

## *The Dokdo/Takeshima Controversy between Korea and Japan – A Critique of the Ten Issues of Takeshima by the Ministry of Foreign Affairs of Japan*

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(Seoul: Chaeksarang Publishing, 2009)

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On July 14, 2008, the Ministry of Foreign Affairs of Japan declared, “It is necessary to deepen our understanding of Takeshima as part of the country’s territory, like the Northern Territory [i.e. Kuril Islands],” in the educational curriculum guidebook for middle school students. It showed the Japanese government’s intention to teach young students that Takeshima is a Japanese territory both historically and from the perspective an international law and that Korea has occupied it illegally. The author of the book under review (“the author”) says that “he intends to shed light on the issue in detail in this book,” expressing his concern about the Japanese government’s intention to provide a distorted view of Dokdo/Takeshima in educational materials destined for middle school students.

In particular, the author expresses his concern about the “Ten Points for the Resolution of the Takeshima Issue” released in the form of a pamphlet by the Northeast Asian Affairs Department of the Asian and Oceanian Affairs Bureau in the Ministry of Foreign Affairs of Japan (“MOFA”) in February 2008. He uses the following expressions in the book: “It is expected that the pamphlet will be used by teachers at

school.... However, the pamphlet is an extremely outrageous publication devoid of substance.... It does not contain any cogent arguments for 'Japan's inherent territory'.... I have no doubt about its being a critical mistake made about such an important issue....Such a pamphlet should not be used as the MOFA's official view.... As long as the Japanese government insists that Takeshima (Dokdo) is a Japanese territory, it will be necessary above all else to present a basis that can be accepted by others.... I hope that this book can provide clues to (resolving) the problem...." He asks that reasonable arguments should be made and that the problematic ones be withdrawn. In his book, the author does not say that Takeshima (Dokdo) is not a Japanese territory, but it appears that he clearly thinks that it cannot be a Japanese territory.

Naito Seichu [内藤正中] is an 82-year-old Japanese historian. As a conscientious historian who has studied the history of Dokdo, he appears to think that the Japanese government's unreasonable political behavior should not be overlooked any longer for the sake of his country's future, as such distortion of historical facts will only cause disputes with neighboring countries.

His book criticizes the fallacy of the MOFA's "Ten Points" as follows: "The Japanese government has consistently expressed its view [about Dokdo] through the MOFA's website and this is the first publication it has released.... Concerning the MOFA's release of such a publication, I welcome it, as the content of a website does not serve any purpose as a record, although I regret that it is very insincere and outrageous as a historical record.... The Japanese government's basic position about Takeshima (Dokdo) has never changed. It has always been that: Takeshima is clearly Japan's inherent territory in light of the historical facts and international law. However, it has nothing to support the claim in the way of historical facts...." (pp.12-13). The Dokdo issue is a historical issue and this book contains the author's view as a historian about the historical sovereignty over Dokdo based on clear existing evidence.

The MOFA's Ten Points are as follows:

1. Japan has long recognized the existence of Takeshima.
2. There is no evidence that the ROK has long recognized the existence of Takeshima.
3. Japan used Takeshima as a stopover port en route to Utsuryo Island (Ulleungdo) and as fishing ground. It thus established its sovereignty over Takeshima by the mid 17th century at the very latest.
4. At the end of the 17th century, Japan prohibited passage of ships to Utsuryo Island, but not to Takeshima.
5. The deposition by Ahn Yong-bok, on which the ROK side bases its claim, contains many points that conflict with factual evidence.
6. Japan reaffirmed its intention to claim sovereignty over Takeshima by incorporating Takeshima into Shimane Prefecture in 1905.
7. In the drafting process of the Treaty of Peace with Japan, the United States rejected the request by the ROK that Takeshima be added to the relevant article of the treaty as one of the areas that Japan would renounce, asserting that Takeshima had been under the jurisdiction of Japan.
8. In 1952, Takeshima was designated as one of the areas for maritime exercises and training for the U.S. Forces stationed in Japan, which shows that Takeshima was treated as part of the territory of Japan.
9. The ROK is illegally occupying Takeshima, against which Japan has been consistently making strong protests.
10. Although Japan proposed to the ROK that the dispute over Takeshima be referred to the International Court of Justice, the ROK rejected this proposal.

And here are the criticisms made by Naito Seichu on the MOFA's outrageous view about Dokdo as expressed in the "Ten Points":

• Point 1

“Japan has long recognized the existence of Takeshima.” → Is that true?

The author points out that none of the records, including the following, stated in the MOFA’s pamphlet mark “Takeshima [竹島]” (the old Japanese name of Ulleungdo when the records were published) and “Matsushima [松島]” (the old Japanese name of Dokdo at that time) as Japanese territory: *Kaisei Nippon Yochi Rotei Zenzu* [改正日本輿地路程全圖, Revised Complete Map of Japanese Lands and Roads] (1779); *Onshu Shicho Goki* [隱州視聽合紀, Records on Observations on Oki] (1667); *Sangoku Tsuran Zusetsu* [三國通覽圖說, Overview of Three Countries] produced by Hayashi Shihei [林子平]; Officially-compiled Actually-surveyed Map of Japan [官版 實測日本地圖] (1867), which is the only officially-compiled map of the Edo Period of Japan. Although the MOFA’s pamphlet states that “there are many maps marking Ulleungdo and Takeshima (Dokdo) accurately as part of the Oki Islands [隱岐諸島],” Seichu criticizes that “none of the aforesaid maps really show Takeshima (Dokdo), which means that Japan cannot say that it has long recognized the existence of the island.”

• Point 2

“There is no evidence that the ROK has long recognized the existence of Takeshima [竹島].” → Is that true?

The Japanese government does not agree with the Korean government’s position that the following historical documents evince Korea’s sovereignty over Dokdo: *Samguk Sagi* [三國史記, Historical Record of the Three Kingdoms, 1145]; *Sejong Sillok Jiriji* [世宗實錄地理志, Geography Monograph of the Annals of King Sejong, 1454]; *Sinjeung Dongguk Yeoji Seungnam* [新增東國輿地勝覽, A Revised Edition of the Augmented Survey of the Geography of Korea, 1530]; *Dongguk Munheon Bigo* [東國文獻備考, Study of Korean Documents, 1770];

*Jeungbo Munheon Bigo* [增補文獻備考, Augmented Study of Documents, 1908]; *Mangi Yoram* [萬機要覽, Handbook of State Affairs, 1808]; *Yeojiji* [輿地志, Record of Geography, 1656]; *Ganggyeogo* [疆界考, Study of the National Boundary], etc.

The author says that *Samguk Sagi* contains a record to the effect that Ulleungdo [鬱陵島], which used to be Usanguk [于山國], was incorporated into Silla and that the failure to use the description Usando [于山島] does not justify the reasoning that it should be excluded from Korea's territory. He goes on to say that *Sejong Sllok Jiriji* (1454) and *Sinjeung Dongguk Yeoji Seungnam* (1531) show that Koreans had recognized the existence of Ulleungdo and Usando since the olden days. He agrees that Usando refers to present-day Dokdo. Concerning the references in the MOFA's pamphlet to the inaccurate locations and sizes of Ulleungdo and Usando on the map attached to *Sinjeung Dongguk Yeoji Seungnam*, he says that we cannot expect accuracy with regard to locations and sizes in a hand-drawn map of the 16<sup>th</sup> century.

The author says that he cannot understand what the MOFA is trying to achieve by focusing on what appears to be a disparity between historical records in the following. *Dongguk Munheon Bigo* (1770), *Jeungbo Munheon Bigo* (1908), and *Mangi Yoram* (1808) cite the following statement in *Yeojiji* (1656): "According to a report, Usan and Ulleung were originally one island." However, a statement in *Dongguk Munheon Bigo* says, "According to *Yeojiji*, both Ulleung and Usan belong to Usanguk. The Japanese call Usan 'Matsushima [松島]." A statement in *Ganggyeogo* says, "*Yeojiji* says that Usan and Ulleung were originally one island, but, according to various maps, they are two different islands, one of which is Songdo [松島]. It is thought that both islands belong to Usanguk. The author says that the MOFA's view is not plausible. He says, "The MOFA does not accept Korea's position that Usando refers to present-day Dokdo, but it is clear that what it says can never persuade others."

● Point 3

**“Japan used Takeshima (Dokdo) as a stopover port en route to Utsuryo Island (Ulleungdo) and as fishing ground. It thus established its sovereignty over Takeshima by the mid 17th century at the very latest.” → On what grounds does the MOFA base this assertion?**

The author points to the sail permit to Takeshima [竹島渡海免許] issued by the 4-member Roju [老中, Elders] of Japan, which contains a statement saying, “We issued a permit, as the applicant said that he sailed there [from Yonago (米子), Hoki Province (伯耆国) to Takeshima (present-day Ulleungdo)] last year and wanted to go there once more.” The author says that the sail permit was really given only for one trip, but they had been sailing to Ulleungdo illegally for years. Also, the author says that the Bakufu [幕府, the feudal military government of Japan ruled by Shogun] knew that Ulleungdo was a Joseon (Korean) territory, but issued the sail permit to Takeshima thinking that Takeshima and Ulleungdo were two different islands. He goes on to say that the Bakufu withdrew the sail permit, realizing that Takeshima was another name for Ulleungdo, after the Korean government lodged a protest. The author also points out that the Bakufu did not learn about the existence of Songdo (Matsushima) until the ‘Takeshima Ikken [竹島一件, The Affair of Takeshima]’ in 1696 discussed questions and answers on Tottori Prefecture [鳥取藩]. He says that the Japanese government’s view that Japan established its sovereignty over Takeshima (present-day Dokdo) in the mid-17<sup>th</sup> century is groundless.

● Point 4

**“At the end of the 17th century, Japan prohibited passage of ships to Utsuryo Island, but not to Takeshima.” → On what grounds does the MOFA base this assertion?**

The Bakufu’s ban on sailing to Takeshima (present-day Ulleungdo) does

not say anything about Songdo (present-day Dokdo). Asked about Songdo (Matsushima), i.e. whether there were islands other than Takeshima that had been incorporated into Onshu [因州] and Hoki [伯耆] Provinces, Tottori Prefecture answered, “There are no other islands than Takeshima and Matsushima (Songdo) that belong to the two provinces.” As it came to know about the existence of Songdo (Matsushima) for the first time, the Bakufu asked a detailed question. Tottori Prefecture answered that it did not belong to the prefecture, saying that it was a place on the way to Takeshima (Ulleungdo) where people caught fish and that only people from Onshu and Hoki sailed there. That is why the ban on sailing to Takeshima was issued to Tottori Prefecture. The author says that the order meant the prohibition of sailing to either Ulleungdo or Songdo (Matsushima/Dokdo). In particular, the author says that it is not right to say that at that time sailing to Songdo (Matsushima/Dokdo) was not prohibited, pointing to the nationwide order to prohibit sailing into the territorial seas of other countries in 1837, which also ordered Japanese ships not to sail to distant seas or make contact with vessels from other countries.

● **Point 5**

**“The deposition by Ahn Yong-bok, on which the ROK side bases its claim, contains many points that conflict with factual evidence.” → What, then, is important?**

Ahn Yong-bok [安龍福] sailed to Japan twice. In 1693, he was taken forcefully from Ulleungdo to Japan by Japanese fishermen. Three years later, he voluntarily sailed to Japan. The MOFA’s pamphlet says that Ahn’s statement, made in May 1696, to the effect that there were many Japanese in Ulleungdo, cannot be trusted as the Bakufu issued an order to Japanese people not to sail to Ulleungdo. The author points out that the pamphlet contains some erroneous content, as the Bakufu’s order was delivered by Tottori Prefecture to the people in Yonago in August 1696.

On his second visit to Japan, Ahn Yong-bok drew up *Joseon Paldo* [朝鮮之八道], a map of Korea, to show that Takeshima (Ulleungdo) and Songdo (Jasando/Usando/Dokdo) belonged to Gangwon-do. This document was mentioned in letters exchanged between the Korean and Japanese governments, meaning that the Japanese government recognized that both Ulleungdo and Usando (Dokdo) were Korean territories. In Joseon (Korea), the country's sovereignty over Usando (Dokdo) came to be recognized more widely. Thus *Ganggyego* and *Dongguk Munheon Bigo* (both) contain a statement saying, "Usan refers to what the Japanese call Matsushima [松島]," on the basis of which the author points to the erroneous view of the MOFA's pamphlet.

• Point 6

**“Japan reaffirmed its intention to claim sovereignty over Takeshima by incorporating Takeshima into Shimane Prefecture in 1905.” → What does it mean by “reaffirm”?**

The author claims that “it is not right to say that Takeshima (Dokdo) has been Japan's inherent territory historically,” as the Meiji government, which was established in 1868, conducted a survey of Takeshima (Ulleungdo) and Matsushima (Dokdo), located on the border between the two countries, and excluded them from Japanese territory in its finalization of the country's land register and its compilation of geographical maps. The Japanese government says that the country incorporated Takeshima (Dokdo), which had hitherto remained unclaimed by any country, into Shimane Prefecture [島根縣] (on February 22, 1905. However, the fact is that Nakai Yosaburo [中井養三郎] recognized that the island was a Korean territory when he asked the Japanese government to obtain the Korean government's permission for him to fish in the area. When he contacted the Ministries of Internal Affairs, Foreign Affairs, and Agriculture and Commerce of the Japanese government, officials at the Internal Affairs and Fisheries Bureau

Director said that it might be a Korean territory. The director of the Japanese Navy's Hydrographic Department advised that it would be a good idea to have it incorporated into Japanese territory, as it was closer to Japan than to Korea by about 10-*ri* (approx., 3.92 km) and Japanese fishermen were catching fish there. A director general at the Ministry of Foreign Affairs said that it would be in the interest of Japan to incorporate it in consideration of the ongoing war with Russia.

The author points out that the Japanese government's incorporation of Takeshima (Dokdo) into its territory, as a stealthily taken measure in the turmoil of the Russo-Japanese War, did not meet the requirements of International Law, and that the Korean Empire [大韓帝國] had already incorporated all of Ulleungdo, Jukdo (present-day Jukseodo) and Seokdo (present-day Dokdo) into Korean territory as islands belonging to Uldogun under the Imperial Ordinance No. 41. He also points to the fact that the Japanese naval ship *Niitaka* included the statement "Liancourt Rocks, which Koreans call Dokdo" in its daily journal prior to the Japanese government's incorporation of it into Japanese territory, and as well as to the fact that the status of Dokdo as Korean territory was stated in the Guidelines for Fishing in Korean Coastal Waters [韓海通漁指針] (1903); the Guidelines for Business Enterprise Activities in Korea [韓國實業指針] (1904); and the New Geography of Korea [韓國新地理] (1905) compiled by the Japanese between 1903-1905, showing that it had already been established by them as Korean territory.

● Point 7

**"In the drafting process of the Treaty of Peace with Japan, the United States rejected the request by the ROK that Takeshima be added to the relevant article of the treaty as one of the areas that Japan would renounce, asserting that Takeshima had been under the jurisdiction of Japan." → What were the views held by the Allied Countries, including the U.S.?**

Japan insists that Takeshima (Dokdo) was designated as a territory of

Japan as a result of the Treaty of Peace with Japan based on U.S. Assistant Secretary of State for Far Eastern Affairs David Dean Rusk's letter, dated August 1951, to the effect that Dokdo "... had never been treated as part of Korea according to the information we have...." in response to the claim to sovereignty over Dokdo made by Korean Ambassador to the U.S. Yang Yu-chan [梁裕燦] in July 1951. However, the author says that this content must have been made owing to political considerations in the cold-war period and is quite different from the historic facts confirmed so far.

The author points out the following fact: In the process of drawing up the draft for the Treaty of Peace, the U.S. marked Dokdo as Korean territory in the first through fifth drafts between March 20, 1947 and November 2, 1949. In the 6<sup>th</sup> draft, made in December 1949, the U.S. abruptly changed its attitude and marked it as Japanese territory. The 7<sup>th</sup> through 9<sup>th</sup> drafts did not mention Dokdo. The abrupt change in the U.S.'s attitude in the 6<sup>th</sup> draft was perhaps a reaction to the opinion voiced by the GHQ political advisor William J. Sebald, who said that it might be in the interests of the U.S. to make it Japanese territory so that the U.S. could install meteorological and radar facilities there. In April 1950, the Takeshima (Dokdo) issue was not mentioned at all due to an action taken by John Foster Dulles, a special advisor to the U.S. State Secretary, to summarize the scope of Japanese territory. The author emphasizes that it is not for the U.S. to decide the issue of sovereignty over Takeshima (Dokdo), criticizing the MOFA's reliance on US help to settle the Takeshima (Dokdo) issue.

• Point 8

**“In 1952, Takeshima was designated as one of the areas for maritime exercises and training for the U.S. Forces stationed in Japan, which shows that Takeshima was treated as part of the territory of Japan.” → What is the background?**

SCAPIN No.1778 of September 16, 1947 designated Dokdo as a bombing

range for the U.S. Far East Air Force. On June 30, 1948, more than 30 Korean fishermen were killed on Dokdo during a bombing exercise carried out by US bombers. On April 25, 1950, the U.S. apologized for the tragic accident resulting from its error and paid compensation money to the bereaved families.

Dokdo was re-designated as a bombing range by SCAPIN 2160 of July 6, 1951 and the U.S.-Japan Joint Committee of July 26, 1952.

In September 1952, the Korean Mountaineers Association dispatched a team of surveyors to Dokdo with the permission of the USFK authorities. They narrowly escaped the danger posed by a U.S. bombing exercise targeting Dokdo. On November 10 of the same year, the Korean government lodged a protest against the U.S. ambassador to Korea. On December 24, the U.S. Far East Command informed the Korean government that it would halt all bombing exercises on or near Dokdo. The author says that the series of events stated here shows that it does not stand to reason to say that the USFJ's use of Dokdo as a bombing range meant that the U.S. recognized the island as Japanese territory.

#### ● Point 9

**“The ROK is illegally occupying Takeshima, against which Japan has been consistently making strong protests.” → What are Japan's protests?**

The Japanese government says that the steps taken by it in 1905 to incorporate Takeshima (Dokdo) into its territory were legal. However, SCAPIN No. 677 of 1946 put the island out of Japan's governmental and administrative control. SCAPIN No. 1033 of 1946 ordered that Japanese fishermen be prohibited from approaching within 12 miles of Dokdo and its territorial waters. Although SCAPIN No.1033 was abolished with the signing of the Peace Treaty with Japan, the Allied Countries did not abolish SCAPIN No. 677. The Japanese government says that the Rhee Syng-man Line (also called the Peace Line) was illegal, as it violated the

principle of freedom to roam the high seas. But it cannot be said to have been illegal in light of the worldwide trend at that time. Also, both the U.S.-Japan Joint Committee and the U.S.-Korea Joint Committee took Dokdo out of the bombing range list on March 19, 1953. Thus, Koreans could engage in fishing on or near Dokdo. The author says that we cannot call it “illegal fishing.”

Korea’s sovereignty over Dokdo was taken over from the USAMGIK in 1948. Thus, the Peace Treaty with Japan signed in 1952 did not mention Dokdo. And SCAPIN No. 677, which took the island out of Japan’s governmental and administrative control, has not been abolished. In 1953, Korean volunteer guards started stationing guards on the island to protect it from Japanese fishermen. Since December 1956, a detachment of Korean police troops have stood guard on the island. The author says that we cannot call it “illegal occupation.”

• **Point 10**

**“Although Japan proposed to the ROK that the dispute over Takeshima be referred to the International Court of Justice, the ROK rejected this proposal.” → What, then, is the actual situation?**

The Japanese government’s proposal in 1954 to the Korean government that the Takeshima (Dokdo) issue be settled at the International Court of Justice exposes Japan’s reliance on the authority of the U.S. Department of State due to the favorable attitude taken toward Japan by some influential Americans (such as David Dean Rusk in 1951 and James A. Van Fleet in 1954). Sovereignty over territory is an issue that should be settled amicably between the parties concerned without the involvement of a third party. It is not right for Japan to describe Korea as someone fleeing due to lack of confidence.

During the Korea-Japan talks (1948-1965), the Korean government stuck to its position that no “Dokdo” issue existed. In the Korea-Japan Agreement signed in June 1965, the two countries agreed to settle the

matter in the form of an exchange of “an official letter concerning the settlement of a dispute,” which meant that Japan agreed to settle any disputes that might arise in its relations with Korea through diplomatic channels. The author criticizes the Japanese government’s attitude, saying that the Dokdo issue should be settled diplomatically as previously agreed, rather than trying to bring it before the International Court of Justice.

As discussed in the foregoing, Naito Seichu’s views as expounded in his book are proper and to the point. As he points out, the “10 Points” constitutes a diplomatic error on the part of Japan’s MOFA.

Japan’s claim to the sovereignty over Dokdo is clearly a fallacy. In this period of globalization, in which mutual collaboration between neighboring countries should be emphasized more than before, the Japanese government should abandon the stance whereby it would inherit even a vestige of imperialism unconditionally if it served the country’s interest. I think it is high time that the Japanese government should establish a diplomatic policy that conforms to the universal view adopted by the international community.