

Rethinking “Cooperation” : A reflection on security relations between Japan and South Korea

－日韓のセキュリティー関係における“協調”に関する一考察

Yukari Ito*
yito001@fiu.edu

Contents

1. Introduction:
2. Approach: The Insights of Constructivism(s)
3. The Peace and Stability in North East Asia and the Alliance
4. The Defense/Security Exchanges Between Japan and South Korea
5. The Issues of Fisheries and Takeshima/Tokto
6. The Rescue Missions at Sea
7. Conclusion:

Abstract

本研究では冷戦後における東アジアのセキュリティーに関する風景を考察するために、日本と韓国の協調行動を検討する。四つのケースとして、1)東アジアの平和と安定、2)日韓防衛協力、3)漁業と竹島・独島問題、と4)海上遭難救助活動における日韓の協調行動を、国際関係論において近年発展されたルール構築主義のアプローチに沿って分析する。これらのケースの分析によると日本と韓国の同意の内容がルールとして機能するに十分に両国がどのように行動するかを規定している場合には、例え両国に多分野での軋轢があっても協調行動は認められるが、そうでない場合には協調行動は必ずしも認められない。この結果が示唆することは、日韓におけるルール作りの重要性である。日本と韓国が曖昧に両国の協力や友好を標榜するよりも、両国がどのように既存の問題に対応したいのかを具体的に規定し、協調行動を積み重ねていくことが、日韓関係の発展、ひいては将来の東アジアの平和と繁栄に寄与するのではないかとと思われる。

* Florida International University Department of International Relations Ph.D Candidate

Key Words : 日韓關係 協調 룰-러플 구조주의 -security (Japan-South Korea relations, cooperation, rule-oriented constructivism, security)

1. Introduction:

The security landscapes of North East Asia in the Post-Cold War era are often described as challenging, uncertain and in constant flux. The rise of China; North Korea's nuclear/missile development; the historical and territorial disputes between Japan and South Korea; and the territorial disputes over the South/East Sea (which involve not only China, Japan, and South Korea, but many other South East Asian states as well), are all often cited as possible sources of future conflicts in the region. Traditionally, the United States' presence is considered to be one of the major deterrents of severe military conflict in North East Asian region, and the United States' military presence is considered to have contributed to the prevention of war between North and South Korea or China and Taiwan. Additionally, it is considered to be likely that the United States' presence in the region has also retarded the escalation of Japan's military built-up, thereby preventing a regional arms race. Because of this emphasis on the United States' role in the region, the analyses of security in North East Asia (especially in United States academic literature) focuses on the bilateral relations of the U.S. and other states – hardly examining the implications of Japan-South Korea relations. In order to explore the implications of Japan-South Korea relations in North East Asia, this study examines the interactions between Japan and South Korea on several issues, such as: the peace and stability of North East Asia; the issue of defense/security exchanges; the Tokto/Takeshima issue; and the safety/security issues at sea.

2. Approach: The Insights of Constructivism(s)

From the perspective of Realists, the future of North East Asia depends mainly on the two great powers, such as the U.S. and China. On the other hand, Neo-liberalists – and Institutional Liberalists – argue that the creation of regional institutions will help to deter and resolve many of the issues which are of great concern in North East Asia. Yet, an analysis on the possible regional institutions in North East Asia acknowledges that the mistrust and tensions between North East Asian states will make creating such institutions particularly difficult – very specifically, the mistrust that many states hold for Japan is generally considered to be a key issue that hinders the creation of cooperative environments in the region. However, while this analysis does explain the patterns of confrontations and conflicts, the key factors still remain super-power politics, such as those among the former Soviet Union, modern-day U.S. or China. Thus, these analyses implicitly deny the agency of Japan and South Korea, or the ability of their relationships to shape the landscapes of North East Asia.

Recent developments in Constructivist approaches in the discipline of International Relations (IR) focus more on the constitutive nature of agents and structures, and provide insights how to study international relations from a new perspective. Thus, Constructivism(s) claim that structure and agency are co-constitutive. According to Klotz, and Lynch (2007), the approach of Constructivism(s) can be summarized as follows: first, stressing that the continuities and changes in international structure brought by states as agents, Constructivism(s) challenges the notions of anarchy that perpetuate the conflictive nature of international politics, as realism(s) presume; second, Constructivism(s) challenges the

notion of states as rational actors that assume the given nature of interests and identities. Alternatively, Constructivism(s) emphasize the centrality of agency that is constructed in social and historical contexts (p.3); and finally, that international structure does not mean the distribution of material capabilities as Realist(s) posit, but rather, are constructed by stable meanings that are shared by agents (p.24). While sharing these basic assumptions, Constructivism(s) have different flavors, just like Realism(s) and Neo-liberalism(s). For example, there are three major proponents of Constructivism(s) in IR: Alexander Wendt, Friedrich Kratochwill and Nicholas Onuf (Zehfuss, 2002). Alexander Wendt challenges the inevitability of war and conflict by deconstructing the notion of anarchy, which Realism(s) and Neo-liberalism(s) consider to be the fundamental international structure that brews conflicts among states, since there is no authority above states to regulate or control their behaviors. By contrast, in his seminal work published in 1999, "Social Theory of International Politics" Wendt argues that the anarchy can be explained differently based on the different meanings that states construct through their interactions with others. Thus, if the relations among states are cooperative, like the EU sets out to be, then conflicts are not inherently inevitable (Wendt, 1999). Wendt successfully provides the possibility of different international landscapes; however, how and why states might challenge the notion of anarchy requires further empirical research. In addition, when considering empirical observations, the relations between Japan and South Korea seem to be a mixture of confrontation, competition and cooperation; therefore, deriving a conclusion from the Wendt's approach might not be very useful.

Alternatively, Frederick Kratochwill focuses on the states as actors that change the "the rules and norms constitutive of international

interaction" (Kratochwill and Koslowski, 1994, p.216). Kratochwill starts from existing international norms and rules, and traces how the beliefs and identities of domestic actors change as a result of interactions between the international and domestic levels. In the article "Understanding Change in International Politics: The Soviet Empire's Demise and the International System" co-authored by Rey Koslowski, they examine the case of Soviet Union focusing on the Brezhnev doctrine and Perestroika. The authors argue that resultant domestic changes of these Soviet policies ended the Cold War. (Kratochwill and Koslowski, 1994). Kratochwill, nevertheless, emphasizes the roles of the actors. Nicholas Onuf also explores ways of understanding the constitutive nature of structure/society and agents/people by introducing the concept of rules and rule. According to Onuf (1998), states make rule, but rule also guides the behavior of states. This statement may not be too different from the institutional or regime theories, since international law or international institutions are created by states, and then coordinate the behavior of states. Yet, these theories cannot explain when and why these rules succeed – or fail – to achieve the intended of creation of said institutions or rules. On this account, Onuf would rather see the concept of rule that helps us to understand the everyday practices of states. States make rule, and rule guides the behavior of states, but also give options when working towards the achievement of goals for each state. On this process, Onuf (1998) states that those choices made by each state often affect them, and others, in the ways the agents did not intended. Onuf states that "unintended consequences frequently form stable patterns with respect to their effect on agents," and sometimes the agents accept them, or while other times the agents try to change them, which also generates different kinds of unintended consequences (Onuf, 1998, p. 61). Thus, conflict or cooperation

as a result of the behavior of states may or may not always be intended. This understanding of states' behavior is helpful in understanding the implications of Japan-South Korea relations. Since Japan and South Korea have tried to construct amicable relations, be it friendship or partnership, the results of various political, economic, cultural interactions and exchanges are mixed and cannot be well described. Rather than testing the efficacy of those attempts, this study explores the consequences of those attempts – specifically, interactions on several issues where cooperation has been encouraged.

3. The Peace and Stability in North East Asia and the Alliance

Cooperation between Japan and South Korea has been implicitly and explicitly encouraged, especially by the U.S. At the end of WWII, the U.S., the most powerful actor among the Allied Forces, believed that the demilitarization of Japan was a key element in reestablishing peace in North East Asia. Thus, the Potsdam Declaration of July 26, 1945 stated that Japan's military would be dismantled, and rearmament for war would be prohibited. Japan eventually accepted this declaration, and created an institution (the Constitution of Japan) that prohibits the possession of military forces. Korea was liberalized, and yet the Soviet Union and the U.S. soon came to rule the peninsula. The end of WWII was also the beginning of the Cold War, and the U.S. decided to create an anti-communist regime in North East Asia (Katzenstein, 2005). The U.S. had to foster the quick recovery of Japan, so that the communist regime would not establish a hold on it. For the same reason, the U.S.

formed a strong alliance with Japan, just as it did with South Korea after the Korean War.

While the U.S. promoted the economic recovery of Japan and South Korea through various forms of aid, the efficient management of this anti-communist regime became a major issue. As a solution, the U.S. urged Japan to share the costs, and contribute to the recovery of South Korea. Under pressure, Japan and South Korea agreed on the reestablishment of diplomatic relations. Throughout the Cold War, cooperation between Japan and South Korea for the sake of peace and stability in North East Asian region meant the maintenance and strengthening of the anti-communist regime via a maintained alliance with the U.S.

As a result, Japan provided various forms of economic aid to South Korea, and implied its willingness to contribute to U.S. military operations if a new Korean War began. Both Japan and South Korea agreed on the significance of the United States' presence in Asia, and maintenance of the U.S. alliance became a rule that guided the behavior of both states. Undoubtedly, both Japan and South Korea contributed to the status-quo by maintaining the United States' commitment to the region via various policies. However, the end result was a mixture of cooperation and confrontation.

After the Cold War, Japan and South Korea reaffirmed the significance of the U.S. presence in Asia, despite the disappearance of a direct threat from the Soviet Union. The United States' concern about the costs of maintenance of the alliances also persists, and Congress demanded a reduction of military outside of the U.S. Partially because of the bitter economic frictions between Japan and the U.S., the United States Congress brought up the possible withdrawal of its military from Japan if economic disputes could not be resolved. The U.S. Congress

also proposed gradual reductions of the U.S. military in South Korea (Rosenthal, 1989). In 1990, the U.S. visited South Korea, and both agreed to reduce the numbers of U.S. military personnel (Times, 1990).

The United States' plan to reduce its military forces in Japan and South Korea had been intensively discussed, but Joseph Nye reaffirmed the United States' commitment to Asia, since he thought that a U.S. withdrawal from Asia would necessitate a Japanese military buildup, which could, in turn, cause an arms race in North East Asia. As a result, Japan released the "Japan-U.S. Joint Declaration on Security, Alliance for the 21st Century" in 1996, which stated that the maintenance of a strong U.S.-Japan security alliance was imperative. Japan strengthened the security alliance with the U.S. partially because of the North Korean nuclear crisis; and the United States' commitment to South Korea held strong as well (Olsen, 2000). The efficacy of the U.S. alliance has been heavily discussed since 2002 in South Korea, and the U.S. and South Korea have continued to reassert the importance of the alliance. In 2006, the Japan-U.S.-South Korea summit meeting was held, and Prime Minister Abe, President Bush and President Roh Moo-Hyun discussed general security issues in North East Asia. Japan, the U.S. and South Korea reaffirmed the importance of the United States' commitment to Asia for the continued peace and prosperity of Asia. It was also declared that cooperation would be necessary in order to resolve North Korea nuclear and abduction issues (Ministry of Foreign Affairs of Japan, 2006). Although the security alliance with the U.S. raised many objections within Japan and South Korea, both had no choice but to maintain and strengthen their security ties with the U.S. in order to keep peace and stability in the region.

However, just as during the Cold War, the maintenance of the alliance did not necessitate any specific interactions between Japan and

South Korea, and all some interaction had varied consequences, even some unintentional ones. The normalization of Japan–South Korea relations is still a source of friction and controversy, and Japan’s cooperation with South Korea resulted in strained relations with North Korea. It is tempting to argue that this kind of cooperation was inherently meant to please the U.S., and resulted in the formulations of policies that focused on other goals (such as economic gains of Japan, or economic and military glows of South Korea,) but these policies did not improve the everyday lives of people, and that in turn caused more friction between Japan and South Korea. The rule that mandated the maintenance of the alliance did not specifically guide Japan and South Korea in the ways they should go about it, and therefore, the resulting behaviors were hasty. Yet, it is questionable if these types of cooperation between Japan and South Korea were inevitable due to the alliance politics. Therefore, this analysis suggests rather that although Japan and South Korea share interests in the peace and stability of North East Asia, as well as maintaining the alliance with U.S., these goals did not generate any specific rules regarding how Japan and South Korea should be cooperative with each other.

4. The Defense/Security Exchanges Between Japan and South Korea

Cooperation between Japan and South Korea has been encouraged within the multiframework, such as the U.S. alliance, the Six-Party Talk for North Korean Nuclear issues, and the ASEAN plus three, but Japan and South Korea have shown their own will to construct

amicable relations between each other. Among the steps that they took to achieve such a goal, one in particular, the defense/security cooperation between Japan and South Korea is examined here.

In 1998, the Japan–Republic of Korea Joint Declaration: A New Japan–Republic of Korea Partnership towards the Twenty–first century was agreed upon between Japan and South Korea. In this declaration, the enhancement of security and political, economic, personnel, and cultural cooperation was proposed (Ministry of Foreign Affairs of Japan, 1998). According to this declaration, Japan and South Korea were to make efforts to culminate the partnership based on genuine and deep mutual understandings. This declaration does tell the states and actors at various levels to interact with each other, but how each should interact is not specified, and is in fact vague. Nevertheless, both states behaved based on this rule, and various programs have been initiated. The security/defense exchanges such as the visit of defense Director /General, secretary, and chairman, that tried to encourage dialogue between the two nations by the partnership declaration suggests more than mere information exchanges. Also, the joint actions between Japanese Self Defense Forces (JSDF), and National Armies of South Korea were introduced.

In 1995, the communication system aimed at the prevention of accidental traffic collision at air, or any other confusion during any state of emergency was established. According to Manosevitz (2003), this mechanism is very common for states that share air spaces, and the functions are limited to the prevention of accidents between Air Forces. In addition to this communication system, the hotlines between each military headquarters were established, which allows the military to contact each other both directly and swiftly (Cossa, 2000). The naval communication system was established between Japan and South Korea

so that both states do not always have to rely on information from the U.S. Yet, this system is also limited to being able to prevent any accidents. Thus, Manosevitz (2003) says that these actual defense cooperation measures are merely exchanges of information between the two nations without any specific security/defense actions that were to be taken.

The declaration also encouraged exchanges at various levels of each nation's military. According to a document, "the implementations of regular consultations with other countries", released by the Japan Ministry of Defense in 2002, the fleet of Japan visited South Korea in 1996, 1998, 1999, and 2002, while the fleet of South Korea visited Japan in 1994, 1996, 1998, 1999, 2001, and 2002. The musical bands of both militaries also visited each other. These exchanges were conducted even before 1998, but those programs were also situated in the context of culminating a friendship. According to the record as of 2002, the joint training between Japan and South Korea were held once in 1999, and three times in 2002, however, these trainings were not for specific security/defense purposes, but for the search and rescue activities at sea. Therefore, I will revisit these exchanges in later sections.

The Director/General Level Security dialogue was also held for the first time in 1998, and was decided to be made annually. This security dialogue was stopped in 2003, and was then held again in 2007 and 2008. In 2009, the Ministry of Defense of Japan, and the Ministry of National Defense of South Korea released the agreement that provided the future plan for further facilitation of defense exchanges between the two countries. Both ministries agreed to facilitate exchanges at various levels including the high-level officials, working-level officials, the military unites level, as well as between the defense education institutions. The facilitation of cooperation on United Nations Peace-Keeping Operations,

International Emergency Aid activities, and the humanitarian missions for reconstruction are stated (Japan Ministry of Defense, 2008).

Those data indicates an increased opportunity for Japan and South Korea at military level to exchange information and their own views. The establishment of a hotline, along with the communication system between both Navy and both Air Force(s) will contribute to generating positive consequences such as avoiding frictions stemming from accidents. On the other hand, the consequences of these exchanges are not very clear. It may be too early to draw definitive conclusions since these exchanges are not always publicly open, therefore, observations of actual interactions cannot be performed. Yet, one could wonder if these increased exchanges resulted in the increased commitment of Japan to the defense of South Korea in the case of conflicts. Possibly, the direct interactions culminate a mutual empathy, and military of South Korea or Japan might strongly insist on rescuing each other should one of them was to become involved in military conflicts. Still, at least Japan continues to maintain the position that the situation in the surrounding area stated in the new guideline does not refer to geographical location, therefore, the commitment to the defense of South Korea does not seem to be strengthened. Indeed, the vocabulary describing relations between Japan and South Korea, be it friend, or partnership, cannot perform as the rule without specifically defining the meaning of them. Therefore, attempts to facilitate cooperation through various exchanges/interactions are not very helpful for trying to understand the possible cooperation between Japan and South Korea.

5. The Issues of Fisheries and Takeshima/Tokto

Another case to be examined here is the issue of Takeshima/Tokto. The territorial disputes over the Takeshima/Tokto issue are often considered to be the possible sources of conflict or friction between Japan and South Korea. These disputes were already recognized during the process of negotiation over normalization of diplomatic relations. In 1952, South Korea declared the maritime sovereignty and drew the line called the “Peace-Line” by South Korea, and the “Lee-Syngman Line” by Japan as territorial boundaries on the sea between Japan and South Korea. South Korea claimed the exclusive fishery zone within 200 miles from its off shore that includes Takeshima/Tokto (Ducke, 2002). Japan was concerned over the issue since numerous Japanese fishery vessels were detained by South Korea within these areas (Togo, 2005). This issue was negotiated in the process of the normalization of diplomatic relations; however, the territorial dispute was not resolved. Regarding the fishery zones, Japan and South Korea agreed upon the areas outside of 12 miles from their off shore as a joint zone, wherein nationals and vessels were to be governed by the states which they belong to (Togo, 2005). Yet, South Korea has maintained the de-fact control over the Takeshima/Tokto as well as its surrounding water.

The disputes over the ownership of the islet which Japan calls Takeshima, and South Korea calls Tokto, pursue a parallel track since both countries strongly hold the validity of their claim. Thus, neither Japan nor South Korea expressed a will to resolve the issue cooperatively. Instead each strongly insisted its own view.

This deadlocked confrontation revealed a new development, along with the United Nations Convention on the Law of the Sea (UNCLS)

established in 1982, and was finally entered into forces in 1994. Both Japan and South Korea signed it in 1983, and ratified it in 1996 (The United Nations, 2009). The intentions of Japan and South Korea's agreement on this international law were not specifically for resolving this Takeshima/Tokto issue because the purpose of the UNCLS is broad and general. The preamble of UNCLS states that:

Recognizing the desirability of establishing through this Convention, with due regard for the sovereignty of all States, a legal order for the seas and oceans which will facilitate international communication, and will promote the peaceful uses of the seas and oceans, the equitable and efficient utilization of their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment,

Thus, the UNCLS provides legal provisions that promote peace in seas and oceans, encourage efficient uses of resources, and protection of environmental resources. At the same time, the UNCLS also specifically sets a rule regarding the governance on the sea. Thus, the UNCLS encourages party states to establish a provisional zone in the following manner stipulated in Article 74,

Pending agreement as provided for in paragraph 1, the States concerned, in a spirit of understanding and cooperation, shall make every effort to enter into provisional arrangements of a practical nature and, during this transitional period, not to jeopardize or hamper the reaching of the final agreement. Such arrangements shall be without prejudice to the final delimitation.

Due to this provision, Japan and South Korea, as well as other related states, must cooperate to resolve the issue regarding control of the sea.

As a result, the Exclusive Economic Zones (EEZs) were established. However, the EEZs overlapped the area around the Takeshima/Tokto, and Japan and South Korea started negotiation regarding fishery areas. In 1999, the new agreement on fisheries between Japan and Korea entered into force. This new agreement newly set up the joint fishery areas around Takeshima/Tokto as well as in the East China Sea. The joint fishery area around Takeshima/Tokto is called the intermediate zone by South Korea, while the provisional zone by Japan (Lee and Park, 2007). Japan recognizes this intermediate/provisional zone as equivalent to the joint fishery area in the East China Sea, and thus it should be governed jointly by the relevant states. On the other hand, South Korea opposes that idea since Takeshima/Tokto is its territory (Lee and Park, 2007). Within this intermediate/provisional zone, both Japanese and Korean nationals and vessels can engage in fishing activities. The principle of flag state jurisdiction is applied to this intermediate/provisional zone, and each party will ensure its nationals and vessels in order to follow the agreement. At the same time, the Japan-Korea Joint Fishery Committee was established. When one of the parties finds the violations of the agreements by the nationals or vessels of the other party, the situation will consult with Japan-Korea Joint Fishery Committee (Park, 2000). Japan-Korea Joint Fishery Committee provides recommendations for the use of resources in this zone. Meanwhile, South Korea still maintains de-fact control over the Takeshima/Tokto and surrounding water, and reportedly Japanese fishing vessels cannot access to this area partially because all fishing zones are already occupied by South Koreans.

This settlement on the joint fishery areas does not resolve the territorial disputes over Japan and South Korea, since the UNCLS does not connect the claim on the fishery zones and to the claim on

sovereignty. However, cooperative behaviors as a result of agreeing upon the rules provided by the UNCLS can be recognized. For example, the cooperation on the possible joint research at the surrounding area of Takeshima/Tokto has already been negotiated. In 2006, Japan had to give up the research on the seabed, including the surrounding area of Takeshima/Dokto, due to the strong opposition from South Korea, though South Korea later conducted its own research on ocean current in the same area despite the opposition from Japan. However, regarding the research on the effects of the U.S. nuclear vessels on the sea, both Japan and South Korea agreed upon conducting a joint research after diplomatic negotiation (Japan Coast Guard, 2008). This example shows that cooperation can come about as an unintended consequence of abiding by an international law. It should be noted too, that cooperation does not have to be harmonious, but rather refers to the situations where Japan and South Korea can agree upon opening up space for interactions and exchanges in order to resolve issues.

6. The Rescue Missions at Sea

This final section examines the case of cooperation between Japan and South Korea on search and rescue missions at sea. As mentioned in the case of defense/security cooperation, the actual cooperative acts take place for this issue. These practices are also encouraged by the International Convention on Maritime Search and Rescue, which was entered into force in 1985 (ICMSR). Unlike the UNCLS, the purpose of the ICMSR is relatively straight forward. As the preamble states, the purpose is “to promote co-operation among search and rescue organizations around the world and among those participating in search and

rescue operations at sea" (International Maritime Organization, 1979). The ICMSR encourages the party states to establish cooperative frameworks for rescuing missions. The cooperation between Japan and South Korea started in 1990 when Japan and South Korea agreed upon the bilateral search and rescue missions. South Korea ratified this treaty 1995, and the cooperation between the two has been strengthened. In 1999, Japanese and South Korean Coast Guards conducted joint rescue operation at sea for the first time. Japanese and South Korean Navies also participated in this operation. Similar operations were conducted in 1998, 1999, and 2002. In 2005, both countries conducted the joint operations for the case of terrorism on the seas (Japan Ministry of Defense, 2002). In 2007, they also conducted the joint exercises for rescue operations in the sea, including the aerial activities. In 2008, a fire started on a Korean Vessel for crabs named "101 Dong-Fun", and was rescued by the Japan Coastal Guard (Fishery Agency of Japan, 2006).

In this case, the cooperation between Japan and South Korea can be considered to be an expected result of the ratification of the ICMSR. However, Japan and South Korea already started coordinating the efforts on rescue and search missions at sea before South Korea ratified the ICMSR. Since some international treaties are created by codifying existing norms or customary rules of laws, the ratification does not have to be a critical factor in recognizing a rule between states. This case suggests that cooperation between states does not have to rely on the precedent set by international treaties. Instead, one can also rely on the specifications of the rule as well, and that obligation can serve as guidance for states wishing to coordinate behaviors. Therefore, without relying on international treaties, as long as two states make a specific rule that guides behavior, cooperation is very much possible.

7. Conclusion:

Contrary to the existing analyses that focus mainly on finding factors that either promote or infringe cooperation such as the pressure from the United States, or the shared interests between Japan and South Korea, this analysis explored an alternative understanding of the cooperation through the above four cases.

The issue of peace and stability in North East Asia demonstrates that the mere existence of shared interests will not always bring about cooperative behavior from states. The case of defense/security exchanges showed that even Japan and South Korea can agree upon making a new rule, such as their partnership, and have already tried to make it happen through several programs. The results, however, have been mixed at best, considering the general perception of the deterioration of relations between Japan and South Korea in the middle of the 2000s. On the other hand, the issues of fisheries and Takeshima /Tokto show that cooperation can have unintended consequences, such as those which result from the ratification of the UNCLS. Although the territorial disputes are not yet settled, the fact that Japan and South Korea cooperatively established the provisional/intermediate zone around the Takeshima/Tokto area should not be overlooked. Finally, the issue of rescue and search missions showed that as long as the two states agree upon a rule, cooperative behavior can be recognized. Overall, it seems that Japan and South Korea are carefully avoiding any possible intended/unintended military conflicts by maintaining an alliance, establishing the communication systems between the militaries, and maintaining negotiations regarding fishing zones around Takeshima /Tokto. At the same time, on-going and planned cooperation for the

search and rescue missions, anti-terrorism, and the UN peace keeping operations suggest that both states are also willing to cooperate outside of traditional security concerns.

These cases also suggest the importance of the rule making process. The rule in the first two cases is vaguely defined, and there is no specific obligation to be fulfilled. The making of a partnership, for example, is an agreement between Japan and South Korea, but there is no specification regarding the obligations Japan and South Korea must do in order to follow the rule. On the other hand, the rule(s) in the last two cases are relatively specific. For example, the ICMSL clearly states that the cooperation among states is important to conduct rescue missions at sea. Therefore, the specification of the rule will be one way to promote cooperation. At the same time, there are always unintended consequences, good or bad. Thus, upon making a rule, the possible ramifications not only at the state level, but also at the societal and individual levels should be fully considered. These analyses are far from comprehensive, so it is impossible to provide any generalized patterns. That having been said, this study suggests that by introducing the insights of constructivism, and focusing on how rule performs, one can find an alternative path towards the understanding of the practices of states and the phenomenon of cooperation. Therefore, further study on this topic will be helpful in order to develop better relations between Japan and South Korea, which can contribute helping to deal with the various security issues in North East Asia, as both states wish to do.

Author's Note: I would like to thank three anonymous reviewers.

参考文献

日本国内

- Fishery Agency of Japan. (2006, Dec 25). The Report on the Rescue of Korean Vessel for Crabs. [水産省境港漁業調整委員会、韓国かに籠漁船の乗組員救助について] http://www.jfa.maff.go.jp/sakaiminato/press/kantoku/pdf/H18_12_25_kyujo.pdf, 2009 May 20.
- Japan Coast Guard (2008) Japan Coast Guard Annual Report 2008. <http://www.kaiho.mlit.go.jp/info/books/report2008/tokushu/p022.html>, 2009 May 15.
- Japan Ministry of Defense. (2002, Dec). The Implementations of regular consultations with other countries. [諸外国との定期的な協議の実施状況] <http://www.mod.go.jp/j/info/hyouka/14/sogo/sankou/03.pdf>, 2009 May 16.
- Japan Ministry of Defense. (2009, April 23). The Document Expressing the Intention on Defense Exchanges between Japan Ministry of Defense, and South Korea Ministry of National Defense.
- [日本国防省と大韓民国国防部との間の防衛交流に関する意図表明書] <http://www.mod.go.jp/j/news/youjin/2009/04/23a.html>, 2009 May 20.
- Ministry of Foreign Affairs of Japan. (1998, Oct 8) The Japan–Republic of Korea Joint Declaration. <http://www.mofa.go.jp/region/asia-paci/korea/join9810.html>, 2009 May 16.
- Ministry of Foreign Affairs of Japan. (2006, Nov 27). Japan–U.S. Summit Meeting and Japan–U.S.–ROK Summit. <http://www.mofa.go.jp/region/n-america/us/summit0611.html>, 2009 May 20.
- Potsdam Declaration (1945, July 26), retrieved from <http://www.ioc.u-tokyo.ac.jp/~worldjpn/index.html>, 2009 May 1.

日本国外 (韓国以外)

- Cossa, Ralph, A. (2000). US–ROK–Japan: Why a “Virtual Alliance” Makes Sense. The Korean Journal of Defense Analysis, Vol XII, No.1 summer. pp.67–86.
- Ducke, Isa. (2002). *Status power: Japanese foreign policy making toward Korea*. New York: Routledge. See p.112.
- International Maritime Organization. International Convention on Maritime Search and Rescue, 1979. Retrieved from <http://www.admiraltylawguide.com/conven/searchrescue1979.html>

- Katzenstein, Peter J. (2005). *A world of regions: Asia and Europe in the American imperium*. Cornell University Press, pp.43-75
- Klotz, Audie & Lynch, Cecelia. (2007). *Strategies for Research in Constructivist International Relations*. M.E. Sharp, Inc, pp.3-64
- Kratochwill, Frederick. & Koslowski, Rey. (1994). Understanding Change in International Politics: The Soviet Empire's Demise and the International System. *International Organization*. 48(2), pp.215-247
- Lee, Chanho, & Park, Chanho (2007). Joint Marine Scientific Research in Intermediate/Provisional Zones between Korea and Japan. Science Council of Asia: Seventh Conference. Social Council of Asia Joint Project Workshop D: International Cooperation on Securing the Ocean in Asia-Transportation and Disposal of Radio. Active Materials at Sea. http://www.scj.go.jp/en/sca/pdf/7th_weenpark.pdf , 2009 May 15.
- Manosevitz, Jason, U. (2003). Japan and South Korea: Security Relations Reach Adolescence. *Asian Survey*, 43(5), pp.801-825
- Olsen, Edward A (Spring 2000). U.S. Security Policy and the Two Koreas. *World Affairs*, 162, 4. p.150. Retrieved May 18, 2009.
- Onuf, Greenwood, Nicholas. (1998) Constructivism: A User's Manual. In Kubálková, V., Onuf, N. G., & Kowert, P. *International relations in a constructed world*. M.E. Sharpe. p. 58-78
- Park, Hful-Gwfon. (2000). *The Law of the Sea and Northeast Asia: A challenge for cooperation*. Kluwer Law International, pp.13-72
- Rosenthal, Andrew. (1989, July 30) Final Senate Prods Bush and Allies on Sharing Burden. *The New York Times*. Page 27, Column 1.
- The United Nations. United Nations Convention on the Law of the Sea. Retrieved from http://www.un.org/Depts/los/convention_agreements/texts/unclos/closindx.htm, May 20, 2009.
- The United Nations. (2009, Feb) Status of the United Nation Convention on the Law of the Sea. http://www.un.org/Depts/los/reference_files/status2008.pdf, May 20 2009.
- Times, Special to The New York. (1990, February 16). Seoul agrees on withdrawal of some troops. p. 7.
- Tōgō, Kazuhiko. (2005). *Japan's foreign policy 1945-2003: The quest for a proactive policy*. Leiden. p. 158

Wendt, Alexander. (1999). *Social theory of international politics*. Cambridge University Press, pp.139-312

Zehfuss, Maja. (2002). *Constructivism in international relations: The politics of reality*. Cambridge University Press, pp.1-33

❖ 투고일 : 2009. 6. 30

❖ 심사일 : 2009. 7. 16

❖ 심사완료일 : 2009. 7. 28