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beneficiary to norm protector

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# What is at stake? Japan's shift from norm beneficiary to norm protector\*

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## Abstract

Japan had maintained low diplomatic profile in the security arena. However, it became proactive and articulate in recent years. Japan's shift can be observed by its active engagement in the South China Sea issues. For instance, Japan started to provide military assistance to littoral countries that have territorial disputes with China. Many observers and analysts link Japan's active engagement in the South China issue with the Senkaku Islands, on which China claims its sovereignty, or the changing balance of power caused by China's recent rise. It is not deniable that a concern for the Senkaku issue is one of the factors contributing to Japan active involvement. However, this view is too simplistic. I argue that the reason operating behind Japan's shift is its apprehension for a possible change of regional norms and order. Perceiving China's intention to change the regional order and norms, Japan is trying to protect the norms Japan has greatly benefited from as a 'norm protector' by disseminating its views and providing incentives to the regional countries.

**Keywords:** Japan, Norm, South China Sea, China, Security

## 1. Introduction

During the Cold War period, the United States-led 'hub and spokes system' underpinned by bilateral alliances effectively contained the military expansion of communist states in East Asia. Under the regional order supported by the United States (US), the Asia-Pacific region enjoyed peace and stability with the exception of some cases. The US also generously opened its market to the Asian countries, notably to China as well, and absorbed their exports. By and large, all Asian countries have benefited from the US in terms of security and economy. Among them, Japan is the largest beneficiary of such US-led structure.

However, the current US-led regional order is being challenged these days. In the post-Cold War period, attacks by pirates have been increasing in the region, threatening free and safe navigation of commercial ships. China has been increasing its military might and claims sovereignty over shoals and reefs in the South China Sea (SCS), giving a rise to tensions

among the littoral countries that also claim sovereignty over the uninhabited islands. While China adamantly argues that it has the historical right to uphold its own sovereignty in the SCS, Vietnam, the Philippines, Taiwan, Brunei and Malaysia have also claimed sovereignty on the uninhabited islands and reefs. Since 2014, China has accelerated reclamation projects and successfully reclaimed around 3,000 acres (1,200 hectares) of land. Ignoring strong protests and warnings from the international society, it is building airstrips and other facilities for military purposes. It has also claimed sovereignty over the Senkaku Islands, and repeatedly intruded Japan's alleged territorial waters. It seems that China is signaling a challenge to the US-led regional order and norms.

As if responding to China's assertiveness, Japan became increasingly articulate and proactive. Departing from its single-minded economic approach towards the region, which exclusively focused on economic affairs, Japan has increased its roles in the military field. For instance, the Japanese government enlarged Japan Coast Guard's (JCG) roles overseas. Prime Minister Shinzo Abe is keen to strengthen the relationship with the countries that have stakes in the South China Sea disputes. Such moves are reinforced by 'Three Arrows' in the security field: abolishment of the arms trade ban policy in 2014, the adoption of the New Development Cooperation Charter in 2015, and the adoption of the security bill that enables limited exercise of the right of collective self-defense in 2015.

Japan's moves towards a larger military role seem to be an established path, which started in the early 1990s. However, it is different in that it expanded its reach to other Asian countries. Considering China's recent assertiveness, does Japan aim to counter China to defend its national interests, namely the sovereignty on the Senkaku Islands, by strengthening the relationships with other Asian countries? This article argues that Japan has enlarged its military support in the region to protect the current regional norms and order. Japan intends to somehow maintain the current regional order and norms based on rule of laws, rather than pursuing narrow self-interests.

The first section explains the analytical framework. Surveying Japan's relationships with Asia, it illuminates what is at stake for Japan. Given the regional stability in the past, which enabled Japan to pursue its economic prosperity, it is too simplistic to conclude that the rivalry between China and Japan was a factor driving Japan's policy modification. The second section analyses Japan's involvement in maritime issues in the post-Cold War period. By analyzing Japan's support and involvement in the South China Sea issue in chronological order, I will demonstrate the incorporation of normative factors well explains Japan's behavior.

## 2. Conceptual framework

### 2.1. The emergence of an interdependent world

Realists argue that a state pursues material interests. In contrast, constructivists argue that non-material factors such as norms and interests affect a state behavior. It is widely believed that realism, which emphasizes the pursuit of material interests in a state's behavior, and constructivism, which empathizes the influence of non-material factors in a state's behavior, are incompatible and conflicting.

However, in an interdependent world, the boundary between realism and constructivism is becoming blurry. The emergence of an interdependent world has considerably changed the picture of world politics. The ramification is not confined to the economic arena; it is also extended to the security arena. Due to the deepening interdependence in various arenas, all states are increasingly expected to behave in line with the international law and norms. In the complex world, the influence of an international norm on a state's behavior is increasing its political weight. Moreover, the development of institutions and frameworks as a platform of cooperation and negotiation made it more difficult for a state to take unilateral action in reckless pursuit of self-interests. Therefore, an analysis that simply focuses on balance of power politics or maximization of interests by a state is insufficient to explain a state's behavior.

What we have to incorporate in analysis is the ramifications that a change of norms and orders bring about on a state's behavior. A state that has benefitted from and been content with the current norms may take action to protect and bolster the current norm by emphasizing the importance of compliance of the norm. The state does so because the change of norms may undermine its national interests.

Such protective behavior includes continuous dissemination and articulation of a norm. By doing so, a 'norm protector' would be able to remind the other states of the importance and legitimacy of the norm (Adachi, 2014). The successful prevalence of discourses that reinforces the norm would also help preservation of norms (Barnett and Duvall, 2005: 60). Conversely, the lack of an attempt to strengthen or remind a norm would kill a norm's effect and lifespan (unless it has strong binding force). However, mere articulation of ideas and norms is not sufficient. A 'norm protector' needs resources that can be flexibly utilized to effectively persuade and remind others. A state that plays a role as a 'norm protector' needs to possess enough material power to take action.

## 2.2. Japan as a realist state?

Under the deepening interdependence, Shambaugh concluded that ‘Asia is currently witnessing the emergence of a regional community with a multilateral institutional architecture that is based on a series of increasingly shared norms about interstate relations and security’ (Shambaugh 2004 / 05: 96). He then argues that ‘economic interdependence, security multilateralism and democratic change lead to growing acceptance of common norms and normative convergence, and thereby may reduce conflicts’. Deepening regional interdependence is likely to constrain China’s move to create Sino-centric order (Acharya, 2014a: 158). Although Japan is not one of the hierarchies, it quietly plays an important role by providing critical public goods such as the US military presence, and regional frameworks that involve the US and promote socialization of China (Goh, 2011: 888). Liberalists and constructivists are basically optimistic about the future of Asia.

However, China’s behavior seems to run counter to this assumption. China has claimed sovereignty over the uninhabited islands and the seas encircled by the ‘nine-dashed line’. It then embarked on reclamation projects and continues to do so despite international criticism. In July 2016, responding to the ruling by the International Tribunal, China clarified that it would not accept the decision. The aggressive behavior in territorial disputes in the SCS seems to indicate that China aims to change the current regional order and norms. China’s suggestion to create a two-great power relationship with the US illustrates that China hopes to establish a position as a great power equivalent with the US.

While China strengthened its assertiveness, Japan began to provide patrol vessels to littoral states such as the Philippines and Vietnam under the framework of Official Development Assistance (ODA). Recognizing Japan’s active engagement, many works argue that the aim of Japan’s action is to contain China’s aggressiveness in the East China Sea (ECS). Defensive realists claim that Japan has taken measures to defend its national interests and counter China’s military expansion. Midford argues that concerns for its national security urged Japan to increase its engagement and support towards the littoral states. Tokyo perceives that the fate of Japan’s own territorial dispute with China, namely the Senkaku issue, is closely associated with the outcome of the maritime disputes in the SCS (2015: 547). He then went on that a linkage between East and South China Sea disputes is illustrated by the growing military ties between Japan and the Philippines. Behind the growing closeness was ‘evident concern’ by Japanese diplomats that the Philippine’s solution might negatively affect Japan’s territorial claim on the Senkaku Islands (Midford, 2015: 540). By using Calder’s

reactive model,<sup>1</sup> Manicom argues that Japan made a 'dramatic shift' in its maritime security policy. Japan had long failed to take initiatives in a maritime policy due to domestic constraints even after it ratified the United Nations Convention on Law of the Sea (UNCLOS) in 1996. However, a policy shift occurred in the 2000s when Japanese policy makers recognized China's growing assertiveness in the ECS (Manicom, 2010: 324; 2014: 6). Similarly, Samuels argues that 'The JCG is at the center of an emerging Southeast Asian security framework and its leadership is welcomed by East Asian neighbors'; building up the JCG was 'a way for Japan to avoid going through tortured constitutional strain'. By employing the JCG as a mask, Japan has strengthened its 'fighting power' (Samuels, 2007: 99-102).

Analyzing from a realist perspective, some argue that there emerged 'two hierarchies, one is organized around the United States and the other around China' (Ikenberry, 2013: 19). The region witnessed the troubled triangle relationships between the US, Japan and China, with the security and economic directions being diverged (Ikenberry 2013: 2). Allowing for minor differences, the author explains Japan's behavior by paying attention to China's rise and the fluctuating balance of power.

Thus, the realist explanation is dominant. However, it is too simplistic to analyze Japan's behavior in terms of the triangle rivalry between, on one hand, the US and Japan and, on the other hand, China. Certainly, Japan has shared a burden to assist the US, but it is not a main player in the power game given the lack of military might. Viewing Japan as a player in the triangle relationship provides a simple picture to understand the regional politics by linking Japan's active engagement with the Senkaku islands issue or Abe's pet theory of 'proactive contributor to peace'. However, it lacks comprehensive understandings of Japan's foreign policy.

I argue that the change of power balance was not a source of Japan's preference change. Rather, concerns for a possible normative shift triggered the preference change. The reason lies in the lack of similarities in Japan's behaviors between the past and the present. Whereas the Soviet Union built up its military strength in the late 1970s and the early 1980s in the Far East, Japan did not take a decisive action to counterbalance. Instead, it made minor policy modifications such as the reinforcement of the alliance with the US and the adoption of the first National Defense Program Outline (NDPO).<sup>2</sup> Prime Minister Zenko Suzuki promised the US, if without any deliberation, that Japan would defend a thousand-mile sea lane. However, this statement created a domestic controversy because the public took the statement as a sign of a revival of militarism. When Prime Minister Yasuhiro

Nakasone visited the US in 1983, he mentioned that Japan would play a role as an ‘unsinkable mother aircraft carrier’. This statement again gave rise to a domestic debate and criticism. It is not undeniable that Japan-US cooperation under the framework of the alliance deepened in the 1980s as exemplified by the transfer of military technology to the US. However, due to the sensitive public and a divisive domestic political situation, Japan did not substantially increase its military role despite the serious security threats posed by the Soviet Union. If a state’s behavior is driven by ‘fear’ or ‘interests’ as realists claim,<sup>3</sup> we would have been able to observe a similarity in Japan’s response between in the 1980s and the present. Japan’s response would have been even more extensive in the 1980s because the security threats posed by the Soviet Union was more explicit. The absence of the similarity, however, implies that Japan is not simply responding to perceived security threats posed by China.

In addition, Japan has no imperatives to increase its military engagement in the region to defend the Senkaku Islands. In 2010, the US Secretary of State Hillary Clinton clarified its intention to defend the Senkaku Islands, by invoking Article five of the alliance, in contingency. President Barack Obama also clearly stated that the US would defend the Senkaku Islands in the event of an attack.<sup>4</sup> Because Japan obtained the US assurance, there was no urgent need for Japan to beef up its military support to the littoral countries. Moreover, the opportunity costs to be borne by escalating defense spending or reducing trade with China would be massive (Chan, 2010:403). Doing so would lead to a disastrous effect on one’s economy especially when the trade volume between the two countries is large. Hence, in an interdependent world, simply containing a potential rival is no longer a wise scenario anymore.

### 2.3. Japan as a norm protector: What is at stake?

When Japan noticed the sign of a challenge by a rising power, namely, China, it modified its attitudes and took some action. Then, as other works argue, did Japan alter its regional policies to defend the Senkaku Islands? If not, what is at stake?<sup>5</sup> First and foremost, the importance of peace and stability of the region, which enables economic growth, cannot be overstated. More specifically, the preservation of ‘open trade system’, which is ensured by ‘freedom of navigation’, has been a matter of life and death for Japan. Japan’s trade largely depends on the sea lane in the SCS. ‘Freedom of navigation’ is an internationally accepted norm which is underpinned by UNCLOS.<sup>6</sup> One might argue that ‘freedom of navigation’ is a mere rhetoric to justify US engagement in the SCS. However, considering the importance

of the sea lanes, it is reasonable for Japan to support the littoral countries to help them build up a capacity to deal with various security threats, which would undermine freedom of navigation.

Second, a 'peaceful settlement of disputes' in compliance with international law is a norm Japan aims to defend. Japan resorted to force before and during WWII, but was utterly defeated. The bitter experience and memory shared by all Japanese made Japan to maintain Article 9 that prohibits Japan from going to war. Given Japan's lack of military power, 'peaceful settlement of disputes' norm would ensure a favorable environment for Japan to pursue its national interests. Notably, not only Japan but also ASEAN countries have upheld this principle. ASEAN has been a driver of regional integration and induced cooperative behavior through socialization (Acharya, 2014b: 7-8). ASEAN's emphasis on a 'peaceful settlement of disputes' is well illustrated by their approach to the SCS issue. China and the ASEAN countries issued Declaration on the Conduct of Parties in the South China Sea (DOC) in 2002, whose aim is to pursue a peaceful resolution in territorial disputes. However, the next step—namely, the adoption of a Code of Conduct (COC) that is to have a binding force, has not been realized. China deliberately continues to delay the conclusion of the COC by insisting that they should settle the issue through a bilateral negotiation.

I argue in this article that Japan's maritime security policy in Asia can be well explained by adding a normative perspective. Since Japan has benefited from liberal norms—'freedom of navigation' and 'peaceful settlement of disputes'—, it is seriously concerned with the recent Chinese behavior that appears to run counter to these norms. China's willingness to replace the US to support the regional stability is well illustrated by its statement. China's Foreign Minister stated its readiness to defend and improve the current economic and financial system and provide public goods such as civil use facilities. It also confirmed its commitment to freedom of navigation (Wang, 2016: 6). These statements imply that China's eagerness to take over the role played by the US and instead install new Chinese norms.<sup>7</sup> Despite China's readiness, it seems that regional states, including Japan, are suspicious of China's real intention and values behind its policies and action (Kang: 2007: 201). The suspicion grew even more due to China's behavior exemplified by its reclamation projects. Whatever China said, the Chinese assurance sounds deceitful. Perceiving a possible norm/order change, the Japanese government embarked on a process to bolster the norm in cooperation with the US as a 'norm protector'. The strategy Japan took was to articulate the norm to remind others of its importance and to provide material incentives to other Asian states to create



supporters.

### 3. Japan's maritime security policy

#### 3.1. Japan's multilateral support for the safety of sea lanes

As we have seen, one of the Japan's underlined interests is maintaining peace and stability of the region. More concretely, safe sea lanes are a lifeline for Japan that depends on trading. Therefore, even before the Senkaku disputes came to the center of Japan-China relationships, Japan was engaged in various activities, to enhance the maritime safety in the region. However, due to its low profile, Japan's assistance did not attract international attention.

The JCG began to provide support starting in 1968 in cooperation with Japan International Cooperation Agency (JICA).<sup>8</sup> In the same year, responding to the requests made by Indonesia, Malaysia, and Singapore, the Nippon Foundation established the Malacca Strait Council to provide assistance such as building signposts and lighthouses, sharing equipment and making seabed mapping.<sup>9</sup> The aim was to ensure the safety of Malacca straits. Up to the early post-Cold period, the Nippon Foundation played a central role to ensure the safety of the strait.

When the Japanese ship was attacked in the Malacca Strait in 1999, the Nippon Foundation took initiatives by gathering information in cooperation with International Maritime Bureau.<sup>10</sup> In 2000, it invented a warning device to prevent pirates' attacks and distributed the device to the countries concerned. It also hosted various meetings and conferences. However, the Japanese government gradually took over the role played by the Nippon Foundation in this arena. The government began to host conferences on combating on piracy and armed robbery. It has dispatched the JCG missions to the littoral countries such as the Philippines and Malaysia to consult about countermeasures since 2000.<sup>11</sup> Japan has also regularly dispatched patrol vessels to train and conduct joint exercises with the Coast Guards of some of the Asian countries to help patrol the Malacca Strait and other areas. The Japanese government also funded the International Maritime Organization to support their activities. Prime Minister Junichiro Koizumi also made a proposal to establish the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) to promote cooperation and share information on the maritime safety among member states. These JCG's efforts to build up civilian capabilities and promote

maritime security cooperation concepts among the Asian countries, especially in Indonesia, Malaysia and Singapore, were welcomed by participating countries (Sato, 2007: 8).

Some argue that Japan's active involvement in countering piracy and the 2006 revision of the Coast Guard Law that empowered the JCG imply that Japan changed its preference because of China's military rise (Midford, 2015; Samuels, 2007). Sure, China's assertive move to develop a gas field and research maritime resources in the ECS in the 2000s gave rise to concerns on the Japanese side. For instance, at the 2007 political-military dialogue, the Japanese delegates raised concerns about China's growing military capability in Asia, exemplified by its energetic naval activities beyond the Taiwan Straits and its maritime security line encroaching into the Sea of Japan (Castro, 2009: 712). This Japan's growing apprehensions resulted in the 2007 adoption of the Basic Act on Ocean Policy that aimed at 'bearing the leading role for the formation and development of the international order' under international partnership (Cabinet Office, 2007). Nevertheless, we have to note that Japan's approach towards China was moderate at this stage in a sense that it sought for a peaceful settlement with China through negotiations over the resource exploitation in the ECS.<sup>12</sup> It was China's signal that triggered Japan's policy alternation.

### 3.2. A Challenge to the current regional order in the SCS

Since 1970s, the SCS has attracted attention due to territorial disputes among the regional countries. In 1974, Chinese forces expelled Vietnam from the Paracel Islands in 1974. It also occupied Mischief Reef in 1994, which had been controlled by the Philippines and then built defense structures on it. These small clashes remained in the realm of territorial disputes.

As China's economy grew, the Asia Pacific region witnessed China's increasing assertiveness in the 2000s. This makes a clear contrast to its indefinite attitudes towards territorial disputes with Russia, Mongolia and Vietnam in the past (Fravel, 2005: 46). Its unilateral claims over sovereignty on the Paracel and the Spratly Islands have raised tensions among the claimants in the region. Small clashes and standoffs came to happen with increasing frequency. For instance, China and the Philippines had a long stand-off in April 2012 when Filipino patrol ships found Chinese fishing ships illegally operating in the disputed area. China soon dispatched surveillance ships to protect the Chinese fishing boats, resulting in a naval standoff between the Philippine Navy and the Chinese surveillance ships. As a result of the incident, the Philippines lost control over the Scarborough shoal, which drove

the Filipino government to build a case for unilateral submissions to International Tribunal for the Law of the Sea. Tensions with Vietnam also intensified. When Vietnamese vessels confronted Chinese ships that were placing an oil rig in the disputed waters near the Paracel Islands, the armed Chinese patrol boats fired water cannons at the Vietnamese Sea Guard ship. The standoff between the Chinese and Vietnamese ships has raised tensions, fueling anti-Chinese sentiment in Vietnam.<sup>13</sup> Thus, the disputants have claimed their sovereign rights in the SCS by conducting enforcement activities.

In the ECS, China disputes Japan's sovereignty claim on the Senkaku Islands, which the latter has administered since the US returned Okinawa in 1972. China began to conduct a training exercise, if not illegal, in Exclusive Economic Zone (EEZ) off the Senkaku Islands in 2000. It also embarked on research activities in pursuit of maritime resources in the ECS. The JCG first detected a Chinese research activity in 1994, but the number of the activities jumped in 1998 (Manicom, 2014: 93). In 2003, the research activities resulted in the construction of a platform in a gas field (Shirakaba/Shungyo) that is located west of the median line between the Chinese and Japanese baselines. In November 2004, China's submarine was detected in Japan's territorial water off Miyako Island.<sup>14</sup> The submarine ignored Japan's orders to surface and fled the area (although China admitted a navigation error). In 2005, Chinese Navy sent warships near the disputed gas field.

However, such China's provocation and intrusion culminated in the 2010 clash off the Senkaku Islands. The Chinese fishing boat which entered Japan's territorial water around the Senkaku islands intentionally bumped into a JCG patrol ship. In retaliation to Japan's arrest of the Chinese captain, China suspended rare earth exports to Japan. The suspension of the exports led to the sharp rise of the rare earth price, causing the so-called 'rare earth shock'.<sup>15</sup> Moreover, after the collision, China's trespassing on territorial water around the Senkaku Islands has dramatically increased. Although China intruded only once in 2011, the intrusion went up to 23 times in 2012 and 52 times in 2013 (Ministry of Defense, 2013: 14). China has taken tough attitudes in the Senkaku issue and showed no signs of compromise.<sup>16</sup>

When Malaysia and Vietnam jointly submitted to the Commission on the Limits of the Continental Shelf in 2009 the information on the limits of continental shelf, China made a protest by arguing that the area circled by the 'nine-dashed line' (90 % of the SCS) has historically belonged to China. In May 2009, Chinese ships harassed the US surveillance ship *Impeccable* when the US ship conducted a routine operation in international waters in the SCS. China also cut the cables of Vietnamese and Filipino vessels in March and June

2011 respectively. In 2012, China established 'Sansha city' on Wood Islands in the Paracel Chain, which China seized from South Vietnam in 1974. Sansha city's role is to control and administer the most part of the SCS, including the Spratly Islands near Reed Bank and Palawan, and Scarborough Shoal. In the same year, China exhibited its desire to establish an equal relationship with the US by refereeing to 'new type of great power relations' at the summit meeting with the US. Moreover, in November 2013, China unilaterally created an Air Defense Identification Zone (ADIZ) that covers most of the ECS, including the Senkaku Islands. It is a new air traffic regulation that demands other countries report a flight plan to the Chinese government, maintain radio communication and radar transponder function, and respond to identification inquiries from the Chinese government to clarify nationality. Further, the Chinese government adopted a domestic law that obliges foreign fishing boats operating within the nine-dashed line to obtain permission from the Chinese government in 2014.

In the meantime, China embarked on its reclamation projects on the disputed islands in the SCS in 2013. It has constructed air bases and ports for military purposes. Undeniably, other countries such as Vietnam, Malaysia and the Philippines also conducted reclamation projects. The Vietnamese troops stationed in one of the islands Vietnam controls. However, China's provocative moves such as the creation of ADIZ and its willingness to provide public goods imply its ambitions to create a new Chinese order/norm in the region. Furthermore, China refused to accept the ruling made by the International Tribunal, which denied Chinese claims in the SCS. Whereas the ruling has no binding force, ignorance of the decision is equivalent to the violation of international norm. Fravel argues that behavior in territorial disputes is a fundamental indicator of a state's intention whether a state is pursuing a status quo or not (2005: 47). Given this view, it seems China is seeking to change the status quo.

### 3.3. Japan's norm-based behavior

The 2009 visit by Secretary of State Hilary Clinton to the ASEAN Secretariat illustrated the US's turn to Asia. The ASEAN Secretary General Dr. Surin Pitsuwan welcomed the US shift by stating that 'Your visit shows the seriousness of the United States to end its diplomatic absenteeism in the region' (US Department of States, 2009). Clinton also asserted at the ARF meeting that the peaceful settlement of SCS territorial disputes and freedom of navigation were US national interests. At the East Asia Summit in Bali in November 2011, the US reiterated the importance of freedom of navigation and commerce and peaceful

resolution of the disputes based on international law.

Following the US initiative, the Yukio Hatoyama government and the US for the first time officially referred to ‘freedom of navigation’ at the joint consultative meeting in January 2010 (MOFA, 2010). The statement was made even before the collision incident near the Senkaku Islands. Rather, they made the reference because both countries took the impeccable incident happened in 2009 so seriously (interview, MOFA official A and B, 2016). The incident implied the sign of China’s readiness to challenge the US predominance. Abe’s ‘proactive contributor to peace’ attracts internationally wide attention, but we can observe the shift of Japan’s attitudes during the Democratic Party of Japan’s (DPJ) term.

The DPJ government’s attempt to hedge continued. In the June 2011 Joint statement of the US-Japan security consultative committee, both countries agreed to contribute to the maintenance of maritime security by ‘defending the principle of freedom of navigation, including preventing and eradicating piracy, ensuring free and open trade and commerce, and promoting related customary international law and international agreements’ (MOFA, 2011a). In 2012, Japan showed willingness to take various measures ‘to promote safety in the region, including strategic use of official development assistance, for example through providing coastal states with patrol boats’ (MOFA, 2012).

To materialize the abovementioned policy, Japan and the Philippines concluded a strategic partnership in September 2011. They confirmed that the ‘peace and stability’ of the SCS is ‘of common interest’. They also emphasized that freedom of navigation, unimpeded commerce, and compliance with established international law including the UNCLOS and the peaceful settlement of disputes would serve the interests of the two countries and the whole region. This agreement implies the willingness of both countries to strengthen the security ties. More substantively, they agreed that the Maritime Self Defense Forces and the Philippines Navy would launch a twice-annual service-heads meeting before year’s end to exchange naval information. They also agreed that the Japanese and the Philippine Coast Guards would expand joint exercises, and that Japan would use ODA to help the Philippine Coast Guard overhaul its communications system (MOFA, 2011b). The policy modification was in progress even before the dramatic increase of China’s intrusion into the territorial water in 2012.

After Abe took power in 2013, Japan’s attempt to articulate the norm gained momentum. Abe announced to provide 10 multi-role patrol ships to the Philippines, which had been studied since 2012. He also announced that it would use ODA to fund a major

upgrade of the Philippine Coast Guard. After China built a SCS airfield on Firely Cross Shoal, Japan conducted a joint 'search and rescue' exercise, by using a Japanese P3-C plane and also decided to loan trainer planes (TC-90) for maritime patrol by the Philippines in 2016. All these efforts were made to boost the Philippine's military capabilities.

Behind this upgraded engagement was Japan's apprehension about the possibility that China might change the regional order and norms Japan had greatly benefitted from. Japan's concern was well illustrated by the National Security Strategy (NSS) adopted in December 2013. The Strategy clearly displayed concerns that the disputes in the SCS over sovereignty between the coastal states and China may have a negative impact on the maintenance of the rule of law at sea, freedom of navigation, and stability in the Southeast Asian region (NSS, 2013: 8). The Abe government's emphasis on the rule of law at sea at the 2013 Shangri-La Dialogue also indicates Japan's apprehension. At the meeting, he stated the three principles:

The first principle is that states shall make and clarify their claims based on international law. The second is that states shall not use force or coercion in trying to drive their claims. The third principle is that states shall seek to settle disputes by peaceful means (MOFA, 2013).

Abe then clarified his intention to support the ASEAN countries by way of provision of ODA, defense equipment and technological cooperation. It also showed willingness to help these countries build and strengthen military capacity by employing the SDF's capability (MOFA, 2014).

However, the obsolete arms trade ban policy, which was articulated in 1967, prevented smooth and extensive cooperation. When Indonesia requested the Japanese government to help strengthen the maritime patrol system with a view to counter piracy in 2003,<sup>17</sup> Japan was not able to meet the request. The provision of patrol ships was prohibited by the arms trade ban policy. Therefore, Japan responded to the Indonesian request by exempting the case in 2006.

To enable the provision of military support, the Abe government adopted new regulations, replacing the old one, to facilitate Japan's arms export and military cooperation. The newly installed policy broadened Japan's options towards the Asian countries. As a start, in 2014, the Abe government officially expressed that it would provide six patrol vessels and technical support for submarine crews to Vietnam that has territorial disputes with China. The government also started negotiating the transfer of military equipment with Malaysia and the Philippines in 2015. Furthermore, on February 2016, Japan decided to

lend SDF's retired TC 90 aircrafts to patrol and monitor the SCS to the Philippine Navy.<sup>18</sup> The adoption of the new rules definitely upgraded Japan's support, enabling Japan to make military cooperation such as provision of patrol vessels to the Asian countries.

Following the adoption of the new regulations on arms export, the Abe government revised the ODA Charter by adopting the Development Cooperation Charter in February 2015. One of the aims of the new charter is to facilitate Japan's military support to the littoral countries. The adoption is remarkable as Japan had long refrained from providing any kind of assistance to a military field in the framework of ODA. The newly adopted charter allowed Japan to provide assistance to the military as long as the assistance is defensive and would contribute to peace and stability. The charter also enabled it to provide assistance even though a recipient country's per capita reaches a certain level. Along with the abolishment of the ban, the adoption of the new charter greatly broadened Japan's assistance in the security field.

Japan's determination to defend the norm is also well illustrated by Abe's repeated statements about the norm when he attended meetings. For instance, he put diplomatic pressure on China at the 2016 Asia Europe Meeting (ASEM) held in Mongolia. The meeting was held soon after China clarified its intention not to comply with the decision made by the International Tribunal. Since the court denied China's claim on its historic rights to the most of the South China Sea, the Chinese government immediately rejected the ruling and denied the jurisdiction.<sup>19</sup> In response, Abe demanded China accept the ruling and comply with the international law.<sup>20</sup> By emphasizing and repeating the shared norms—the rule of law and peaceful resolution—whenever and wherever possible, Abe attempted to persuade and remind the other countries, including China, of the need to comply with the norm.

#### 4. Conclusion

Japan preferred to employ economic means as a tool of diplomacy, eschewing involvement in military affairs during the Cold War period. However, departing from the economic-centered approach towards the region, it started to provide military assistance in the 2000s. Considering the disputes over the Senkaku Islands, it seems Japan is expanding its security role to counter China's perceived threat in the ECS and SCS.

Undeniably, China's claim on the Senkaku Islands and the growing assertiveness in the region were the part of the driving factors encouraging Japan to be more assertive

and to share the burden with the US. Japan's active engagement could be understood as a behavior to protect the Senkaku Islands. However, the story is not that simple. What Japan wants to defend is not only the Senkaku Islands. Tokyo wants to protect the current norms such as freedom of navigation, rule of law and peaceful settlement of disputes in line with international law. When China's assertiveness in the ECS remained in the realm of territorial disputes, Japan first tried to settle the issue through negotiation. However, Japan began to modify its attitudes in the late 2000. Although the policy alternation became more apparent when Abe gained power, the examination showed that the change slowly and quietly started during the term by the DPJ government that noticed China's appetite to change the regional norms. The DPJ government initiated a move even before the symbolic event of the 2010 collision off the Senkaku Islands. The timing of the first move shows that concerns for a possible norm change triggered Japan's policy alteration from a norm beneficiary to a norm protector. Due to the lack of sources, this article did not pinpoint who or what institution initiated the modification. Further research should be taken to open the black box of a decision-making process.

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## Notes

- 1 See, (Calder, 1998).
- 2 Kawasaki argues that the Soviet threat urged Japan to adopt the NDPO. See (Kawasaki, 2001).
- 3 See, Walt, 1986.
- 4 'Obama assures Abe on Senkakus, 24 April, 2014, <http://www.japantimes.co.jp/news/2014/04/24/national/obama-tells-abe-security-treaty-covers-senkakus/#.V4uEZY9OKM8>
- 5 US president Obama highlighted three public goods in the SS: freedom of navigation, peaceful dispute resolution and respect of international maritime law. (Goh 2011: 110)
- 6 It codifies 1.the principles that sovereignty over maritime zones would be claimed primarily from control of land territory, 2. Definitions of baselines from which to measure these zones, 3. Limits on territorial waters as well as two resources zones. It also grants the universal right of 'innocent passage' in territorial waters.
- 7 Interview with a Chinese academic, July 2013.
- 8 Japan Coast Guards, <http://www.kaiho.mlit.go.jp/mission/kokusai/tounanajia.html>



- 9 The Nippon Foundation, <http://nippon.zaidan.info/kinenkan/history40/chapter1/002.html#5>; <http://nippon.zaidan.info/kinenkan/history30/1/1372.html>
- 10 <http://nippon.zaidan.info/kinenkan/history40/chapter1/003.html>
- 11 For example, in June 2003, Japan hosted a two-day summit conference of Coast Guard heads in Tokyo by inviting countries in the region.
- 12 Although the successful 2008 agreement with China regarding the establishment of the Joint Development Zone in the ECS (Chunxiao disputes) provided a framework for both countries to cooperate on resource exploitation in the area (Manicom, 2014: 156), the agreement was never practiced due to China's ignorance.
- 13 'Vietnam Squares off with China in Disputed Seas' [http://www.nytimes.com/2014/05/08/world/asia/philippines-detains-crew-of-chinese-fishing-vessel.html?\\_r=0](http://www.nytimes.com/2014/05/08/world/asia/philippines-detains-crew-of-chinese-fishing-vessel.html?_r=0)
- 14 China admitted a navigational error, which may be true or not.
- 15 See, Hatakeyama, Kyoko. 'Rare Earth and Japan: Traditional vulnerability reconsidered', in D Kiggins ed., *The Political Economy of Rare Earth Elements: Rising Powers and Technological Change*, Basingstoke: Palgrave Macmillan, 2015, pp. 43-61.
- 16 The dispute over the Senkaku islands is basically understood in terms of struggles in domestic politics, rather than concerns for natural resources or a territorial sovereignty (Deans, 2000:127-128).
- 17 Indonesia is a country that has suffered from a large number of attacks. Most of the attacks in 2014 occurred in Indonesia (100 attacks broke out near Indonesia with only 9 attacks occurring in the Malacca Strait).
- 18 *Yomiuri Shimbun*, 1 March 2016:1.
- 19 'South China Sea: Court rules in favor of Philippines over China', <http://edition.cnn.com/2016/07/12/asia/china-philippines-south-china-sea/index.html>
- 20 Japan Times, 'Abe to call for tribunal's South China Sea ruling to be respected at ASEM', <http://www.japantimes.co.jp/news/2016/07/14/national/politics-diplomacy/abe-call-tribunals-south-china-sea-ruling-respected-asem-summit/#.V44QSo9OKhx>

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