The Asia-Pacific Journal: Japan Focus
n-depth critical analysis of the forces shaping the Asia-Pacific...and the world.

Cold War Frontiers in the Asia-Pacific: The Troubling Legacy of the San Francisco Treaty

Kimie Hara

Cold War Frontiers in the Asia-Pacific: The Troubling Legacy of the San Francisco Treaty [1]

By Kimie HARA

In September 1951 Japan signed a peace treaty with 48 countries in San Francisco. This postwar peace treaty fell far short of settling outstanding issues at the end of the Pacific War or facilitating a clean start for the "postwar" period. Rather, various aspects of the settlement were left equivocal, and continue to have significant and worrisome implications for regional international relations. The treaty's handling of territorial disposition is a case in point. Close examination of treaty drafts reveals key links between the regional Cold War that was unfolding in 1951 and equivocal language about the designation of territory, which can be related to several contentious frontier problems in the contemporary Asia-Pacific. More than half a century later, the so-called Acheson Line and Containment Line still divide countries of the region, part of a legacy of unresolved problems. The global shift to the post-Cold War era does not negate the significance of the Cold War origins of these problems. In fact, it is appropriate to pinpoint their common origin and consider solutions in a multilateral context.

Prime Minister Yoshida Shigeru of Japan speaking at the San Francisco Peace Conference

The San Francisco Peace Treaty's Legacy of Unresolved Problems

The postwar Asia-Pacific has been plagued by numerous conflicts involving major regional players. These include the conflict over the divided Korean Peninsula, the cross-Taiwan Strait problem, and the sovereignty disputes over the Northern Territories/Southern Kuriles, Takeshima/Tokdo, the Senkaku/Diaoyu Islands, and the Spratly/Nansha Islands. These and other disputes, such as the Okinawa problem pivoting on the large US military presence in the region, are divisive issues that continue to stir conflict throughout the Asia-Pacific.

Japan's defeat in the Pacific War led to the dismantling of a vast empire acquired over the

previous half-century. In Article 2 of the San Francisco Peace Treaty, Japan renounced territories ranging from the Kurile Islands to Antarctica and from Micronesia to the Spratlys. The treaty did not specify to which country or government Japan renounced these territories, however; nor did it define their precise borders. This ambiguity would engender various unresolved problems throughout the region. [2] Previous studies have tended to treat these regional problems separately, or as unrelated, neglecting their common origin in postwar peace arrangements with Japan. [3] Examination of the treaty provisions, however, provides a means for grasping common features of numerous outstanding disputes, which continue to affect the regional security environment.

The wide-ranging and interconnected strands of the San Francisco treaty make it difficult to solve particular problems bilaterally, or through negotiations confined to the countries directly involved in disputes. In fact, many of the disputes may be irresolvable so long as they remain within bilateral frameworks. The Allies' documents—particularly those of the US, the main drafter of the treaty—are important sources for learning how these unresolved problems were created. The documents make clear that the regional Cold War, linkages among territorial disputes, and the disputes' origin in multilateral negotiations are critical aspects of all of the frontier problems.

Regional Cold War

Prior to the final draft of the San Francisco Peace Treaty, which was completed in 1951, six years after the war ended, several treaty drafts were prepared. As a whole, earlier US drafts were long and detailed, providing clear border demarcation. They not only delineated new Japanese borders, specifying latitude and longitude, but also indicated the names of small islands along these borders. Such an approach promised to minimize territorial conflicts in the future. However, the drafts went through various changes and eventually became shorter and "simpler." For example, early drafts specified that Takeshima/Tokdo (Liancourt Rocks in English) was Korean territory, then transferred ownership to Japan (1949), then omitted any designation of this area (1950). China was specified as the recipient of Taiwan for some time, but this designation also vanished (1950). Similarly, the USSR was initially specified as the recipient of the Kurile Islands, but this specification disappeared in the final stage of treaty drafting (1951).

The equivocal wording of the treaty was neither coincidence nor error; it followed careful deliberation and multiple revisions. Various issues were deliberately left unresolved due to the regional Cold War. Earlier drafts were, as a whole, based on US wartime studies and were consistent with the "punitive peace" plan and the Yalta spirit of inter-Allied cooperation. However, with the emergence of the Cold War in the immediate postwar years, Japan was given central status in the US Asia strategy, and the peace terms changed from punitive to generous as US strategic thinking focused on securing Japan within the Western bloc and assuring a long-term US military presence in Japan, particularly in Okinawa.

After the establishment of communist regimes in North Korea and mainland China, the so-called Acheson Line was proclaimed in January 1950. It included Japan and the Philippines in the US defense area of the western Pacific, but it left Taiwan and Korea outside, suggesting that the loss of these areas was considered acceptable. In June 1950, US policy toward Korea and China hardened with the outbreak of the Korean War; the US soon placed an embargo on China and met it on the battlefield in Korea. With war underway, the "Containment Line" was fixed at the 38th parallel in Korea and in the Taiwan Strait. In

response to the above events, drafts of the Japanese peace treaty were “simplified,” and intended recipients for Takeshima, Taiwan (Formosa), the Kuriles and other territories disappeared from the treaty’s text. In this way, the treaty sowed the seeds of future disputes.

As for the Spratlys, while Chinese possession was considered during US wartime preparations for a postwar settlement, final disposition was not specified in the peace treaty, not simply because rightful ownership was unclear, but in order to make sure that none of the islands would fall into the hands of China.

The territorial problem between Japan and China originally focused on Okinawa. Chiang Kai-shek’s Republic of China had expressed interest in “recovering” Okinawa, which had been occupied by the US military since 1945. However, Article 3 of the peace treaty neither specified Japanese renunciation nor recognized Japanese sovereignty over these islands; their final disposition was left equivocal. John Foster Dulles, who represented the US at the San Francisco Peace Conference in 1951, suggested Japanese possession of “residual sovereignty” over Okinawa. Nevertheless, he would threaten not to return the islands to Japan in his famous warning of 1956—delivered when his Japanese counterpart, Foreign Minister Shigemitsu Mamoru, was about to reach a compromise over the Northern Territories and sign a peace treaty with the USSR—thus showing how the US position could shift depending on political conditions. After the reversion of administrative rights in Okinawa to Japan in 1972, the focus of the sovereignty dispute shifted to the Senkakus. Meanwhile the US military retained its large stake in Okinawa, and problems associated with the bases continue to this day.

The territorial dispositions of the San Francisco Peace Treaty ultimately created regional Cold War frontiers in the Asia-Pacific, many of which remain intact. From north to southwest along the Acheson Line, territorial problems were left to be worked out between Japan and its communist (or partially communist) neighbors—the Northern Territories/Southern Kuriles with the USSR, Takeshima/Tokdo with a divided Korea, and Senkaku/Diaoyu with China/Taiwan. These problems lined up like wedges securing Japan in the Western bloc, or like walls dividing it from the communist sphere of influence. On the southwestern end of the Acheson Line, the Spratlys were left disputed between China and its Southeast Asian neighbors, including the Philippines and other claimants. Furthermore, the Containment Line came to be fixed along the 38th parallel and the Taiwan Strait, dividing Korea and China respectively to this day.

Except for the demise of the USSR, the regional Cold War bipolar structure essentially remains intact in the Asia-Pacific. In addition to the frontier problems, the communist and authoritarian regimes continue to exist and constitute potential threats to their neighbors. The US maintains its military presence through bilateral security arrangements, i.e., the so-called San Francisco Alliance System. US military withdrawal *(tettai)* from Okinawa became a nationwide issue in Japan in the mid-1990s, but it has somehow slipped into discussion of transfer *(iten)* of troops on and around the island. Tensions have relaxed at times, but, unlike in Europe, this has not resulted in the demolition of the Cold War structure. Instead, the remaining structure of the confrontation continues to produce tensions in the region.

Linkages Among Disputes

Japanese territorial issues were related to, or linked with, other territorial dispositions or political issues that were addressed in postwar occupation policy, in the peace treaty, or by

subsequent arrangement. Various linkages were in fact recognized in US government studies and negotiations with the other Allies prior to the peace conference. For example, the Northern Territories were used as a bargaining chip not only to secure US occupation of the southern half of the Korean Peninsula, but also to assure US trusteeship of Micronesia and US control of Okinawa. The UN resolution formula once emerged as a disposition plan for Korea, and affected disposition plans for Taiwan and the Kuriles. [4] That plan was dropped, however, when the Korean War developed to the disadvantage of the UN (i.e., US-led) side.

Differences emerged even among the Western Allies in their policies toward this region, which in turn affected the treaty. In particular, the US-UK differences over China deeply affected the Japanese peace settlement, including the disposition of Taiwan. China itself was ultimately not specified in the treaty. [5] This affected other decisions; most importantly, the treaty does not specify the final destination of any territories.

Multilateral Origins

Although the San Francisco Peace Treaty was signed between Japan and forty-eight other countries, there was no consensus among the states that would be directly involved in the great regional conflicts that ensued. In particular, states such as Korea, China and the USSR were not parties to the treaty. Countries such as Great Britain and France that did participate became “concerned states” with a stake in the disposal of the disputed territories.

The Taiwan Strait and the divided Korean Peninsula were international issues even before the peace treaty was signed, with the US playing a direct role as both occupying force and provider of aid and diplomatic backing for the Republic of China (ROC) and the Republic of Korea (ROK), led respectively by Chiang Kai-shek and Syngman Rhee, both of whom were eager to re-unify their countries. The outbreak of the Korean War in particular prompted vigorous US intervention, resulting in the international involvement desired by both Chiang and Rhee.

John Foster Dulles (left), William Sebald, head of SCAP's diplomatic section, and Yoshida Shigeru in Tokyo in spring 1951.

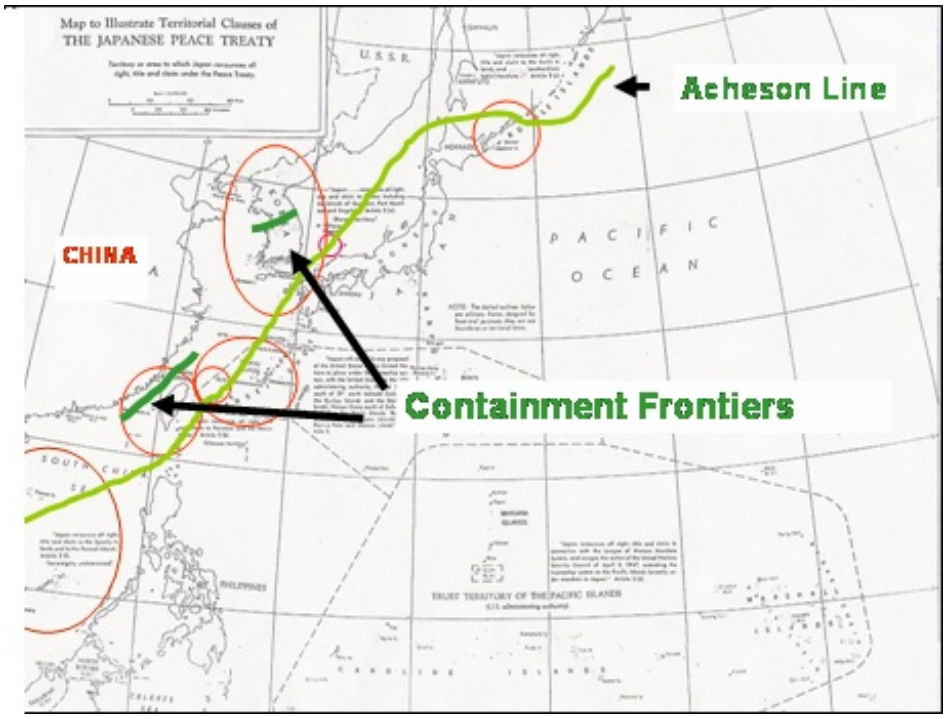
The US, together with the UK, finalized the treaty drafts by adopting certain ideas from other “concerned states.” For example, countries such as Canada—which became concerned about a possible accusation of unequal treatment of different territories—proposed not to specify the final devolution of any territory after the allocation of Taiwan (to China) vanished from the treaty drafts, while the recipient of the Kuriles (the USSR) was still specified. The eventual adoption of this proposal proved convenient for the US Cold War strategy as well, for example in preventing rapprochement among the countries of the region.

Thus the regional conflicts were created multilaterally, but left to be settled bilaterally or by

countries directly involved in the disputes.

History and the Future

More than half a century after the conclusion of the San Francisco Peace Treaty, the Acheson Line and the Containment Line still divide countries of the Asia-Pacific region, perpetuating a legacy of unresolved problems. The global shift to the post-Cold War era has not diminished the significance of the Cold War origins of these problems. So long as many of these issues are addressed exclusively within bilateral frameworks or frameworks confined to the countries directly involved in the disputes, they are likely to defy solution. It is worth remembering their common origin in the postwar peace settlements with Japan, and considering possible solutions that involve re-linking them in a multilateral context.



Such an approach could include a combination of mutual concessions involving more than one territorial dispute and/or the resolution of other unresolved problems. For example, linkage could be made among the conflicts over the Northern Territories/Southern Kuriles, Takeshima/Tokdo, Senkaku/Diaoyu, and the South China Sea islands. Also, it might be possible to link these problems with other political, economic, military, or non-conventional security agendas of the involved states, such as support for Japan's UN Security Council membership and economic and technical assistance for non-proliferation of nuclear weapons. As seen in their origins, these regional problems are mutually related. There would seem to be multiple possibilities for solution that have not yet been explored.

Kimie Hara is the Renison Research Professor in East Asian Studies and Associate Professor at the University of Waterloo, and a CIGI Fellow at the Centre for International Governance Innovation (CIGI), Canada. She is the author of Cold War Frontiers in the Asia-Pacific: Divided Territories in the San Francisco System *(Routledge, forthcoming 2006). A Japanese edition is also available:* Sanfuranshisuko heiwa joyaku no moten: ajia taiheiyo chiiki no reisen to "sengo mikaiketsu no shomondai" *(Keisui-sha, 2005). Posted at Japan Focus on September 4, 2006.*

NOTES

[1] The term “Asia-Pacific” in this article refers to the region on the Pacific side of the Eurasian Continent, i.e., the Western Pacific and/or East Asian side of the Pacific Rim, in contrast to the Euro-Atlantic region on the Atlantic side.

[2] The peace treaty left the status of Taiwan undecided, with options for its future including possession by the People’s Republic of China (PRC), possession by the Republic of China (ROC), or even independence. The treaty did stipulate Japanese recognition of Korean independence, but it did not specify to which government or state “Korea” was renounced. There was then, and is still, no state or country called Korea. Rather, there are two states, the Republic of Korea (ROK) in the south and the Democratic People’s Republic of Korea (DPRK) in the north. “Korea” was not a country name but a geographical area.

[3] Linkages among the various disputes appear to have been ignored for reasons such as limitations on access to materials—in many countries, official documents are generally closed to public scrutiny for at least thirty years—and the different ways in which the Cold War and certain disputes developed in the region. Furthermore, some of the problems (such as those involving the Senkakus and the Spratlys) received little attention until the disputes escalated, over issues such as natural resources or introduction of the United Nations Convention on Law of the Sea (UNCLOS). In the meantime, the common foundation of the disputes was forgotten. These frontier problems have never been examined in the larger context of the Cold War.

[4] The UN resolution formula concerning Japanese recognition of Korean independence was adopted in the August and September 1950 drafts. Because the Korean War was fought under UN auspices, to equate Korea’s future with a UN decision was undoubtedly advantageous to the US and its allies. Thus, “Korea” in this text meant the Republic of Korea. A similar approach was adopted to decide the future of Taiwan, the Kuriles and Southern Sakhalin in the same drafts.

[5] Britain soon recognized the People’s Republic of China, whereas the US continued to support Chiang Kai-shek’s Republic of China.