception of security.

As noted, Japan's fisheries policy has traditionally been conceptualised within the context of comprehensive security, especially in terms of the nation's food security policy, as opposed to a strategic instrument for achieving regional maritime peace and stability, which would involve enhancing the regional maritime power balance and the legal maritime order. However, due to the unique status of Taiwan and the PRC's courting of Taiwan in the issue of the East China Sea to create a cross-strait united front vis-à-vis Japan, Japan's conclusion of the fisheries agreement with Taiwan was utilised as a foreign policy instrument to defend Japan's southern flank in the East China Sea surrounding the Senkaku Islands while simultaneously recognising Taiwan as a quasi-legitimate stakeholder that was (almost) equal to Japan and the PRC in the issue of the East China Sea.

### **6.3 Japan's Instrumentalisation of the Fisheries Agreement as a Security Asset**

#### **6.3.1 Japan's geopolitical instrumentalisation of the fisheries agreement with Taiwan vis-à-vis the PRC**

Japan instrumentalised international law to sign the fisheries agreement with Taiwan as

a hard security asset vis-à-vis the PRC as opposed to in terms of traditional food security in comprehensive security domains. The agreement may be viewed as a political refutation of the PRC's claim over Taiwan and the Senkaku Islands (Kawashima, 2013). Japan's treatment of Taiwan as a quasi-legitimate actor, one that is quasi-equal to Japan and the PRC in the issue of the East China Sea, helped Taiwan assert its 'statehood'. In short, Japan allowed Taiwan's quasi-official participation in the issue of the East China Sea through the fisheries agreement. Unlike the ambiguous status of Taiwan in the CSD and the ICAO (both require statehood for membership), Japan's treatment of Taiwan propelled the latter to a quasi-official level in this maritime issue even though Taiwan was not involved in the United Nations' Convention on the Law of the Sea (UNCLOS). This ensured the Taiwanese political input regarding Japan's security policy was considerably more appreciated, albeit that the hierarchical Japan-Taiwan relationship, wherein Japan unilaterally affords Taiwan quasi-recognition as a reward for its normative behaviour in relation to Japan's security, remained unchanged.

The UNCLOS regulates and handles international maritime disputes, and claimant states can instrumentalise it for arbitration, with the convention instrumentalised as a set of modern international maritime laws in bilateral or multilateral maritime disputes when the disputes are considered unresolvable by the claimant states alone. Here, the states need to make a request to the International Court of Justice to obtain a legal ruling. In the bilateral Japan-Taiwan fisheries agreement, both nations agreed to set aside their sovereign disputes over the territories in question and attempted to resolve the issue of marine resources and fishing rights in the East China Sea. The Japan-Taiwan fisheries agreement is viewed as a geostrategic success for Japan since it bilaterally created a dispute and conflict resolution mechanism at both the legal and institutional levels, including in terms of the need for legal readjustments on the side of Taiwan. After de

facto Japanese ambassador Masaki Saito retired in 2009, he noted the importance of creating a legal and institutional mechanism for the bilateral fisheries issues, stating that it was an important unresolved business of his semi-abruptly and semi-forcibly terminated ambassadorship (Sahashi, 2014). Now that such a legal and institutional mechanism exists, the two sides can initiate an annual fisheries committee to ‘negotiate fishing affairs, jointly conduct maritime resource protection, and discuss possible cooperation’ (Po and Pei, 2013, p. 13). In fact, the two nations can now take joint legal action against the PRC if the PRC’s vessels encroach on Japanese territorial seas around the Senkaku Islands.

The PRC has a different interpretation of the UNCLOS to that within mainstream international society, as was manifested in the PRC’s ‘nine dash line’ demarcation in the South China Sea. For example, regarding the Philippines’ initiative to bring regional maritime disputes in the South China Sea against the PRC to the International Court of Justice, the PRC argued that it was impossible to legally settle such disputes if a legal solution to the territorial disputes in the South China Sea had not yet been found (Press Release at Permanent Court of Arbitration, 2016). As such, the Philippines focused its arbitration case on maritime rights rather than territorial disputes. The PRC did not participate in the hearing, in which the ICJ attributed merits to seven of the 15 submissions (Press Release at Permanent Court of Arbitration, 2016). The Philippines arbitration case may not have led to material changes vis-à-vis the tensions in the South China Sea, but the Philippines’ legal attempt to resolve the dispute certainly affected the PRC’s reputation. In short, it was seen as a bully, one that had resorted to coercive measures vis-à-vis smaller states such as the Philippines. Similarly, Japan and Taiwan attempted to find a peaceful solution to regional maritime disputes in the East China Sea via the UNCLOS. This also resulted in the PRC appearing to be a hostile party,

despite the fact that the nation is a signatory member of the UNCLOS. In contrast, while, as we know, Taiwan cannot be a member of any international organisation that requires statehood for membership, it attained a reputation as a regional peacemaker.

To elucidate the difference between the Japan–Taiwan fisheries agreement and the Japan–PRC fisheries agreements in the East China Sea, a brief examination of the Japan–ROK fisheries agreement and the Japan–PRC fisheries agreement must be conducted. Both cases highlight the non-existence of power balance calculations vis-à-vis the third-party state, which is not the case with the Japan–Taiwan fisheries agreement. The changes in domestic law and the conclusion of the UNCLOS in 1982 required Japan to renegotiate its fisheries agreements with both the PRC and South Korea. New legal zones such as the EEZ expanded Chinese and Korean fisheries activities in Japan’s EEZ. Regarding Japan’s need to ratify the UNCLOS, Smith (2015, p. 114) stated the following:

[o]n the basis of earlier bilateral agreements and Japan’s 1977 fisheries law, Japanese waters beyond the 12 mile territorial sea remained the high seas for Chinese and Korean trawlers, prompting these fishermen to overexploit fish stocks in grounds contiguous to the Japanese coast.

Thus, the increasing number of disputes with fishing vessels operated by Japan’s neighbours required a renegotiation of the fisheries agreements among the nations in question. Japan ratified the UNCLOS to secure its marine resources and better protect its coastal fisheries within its own EEZ. Based on the UNCLOS, Japan signed a fisheries agreement with the PRC, and accordingly, both sides provisionally extended the EEZ waters. Provisional waters were established, and the EEZ’s boundaries were blurred to minimise any conflicting claims. Furthermore, a joint fisheries committee

was established to resolve any fisheries-related issues. Regarding the Japan–South Korea fisheries agreement, while negotiations commenced in 1996, it took three years to conclude the agreement due to the Takeshima dispute. Both sides had to compromise by denoting the waters around Takeshima as ‘middle waters’ and by agreeing to conduct joint management of the contested waters (Smith, 2015).

Meanwhile, the Japan–Taiwan fisheries agreement was a success for Japan since it rendered the twelve nautical miles of territorial waters around the Senkaku Islands as exclusively Japanese territory (Japan–Taiwan Fisheries Agreement, 2013). Here, Japan and Taiwan agreed to disagree about the legal status of the Senkaku Islands (Japan–Taiwan Fisheries Agreement, 2013). While both the Japan–PRC and the Japan–South Korea fisheries agreements considered different dispute management methods to alleviate tensions, neither cases took regional power politics dynamics into consideration vis-à-vis the third-party state. Notably, despite the existence of a controversy over the issue of fishing rights, it took Japan 17 years to finally conclude its fisheries agreement with Taiwan (Japan–Taiwan Fisheries Agreement, 2013). In fact, this became possible only after maritime tensions seriously escalated in the East China Sea following Japan’s nationalisation of the Senkaku Islands. From the language used in the official document on the Taiwan–Japan fisheries agreement from Taiwan’s MOFA, we can clearly observe the geopolitical dimension of the agreement. Here, MOFA’s archive includes the following:

Article 1 of the Taiwan–Japan Fisheries Agreement stipulates that ‘This Agreement aims to ensure peace and stability in the East China Sea, promote friendly and reciprocal cooperation...’ This stipulation does not appear in fisheries agreements of other countries such as the Japan–Korea and the

Japan–mainland China fisheries agreements. It is included in the Taiwan–Japan agreement due to Japan’s positive response to President Ma’s East China Sea Peace initiative (The Taiwan–Japan Fisheries Agreement Archive, 2013, p. 2).

### **6.3.2 Taiwan and Sino-Japanese regional great power management**

If Taiwan remains under the shadow of the PRC, any international agreements it signs with Japan that may infringe on the strict interpretation of the One-China policy will be viewed negatively by the PRC. For example, soon after Japan and the PRC signed their fisheries agreement, the ‘Taiwan factor’ became an inevitable issue due to China–Taiwan tensions (Tseng and Ou, 2010), which needed to be resolved for future Japan–Taiwan and Sino-Taiwanese relations. As a claimant of the Senkaku Islands, depending on how it behaves, Taiwan can either contribute to increasing or alleviating regional maritime tensions in the East China Sea (Jakobson, 2013). Therefore, a non-traditional security instrument such as the fisheries agreement has geopolitical implications for the sovereignty factor in Taiwan–China relations. In short, it is likely that the PRC regarded Japan’s conclusion of the fisheries agreement with Taiwan as a unilateral change in the status quo.

Any security arrangements that accommodate Taiwan need to help the nation consolidate its position as an autonomous player. Japan’s engagement with Taiwan will increase the chances of Taiwan’s strategic survival and its international legitimacy by helping improve its record on human rights, democracy, economic liberalism, and the environment. All the normative concepts that Taiwan embraces are shared by Japan, and the latter’s human rights record and socio-economic development have presented a model for Taiwan to emulate since the post-war period. The CCP considers ‘universal values’ to be irrelevant to the national conditions of China and has enacted laws that

regard such values as a threat to national security (The PRC's Guojia Anquan Fa, 2015). Crucially, these laws claim to judicially encompass Taiwan and regard the 'Taiwan Independence Force' as China's gravest national security threat (The PRC's Guojia Anquan Fa, 2015). Taiwan has its own constitution and domestic laws, which are independent of the PRC. A number of academics in Taiwan have described the PRC's the enactment of the aforementioned law as a legal annexation (Brooking's Institution, 2015). Here, China's final goal vis-à-vis Taiwan – as manifested in its non-interference policy and anti-secession law, which legalises the use of force against Taiwan if Taiwan moves for de jure independence (Fan Guojia Fenlie Fa, 2005) – clashes with Japan's acknowledgement of Taiwan as a quasi-legitimate security actor in the issue of the East China Sea. Therefore, from the PRC's perspective, Japan's signing of the fisheries agreement was regarded as a violation of both the Sino-Japanese regional great power management and the One-China policy. The PRC subsequently retaliated by informally disputing Okinawa's status (*New York Times*, 2013).

Taiwan appears to be less rigid regarding the sovereignty issue since it could potentially serve Taiwan's consolidation of its de facto independence. Provided Japan has the political will, this consolidation will benefit its instrumentalisation of international law vis-à-vis the PRC. For example, following Japan's derecognition of the ROC in 1972, Taiwan could only use the private-based Sino-Ryukyuan Cultural and Economic Association to handle any bilateral ties. The ROC government was outraged when the US returned Okinawa to Japan without consulting it (*Taipei Times*, 2006). Reportedly, in 2006, Taiwan admitted that Okinawa was a part of Japan in return for upgrading the private association to the quasi-diplomatic office in Okinawa in 2006 (*Taipei Times*, 2006). However, in a personal written communication with the current author, a former state minister, Furuya Keiji (2019), pointed out that the upgrade of the consular-like

entity was carried out based on Taiwan's voluntary behaviour. Meanwhile, the PRC is yet to establish a diplomatic consular there (Zhonghua Renmin Gonghuguo Riben Guo Dashiguan, 2015).

Japan accommodated Taiwan into its regional oceanic governance in the East China Sea by instrumentalising international law, namely the UNCLOS, albeit in a private manner. This is significant given that Taiwan has not signed any high-profile fisheries agreements other than that signed with Japan in relation to the East China Sea. The fisheries agreement is viewed as Japan's foreign policy instrument for elevating Taiwan to a quasi-equal stakeholder alongside Japan and China in the issue of the East China Sea, despite the nation's vulnerable position and its limited material ability to contribute to Japan–China–Taiwan relations. The fisheries agreement made the PRC look like a bully alongside the more genial Taiwan. Through the fisheries agreement, Japan ensured its security in terms of the Senkaku Islands and Taiwan in relation to the PRC by enhancing Taiwan's as if membership in international maritime security efforts. Meanwhile, it would appear from the discussions on the Senkaku issue conducted in the PRC that the mere existence of the East China Sea Peace Initiative proposed by Ma Ying Jeou frustrated the PRC. Ma's initiative indicated that Taiwan was not interested in cooperating with the PRC and was pursuing its own diplomatic tactics to ensure it remained an independent security actor (Hickey, 2014).

### **6.3.3 Taiwan and the East China Sea**

Given the semi-enclosed nature of the East China Sea, conflicts and disputes over fisheries rights among stakeholders such as Japan, Taiwan, South Korea, and China are inevitable (Yeh et al., 2014). Many claims over EEZ demarcations in this area geographically overlap. There have thus been numerous cases where the Japan Coast Guard detained or even sank Taiwanese fishing vessels amid the absence of a bilateral



fisheries agreement. This led to a diplomatic standoff between the nations' respective governments in 2008, according to Ikeda, a former de facto Japanese ambassador in Taipei (Ikeda, 2010). Here, Executive Chairman Liu Zhaoxuan was questioned by a lawmaker in the Legislative Yuan regarding the possibility of deploying force against Japan, and he answered '*Buxiyizhan*', which literally means 'do not hesitate to use force'. This shocked Japan (Ikeda, 2010), and the tension was only alleviated when the Japanese government apologised to Taiwan. The Ma administration then officially designated Japan as a special partner to Taiwan and highlighted the strategic importance the nation attaches to its relationship with its neighbour (Ikeda, 2010; Ogasawara, 2014). This bilateral maritime crisis between Japan and Taiwan that ensued throughout 2008 revealed the importance both sides attached to maritime security cooperation. The incident could have strained the amicable relationship between the two nations, and, as such, it was widely considered as desirable to replace the ad hoc dispute management that was in place with a more official bilateral conflict management mechanism to manage any maritime crises involving the two nations (Sun, 2013). In fact, at the beginning of the Ma administration, it was unclear whether Ma had a good grasp of the available diplomatic channels to communicate with Japan and whether he could display the leadership skills required to alleviate the attendant maritime crisis (Shimizu, 2009). For certain, Ma was not adequately prepared to de-escalate maritime tensions with Japan (Shimizu, 2009). The official bilateral conflict management system mentioned above was thus formally created after the conclusion of the bilateral fisheries agreement. The above crisis also made Japan suspicious of the possibility that the Ma administration would render Japan–Taiwan relations somewhat unstable or uncertain (Ikeda 2010). At any rate, Ma's image as an anti-Japanese figure was solidified in Japan.

While it was unlikely that Taiwan would have sought a cross-strait united front vis-à-

vis Japan over the issue of the Senkaku Islands and the PRC – especially given Taiwan’s national security policy of maintaining its de facto independence from the PRC – Japan’s conclusion of the fisheries agreement with Taiwan effectively erased the Japan’s strategic concerns regarding such a front. As examined in the literature review, Taiwan’s political input in Japan’s security policy has no influence, and it is up to Japan to determine the extent to which Japan–Taiwan security relations evolve as a part of the hierarchical Japan–Taiwan relationship. Japan’s concerns over a cross-strait united front was a significant determining factor in its signing of the fisheries agreement.

In fact, the agreement put an end to the PRC’s strategic desire for a cross-strait united front against Japan vis-à-vis the East China Sea issue. Here, Japan secured Taiwan as a political friend in East Asia amid the rising tensions between Japan and its neighbours, including the PRC, North Korea, and South Korea. This Japan–Taiwan political and legal cooperation also helped Taiwan maintain its ties with the Japan–US alliance (Ishihara, 2013; Ko, 2013). According to Ogasawara (2014), the international image of Ma as an anti-Japanese figure was created after the publication of his famous PhD dissertation on the issue of the Senkaku Islands, while this image was also based on his proactive involvement in anti-Japanese activities along with other Chinese nationalists when he was studying international law at Harvard University. Nevertheless, despite his tendencies as a ROC Chinese nationalist, as a pragmatic legal scholar in the field of international law, he concluded that Taiwan unquestionably required the political and strategic backing of both the US and Japan for its survival. Meanwhile, a cross-strait united front with the PRC was out of the question (Ogasawara, 2014). Ogasawara (2014) argued that the Ma administration’s East China Sea Peace Initiative was an embodiment of Ma’s academic knowledge as a legal scholar and a way for Taiwan to maintain strong relations vis-à-vis the Japan–US alliance and, by extension,

international society (Ogasawara, 2014). Thus, Ma decided to seek marine resources that were practically accessible for Taiwan through its fisheries agreement with Japan while rhetorically continuing to insist on its sovereign claim to the Senkaku Islands. For his part, Cole (2015) argued that Taiwan has neither strong territorial ambitions regarding the Senkaku Islands within its domestic policy nor the military capability, or the intention, to invade the area. On this point, the current author agrees with these two authors. Taiwan is heavily reliant on the Japan–US alliance for its own survival and the anti-Japanese sentiment in Taiwan is both weak **(include a public opinion survey to show this here or earlier in the thesis)** and marginal, except among diehard fanatics. In short, Taiwan is clearly at the mercy of Japan and the US for its survival given the political sanctions placed on it and the spectre of a military invasion by the PRC.

#### **6.3.4 Implications for the PRC’s claims over Taiwan and the Senkaku Islands**

As noted, Japan’s signing of the fisheries agreement with Taiwan seriously antagonised the PRC, which continued to make diplomatic overtures to Taiwan to cooperate with it against Japan. For example, one Chinese news website described Ma as a ‘sinner against the Chinese Race’ due to his rejection of cross-strait cooperation with the PRC (*Duowei Xinwen*, 2013) and other CCP newspapers also lambasted the Japan–Taiwan fisheries agreement (Global Times 2013). Crucially, the Chinese government was displeased, stating (Reuters, 2013) that ‘[w]e are extremely concerned about Japan and Taiwan discussing and signing a fishing agreement’. Elsewhere, the Chinese Ministry of Foreign Affairs’ spokesperson, Hong Lei, stated at a daily news briefing that ‘[w]e hope that Japan earnestly abides by its promises on the Taiwan issue and acts cautiously and appropriately’ (Reuters, 2013). The PRC also informally questioned Japan’s ownership of Okinawa (*New York Times*, 2013), claimed that the Senkaku Islands belong to Taiwan Province, which is a part of China, and that Japan and Taiwan’s

cooperation on issues involving sovereignty undermined the PRC's claim to the Senkaku Islands. The PRC views 'Taiwan Province' as an indivisible part of China, so it does not allow Taiwan to conduct inter-state relations with other countries, including Japan, as an independent entity (Jakobson, 2013).

Clearly, the Japan–Taiwan fisheries agreement touched on both the PRC's territorial claims over the Senkaku Islands and Taiwan and Japan–China–Taiwan relations. Here, historical and legal analysis deserves some merit. The Japanese government continues to hold the view on the issue of the Senkaku Islands that since the islands were not incorporated into Japan under the Treaty of Shimonoseki, Japan's renouncement of its foreign territories under the San Francisco Peace Treaty did not apply to the Senkaku Islands (Hickey, 2014). For the PRC, the ROC ceased to exist in 1949 when the Nationalists were defeated in the Chinese Civil War and the KMT, which fled to Taiwan, is simply a local authority that has no right to exercise statehood (Hickey, 2014). As such, the PRC does not recognise the legal validity of the San Francisco Peace Treaty even though the ROC resorts to the treaty as legal evidence to bolster its claims on the Senkaku Islands (Hickey, 2014). Since the PRC does not recognise the existence of the ROC, it cannot recognise the legal treaties signed between it and Japan, such as the Sino-Japanese Peace Treaties. However, the bilateral Japan–Taiwan fisheries agreement is reasonably estimated to constitute a political and legal refutation of the PRC's claims on both the Senkaku Islands and Taiwan to a degree – even if the PRC would never admit this. At any rate, following the conclusion of the fisheries agreement with Japan, Taiwan is considered to be a quasi-independent political actor in relation to the issue of the East China Sea vis-à-vis the PRC.

The PRC's argument that Taiwan exploited the overtures from the PRC for its own

political gain is worthy of some attention. Japanese and Western scholars that focus on Taiwan seem to be divided on this issue. Certainly, Taiwan does appear to have behaved in a way that confuses Western observers in terms of whether the nation exploited the PRC for its own benefit (Hickey, 2014). Crucially, the PRC regarded Taiwan's signing of the fisheries agreement with Japan as a betrayal. *The Global Times* (2013) stated that '[t]he strong stance from the mainland side in safeguarding the sovereignty of the islands has undoubtedly strengthened Taiwan's status in its negotiations with Japan'. Even if Taiwan was interested in resolving the issue peacefully from the beginning, as Ogasawara (2013a, 2014) pointed out, a number of Japanese who were paying close attention to the Japan–Taiwan tensions were somewhat confused about Ma's acceptance of the fisheries agreement. Here, Hickey (2014) pointed out that while Ma supported the 40 or so fishing vessels with Taiwanese activists on board that were escorted by eight Taiwanese coastguard ships when they clashed with Japanese coastguard ships around the Senkaku Islands on 25 September 2012 – with both sides using water cannons against each other – the PRC deployed five patrol boats a mere 12 nautical miles away. In effect, this amounted to a de facto policy coordination between Taiwan and the PRC (Hickey, 2014). Meanwhile, Ogasawara (2013c) noted that on 24 January 2013, when Taiwanese coastguard patrol boats escorted a number of civilian vessels with Taiwanese activists on board, the PRC's three coastguard cutters approached. The Taiwanese fleet drove them away crying 'diàoyútái shì zhōnghuá mínguó lǐngtǔ, zhèlǐ shì zhōnghuá mínguó diàoyútáihǎiyù, qǐngmǎshànglíkǎi (Diaoyutai is the territory of the ROC. These are the waters of the Diaoyutai ROC; please leave immediately)'. Ogasawara (2014) argued that this was a part of the Taiwanese government's non-cooperation policy that it had worked out with the PRC beforehand. While determining which Taiwan expert's observation is correct is beyond the scope of this discussion, if

Ogasawara's view is indeed correct, it will be linked to the paramilitary balance of power by the two respective coastguards regarding Japan–Taiwan maritime security cooperation according to the fisheries agreement. Ogasawara (2013c) pointed out that immediately before Taiwan dispatched its fleet in the 24 January 2013 case, the Ma administration had insisted it had no authorisation to prevent civilian ships from approaching the Senkaku Islands. Taiwan had informed the Japanese side about this beforehand, enabling Japanese coastguards to identify the location of the fleet and deploy Japanese patrol boats against it effectively.

However, the loudest vocal minority of Taiwanese activists was right to be concerned about the fisheries rights to secure their immediate jobs and employment opportunities. Ogasawara (2013b) expressed some concern about the possibility of the Japanese coastguard having to deal with Taiwanese protest ships and fishing vessels simultaneously with the PRC's government ships if Japan–Taiwan fisheries negotiations failed. This could have led to a cross-strait united front vis-à-vis Japan. In addition, while Taiwan is not a member of the UNCLOS, it has internalised the convention's norms and has sought peaceful resolutions to conflicts. This was recognised by Japan when it signed the fisheries agreement. Japan's engagement with Taiwan encouraged the latter to behave peacefully as if it was officially participating in international maritime security efforts. The former de facto Taiwanese ambassador to Japan, Fu-Chen Lo, argued that territorial disputes must be resolved based on international law and consultations. However, China resorted to the use of force and intimidation. Therefore, if Taiwan cooperates with China, this will not only negatively affect Taiwan's international image but will also prove disadvantageous to Japan (Ishihara, 2013). Taiwan's appreciation of international legitimacy and norms is clearly manifested in the statements made by the former ambassador. From this perspective,

the PRC generates uncertainty and risk in the international legal order.

Japan expressed reservations about the Ma administration's East China Sea Peace Initiative on the grounds that some of the 'Implementation Guidelines' were not acceptable (*Taipei Times*, 2012). In the current author's personal written communication with Furuya Keiji, a former state minister, Keiji stated that while he was aware of Taiwan's unique ideas regarding the East China Peace Initiative proposed by Ma, it is clear that the Senkaku Islands belong to Japan from a historical and international legal perspective. Japan owns these islands in actuality, which means the issue of territorial rights is not open for discussion. Meanwhile, while Japan has not explicitly explained what was unacceptable about the 'Implementation Guidelines', Cabestan (2014) argued that it was concerned about the proposal for the creation of a code of conduct and about trilateral negotiations between Japan, China, and Taiwan regarding the issue of the East China Sea. Meanwhile, Chief Cabinet Secretary Yoshihide Suga rejected the Ma administration's calls for trilateral talks involving the three nations (*Japan Times*, 2013). Cabestan (2014, p. 7) outlined three factors behind why the East and South China Sea Peace Initiative would not be effective, namely, there was '[a] piecemeal endorsement of international law and UNCLOS by some of the claimants, particularly China', there was 'a lack of common political values among the region's countries, some being authoritarian, others democratic' and there was 'a rise of nationalism in most of them'.

As will be discussed in the economic security section below, the fisheries agreement expanded the zones of access for Taiwanese fishermen to engage in fishing operations. This was considered a victory for Taiwan's national interests since it ensured the economic security of the nation's fishermen. As discussed above, unlike in the case of

the Japan–South Korea fisheries agreement – which denoted the territorial waters around Takeshima as ‘middle waters’ for joint management by South Korea and Japan – Japan effectively retained exclusive jurisdiction over fishing rights around the Senkaku Islands for 12 nautical miles through its fisheries agreement with Taiwan. This did not affect the territorial claims of either Japan or Taiwan (Japan–Taiwan Fisheries Agreement, 2013) and was viewed as a diplomatic victory for Japan, essentially maintaining Japan’s sovereignty over the Senkaku Islands while allowing Taiwan to save face regarding its territorial claims.

Jimbo (2015) argued that Japan and the PRC used ambiguous language regarding the issue of the East China Sea. Their mutual face-saving measures made it possible to conduct an APEC meeting between Abe and Xi in 2014 where it was stated that Japan and China tacitly agreed to shelve the issue of the Senkaku Islands for the future in 1972. Taiwan and China abided in terms of the 1992 consensus, according to which both the PRC and the ROC may claim both sides of the Taiwan Straits and may represent ‘China’ to begin the cross-strait negotiations. This was considered to be an exemplary case of diplomatic wisdom in that it ensured both sides were dissatisfied with the diplomatic outcome. According to Article 4 of the bilateral fisheries agreement, the agreement does not affect Japan’s and Taiwan’s territorial positions on the issue of the East China Sea. Regarding Taiwan’s claim to the Senkaku Islands, the mainstream views on Taiwan’s domestic debates are divided among two main groups, one of which believes that Taiwan tacitly endorses Japan’s sovereignty over the Senkaku Islands in return for fisheries rights, while the other argues that although Taiwan has certain fisheries rights, this does not affect its claim on the Senkaku Islands (Tsai, 2013). These opposing views were manifested in the remarks of two former presidents of Taiwan regarding the status of the Senkaku Islands. Here, the former president, Lee, argued that



the Senkaku Islands belong to Japan (*Tokyo Foreign Press*, 2015), while President Ma reacted by stating that the Diaoyutai belongs to the ROC (*Zhongguo Shibao*, 2015). Japan's intentions behind giving Taiwanese fishermen greater oceanic space for their fishing activities in the East China Sea despite opposition from the Japan Fisheries Agency (which is supported by Okinawan fishermen) deserve some scrutiny. From the Japanese strategic perspective, the Japan–Taiwan fisheries agreement liquidated the little remaining leverage the PRC could have instrumentalised to play the role of the benevolent protector of the fishermen in Taiwan Province in the face of Japanese activity. Regarding this Japanese strategy, the former state minister, Furuya Keiji (2019), pointed out in his e-mail communication with the current author that immediately before the signing of the fisheries agreement between Japan and Taiwan in February 2013, the Ma administration revealed its strategy of non-cooperation with the PRC vis-à-vis the Senkaku Islands. Clearly, this strategy worked out well for Japan's security.

### **6.3.5 Paramilitary balance of power**

Yang, the deputy secretary general of the National Security Council, stated, '[i]t is not acceptable that mainland China's fishermen operate in the applicable area. The ROC will negotiate with mainland China in this regard if necessary' (Po and Pei, 2013, p. 14). This is an essential national security development for Japan since it helps enhance the alignment of similar strategic views in bilateral terms, if not the strictly defined operational interoperability, between the Japanese and Taiwanese coastguards. Meanwhile, in terms of Japan–China–Taiwan paramilitary relations, Alex Calvo (Shigeru News Agency, 2013a) stated the following:

[w]hile Taipei is not renouncing its sovereignty claims, once Japan has agreed to let the island's fishermen operate in these disputed waters, there should be no pressing reason for the two countries' coast guards to clash again. Furthermore,

the agreement provides for the setting up of a joint fisheries committee and therefore may lead to increased regular bilateral exchanges between Japan and Taiwan.

This leads to another important point. Once this source of tension between Tokyo and Taipei is eliminated, it should become much more difficult for Chinese and Taiwanese coastguard units to act, or to be seen as acting, in concert with one another. As discussed in the CSD chapter, the coastguard cooperation between Japan and Taiwan has improved, leading to a search-and-rescue agreement, and allowing actual operations around the Bonin Islands.

The PRC has been building up its paramilitary forces and strengthening its maritime law enforcement, including in terms of obtaining armed fishing vessels with ISR capabilities. It has created a nominally integrated coastguard. The PRC has been encouraging the gradual escalation of maritime security tensions by sending many of these paramilitary or governmental ships into the East China Sea. Furthermore, according to *The Strategist* (2019), on May 2018, the PLAN, the Chinese Coast Guard, and the local authorities staged joint patrols for the first time in the Paracel Islands, which are under the control of the PRC but are also claimed by both Taiwan and Vietnam. Less than two weeks later, China's coastguard blocked a Taiwanese supply ship near Kinmen in the Taiwan Strait and unilaterally cancelled its annually held maritime rescue drill with Taiwan. Crucially, the PRC's unilateral ADIZ, which covers the designated areas mentioned in the Japan–Taiwan fisheries agreement and covers Taiwan's airspace, indicates the PRC's hostile attitude vis-à-vis the Japan–Taiwan bilateral fisheries agreement. The fisheries agreement between Japan and Taiwan contributed to the strategic need for a ROC military and for the Taiwan Coast Guard to

cooperate and coordinate the strategy more closely to handle the PRC's new threat.

Regarding this point, Po and Pei (2013, p. 15) stated the following:

[i]t may become a necessity for the Ministry of National Defense and Coast Guard Administration to strengthen communication, coordination and cooperation in order to develop policies to respond to diverse incidents, and especially mainland Chinese provocations, that may occur in the applicable area.

Po and Pei (2013) also noted that the PRC dispatched the PLA South China Fleet, eight surveillance ships, and more than 40 fighter jets to the Senkaku Islands on 23 April 2013. Soon after the conclusion of the Japan–Taiwan fisheries agreement, the PRC made a massive aerial military and naval paramilitary threat aimed at north Taipei and the areas in the East China Sea designated by the Japan–Taiwan bilateral fisheries agreement. Here, the authors argued that the fisheries agreement created a new national security threat to Taiwan from the PRC that stemmed from a combination of military and paramilitary forces. In other words, the threat did not just involve direct military attacks on Taiwan in view of a Chinese unification effort. However, Taiwan's political activism vis-à-vis the Senkaku Islands was weakened or, rather, disincentivised following the conclusion of its fisheries agreement with Japan.

The Japan–Taiwan bilateral fisheries agreement contributed to further divisions between the PRC and Taiwan. The PRC introduced more competent cutters into its law enforcement fleet, some of which were transferred from the PLA Navy and were immediately deployable (Goldstein, 2013). According to Goldstein (2013), the Chinese felt dismayed at the state of their law enforcement ships compared to those of the more competent Japanese coastguards around the Senkaku Islands in the East China Sea. A

Japan–Taiwan paramilitary alignment would help to alleviate maritime security threats posed by the PRC in relation to the islands. For Japan, this constitutes a grey zone scenario, and for Taiwan, it creates a new national security challenge in the northeast zone of Taipei stemming from the Sino-Japanese grey zone scenario’s strategic implications for Taiwan’s own defence needs. The PLA’s navy, air force and coastguard operate near the Senkaku Islands, which are geographically close to northeast Taiwan, which includes Taipei and major military ports such as Keelung. This would clearly help the Chinese military and paramilitary forces to gain the strategic and operational experience that would be essential in the event of a Taiwan contingency.

China and Taiwan have only a limited and low-key mechanism for dispute resolution. However, the two sides enjoy more robust paramilitary cooperation, including in terms of coastguard drills (Glaser and Vittelo, 2015). During semi-official negotiations over cross-strait issues that were held in 2015, Taiwan and the PRC discussed the maritime communication mechanism, the law enforcement mutual judiciary mechanism, and the extradition of criminals. These issues remained within the range of the talks and appeared to be confined to low-key development (Monma, 2015). Considering the ‘Sunflower’ movement and the KMT debacle in the municipal election of 2014 (Huang, 2014), it is unlikely that security cooperation on both sides of the Taiwan Strait will improve. In 2019, a Taiwan Coast Guard patrol ship fired a stun grenade at Chinese fishing vessels on Taiwan’s side of the strait (*Taiwan News*, 2019). From this perspective, regarding the maritime issues and the balance of soft power in the Taiwan Strait, it appears that Japan is not necessarily in a disadvantageous position. The Taiwan Coast Guard also launched two new 3000-class coastguard cutters in 2015 (Monma, 2015), and the nation officially proposed to enhance its maritime security cooperation with both Japan and the Philippines (Reuters, 2015).

It is unclear whether the supposedly integrated Chinese Coast Guard can conduct maritime law enforcement activities in an integrated and holistic manner (*The Diplomat*, 2015). Here, Gady quoted the following statement from Ryan D Martinson: ‘[w]ith new “China Coast Guard” ships entering service at regular intervals, it is easy to forget that the China Coast Guard as an organisation does not yet exist in any complete sense’ (Gady, *The Diplomat*, 2015a). The Chinese have been endeavouring to enhance their maritime law enforcement capabilities by building more and larger maritime law enforcement cutters, with both the Chinese government and the military believing that their law enforcement capability at sea lags behind that of other Pacific maritime states (Goldstein, 2013). Furthermore, accidents at sea such as collisions and typhoon-related sinking are frequent among Chinese fishing vessels, which raises numerous maritime safety issues (Goldstein, 2013). Japan and Taiwan formed a naval aviation search-and-rescue pact to minimise bilateral safety issues after the conclusion of the fisheries agreement (*Taiwan Today*, 2013). Meanwhile, the Chinese government made efforts to enhance its ISR capabilities for both fishing vessels and the satellite communication between the fishing boats and the maritime enforcement ships (Goldstein, 2013).

#### **6.4 The Fisheries Agreement with Taiwan as Japan’s Comprehensive Security Policy for Law Enforcement and Economic Security**

Japan’s fisheries agreement with Taiwan is in line with Japan’s fisheries policy. The policy approaches maritime issues in the East China Sea from multifaceted security perspectives, ranging from national security and law enforcement to economic security. Taiwan clamours for international recognition, wishing to be seen as a quasi-legitimate actor for its own survival and for securing its ontological security. For Taiwan, attaining as much international recognition as possible is one of its most important national

security agendas, along with improving its relationships with the US, Japan, and the PRC. Japan has supplemented its security with regard to Taiwan through better law enforcement and a stable economy. These factors will help contribute to Taiwan's moving away from China and, in turn, will tip the regional balance of power in Japan's favour. Furthermore, stringent law enforcement and sustainable economic security are essential factors for measuring how consolidated the international legal order is in the East China Sea based on the Japan–Taiwan bilateral fisheries agreement.

Maritime security is not synonymous with or equal to national security. Indeed, generally speaking, national security, law enforcement, and economic security are interconnected within the realm of maritime security. That is why the existing literature related to the Japanese fisheries policy prior to the bilateral Japan–Taiwan fisheries agreement discusses the matter within the context of comprehensive security without considering the issue of geopolitical power politics in relation to international security. In view of this, this case study chapter on the fisheries agreement examines the law enforcement and economic security implications stemming from the bilateral fisheries agreement between Japan and Taiwan.

In fact, Taiwan, in the absence of statehood, is excluded from participating in international and regional institutions related to maritime security affairs, including fisheries, marine labour, maritime piracy issues, and so on (Hsu and Southerland, 2015). The Japan–Taiwan fisheries agreement gives Taiwan a unique opportunity to improve Taiwan's 'as if membership' in international maritime security efforts in terms of law enforcement and ensures Japan's economic security. Black (2014) observed that Japan has been taking on a role as an international norm entrepreneur for international and regional maritime security in international society thanks to its innovative

instrumentalisation of the Japanese coastguard. Similarly, the nation is instrumentalising the non-state actor, Taiwan, to enhance maritime security.

#### **6.4.1 Law enforcement**

Chinese fishermen who are observed to be conducting fishing activities without proper legal procedures and permissions in Taiwan's seas are considered to be operating illegally. Taiwan has a tacit de facto middle line with the PRC in the Taiwan Strait that geographically divides the ocean in two. Chinese fishermen who illegally engage in marine activities such as fishing on the Taiwanese side of the strait are considered violators of Taiwanese marine interests. Due to the tacit nature of the line, the Japan–Taiwan fisheries agreement is considered a de facto acknowledgement of Taiwan as a quasi-independent political actor.

Taiwan's ability to defend its coastal waters has been jeopardised by the intrusion of illegal Chinese boats amid the absence of a fisheries agreement with the PRC. The ROC's Act Governing Relations between Peoples of the Taiwan Area and the Mainland Area determines the management of the aforementioned line (Tseng and Ou, 2010). If PRC vessels attempt to illegally intrude into the Taiwan side of the water, the Taiwanese coastguard will deal with them. The problem is that due to the geographical proximity of China and Taiwan in the Taiwan Strait – with the narrowest point of the strait being only 80 miles long – and given the wide availability of economically important species of fish within the Taiwanese waters, many illegal Chinese maritime activities are conducted on the Taiwanese side (Lin et al., 2013).

According to the Taiwanese Coast Guard Administration (2017), the nation's coastguard encountered 1,376 Chinese fishing vessels that had illegally intruded into Taiwan's waters in 2016 alone. Clearly then, a significant number of illegal Chinese

fishing vessels trespass into the Taiwanese ocean. However, due to the sheer number, the Taiwanese coastguard simply cannot deal with all of them (Lin et al., 2013). Furthermore, smugglers exploit the short geographical proximity of the two nations to transport illegal products that are in short supply in Taiwan, and often bring weapons with them, which negatively affects the security on both sides of the Taiwan Strait (Ou and Tseng, 2010).

While Japan and Taiwan have established conflict and dispute management mechanisms such as the bilateral fisheries committee, the PRC and Taiwan have not. Japan and Taiwan also have an MOU agreement related to anti-human trafficking (*Focus Taiwan*, 2015), while, as discussed in the CSD chapter, the two nations also signed a maritime search-and-rescue agreement. Furthermore, intelligence cooperation on coastguard exchanges do exist. For example, as Fukuda (2017) noted, the Taiwanese coastguard deployed coastguard officers to Taiwan's representative office in Okinawa to cooperate with the Japanese coastguard in view of resolving any fishing conflicts, conducting search-and-rescue operations, and engaging in other types of maritime security cooperation. Fukuda (2017) also pointed out that the Japanese coastguard deployed officers to the Japan–Taiwan Exchange Association in Taipei.

Regarding the protection of Taiwanese fishermen's rights, the Japan–Taiwan fisheries agreement states the following:

ROC fishing vessels are now able to operate within the designated zone without interference by Japanese government vessels. They will be overseen by the ROC Fisheries Agency in accordance with relevant ROC fisheries laws and regulations (The Taiwan–Japan Fisheries Agreement, ROC, 2013).



Before the bilateral fisheries agreement between Japan and Taiwan was concluded, Japanese inspection vessels and patrol boats were infamous in Taiwan for their harsh treatment of Taiwanese fishermen on the Japanese side of the EEZ (Yeh et al., 2014). On 6 June 2005, around 50 Taiwanese fishing vessels staged a marine demonstration in the East China Sea against this harsh treatment from the Japanese coastguard. One ruling party lawmaker from the DPP even described this an ‘act of piracy’ (Taiwan Info, 2005), while the famously pro-Japanese figure, Lee Teng Hui, commented on the Japanese treatment of the Taiwanese fishermen while discussing the change in Japan’s uncompromising attitude towards Taiwan, the China factor, and the huge donations Taiwan made to Japan in 2011 immediately after the conclusion of the bilateral fisheries agreement (Ishihara, 2013). Reportedly, on 13 September 2013, shortly after the conclusion of the fisheries agreement, Japanese fishing boats were being rammed into by Taiwanese fishing vessels, at a time when neither side had to worry about intervention from the respective coastguards of Japan and Taiwan (*Yaeyama Mainichi Shimbun*, 2013). Clearly, more rules-based fishing activities in the East China Sea are critical for the sustainable maintenance of the Japan–Taiwan fisheries agreement.

The Sino-Taiwanese fisheries relations lack regulation and management due to the lack of a high-profile cross-strait fisheries agreement. In fact, only minor punishments can be meted out for illegal Chinese fishing activities conducted on the Taiwanese side of the strait (Lin et al., 2013). Illegal Chinese fishermen conduct cost-benefit analyses and conclude that these punishments (which include fines and confiscation of the fish) are minor in comparison to the greater economic benefits of conducting illegal fishing activities in Taiwanese waters (Lin et al., 2013). Often, these illegal fishermen exploit the notoriously bad weather in the Taiwan Strait to reduce the risk of being caught and even resort to violence against Taiwanese patrol boats (Lin et al., 2013). For example,

*The Diplomat* (2017) reported how, in January 2017, the captain of an illegal Chinese fishing vessel was wounded while resisting inspection by the Taiwanese coastguard, and how, in February of the same year, a Chinese fishing vessel intentionally rammed a Taiwanese coastguard ship.

The more stringent the punishments meted out by the Taiwanese coastguard, the more the illegal fishermen resist. Some illegal fishermen from the PRC even resort to criminally dangerous physical measures such as the use of weapons, while others attempt to take patrol crewmembers as hostages (Lin et al., 2013). In August 2015, a high-profile maritime case emerged involving illegal Chinese fishermen, who captured a number of Taiwanese coastguards after they came onboard for inspection. With the hostages onboard, the Chinese fishing vessels attempted to escape to the PRC (*Taipei Times*, 2015). Three Taiwanese patrol boats with specially trained and heavily armed coastguard crew members mounted a commando-style rescue operation to save the captured Taiwanese crew and arrest the fishermen (*Taipei Times*, 2015).

Notwithstanding the significant amount of work it will involve to conduct maritime law enforcement with limited personnel, the Taiwanese coastguard must make better use of its resources to conduct effective deterrence operations (Lin et al., 2013). Now that the Japanese and Taiwanese can engage in joint legal actions and the two nations signed the agreement on search and rescue by the respective coastguards, it remains to be seen whether this will have a positive impact on enhancing law enforcement in the East China Sea. For certain, Japan–Taiwan maritime security cooperation will contribute to maintaining the legal order in the area, especially given the fact that Taiwan is interested in further coastguard cooperation with Japan and the Philippines (Reuters, 2015).

While Taiwanese fishermen were concerned about the possibility of more Japanese

crackdowns on non-Japanese fishing activities in the East China Sea (Jakobson, 2013), the conclusion of the Japan–Taiwan fisheries agreement effectively eliminated this concern. However, from Okinawa’s perspective, the agreement was biased towards Taiwan. For example, since Okinawan fishing boats are smaller both in terms of size and the number of crew members on board, this disadvantages Okinawan fishermen and forces them to retreat from encounters with Taiwanese fishermen in the East China Sea (Jakobson, 2013). According to Takuya Takahashi (*Yaeyama Mainichi Shimbun*, 2013), a member of the fishermen’s union from Ishigaki Island in Okinawa, Taiwanese fishermen openly engage in longline fishing to the north of Ishigaki Island. This negatively affects Okinawan fishermen from Yaeyama Islands. As such, Takahashi expected unruly Taiwanese fishermen to trespass into the waters to the south of Ishigaki, which are not covered by the Japan–Taiwan fisheries agreement.

#### **6.4.2 Economic security for Taiwan and economic insecurity for Okinawa: Implications for power politics in Japan–Taiwan–China triangle**

Japan’s bilateral fisheries agreement with Taiwan suggests that it recognises its neighbour’s marine economic rights in the East China Sea. This ensures that Taiwan is an important economic and fishing actor in the area – albeit at the expense of the economic and fishing rights of Okinawan fishermen. As examined in the literature review and the ICAO chapters, economic security is an important component of the balance of power in the ESIR paradigm.

From the economic security perspective, the fishing industry has made limited contributions to the overall economy of Taiwan, especially in comparison with the hydrophone or oil industry in the East China Sea. However, it is essential to secure jobs for the fishermen and to stabilise the coastal economy in a sustainable manner. This also has political implications since it keeps Diaoyutai political activism to a minimum. The

most vocal of these activists are largely confined to the fishing community in Yilan County in Northern Taiwan, which is geographically closer to the Senkaku Islands. Local politicians with sympathy for the fishing industry will likely get maximum votes in this region (Ogasawara, 2012a). Furthermore, some Diaoyutai activists in Yilan County who were onboard the fishing vessels that attempted to get close to the Senkaku Islands displayed the following protest slogan: ‘Defend the Fishing Rights to Survive!’ (*Focus Taiwan*, 2012). The Japan–Taiwan bilateral fisheries agreement enhanced the economic security of the Taiwanese fishermen and alleviated the risk of a Sino-Taiwanese united front against Japan regarding the issue of the Senkaku Islands.

Taiwanese coastguard ships are equipped with reinforced equipment, and they must patrol the greater area in the face of the significant presence of illegal Chinese fishing vessels. The destructive fishing activities of illegal Chinese fishermen have been posing serious threats to Taiwanese marine living resources and making the life of Taiwanese fishermen financially and physically more difficult and more dangerous (Lin et al., 2013). One of the major reasons why many Chinese fishermen trespass into the Taiwanese side of the Taiwan Strait is that China’s littoral seas have been experiencing a dangerously severe depletion of their overall fish stocks, and Chinese fisheries experts are highly pessimistic about the future prospects regarding this issue (Goldstein, 2013). If the two zones on the Japanese side of the new demarcation line in the East China Sea – which the Taiwanese have long argued is their traditional fishing area – are more abundant in fish stocks (Jakobson, 2013), it is quite reasonable for Taiwan to expect major commercial benefits from its fisheries deal with Japan. This may have motivated the Taiwanese government to negotiate a fisheries agreement with Japan in the first place.

However, the fisheries agreement has markedly antagonised the Okinawans. For example, *Yaeyama Mainichi Shimbun*, a local newspaper in the Yaeyama Islands in Okinawa (2013), expressed the view that the central government in mainland Japan prioritised more than 800 Taiwanese fishing fleets over the dozens of Okinawan fishing fleets while ignoring the views of the local Okinawans. This destroyed the traditional ties between Taiwan and Okinawa, even though Okinawa was ready to make certain concessions to Taiwan considering the geostrategic importance of accommodating Taiwan into Japan's strategy vis-à-vis the PRC over the issue of the East China Sea. *Ryukyu Shimpo* (2013) also expressed the view that while the fisheries agreement negatively affected China–Taiwan relations, Okinawa was forced to pay the price.

One of the Taiwanese negotiators for the fisheries agreement with Japan, Chú xiàn chāng – who is First Secretary at the Taipei Economic and Cultural Presentative Office in Japan (2013) – argued that among the numerous reasons that it took 17 years to conclude a fisheries agreement with Japan, the most important one was the fact that the Fisheries Agency had been unable to convince the fishermen in Okinawa of the value of the agreement. The Okinawan fishermen had long opposed the signing of a fisheries agreement with Taiwan in relation to seas they considered to be their own (Jakobson, 2013). In fact, the bilateral Japan–Taiwan fisheries agreement gave access to the Taiwanese fishermen to the Japanese EEZ, where the Okinawan fishermen had had a monopoly on fishing activities and this consequently affected their economic interests (Smith, 2013). The local Okinawan authorities and the Okinawan fishermen considered the swiftly concluded fisheries agreement between Japan and Taiwan to be an unjustifiable act that negatively affected their economic and daily activities in the name of diplomatic victory (Smith, 2013).

The former state minister Furuya Keiji (2019) pointed out that Prime Minister Abe responded to questions raised in the budgetary committee in the Upper House on 23 May 2013 as follows:

[t]he effective signing of the fisheries agreement, which has been a traditional irritant in the friendly relations between Japan and Taiwan, will achieve significant progress in the regional security environment in Asia. Although we must make further efforts to gain understanding from the people in Okinawa, Prime Minister Abe recognises it (the fisheries agreement) was a historic agreement. Furthermore, prior to the signing of the fisheries agreement in February 2013, Taiwan expressed its position of non-cooperation with China vis-à-vis the Senkaku Islands. Based on these developments, the signing of the fisheries agreement was concluded.

Keiji (2019) also stated that the Japanese government must make efforts to obtain the understanding of Okinawan fishermen, thus, it does not believe that it is more important to ensure that China and Taiwan do not jeopardise Japan's security than to defend the interests of Okinawa.

Nonetheless, the fifth Japan–Taiwan meeting on the fisheries issue in 2016 received significant attention from Okinawan fishermen, who wanted the fisheries agreement amended. Many of them were dissatisfied with the economic damage inflicted by their reduced access to fishing activities in the seas to the north of Yaeyama Islands (*Taipei Times*, 2016d).

## **6.5 Normative Factors that Facilitated the Japan–Taiwan Fisheries Agreement despite the Tensions in the East China Sea**

With reference to the ESIR, this case study chapter now examines four conceptual factors, the historical, cultural, democratic, and political dynamics factors, in Japan–Taiwan relations in international society to explain why the high-profile fisheries agreement was concluded despite the increasing tensions. Examining the normative factors that contributed to the conclusion of the agreement will help to elucidate the fact that Japan–Taiwan bilateral ties are increasingly being governed by the unique dynamics of each nation and that both are creating a unique space that will help balance the emerging regional security environment in relation to the PRC. The normative developments surrounding Japan–Taiwan relations on both the grassroots and governmental levels are encouraging both nations to create stronger ties between them in view of their respective complicated relationships with the PRC. This is beneficial for Japan’s power politics vis-à-vis the PRC in the East China Sea.

### **6.5.1 Different historical interpretations of Japanese imperialism**

The different historical interpretations of Japanese imperialism are a contributory factor in the significant differences between China and Taiwan’s contemporary ties with Japan as well as in Sino-Taiwanese tensions, as was discussed in Chapter 3. However, according to the ESIR, the more the post-colonial populations attempt to gain recognition from the post-imperialists, the more this consolidates the hierarchical relations between the two groups. This also applies to the Japan–Taiwan relationship in regional settings.

In Taiwan, the perspectives regarding the Japanese colonisation of Taiwan are diverse. Some groups argue that while Taiwan has suffered from Japan’s colonisation, the nation

has also become more modernised itself. This is why the Taiwanese did not engage in high-profile anti-Japanese activities or boycotts in the post-colonial period (Yeh et al., 2014), which is in sharp contrast to the PRC's historical antagonism of Japan. As discussed in the literature review, Taiwan's unique post-colonial interpretation of Japanese colonial rule will help to improve Japan–Taiwan relations and will help create some momentum for the social and political forces in Taiwan that favour amicable relations with Japan. While the political links between Japan's historical legacy and the conclusion of the bilateral fisheries agreement are difficult to ascertain in definitive terms, Taiwan's colonial links with Japan is one of the facilitators of the former's attempts to enhance its ties with the latter rather than the PRC. This post-colonial positive sentiment vis-à-vis Japan has created a domestic mechanism in Taiwan that has consolidated Taiwan's ideationally subordinate position vis-à-vis 'the civilised Japan' as opposed to alongside 'uncivilised others' such as China in the hierarchical regional order.

After the end of WWII, having witnessed the activities of the violent and corrupt KMT oppressors, the Taiwanese were disillusioned with the party's rule (Dreyer, 2008) and did not feel an emotional connection with China. They felt abandoned by the Qing Empire (Dreyer, 2008) and a sense of nostalgia for Japanese colonial rule (Dreyer 2008; Sun, 2013). It is common for Japanese people to encounter elderly Taiwanese people who speak Japanese and have positive memories of the Japanese colonial era in Taiwan. In fact, Sun (2013) pointed out that in Tsai Ching-tang's study, 94.47% of the 205 elderly Taiwanese participants who had received a Japanese education in the Japanese colonial era described their Japanese teachers as either 'good' or 'quite good'.

Indeed, a politicised Taiwanese imagination of the Japanese as the 'positive other' exists



in Taiwanese domestic politics. For example, Wakabayashi (2015) argued that the rise of China as the ‘negative other’ functioned, for Taiwanese nationalists, as a political restraining factor that minimised the otherness of the Japanese as past occupiers, adding that this phenomenon corresponds with the image of Japan as a model advanced country that Taiwan should aspire to emulate. It can be stated here that many Taiwanese nationalists continue to instrumentalise their internalised Japanese historical and cultural influences to reduce Chinese historical and cultural ownership of Taiwan for their own political benefit. Taiwanese historical imagination regarding Japanese imperialism renders the mainstream Taiwanese indifferent or unsympathetic to the greater Chinese nationalism that the PRC instrumentalises to appeal to its Taiwan compatriots. In fact, this appeal is, in reality, a political call for a cross-strait united front against Japan in the East China Sea.

### **6.5.2 Cultural dynamics**

According to the ESIR, an international society that is marked by shared normativity and values, including in terms of culture, will likely experience successful consolidation. This also applies to Japan–Taiwan relations. The following sections conduct a close examination of the cultural dimension of the Japan–Taiwan relations, which helped to facilitate the Japan–Taiwan fisheries agreement. Regarding the inter-relationship between cultural exchanges and their effect on diplomacy, Sun (2013, p. 132) stated that ‘[c]ultural exchanges can either be applauded for their vibrancy or lamented for their irrelevance’.

As a unique aspect of Japan–Taiwan relations, cultural factors – including both high-cultural and sub-cultural exchanges – can be critical to enhancing bilateral ties. For certain, as noted, the cultural dimension of Japan–Taiwan relations contributed to the conclusion of the bilateral Japan–Taiwan fisheries agreement. The mutually positive

perceptions of the two nations (MOFA, 2013) that stem from their socio-cultural exchanges are essential to enhancing their bilateral ties. For one, they have contributed to the strong foundations of their respective societies and effectively prevented Japan–Taiwan relations from being negatively affected by the tensions in the East China Sea following the nationalisation of the Senkaku Islands by the Japanese government. For example, the former Taiwanese de facto ambassador, Shen Ssu-tsun (Taipei Economic and Cultural Representative Office, 2012), emphasised Japan–Taiwan high-cultural ties such as the performance of the Takarazuka in Taiwan and the artefact exhibition at the National Palace Museum in Japan. He also called for the commencement of fisheries-related negotiations with Japan and for a declaration of Taiwan’s intention of non-cooperation with the PRC in their conflict with Japan vis-à-vis the issue of the East China Sea.

Both Japan and Taiwan have undertaken numerous measures to enhance the socio-cultural exchanges between the two sides. This has improved Japan–Taiwan relations at the civilian and grassroots levels and ensured the two countries support each other during natural disasters (Sakashi, 2014). For example, when the Great East Japan Earthquake hit Japan in 2011, Taiwan’s emotional support and huge financial donation (the largest in the world on a per capita basis) significantly boosted the positive image of Taiwan among the Japanese (Japan MOFA, 2013). However, the Taiwanese rescue team was politically pressured into waiting for the arrival of the PRC’s rescue team during the initial stages of the disaster, which outraged the Taiwanese population (Sakashi, 2014). On the first anniversary of the earthquake, the Japanese government did not invite a Taiwanese representative to the commemorative event out of consideration for the PRC. The Japanese mass media and public expressed its resentment and protested, which subsequently put political pressure on the Noda

administration to change its Taiwan policy (Ogasawara, 2014). The Japanese government decided it no longer saw the need to consider the demands of the PRC regarding Taiwan given Taiwan's significant humanitarian contributions to the nation. In September 2012, Prime Minister Noda issued an open apology to Taiwan for not inviting it to the aforementioned event, while Japan's de facto embassy in Taipei published a half-page thank you note in every major newspaper in Taiwan (*Taipei Times*, 2013). A month later, the Emperor of Japan invited Taiwanese representatives to Tokyo for the first time (Ogasawara, 2014).

On the second anniversary of the Great East Japan Earthquake, a Taiwanese representative was invited. The representatives gave flowers and expressed their condolences to the victims (Ishihara, 2013). According to Ishihara (2013), *Ziyou Shibao* argued that these representatives attended the ceremony as an official Taiwanese delegation that was on an equal footing with the delegations from other countries. This antagonised the PRC's government, which chose to boycott the event (Ishihara, 2013). Subsequently, due to the rising tensions in the East China Sea and the presence of a Taiwanese representative at the third anniversary of the earthquake, the PRC ambassador boycotted the event along with South Korea. Regarding this development, the Chinese spokesman at MOFA stated the following:

[w]e believe that Japan's behaviour has violated the principles and spirit of the China-Japan Joint Statement and the commitments of the Japanese side...We urge Japan to match its words and deeds regarding the issue of Taiwan, to honour its commitment and not play games (*Taipei Times*, 2013).

It is no great leap to presume that the Japanese people detected a sharp contrast between Taiwan and the PRC. At the third anniversary event, Prime Minister Abe expressed his

gratitude to Taiwan and asked the Taiwanese representative to present commemorative flowers at the event on his personal Facebook page. This Facebook post received the largest number of 'likes' on record, indicating the Japanese people's positive perception of Taiwan (Ogasawara, 2014).

According to the Taiwan–Japan fisheries agreement document archived in the ROC MOFA website, the emotional and financial support the Taiwanese offered Japan contributed to improving Japan–Taiwan relations and facilitated the eventual conclusion of the fisheries agreement. According to the document,

[t]he ROC government sees relations with Japan as a special partnership. The two countries enjoy close exchanges at all levels and have built strong trust and friendship. Following the massive earthquake that hit eastern Japan on March 11, 2011, donations came from all sectors of Taiwan, for which Japan remains grateful today. In his congratulatory message on the 40th anniversary of the interchange association, Japan, Japanese Minister for Foreign Affairs Fumio Kishida said that Taiwan and Japan are important partners, and a valuable and solid friendship exists between the two countries (ROC MOFA: The Japan–Taiwan Fisheries Agreement 2013, p. 2).

Since Japan does not enjoy friendly relations with its immediate neighbours, the PRC, South Korea, and North Korea, it is essential that it maintains its amicable relationship with Taiwan. Many people in Japan and Taiwan, including both elites and ordinary citizens, believe that important Japan–Taiwan sociocultural ties should not be ruined by the maritime tensions in the East China Sea. This attitude helped pave the way for the bilateral fisheries agreement (Ogasawara, 2014).

However, the grassroots contact between the PRC and Taiwan is not achieving the political goals the PRC envisioned in terms of its cross-strait civilian exchanges. In fact, the greater the number of cross-strait grassroots and civilian exchanges, the more the Taiwanese perceive the socio-cultural and political differences between themselves and China. According to Rowen (2014c), Taiwanese citizens were likely to feel more alienated by their interactions with PRC citizens after the legal restrictions on cross-strait tourism were relaxed thanks to Ma's greater engagement with the PRC. After the Ma administration took office in 2008, the expected economic boom due to Chinese tourism was meant to change the negative perceptions of Chinese mainlanders and create political forces that would favour closer ties between Taiwan and the PRC. However, this merely resulted in Taiwanese people realising just how much they differed from the Chinese in cultural terms. The huge presence of the Chinese also led to a social and cultural sense of alienation among the Taiwanese (Rowen, 2014c). Meanwhile, in the PRC, the political views of Taiwanese celebrities are highly contested, which often poses a political risk to the celebrities and also further alienates the Taiwanese people (Sun, 2013). In fact, Taiwanese celebrities harbouring political inclinations that the PRC deems as unacceptable are often ostracised, which leads to further resentment among the Taiwanese (Sun, 2013). For example, the 16-year-old Taiwanese K-pop singer, Chou Tzu-yu, had to make an online video apologising to the Chinese public for waving the ROC flag and the South Korean national flag. This led to outrage in Taiwan and caused President-elect Tsai to intervene (*New York Times*, 2016). Moreover, soon after Taiwan's landmark legalisation of the first gay marriage in Asia in 2019, Taiwan's MOFA was infuriated by the *People's Daily*, a PRC publication for taking credit for Taiwan's achievement, claiming that the local government of Taiwan, China, was the first to legalise same-sex marriage in Asia, which prompted the

ROC MOFA to tweet ‘[@PDChina](#) is a commie brainwasher & it sucks’ (Taiwan MOFA Twitter, 2019).

#### ***6.5.2.1 Taiwan’s evolving views on Japan and its positive implications for Japan–Taiwan relations***

Amako (2013) discussed the changing nature of a pro-Japanese Taiwan in relation to the issue of the East China Sea before and after the conclusion of the bilateral Japan–Taiwan fisheries agreement. Elsewhere, Sun (2013) pointed out that while Taiwan is the friendliest of Japan’s immediate neighbours, part of this friendliness could perhaps be attributed to Taiwan’s partisan politics. Here, we must consider the emerging pro-Japanese sentiment among young people in Taiwan, who have witnessed unique cultural interactions between the two nations (e.g. the mutual support during natural disasters) and who have grown up with Japanese popular culture. This pro-Japanese sentiment has a historical continuity with the Japanese colonial influence. One critical social event in Taiwan that played out in 2014 was a manifestation of its youth’s positive sentiments towards Japan and ambivalent feelings towards the PRC. The so-called ‘Sunflower Movement’ ensued throughout much of 2014, and numerous Taiwanese students took to occupying the Legislative Yuan. The Japanese mass media covered the event more excessively than any other country apart from Taiwan itself. The students were discontented with the perceived overly rapid development of cross-strait economic relations and the perceived undemocratic decision-making by the KMT regarding the cross-strait service trade agreement with the PRC. These activities had been conducted without engaging in appropriate consultations with those who could potentially be negatively affected. The students watched a pro-Japanese film entitled *Kano* (2014) on a large screen at the Legislative Yuan to combat the fatigue of their long occupation (*Taipei Times*, 2014). *Kano* is about Taiwanese and aboriginal teenagers who form part of a youth baseball team playing under the supervision of a

Japanese coach and which makes it to the final of the Koshien tournament during the Japanese rule of Taiwan. The film is based on historical events and has often been described as beautifying Japanese colonial rule – or at least depicting it in positive terms.

Some of the old KMT mainlanders who fled to Taiwan following their total defeat in the civil war against the CCP may harbour anti-Japanese sentiments, as manifested in the recent case of the anti-Japanese military parade in Taiwan (Nojima, 2015). However, they are a fairly marginal group given their lack of numbers and the fact that they are rapidly aging. Furthermore, the KMT has always struggled to obtain international and domestic credit for its contribution to the effort against the Japanese invasion of mainland China. In fact, the authority has been largely discredited by the PRC, whose CCP has monopolised the historical narrative and demonised or ignored the KMT's contributions. Under Japanese rule, Taiwan was mobilised as a part of the Japanese war machine. Here, the Taiwanese fought for the Japanese colonisers (Nojima, 2015). Nojima (2015) also pointed out that for most Taiwanese people, their conception of an anti-Japanese struggle lies in the anti-Japanese colonialist movement in Taiwan, as manifested in the internationally acclaimed 2011 Taiwanese movie, *Warriors of the Rainbow: Seediq Bale*. Therefore, the anti-Japanese sentiment in Taiwan is conceptually different from that of the 'war of resistance against Japanese aggression' sentiment that prevails in the PRC.

Matsuda (2009) argued that the democratisation of Taiwan resulted in diverse perceptions of Japan among the Taiwanese people, which includes both positive and negative views of Japan's historical legacy. In fact, the democratisation complicated Japan–Taiwan relations from the 1990s onwards. Nevertheless, Japan is the most favoured country among the people in Taiwan (MOFA, 2013) and their shared

democratic values helped enhance their ties and resolve their tensions in peaceful terms. To generalise the Taiwanese mainlanders (*Waishengren*) simply as anti-Japanese may risk ignoring the complexity of the issue. Shimizu (2009) stated that even among the mainlander groups in Taiwan, the perceptions of Japan are fairly varied due to the generational factors. Elsewhere, Yeh (2015) pointed out that even among the mainlanders that arrived in Taiwan after 1949, the new generations tended to associate themselves with daily life in Taiwan as opposed to the Second Sino-Japanese War. For certain, Taiwanese domestic politics has no influence in Japan's accommodation of Taiwan into international society, but the hierarchical relationships between the post-colonial people of Taiwan and the post-imperialist people of Japan should be closely observed in the long term. Taiwan's domestic cultural development favours external policies that facilitate stable ties with Japan, rather than enhance the PRC's cross-strait campaign against Japan.

### **6.5.3 Democratic identity and democratic peace theory**

Democracy is now recognised as a vital component of the normative criteria for civilisation in international society (Stivachtis, 2015). Taiwan shares this view with Japan. As discussed in the previous chapters, obtaining international respect and dignity is essential to Taiwan's national identity since, by extension, this will help the nation gain international legitimacy and national security. While the PRC cannot grant Taiwan a sense of dignity and respect due to the latter's democratic structure, Japan certainly can. For example, the former Taiwanese de facto ambassador, Shen Ssu-tsun (Taipei Economic and Cultural Representative Office, 2012), emphasised the value of shared democracy, freedom, and human rights with Japan and discussed the Ma administration's intention to recommence negotiations on fisheries rights with Japan to improve Japan–Taiwan relations, while he announced Taipei's intention not to



cooperate with the PRC vis-à-vis the issue of the East China Sea.

The PRC has limited political imagination, and the best and only political deal it can make with Taiwan regarding the final resolution of Taiwan's status is that of 'One country, two systems'. This deal has been completely rejected by all the political spectrums of Taiwanese domestic politics (Sun, 2013). Taiwan's Sunflower Movement and Hong Kong's Umbrella Movement were mutually inspiring due to the shared social, political, and cultural concerns and fears vis-à-vis Chinese influence over the two societies (Rowen, 2014a, 2014b). Thus, it is highly unlikely that the people of Taiwan will change their negative perception of the decidedly undemocratic 'One country, two systems' deal. The aforementioned new national security law of the PRC, which obliges Taiwan and Hong Kong to defend the national integrity and national sovereignty of the PRC and regards the Taiwan Independence Force as a grave national security threat vis-à-vis the PRC, will not help alleviate Taiwanese resentment towards the PRC.

During the 1980s, the authoritarian regime that ruled Taiwan under the KMT and which had a brutal human rights record, was transformed into a democratic regime. This helped to change the Japanese perception of Taiwan in a positive way, unlike the Tiananmen Massacre in the PRC, which unquestionably shocked the whole of Japan (Takagi, 2006). Taiwan also used its democratic identity to forge ties with Japan (Takagi, 2006; Matsuda, 2009; Sun, 2013). As indicated by pro-Japanese figures such as Lee Teng Hui, Taiwan's democratisation made it possible to revive long-suppressed, yet widespread pro-Japanese sentiments under the authoritarian dictatorship of the KMT among the Taiwanese populace (Sun, 2013). Following the diplomatic de-recognition of the ROC, the Japanese felt a sense of guilt vis-à-vis Taiwan, but the Tiananmen Massacre gave the Japanese greater confidence and the political space to enhance ties

with Taiwan (Matsuda, 2009). Furthermore, in sharp contrast to the PRC, Taiwan's democratisation expanded the political support base for Taiwan across the political spectrums of Japanese domestic politics; this support was no longer just confined to traditional conservative camps (Sun, 2013).

Regarding the strategic importance of shared democracy for Japan–Taiwan relations vis-à-vis the PRC's brutal human rights record, Sun (2013, p. 139) stated the following:

[w]hile the security discourse strikes Japanese nerves about the consequences of a Chinese invasion, the democratic discourses bring Japan and Taiwan closer by highlighting a value-based common identity – that is, Japan is no longer the lone democracy in the region but has been joined by a democratic, gracious, and friendly Taiwan.

Furthermore, despite the fact that the Sino-Japanese trade volume has long surpassed that of Japan and Taiwan, the PRC failed to coerce Japan into capitulating to the PRC's demands on the Taiwan issue. Japan's strong resistance indicated its increasingly rigid attitude vis-à-vis the PRC's use of its rising material capability and power for coercion (Sun, 2013). In the post-Cold War era, with Japan's normalisation underway, Japan began to make a political commitment to promote Western democracy and the Western concept of human rights in a more pronounced manner in terms of its own foreign policy agenda (Takagi, 2006). The current Abe administration places a strong emphasis on 'upholding universal values such as freedom, democracy, respect of fundamental human rights, and the rule of law' (Japan MOFA Diplomatic Blue Book, 2014). Thus, Taiwan's and Japan's shared political and democratic values have a more binding effect on bilateral Japan–Taiwan relations. The conclusion of the bilateral Japan–Taiwan fisheries agreement fits into this geopolitical development within Japan–China–Taiwan

relations. Here, Japan and Taiwan can instrumentalise civilised democratic measures to communicate with each other and resolve maritime tensions peacefully, while, the undemocratic PRC can only resort to violence, including in terms of violent anti-Japanese demonstrations.

Regarding this point, Sun (2013, p. 136) stated the following:

[t]he Japan–Taiwan case shows that for lesser powers, knowing their place does not mean being totally powerless. A shrewd use of soft power factors such as identity and culture values may enhance weaker countries’ presences in international politics.

While it is debatable whether Japan is a weaker power given its military and economic might, the above statement captures the essence of how Japan–Taiwan relations are governed and flourishing under their own dynamics, including the shared democratic identities and cultures.

#### **6.5.4 Political dimension**

Black (2014) pointed out that what is generally less discussed in ESIR is that many non-great power states must undergo significant domestic reforms in accordance with international norms in order to be accommodated into international society. Meanwhile, Singh (2013b) argued that in the post-Cold War era, Japan’s domestic political and legal decision-making bodies became equipped to effectively tackle regional and international security affairs as Japan’s security identity transitioned from that of a peace state to an internationalist state. In studying the case of the bilateral fisheries agreement, this chapter demonstrated how Japan’s national security decision-making body on the Japanese domestic political level has evolved vis-à-vis the issue of the East China Sea and how this elevated Japan’s status within international society.

Singh (2013b) pointed out that in the post-Cold War era, the domestic political decision-making power in terms of foreign and security policy shifted to Prime Minister Kantei and the cabinet following Japan's normalisation from traditional bureaucratic approaches. Japan's contribution to regional and international security affairs faced fewer barriers in relation to domestic leadership decision-making. The fisheries agreement between Japan and Taiwan reflected these changes in the nature of the domestic political leadership structure in Japan.

Japan needs strong political and decision-making will in its leadership to enhance its political, strategic, and security ties with Taiwan while navigating any tensions with the PRC. Japan's conclusion of the bilateral fisheries agreement with Taiwan was deemed as signalling a change in the status quo in Japan–China–Taiwan relations by the PRC. This change challenged the complicated structure of this triangulated relationship. Domestically, despite strong domestic opposition from the Okinawan fishermen and the local Okinawan authorities, Abe and his political allies had to make the difficult decision to finalise the agreement with Taiwan. In short, Japan's geo-strategic compulsions encouraged it to expedite the conclusion of the bilateral fisheries agreement with Taiwan after 17 years of negotiation. Meanwhile, Japan's major economic relations with the PRC did not force the nation into making greater political concessions regarding the Taiwan issue (Sun, 2013). This strong leadership is a concrete example of the normalisation effect on the Japanese domestic political decision-making process. MOFA continues to interact with Taiwan at the *Kachou* level and has not created an independent Taiwan division, with any issues related to Taiwan resolved under the supervision of the China division (Sun, 2013). Thus, it was unlikely that MOFA would play a leadership role in the conclusion of the bilateral fisheries agreement. Both Kawashima (2013) and Sakashi (2014) suggested that there was a high

likelihood that Prime Minister Abe, a pro-Taiwan individual, would take on a leadership role within the Kantei diplomacy and would make a final decision regarding the Japan–Taiwan bilateral fisheries agreement.

Even under the DPJ-led administration, Japan's political leadership's unwillingness to yield to the PRC over Taiwan was evident. Following the nationalisation of the Senkaku Islands by the Japanese government, the Japan–China–Taiwan triangulated relationship experienced certain maritime security tensions. Koichiro Gemba, a former foreign minister under the DPJ administration, published a letter to the people of Taiwan on the homepage of the Interchange Association in Taipei, which expressed Japan's desire to reopen negotiations on the bilateral fisheries agreement with Taiwan (Interchange Association, 2012). From the conclusion of the bilateral fisheries agreement, it is clear that regardless of which political party is in power in Japan, Japan will likely favour strong ties with Taiwan (Sakashi, 2014). For example, despite the fact that the DPJ had fewer Nikka-Kon members in the DPJ-led cabinet compared with 11 ministers from the Nikka-Kon in the LDP-led Aso administration, the two incoming chief cabinet secretaries in the DPJ administration, Sengoku Yoshito and Edano Yukio – both of whom were powerful players in the DPJ – sought to enhance ties with Taiwan (Sakashi, 2014). In the current author's personal written communication with former state minister Keiji Furuya (2019), Keiji stated that since Japan does not have a formal diplomatic relationship with Taiwan as a parliamentary diplomacy, the Nikka-Kon played an important role in the signing of the fisheries agreement. Another interesting domestic political development in Japan under the DPJ administration was the role of high-profile LDP politicians in the opposition party in enhancing Japan–Taiwan relations. For example, during the DPJ era, a record number of former Japanese prime ministers visited Taiwan (Sakashi, 2014), including Junichiro Koizumi, Aso Taro, and

Shinzo Abe. These politicians ensured that Japan's interactions with Taiwan continued to be robust despite the nation's change of administration.

After the fall of the DPJ administration, the Abe administration, with its pro-Taiwan political inclinations, took on a political leadership role. Taro Aso became deputy prime minister and financial minister, Furuya Keiji, became state minister, while Hakubun Shimomura became the minister of education (Sakashi, 2014). Abe's sympathy for Taiwan is famous (his grandfather had ties with the ROC in the post-war period) and he rejected Wen Jia Bao's demand to explicitly oppose Taiwan's independence in an official written document during Wen's official visit to Japan in 2007 (Shimizu, 2009). Evidently, Abe made the final decision on the bilateral fisheries agreement. Abe even expressed his gratitude to Taiwan for its support during the triple disasters in Tohoku and mentioned the Japan–Taiwan bilateral fisheries agreement on his official Facebook page (Ogasawara, 2014). Recognising Abe's positive sentiments towards Taiwan, the ROC MOFA stated the following:

[a]fter the agreement was signed, Japanese Prime Minister Shinzo Abe received Mitsuo Ohashi, chairman of the Interchange Association, Japan, and head of the Japanese negotiating team, at the Prime Minister's Office. Prime Minister Abe said that Taiwan is an important partner of Japan and that the signing of the fisheries agreement was very positive for both sides. On the day the agreement was signed, Chief Cabinet Secretary Yoshihide Suga said that he welcomes such an historic agreement and believes that it will enhance regional stability (The Japan–Taiwan Fisheries Agreement, 2013, p. 2).

## **6.6 Summary**

Japan instrumentalised Taiwan as a geostrategic asset through the conclusion of the

fisheries agreement to enhance the balance of power in the East China Sea. It was motivated by the PRC's attempt to conduct a cross-strait campaign against it to acknowledge Taiwan as a quasi-independent actor in the East China Sea issue. Depending on how Japan approaches the One-China policy, Japan can ensure Taiwan remains a quasi-independent actor whose perspectives are more appreciated in regional security affairs. However, the hierarchical nature of Japan–Taiwan relations remains foundationally the same: Japan has an influential authority to grant quasi-recognition to an unrecognised Taiwan, and Taiwan remains on the receiving end. However, the PRC views this as a violation of the One-China policy within the context of the Sino–Japanese great power management. Japan and Taiwan enhanced their law enforcement and economic security cooperation through the fisheries agreement to the detriment of Okinawan interests. Furthermore, the multifaceted normative developments in Japan–Taiwan relations helped achieve amicable relations between the two actors and helped pave the way for the fisheries agreement in accordance with the ESIR paradigm. The next chapter now presents the conclusions of this study.

## **Chapter 7. Conclusion**

### **7.1 Overview**

This dissertation elucidated how Japan instrumentalises Taiwan as a foreign policy instrument within the context of Japan's One-China policy. This policy is conducted on the basis of how Japan socialises Taiwan to behave 'as if' it is a 'member' of international security efforts, which officially requires statehood. This sheds some light on Japan-Taiwan relations within the context of the ESIR paradigm. As demonstrated, Japan incrementally accommodates unrecognised Taiwan into the international society of states without recognition of Taiwan's actual statehood in view of Japan's security vis-à-vis the PRC. Due to this international non-recognition of Taiwan, and the PRC's sanctions, members of the international society (including Japan) tend not to treat Taiwan as an equal member. As such, Japan's innovative security policy means the nation presents a unique case study due to the way it has instrumentalised unrecognised Taiwan as an international security asset for its own security vis-à-vis the rising threat of the PRC. Notably, Japan is navigating its One China policy to find out what it is willing and unwilling to do in terms of its non-traditional security ties with Taiwan. In the hierarchical Japan-Taiwan relationship, it is clear that Japan is both the master and the main protagonist and that Taiwan is merely a foreign policy instrument used by its more powerful neighbour to improve its security vis-à-vis the PRC.

The study thus partially focused on how Japan has been a central protagonist in promoting international security norms and rules in the emerging regional security environment through its incremental accommodation of Taiwan into international society in relation to its regional power politics vis-à-vis the PRC. This contrasts with



notions of Japan becoming a socialised member of the Eurocentric global order by accepting the prevailing Eurocentric norms and rules.

## **7.2 Outline of the Argument**

Chapter 1 first outlined the research question of this dissertation, which was aimed at addressing how the de facto state of Taiwan fits into Japan's regional security strategy. Following this, it discussed the debates surrounding the implications of the status of Taiwan from a Japanese perspective and outlined how Taiwan is a non-sovereign political community due to the absence of Japan's recognition within the context of its One-China policy. This significantly reduces Taiwan's foreign policy leverage vis-à-vis its interactions with Japan and renders the nation a mere foreign policy instrument for Japan in its great power struggle with the PRC. Taiwan's marginal place within international society affords a regional great power such as Japan the opportunities to exploit Taiwan's vulnerability for its own national interests. Japan achieves this through the accommodation of Taiwan into the regional security environment, which allows the former to gain a strategic advantage over emerging major powers such as the PRC. As was highlighted, the existing social constructivist approach to Japan's foreign policy lacks the conceptual framework for examining "as if membership in international security efforts that require statehood, which is a key concept in understanding Japan's state behaviour vis-à-vis the de facto state of Taiwan.

Chapter 2 built upon this discussion by tracing the overall reviews of the ESIR and by investigating how international society has engaged with de facto states in order to demonstrate how Japan has been portrayed as simply a 'good pupil' of the Eurocentric global order and not a core creator of international society, which was a major focus of this study. In addition, this chapter demonstrated how de facto states have been

discussed as troublemakers or the generators of international security issues within the existing literature. Here, we showed that despite the volume of studies that deal with how international society engages with de facto states, none have as yet discussed the role of Japan as a paternalistic accommodator of unrecognised Taiwan within the international efforts to enhance the peace and security in international society.

Chapter 3 then outlined the literature related to how Japan has utilised foreign policy instruments to enhance its own security via multiple leverages including in terms of its defence, non-traditional security means, security networks and pacifist identity. It also looked at the literature related to Japan–Taiwan relations in general. These reviews were conducted to highlight the general lack of research regarding Japan’s instrumentalisation of Taiwan as an international security asset, if not a geopolitical pawn, one that could potentially allow it to gain the upper hand in its power politics with the PRC within the regional security environment. Especially if Japan’s security interactions with Taiwan are deemed normative and less coercive, it is difficult for the PRC to sanction Japan-Taiwan non-traditional security ties in view of Japan’s One China policy. It is especially the case in non-military policing cooperation. Due to Taiwan’s ambiguous status in the Japan–US alliance, the nation’s historical ties with Japan, its reliance on Japan for its own security, and its strategic need to gain semi-recognition from Japan for its normative security behaviours, the hierarchical nature of the Japan–Taiwan relationship has been strengthened. These social structures within international society afford Japan an influential authority to dictate Taiwan’s contributions to Japan’s security. The attendant discussion demonstrated that regardless of whether Japan makes radical changes in its security policy or continues to follow an incrementalistic approach to international security, its accommodation of Taiwan

unquestionably follows such an incremental approach due to its regional great power management with the PRC in the context of Japan's One-China policy. In the literature review related to Japan–Taiwan relations, which was presented in Chapter 3, it was observed that a number of studies exist on how Taiwan's view of Japan affects its policy for its interactions with its neighbour. However, the political insignificance of Taiwan's input into Japan's security policy regarding Taiwan was clearly demonstrated.

Thus, following the arguments and theories discussed above, Chapters 4, 5 and 6 empirically examined how Japan's instrumentalisation of Taiwan manifested itself in each case study, which related to the areas of CSD, international civil aviation, and the fisheries agreements.

This conclusion highlights the main findings of this study. In doing so, it outlines how it is ultimately up to Japan to define the boundaries regarding the progress of Japan–Taiwan security relations, concluding that Japan will never make Taiwan an equal partner within the hierarchical Japan–Taiwan relationship due to the latter's unrecognised status in international society. These social structures are constructed in relation to the Sino-Japanese balance of power, the attendant regional great power management, and Japan's enabling of Taiwan to serve as a normative security asset for Japan's security. As was shown in Chapter 4, Japan has granted Taiwan ambiguous status in its approach to the CSD due to Taiwan's unrecognised position. However, Taiwan can still benefit from this unequal arrangement while its defence capabilities continue to contribute to Japan's security as a military buffer against the PRC. This unequal relationship provides Japan with various opportunities to enhance its non-traditional security cooperation with Taiwan for its own security and that of the region and beyond. In Chapter 5, it was shown that Taiwan is only afforded semi-participation in the ICAO due to its absence of international recognition and the PRC's sanctions.

Nonetheless, Japan has instrumentalised Taiwan to enhance international aviation security through enabling the latter to behave as if it is a member in ICAO's security principles. Chapter 6 was somewhat different in nature to the previous chapters since, within the maritime context, Japan has acknowledged Taiwan as a semi-legitimate participant in the attendant security issues, specifically in the East China Sea. Here, Japan conducted matters within a limited space, which created some need for an examination of Taiwan's perspectives, albeit that this was also undertaken in a paternalistic manner. For example, the Taiwanese view of Japan as a 'positive other' and China as a 'negative other' in relation to Taiwan's ontological security created the political momentum for Taiwan's foreign policy preference to enhance its ties with Japan rather than the PRC, as was examined in Section 6.3 of the fisheries agreement chapter.

### **7.3 Contribution to Japanese Studies**

It was demonstrated that Japan has used Taiwan as a foreign policy instrument to balance its relationship with the PRC, incrementally enhancing Taiwan's security contribution to Japan's security while appeasing the PRC within the context of its One-China policy. Despite Japan's less visible approach to the issue of the Taiwan Strait – and contrary to the prevalent claim (Soeya 2001) that Japan is simply rather meekly following the One-China policy by keeping its involvement in the cross-strait relations to a minimum – the nation has, in reality, strategically instrumentalised its One-China policy and the Taiwan issue to meet its own national interests. In short, Taiwan is more than merely one issue in Sino-Japanese relations, and Japan can transform Taiwan into a foreign policy instrument in the defence, aviation and maritime security dimensions for its own security depending on how this is instrumentalised vis-à-vis the PRC while navigating the complexity of the One-China policy. These findings potentially provide

a new perspective on how Japan's foreign policy has been characterised as largely reactive (Funabashi, 1991/1992; Calder 1988, 2003).

This dissertation elucidated how Japan has been utilising the non-state actor Taiwan to enhance its own security and to navigate its power relations with the PRC. If Japan is deemed an anomaly in the realist paradigm since the nation is seen as not having translated its economic heft into military power and not engaging in power politics, its interactions with Taiwan in the context of its One-China policy offers a different picture within this scenario. Furthermore, Japan has been using state-centric international law to disseminate international security norms to Taiwan for its own security interests. This encourages Taiwan to behave as a foreign policy instrument that is being socialised through international security norms by Japan. Taiwan has no access to international security forum that require statehood for membership, but Japan is making great efforts to encourage Taiwan's as if membership. This helps to eradicate the loophole that stems from Taiwan's absence in international security efforts and ensures Taiwan is a more important component of the regional power politics related to Sino-Japanese rivalry in view of tilting the balance in Japan's favour. This demonstrates how a regional great power such as Japan can accommodate a non-sovereign political community such as Taiwan into international society within a regional setting.

The way Japan incrementally engages with Taiwan is different from the way the US uses Taiwan as a bargaining chip or a geopolitical pawn vis-à-vis the PRC. Furthermore, while the China factor remains a major constraint in the enhancement of Japan-Taiwan security relations, it was found that Japan skilfully manoeuvres the ambiguity of its One-China policy to enhance Taiwan's contributions to Japan's security vis-à-vis the PRC. Moreover, as the section on political dimensions (Section 6.5.4) in Chapter 6 demonstrated, the role of Nikkakon and Kantei diplomacy proved the existence of a

strong political leadership that led to the signing of the Japan–Taiwan fisheries agreement, which does not correspond to the ineffective domestic decision-making system in Japan described by Calder (2003).<sup>7</sup>

Despite the increasing amount of literature related to the radical shift in Japan’s security policy under Abe, which allegedly renders Japan susceptible to resorting to the use of force in order to assist the US’s war effort while weakening the domestic hurdles to restrain Japan’s foreign policy behaviours – characterised as the Abe Doctrine by Hughes (2017)<sup>8</sup> – Japan–Taiwan security relations present the unique aspect of Japan’s security policy. As examined, Japan’s security interactions with Taiwan remain, at best, incrementalistic. Japan’s security commitment to Taiwan in the face of potential invasion by the PRC also remains ambiguous, regardless of whether Japan radically alters its pursuance of international security policy or remains incrementalistic in its approach. This is due to Taiwan’s ongoing ambiguous status in the Japanese conception of CSD due to Taiwan’s lack of statehood and the delicate nature of Japan’s One-China policy vis-à-vis the Sino-Japanese regional great power management. As such, Taiwan presents an under-researched case of how Japan’s security policy is not determined by

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<sup>7</sup> Funabashi (1991) argued that the shock of the global under-appreciation of Japan’s financial contribution to the Gulf War exposed Japan’s structural absence of both the external and internal mechanisms to create effective foreign policy initiatives. It also made Japan unwilling to be a rule-maker in international society due to its lack of regional strategy, post-war reliance on the asymmetric alliance with the US, mercantilist policy, excessive pacifism, and neighbours’ historical distrust of Japan. Therefore, in Funabashi’s (1991) view, Japan relied on Gaiatsu to pursue its own diplomacy without engaging in healthy policy debates on its foreign policy.

<sup>8</sup> Hughes (2017) argued that despite Abe’s claims regarding the enhanced democratic hurdles to collective self-defence and the enhanced deterrence capabilities against potential adversaries, the Abe Doctrine is more likely to heighten the possibility for Japan to resort to the use of force to assist the US’s war efforts. This is due to factors such as considerations of the Japan–US alliance, the growing indivisibility of the US’s national security interests with that of Japan’s, and the weakened domestic constraints, including fewer legal, bureaucratic and executive hurdles in decision-making processes in Japan. Hughes (2017) also pointed out that the still substantial pacifist public opinions in Japan were unable to stop the legal passage of collective self-defence. Furthermore, Hughes (2017) argued that the ambiguous nature of the three conditions imposed on collective self-defence would be unlikely to be consolidated hurdles.

foreign pressure alone.<sup>9</sup> Precisely because Taiwan remains a de facto state, Japan is able to enhance unique security interactions between the two nations, most notably in the field of the non-kinetic intelligence cooperation and non-traditional security ties, in ways that do not excessively breach Japan's One-China policy.

Meanwhile, while Japan refuses to explicitly acknowledge any security-related commitment to Taiwan, this does not mean that Japan demonstrates no independent security behaviour in relation to Taiwan–China relations. Therefore, as was highlighted, in terms of an internationally isolated actor such as Taiwan, Japan accommodates it into international society and transforms it into an international security asset for its own security enhancement. At the same time, it prevents such an internationally isolated entity from being brought further into the geopolitical orbit of the PRC, minimising the risk of Taiwan being an incendiary issue in Sino-Japanese relations. Finally, as examined in Section 3.2.5, in the literature related to the hierarchical relationship between Japan and Taiwan, it is often debated whether Taiwan is regarded as an asset or an irritant in Sino-Japanese relations. This is precisely the reason why security studies on Japan's instrumentalisation of Taiwan as an international security asset are tilted toward Japanese studies. This provides the opportunity to engage in an in-depth study of Japan's conception of security via the instrumentalisation of a sensitive issue

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<sup>9</sup> The widely held claim of Japan always being reactive to Gaiatsu, or foreign pressure, as opposed to Japan's role of enhancing active norm entrepreneurship needs to be reconsidered, at least in the context of Japan–China–Taiwan relations. Calder (2003) argued that Japan is a reactive state, which has no independent foreign policy. This is due to the constraints imposed on it by its asymmetric alliance with the US for security, historical antagonism from China and Korea, and ineffective domestic decision-making systems, despite Japan's enormous financial and investment capabilities. Calder (2003) admitted that Japan has some room for independent foreign policy initiatives in the field of official development assistance, proactive quasi-diplomatic endeavours by local governments and NGOs, and occasional major independent foreign policy initiatives when the international environment allows Japan to do so – including Koizumi's visit to North Korea. Finally, Calder (2003) argued that without the international shock, especially from the US vis-à-vis its unreliability as an ally, becoming a reality, Japan would not produce Japanese foreign policy activism.

such as Taiwan in relation to Sino-Japanese relations, which assists in the enhancement of Japan's security within the emerging regional order.

#### **7.4 Contribution to the ESIR Paradigm**

The ESIR is known to be Eurocentric, and many of its contributors (e.g. Bull, 1977; Watson, 2008; Suzuki, 2014) openly admit such a tendency. For example, Bull and Watson (1984, p. 2) stated that 'it is not our perspective, but the historical record itself that can be called Eurocentric'. As examined in the literature related to the English School, a number of academics suggest that Japan has responded to the global expansion of international society in terms of being a 'good pupil' of Eurocentric international society. Meanwhile, others such as Suzuki (2008) suggest that both Japan and China have remained frustrated great powers within international society amid their aspirations to be recognised as equals vis-à-vis the privileged Eurocentric great powers. Black (2013) looked at Japan's innovative foreign policy approaches, including its *Kakehashi* diplomacy, and its innovative maritime security policy approaches, such as its coastguard diplomacy (Black, 2014).

However, as yet, none of the studies working in this area has positioned Japan as a central creator of international society, either in the regional setting or beyond. In fact, the current study on Japan's accommodation of Taiwan into international society is the first to construct the narrative of Japanese-centric regional order, which places Japan at the central core of international society in the regional setting while clearly positioning unrecognised Taiwan as a pupil of Japan's international norms and rules of international security vis-à-vis the emerging China. As a regional and global counterweight to the PRC, the strategic role of Japan is becoming ever more critical, which means the ESIR paradigm, as one of the major disciplines of security studies, requires some adjustment in terms of its interpretations of Japan. For example, Suzuki (2014) observed that the



expansion of international society into 'Asia' produced contradictory reactions. Here, we witnessed Japan's aspiration to be a legitimate member of international society, one on a par with the European states, which was manifested in its attempt to socialise itself with the Eurocentric norms and rules. However, as Suzuki (2014) pointed out, Japan resented the nominal equality that harboured racist views against the Japanese by the 'civilised' European people, even after Japan emerged as a great power. Japan's pan-Asian advocacy also contradicted Japan's sense of superiority over other Asian peoples, meaning that the nation failed to gain the trust of the Asian populations. Nonetheless, in the process of the current research, one point became clear: Japan is a leader in international society in the regional setting, with Taiwan willing to accept Japan-centric security norms regardless of Eurocentric narratives. In other words, the ESIR must move beyond the conceptual representation of Japan as a learner of the Eurocentric global order and must accordingly place Japan's regional strategy vis-à-vis Taiwan–China relations at the central narrative of international society regarding the region. It must also leave behind the historical essentialism of European supremacy in its conceptual analysis of contemporary Japan's creation of international society.

This study of Japan's instrumentalisation of Taiwan as an international security asset elucidates the conceptual and empirical reifications of Japan's security policy in the regional security environment vis-à-vis the emerging challenge of the PRC. Through this study, the author demonstrated that it is entirely possible to challenge the narrative that describes Japan as simply being a good pupil of Eurocentric international society in an attempt to be recognised as an equal member of international society on the global stage. In fact, it is entirely possible to conceptualise Japan as a core member of international society, one that has the influential authority to incrementally grant semi-legitimacy via as if membership to state-like entities such as Taiwan as a reward for

their contribution to Japan's security in the Japan-centric regional setting. Japan may have been a latecomer to the global stage, but it was the pioneering actor in the regional modernisation process. As such, the author considered why no study exists that positions Japan as a centrepiece of international society in the regional setting, which set the wheels in motion for this PhD dissertation related to the ESIR.

## **7.5 Contribution to Taiwan Studies**

Through the author's PhD studies on Japan's utilisation of Taiwan as one of its foreign policy instruments for its own security enhancement, it was demonstrated that it is up to Japan to decide how far Japan-Taiwan security relations will be developed. As such, Taiwanese political input in Japan's security policy on Taiwan has little influence. Equally, Taiwan's domestic policy on Japan is not considered in Japan's security interactions with its neighbour due to the absence of Taiwan's foreign policy leverage vis-à-vis Japan, as was examined in Chapter 3. Thus, through this research, Taiwan's international marginality has been elucidated in the context of the hierarchical Japan-Taiwan relations in international society in a regional setting. Taiwanese perspectives on international security efforts are ignored in the multilateral security efforts, if these efforts require members to have a 'recognised statehood'. Thus, Taiwanese perspectives matter only if great powers including Japan choose to accommodate the former's perspectives in creative ways.

Furthermore, if Taiwan remains a de facto state, there is no Taiwan without China, and Japan-Taiwan relations do not exist without considering the China factor. However, if Taiwan falls into the hands of the PRC, this would clearly be detrimental to Japan's security. Therefore, Japan needs to consider what it must do to prevent the risk of the US's abandonment of Taiwan. In this context, it can be argued that Taiwan's enhanced strategic and normative value for Japan's security is critically important to ensuring the

US continue to engage with Taiwan's security. On this point, the empirical knowledge this study produced could potentially help Japan to avoid the risk of the US's abandonment of Taiwan, that is, Japan could incrementally increase Taiwan's security contribution to its own security. In fact, the empirical knowledge produced in this study is essential for scholars working within the field of Taiwan studies in terms of reflecting on how Taiwan could be a better national security asset for Japan in view of securing its own survival. For certain, a Taiwanese perspective has no place in Japan's elite debates on Japan's security policy; however, as was demonstrated in the three case study chapters, Taiwan can voluntarily enhance its internal reforms and internal balancing since it enjoys some internal autonomy as a de facto state, and its efforts may ultimately be noted by Japan. The hope is that Taiwan's internal efforts will be accommodated by Japan in its facilitation of Taiwan's "as if membership in the multilateral security efforts as an international security asset for Japan's security, as was examined in the ICAO chapter. As for Taiwan's international space, if, with Japan's help, the nation behaves as if it is a member of the international organisation that require statehood for membership, it will have alternative methods for improving its international contributions and some hope for its future entry into the state-centric international organisations.

## **7.6 Future Research on Japan's Accommodation of Internationally Isolated Actors for International Security**

From this study, one major finding has been clarified: Japan's innovative accommodation of internationally isolated entities, including Taiwan, into the international community (and its attempt to discipline them enough to be able to maintain their linkage with international society) in ways that contribute to Japan's security is different from how Eurocentric Western international society ostracises non-

sovereign political communities in the international society of states. This is significant in Japan's regional security strategy because when the West ostracises a specific state or non-sovereign political actor in the Asia Pacific region, it is the PRC that attempts to lure such an actor into its own geopolitical sphere of influence, which may subsequently reduce Japan's regional power. Thus, Japan accommodates the membership of isolated actors in the region in view of managing any threat from other rising powers such as the PRC to enhance its security and to elevate its regional standing. As such, Japan's policy regarding the accommodation of such entities into international society in the regional setting requires more scholastic attention.

Black (2013) argued that Japan's *Kakehashi* diplomacy helped Burma maintain ties with the West through Japan. In addition, despite the controversial war on drugs that Duterte has carried out as his flagship national security policy (at the expense of human rights and the erosion of the rule of law in the Philippines that shocked the Eurocentric Western great powers), it would appear that Japan is fine to accommodate Duterte's Philippines. For Duterte, Japan presents a great ally in terms of maintaining ties with the West, especially the US. Therefore, in the case of an ostracised political entity that has significant difficulty in maintaining ties with international society, Japan plays a linking role in the process of maintaining any ties. It is essential to state here that both Burma and Duterte's Philippines have been geopolitically pursued by the PRC in ways that may undermine the Western influences in the region. In recent years, Japan attempted to accommodate Iran vis-à-vis the rising tensions with the US, in which case Japan's accommodation of such entities may have incrementally expanded into the global setting. Nonetheless, more research needs to be conducted to determine whether or not this is indeed the case. If it is, it could be argued that Japan is transitioning from a great *regional* great power to a *global* great power. Certainly, Japan has a great deal

of regional expertise and experience in accommodating the internationally isolated entities in its region; however, in terms of the global arena, it remains to be seen whether Japan can take on a similar, but yet-to-be-explored, global security role to help supplement the maintenance of the international liberal order.

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