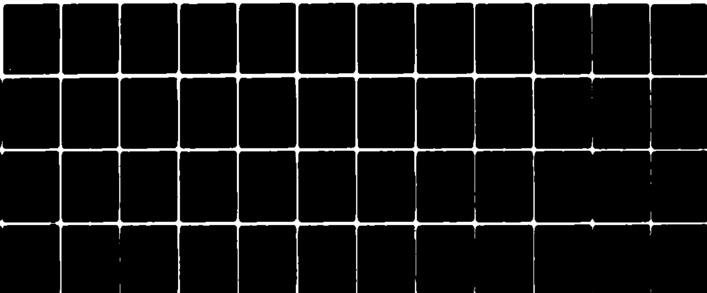
AD-A092 526 AIR FORCE INST OF TECH WRIGHT-PATTERSON AFB OH F/G 5/4
JAPAN'S REARMAMENT DILEMMA: OBSTACLES TO REARMAMENT.(U)
1980 E P HAWKINS
UNCLASSIFIED AFIT-CI-80-28T NL

1 OF 1
AD A
092526



UNCLASS

SECURITY CLASSIFICATION OF THIS PAGE (When Data Entered)

LEVEL II

REPORT DOCUMENTATION PAGE — READ INSTRUCTIONS BEFORE COMPLETING FORM

1. REPORT NUMBER: 80-28T	2. GOVT ACCESSION NO.: AD-A092 526
3. RECIPIENT'S CATALOG NUMBER	
4. TITLE (and Subtitle): Japan's Rearmament Dilemma: Obstacles to Rearmament.	5. TYPE OF REPORT & PERIOD COVERED: THESIS/~~DISSERTATION~~
	6. PERFORMING ORG. REPORT NUMBER
7. AUTHOR(s): Edwin P. Hawkins	8. CONTRACT OR GRANT NUMBER(s)
9. PERFORMING ORGANIZATION NAME AND ADDRESS: AFIT STUDENT AT: Harvard University	10. PROGRAM ELEMENT, PROJECT, TASK AREA & WORK UNIT NUMBERS
11. CONTROLLING OFFICE NAME AND ADDRESS: AFIT/NR WPAFB OH 45433	12. REPORT DATE: Spring 1980
	13. NUMBER OF PAGES: 53
14. MONITORING AGENCY NAME & ADDRESS (if different from Controlling Office)	15. SECURITY CLASS. (of this report): UNCLASS
	15a. DECLASSIFICATION DOWNGRADING SCHEDULE

16. DISTRIBUTION STATEMENT (of this Report)

APPROVED FOR PUBLIC RELEASE; DISTRIBUTION UNLIMITED

DTIC ELECTE DEC 0 5 1980 S E

17. DISTRIBUTION STATEMENT (of the abstract entered in Block 20, if different from Report)

18. SUPPLEMENTARY NOTES

APPROVED FOR PUBLIC RELEASE: IAW AFR 190-17

FREDRIC C. LYNCH, Major, USAF
Director of Public Affairs

Air Force Institute of Technology (ATC)
Wright-Patterson AFB, OH 45433

19. KEY WORDS (Continue on reverse side if necessary and identify by block number)

20. ABSTRACT (Continue on reverse side if necessary and identify by block number)

ATTACHED

DD FORM 1 JAN 73 1473 EDITION OF 1 NOV 65 IS OBSOLETE

UNCLASS

SECURITY CLASSIFICATION OF THIS PAGE (When Data Entered)

AD A092526

DDC FILE COPY

Capt Edwin P. Hawkins Jr.
MA Regional Studies-East Asia, Jun 80
Harvard University, Cambridge MA

ABSTRACT

Japan's military development has reached a point in the postwar era that the topic of an armed, militarily-revitalized Japan is not just a point of heated, partisan rhetoric, but a serious point to ponder by weighing the pluses and minuses of such a momentous decision of massive rearmament. Discussions of this topic generally follow the trend that Japan will find it extremely difficult to rearm massively given the psychological anti-military stance of her people, the limitations imposed by Article 9, and such other obstacles. However, at the same time, the real depth of these obstacles are not deeply considered, leaving the impression that if serious external or internal threat to Japan were to materialize, then Japan could somehow abandon her present course of gradual rearmament and pursue a course of massive rearmament. This study aims to show that the obstacles which Japan faces to massive rearmament are quite significant, not the type of obstacles which could be circumvented at will. These obstacles are deeply rooted in the Japanese historical experience and will continue to be significant factors affecting Japan's rearmament dilemma--how to provide for Japan's security, with or without massive armament. It is expected that Japan will continue to follow in the foreseeable future the latter course of insuring her security. Nevertheless, Japan may be placed in a position to

80 11 24 136

take up the former course, that of massive rearmament, if the situation warrants. To be sure, significant changes in either the external or the internal environment will have a significant effect upon the present course of gradual rearmament. But when the obstacles which Japan faces are placed in perspective, Japan may find that she cannot rearm massively anytime soon, regardless of her desires.

Accession For
NTIS GRA&I ☒
DDC TAB ☐
Unannounced ☐
Justification ______

By ______
Distribution/
Availability Codes

Dist	Avail and/or special
A	

JAPAN'S REARMAMENT DILEMMA: OBSTACLES TO REARMAMENT

EDWIN P. HAWKINS
Spring, 1980
Harvard University

TABLE OF CONTENTS

INTRODUCTION 1

ANTI-MILITARY PSYCHOLOGY 4

Formation of the Psychology 4

Nuclear Allergy 7

Self-Defense Force 10

ARTICLE 9 19

Background 19

Court Cases and Interpretations 21

ECONOMIC POLICY 30

Background 30

The Defense Sector 33

FOREIGN OPINION 37

U.S. INFLUENCE 42

Original Concepts of Security 42

Evolution of Positions 44

CONCLUSION 51

NOTES 53

INTRODUCTION

The question of Japan's postwar rearmament has been a topic of scholarly concern ever since Japan began to rearm following a change in the United States policy of total disarmament toward Japan. As rearmament progressed, Japan seems to have slowly changed her attitude toward the policy of gradual rearmament and minimum defense. The change in the Japanese attitude came partly as a result of the U.S. collapse in Vietnam and the gradual withdrawal of U.S. military power from East and Southeast Asia. And although rapprochement with China has lessened any threat from that quarter, Soviet actions in and around Japan have heightened Japan's insecurity and defense consciousness. All this comes at a point where the national consensus for the support of the Self-Defense Force (SDF) has reached its peak, about 86% support by recent polls. Recently it has been said that Japan's Foreign Minister Ōkita Saburō will suggest to the U.S. that Japan would be willing to increase its defense spending to perhaps as much as 3% of her GNP. Japan's recent actions and suggestions to increase her defensive capability and to further modernize her forces can be seen partly as a reaction to these situations. Some have gone as far as to suggest a revival of Japanese "militarism" by calling attention to the growing strength and growing public acceptance of the SDF, the rising of popularity of rightist groups and instances of extremism, the "recovery" of the Zaibatsu and the growth of the military-industrial complex, move for the revision of Article 9 of the Japanese Constitution, and so on. The most popular analysis of this type is perhaps Albert Axelbank's Black Star Over Japan.[1] However, most notable Japan-watchers, for example, Edwin Reischauer, Martin Weinstein, and James Morley, have dismissed such an analysis as too simplistic and a distortion of the facts.[2] They do recognize that the strength of the Japanese armed forces is growing and that there is greater public acceptance of the existence of the SDF today. But they

are in general agreement that Japan will continue its present course of gradual rearmament unless there is a significant change in the domestic or international environment. Certain obstacles exist to Japan's rearmament.

When Japan again began to think about her defense, she faced more than just the consideration of an external threat to her national integrity or an internal insurgency which could cut short the democratizing efforts of the postwar Japanese leadership. Japan had just emerged from a disastrous war which left her economy in ruins, cities demolished, and on top of that, her people disllusioned with the military and the leadership which had plunged Japan into war. It would be a long time before the Japanese people would forget the privations, suffering, and sacrifice which they endured, only to have the presence of foreign occupiers for the first time on her sacred soil. It is no wonder then, that the Japanese people would look with suspicion upon any move for early rearmament. The psychology of her people was already in a predominantly anti-military stance and created a hurdle to be surmounted in any decision toward rearmament. The thorough demilitarization efforts of the United States deepened this anti-military psychology of the people. This psychology is very real even today.

Anti-military psychology of her people was not the only obstacle faced by the postwar Japanese leadership. A legal document had been created to check the resurgence of militarism and the renewal of the military establishment. This, of course, is Article 9 of the postwar Constitution. In spite of the so-called "Peace Constitution" Japan was forced to rearm when U.S. troops in Japan were sent to fight in the Korean War. Although this rearmament was small initially and progressed over the years at a relatively slow rate, the interpretation of Article 9 became a controversial issue. It created yet another hurdle to be surmounted in any rearmament decision. It remains a controversial issue.

To dig herself out of the devastation of war, Japan concentrated on her

economic recovery. Although rearmament ensued later on a modest scale, the prohibition on the maintenance of any military force aided Japan in concentrating all her energy and resources upon her economic recovery and growth. This policy helped Japan to become the second largest capitalist economic power in the world while allocating a small percentage of her GNP to defense. This policy of "economic growth first" has lasted until now without much opposition. But recent indications are that a trend toward a more traditional concept of maintaining security by military strength is challenging the time-tested policy of relying mainly upon diplomacy. As Japan faces significantly greater pressure for increased defense spending, there is a corresponding pressure to keep defense spending at its present modest level. Hence, the past successful economic policy is yet another obstacle to rearmament.

Internal factors alone do not complete the equation of obstacles to rearmament. There are external factors as well. The first is the fear and distrust by Japan's neighbors, especially those who experienced the effects of Japanese imperialism in the past, of the revival of Japanese militarism. These nations include China, Korea, the Philippines, Indonesia, the countries of Indochina, and the Soviet Union. Not only is Japan conscious of this feeling toward her, but she is constantly reminded by these nations of their fear and distrust. As Japan continues to expand economically into former Japanese-dominated areas, she must be extremely cautious not to put forward any specter of the revival of the old "Greater East Asia Co-Prosperity Sphere." Thus the fear and distrust of the neighboring nations is yet another obstacle to Japanese rearmament.

The second external factor is the U.S. influence. Although the U.S. aim initially was the total disarmament of Japan, a course which she pursued earnestly, soon her position changed. By 1950, scarcely five years after Japan's defeat and disarmament, the U.S. was actively pressuring Japan to rearm, not only for

the purpose of maintaining internal security, but also for sharing in the external security duties with the U.S. But as Japan began to rearm, question was raised on the speed of Japanese rearmament. On one hand the U.S. desired a revitalized, armed ally, but on the other hand, not a Japan armed to the extent of tipping the balance of power in East Asia. Thus any decision by the Japanese for massive rearmament, perhaps even to the extent of acquiring nuclear weapons, would elicit a strong reaction from the U.S. This specter of the U.S. reaction is another obstacle to rearmament.

While most scholars recognize certain obstacles to Japan's rearmament, there also seems to be a quiet acceptance that if Japan is threatened significantly as a result of a change in the international situation, Japan will abandon its present course of gradual rearmament and pursue rearmament at a much more aggressive rate, even to the point of acquiring nuclear weapons. The existence of the obstacles Japan must face is mentioned without serious consideration of just how strong the obstacles may be if Japan were to decide to rearm massively. What is the nature of these obstacles and how important are they today in affecting Japan's rearmament? How important will they be in the future? These are the questions that this paper attempts to answer.

ANTI-MILITARY PSYCHOLOGY

Formation of the Psychology

Defeat in the Pacific War was a traumatic experience for the Japanese people. They had suffered the privations of war only to find their cities laid to waste and their economy in ruins. The "invincible" Japanese army had suffered total defeat and foreign troops occupied her territory for the first time in Japan's long, proud history. As Edwin Reischauer points out, there was a great popular revulsion against not only the war, but also against the leadership

which had led the nation to war. They felt they had been betrayed.[3] Former Prime Minister Yoshida noted, "It was only under a tremendous pressure exerted by the powerful military clique that our people were finally dragged into the war against their will."[4]

Along with this traumatic defeat came the Allied Occupation and the Occupational reforms. General Douglas MacArthur, the Supreme Commander for the Allied Forces (SCAP), was entrusted with carrying out the disarmament and demilitarization reforms. He was instructed, "Disarmament and demilitarism are the primary tasks of the military Occupation and shall be carried out promptly and with determination."[5] This task he carried out in all earnestness. The demilitarization steps involved not only the purge of the military and governmental structure, but also the abolition of all veterans organizations, firing of all nationalistic teachers, and censorship of textbook reference to past military heroes and victories. Douglas Mendel, as one who witnessed the demilitarization reforms, points out, "It is difficult to think of any step missed by the Occupation in its thorough campaign to discredit the former Japanese armed forces and prevent their restoration."[6] It is not difficult to see that the demilitarization efforts of the Occupation authorities together with the distrust of the war leadership left a deep scar upon the Japanese psyche which lasts to this day. It is a feeling of betrayal, privations and distrust, much deeper than mere pacifist sentiments.

That the anti-militarism of the postwar Japanese people was a significant factor to be considered in any policy decision was not well understood by the immediate postwar political leadership of Japan. In the early deliberations for a new Constitution that the Allies insisted upon, the postwar leadership clung to the "Four Principles of Revision." These were: (1) that no change was to be made to the principle of sovereignty residing in the Emperor;

(2) that the powers of the Diet were to be increased and certain restrictions imposed on whatever was, until then, considered the Imperial prerogative; (3) that Ministers of State were to be held directly responsible to the Diet and for all matters connected with the State, instead of to the Emperor, and only for matters of State within their particular province, as formerly; and (4) that the rights and liberties of the subject were to be given more protection, and stronger safeguards were to be erected against their infringement.[7] It was a desire of the government at this time that Japan was to be democratized without altering the fundamental principles of national government laid down in the Meiji Constitution. It was the view that the Meiji Constitution itself was not imperfect, but that its misuse had led Japan to the disastrous course which resulted in her defeat in the Pacific War.[8] But this was not what the Occupation authorities wanted. Their desire for a new Japanese Constitution was the definition of the Emperor as the symbol of the State and rejected the Japanese draft.[9] It was at this point when the specifics of the Constitution were being debated between the Occupation authorities and the postwar Japanese leadership that the renunciation-of-war clause, Article 9, was proposed. It is still unclear exactly which side, the American or the Japanese, suggested its inclusion, but at any rate, it was duly incorporated in the draft which the Americans wrote. During the deliberations for the acceptance of the new draft, the postwar leadership debated the merits of a no-war clause. Article 9 was strongly debated in the Diet prior to its adoption. Even Nozaka Sanzō of the Japanese Communist Party (JCP) questioned the existence of a renunciation-of-war clause in the Japanese Constitution.[10] Only when it was agreed that the renunciation-of-war clause did not forbid self-defense was the clause accepted.[11]

It was at this point, when the renunciation-of-war clause had been urged upon the Japanese by the Occupation authorities, that the postwar Japanese

leadership realized the need to consider the anti-military psychology of the Japanese people in any future decisions regarding rearmament. The adoption of the clause and inclusion of it in the Constitution created a legal expression of the anti-military psychology of the Japanese people. This psychology was initially embodied in the distrust of the postwar military leadership, then cultivated and intensified by the Occupational reforms, and finally codified in the renunciation-of-war clause. From that point on, the Japanese leadership realized that they must consider closely the anti-military psychology of the Japanese people in any decisions for rearmament or a revival of a military establishment.

Nuclear Allergy

The "nuclear allergy" of the Japanese people supposedly comes from the fact that Japan is the only victim of a nuclear holocaust, that is, the dropping of atomic bombs on Hiroshima and Nagasaki near the end of the Pacific War. But this nuclear allergy is really an embodiment of the larger anti-military psychology of the Japanese people and hence should be considered as just one part.

The actual crusade against nuclear weapons began in 1954 as a result of the *Fukuryū Maru* incident. In August, 1954, an American thermonuclear explosion in the Pacific dusted the Japanese ship *Fukuryū Maru* with radioactive fallout and the crew became ill. Eventually one crew member died. The origin of the Anti-Atomic and Hydrogen Bomb Council (*Gensuikyō*) was spontaneous but soon it fell into JCP hands.[12] The annual rallies in Hiroshima to protest nuclear weapons attracted followers, but the movement turned into an anti-nuclear protest directed against the United States.[13] Although the Japanese Diet enacted resolutions calling for the ban of nuclear weapons in response to the anti-nuclear sentiments of the public, the movement soon lost its impetus. *Gensuikyō* remained active between 1954 and 1960, but after 1960, it lost its united front character

as strains developed between the Communist and Socialist membership. By 1965 the organization split and waned drastically in its importance and ability to sway public opinion.[14]

The Gensuikyō years (1954-1960) saw the strongest manifestation of the nuclear allergy. The relatively short duration of the vehement anti-nuclear period attests to its being primarily an emotional movement. This emotional character of the anti-nuclear issue lasts to this day. There have been numerous cases since the Gensuikyō years that the issues of nuclear weapons and nuclear power have surfaced. In these instances, the protests occurred, lasted briefly, and then died down. The adoption of the Three Non-Nuclear Principles in 1971 by Prime Minister Satō, that is, not to manufacture, possess or introduce nuclear weapons in Japan, further eroded the base of the anti-nuclear movement.

In 1970, Japan's White Paper on Defense proclaimed,

> Even though it would be possible to say that in legal and theoretical sense possession of small nuclear weapon, falling within the minimum requirement for capacity necessary for self-defense and not posing a threat of aggression to other countries, would be permissible, the government, as its policy, adopts the principle of not attempting at nuclear armament which might be possible under the Constitution.[15]

The statement naturally was controversial at the time, but the mere fact that it could even be stated at all is an indicator of the waning nuclear allergy. Since then the White Papers have come out not exacly in the same words, indicating the possibility of Japan's possessing nuclear weapons, but although the White Papers espouse the Three Non-Nuclear Principles, they do not categorically dismiss the option of Japan's acquiring nuclear weapons.[16] In this regard the White Papers are very carefully worded. It is clear that they are carefully worded due to the continued sensitivity of the nuclear weapons issue among the Japanese people. For instance the 1979 White Paper states,

> As the only nation ever to experience nuclear bombardment, Japan has continued to support the abolition of nuclear weapons and adheres strictly to the "Three Non-Nuclear Principles" of no possession, no manufacturing and no introduction of nuclear weapons in Japan.

However, a second sentence adds,

> Even if such possession were permitted by Constitutional interpretations, Japan holds a long-standing policy ruling out possession of such weapons.[17]

It is clear from the second sentence that, because the constitutionality of nuclear weapons has not been decided, nuclear weapons have not been rejected categorically.

Another indication of the weakening nuclear allergy is the advent of a more pragmatic debate on the nuclear question. Recently scholars have come to debate the issue of nuclear weapons for Japan from a less emotional perspective. The thrust of one argument is that Japan would be ill-advised to acquire nuclear weapons due to her peculiar geography. It states that Japan has no capability to provide protection for her population and industries because the Japanese landmass is relatively small in comparison to such nuclear powers as the U.S., Soviet Union, and China. As a result, her population and industries are tightly concentrated and hence extremely vulnerable, even to a limited nuclear strike. It would be suicidal for Japan in this position to acquire nuclear weapons and hence invite a nuclear attack from potential adversaries. The argument concludes that it would be safer for Japan to go without nuclear weapons of any kind.[18]

The nuclear issue remains a sensitive issue in Japanese politics. The care that is attached to its treatment is an indication that the political leadership understands well the present unpopularity of nuclear weapons and nuclear energy. Since the height of the Gensuikyō years, nuclear-related issues such as the visit to Sasebo in November, 1964, of the first U.S. nuclear-powered submarine

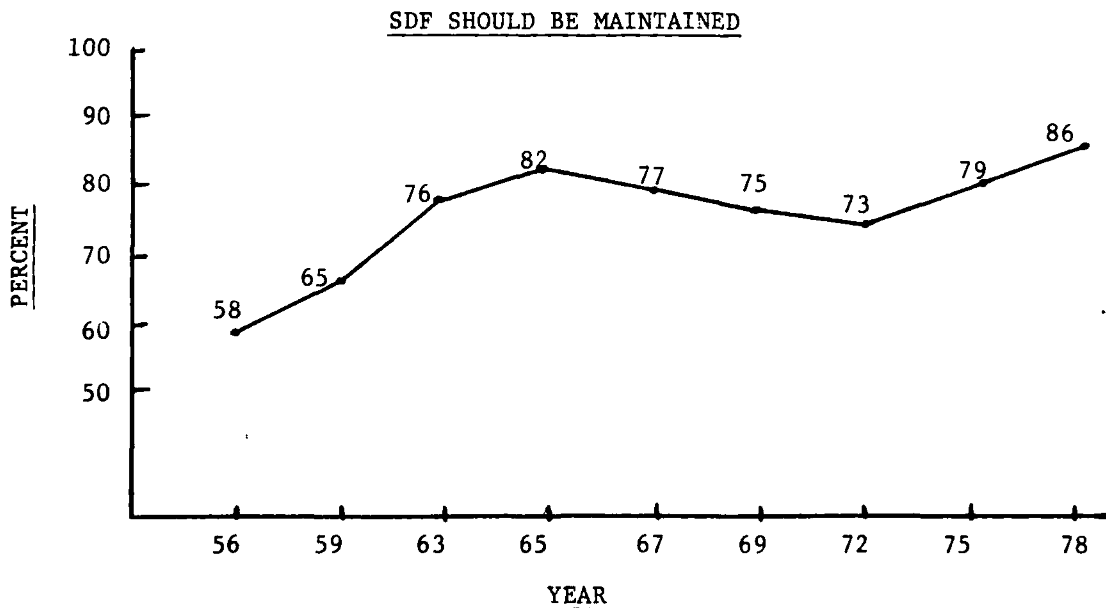
Sea Dragon, the first visit to Sasebo in January, 1968, of the U.S. nuclear-powered aircraft carrier Enterprise, and the problems with the first Japanese nuclear-powered ship, the Mutsu, have continued to keep the issue of nuclear weapons and nuclear energy in the public eye. Although the initial emotional outcries died down with time, the sensitivity of these incidents shows that the issue of nuclear weapons and nuclear energy is one which must be handled carefully and skillfully by the government. Public opinion polls have consistently shown the people's rejection of the nuclear option.[19] Though nuclear weapons, especially "defensive" nuclear weapons, may be in theory not prohibited by the Constitution or its interpretation, a move to acquire nuclear weapons regardless of the international situation is bound to evoke not only public, but also political outcry. For Japan to acquire nuclear weapons, it would take more than just a fine interpretation of the Constitution. The letters of the law may have to change, but so will indelible memories etched upon the Japanese psyche. The nuclear allergy as part of the overall anti-military psychology of the Japanese people remains a significant factor to be considered in any step toward greater rearmament.

Self-Defense Force

The reestablishment of an armed force for Japan's defense provided another outlet for the anti-military psychology of the Japanese people. Despite the existence of Article 9, on July 8, 1950, General MacArthur ordered the establishment of the National Police Force of 75,000 men and the expansion of the Maritime Safety Agency by 8,000. This move was a direct result of the U.S. involvement in the Korean War which ha[illegible] broken out in June. The Police Force was to supplement the American security forces and was to take care of Japan's internal security.[20] By July 1, 1954, under the Defense Agency Establishment Law, the Japanese government established the Ground, Maritime, and Air Self-Defense Forces.

From the earliest days, the consensus of the Japanese leadership was that the security forces existed only for the defense of Japan with the understanding that the Constitution, even with the existence of Article 9, did not forbid Japan to defend herself.[21] In the deliberation for the adoption of the Constitution, and specifically Article 9, Nozaka Sanzō of the JCP supported Article 9 and even suggested a change to make Article 9 more specific about the type of war it allowed. However, the Communists and the other leftist organizations presently became stern adherents to Article 9 and opposed the existence of the SDF.[22] Since then, the existence of both Article 9 and the SDF has been a heated political issue.

Gradually over the years, the existence of both Article 9 and the SDF has come to be accepted. In a public opinion poll conducted by the Prime Minister's Office in December, 1978, 86% of the people who were polled voiced acceptance of the existence of the SDF. The public acceptance of the SDF has gradually risen over the years as shown in the following graph.[23]



This is a strong indication that the anti-military psychology of the Japanese people has waned over the years.

The struggle within the government against Article 9 and the existence of the SDF has been fought along party lines. The conservatives have favored a revision of Article 9 while the political left has favored the retention of Article 9 and calls into question the existence of the SDF.

The initial concept of the SDF put forth by Prime Minister Yoshida and Foreign Minister Ashida was that the SDF was only for the maintenance of Japan's internal security.[24] It was only after the continued U.S. application of pressure for Japan to rearm on a larger scale that the Japanese leadership began to see the possibilities of the Self-Defense Force being used in an additional role, that of defending Japan from external aggression.[25] At this juncture, the speculation that the SDF may be used outside of the Constitutional limits, that is outside of Japan proper, was responsible for the growing opposition to the existence of the SDF. Although the political opposition against the SDF was carried out in the name of the Constitution, its roots lay partly in the anti-military psychology of the Japanese. Also included in this opposition was the growing anti-U.S. sentiments of mainly the leftists. The popular opposition to the SDF was likewise not limited basically to an anti-U.S. or anti-Security Treaty position, but was really the manifestation of the anti-military psychology of the Japanese people which arose from the disastrous defeat in the Pacific War and the thorough demilitarization efforts of the Occupation.

The anti-military psychology of the Japanese is seen also in the court cases regarding the constitutionality of the SDF. There have been numerous cases where this sentiment has been apparent. The first test was in 1952, shortly after the Occupation formally ended. Suzuki Mosaburō, the Secretary-General of the Japan Socialist Party, petitioned the Supreme Court to try to declare the

National Police Reserve unconstitutional. Although nothing came of the petition, the road toward declaring the SDF unconstitutional had been taken. In a more significant case, a court declared the SDF unconstitutional. This was in 1973 in the Naganuma Case when a Sapporo District Court ruled the SDF unconstitutional in violation of Article 9.[26] Although this verdict was overturned later by a higher court, the fact that a court declared the SDF unconstitutional shows the depth of the anti-military psychology.

Today only the Japan Socialist Party is formally against the existence of the SDF. The other parties such as the JCP and Kōmeitō who have been against the existence of the SDF in the past have come to accept the existence of the SDF in principle.[27] But the existence of the SDF still is a subject of debate in light of the Constitutional restraint, and however much the pressure for its dissolution has abated, the existence of the SDF remains an object of controversy rooted in the anti-military psychology of the Japanese people.

When one first looks at the SDF as it exists today, one is tempted to conclude that it is a formidable force. Today the SDF is the ninth largest armed force in the world in defense expenditures and contains about 241,000 men and women.[28] The force is composed of sophisticated tanks, surface-to-air missiles, destroyers, submarines, and the latest high performance jet fighter aircraft. Recently to strengthen its air defense, the Air Self-Defense Force adopted the F-15, perhaps the most sophisticated fighter aircraft in the world today. Although not the largest, Japan's SDF is the most technologically sophisticated military force other than the Soviet Union's in Asia today.[29] But when one looks deeper into the SDF structure, one can see its weaknesses. These weaknesses are a result of the gradual build-up plan adopted by the Liberal Democratic Party (LDP) since the end of the Occupation. Although economic consideration was important, the adoption of this particular path was due largely

to the realization at that time that the anti-military psychology of the people would not allow any other course.

When Japan's forces are compared to those of the world, especially the other industrialized nations of the world, a different picture emerges than one of an extremely strong military force. The force is the smallest of the industrialized countries although Japan's population and GNP rank third. In terms of manpower, the SDF is the 20th largest in the world.[30] In terms of percentage of GNP spent for defense, Japan for some years has maintained less than 1%. Of the countries listed by the Institute of Strategic Studies in the Military Balance for 1979-80, only Mexico is less with .5% GNP spent for defense. With the third largest economy in the world, surely Japan could afford to spend more for her defense if she needed to, but the fact remains Japan has chosen not to rearm massively. The last Defense White Paper showed a commitment to gradual development and modernization of the SDF. In spite of Japan's precarious position due to her heavy dependence on foreign trade, she has not altered her basic security policy of gradual, modest rearmament.

The rearmament of Japan has been severely handicapped by the anti-military psychology of the Japanese people. One indication of this point is the continued existence of the Defense Agency as an agency and not as a ministry, even though the scope of the Defense Agency is comparable to many ministries. Although there has been a desire to change the status of the Defense Agency and to elevate its status into a full ministry, the LDP has not taken that step due to the perceived unpopularity of such a move. Even now the ruling clique prefers not to raise any point of contention regarding this issue.

There are other manifestations of the anti-military psychology, such as the political opposition to the budgeting of funds to the SDF. For many years, the budget allocated to defense has remained less than 1% of GNP. This has become

a kind of a political barrier that the ruling LDP leadership is hesitant to cross. There have been debates concerning Defense Build-up Plans. Recently the furor over the new Defense Build-up Plan caused a delay in the acceptance.[31] Another indication is the rank structure of the SDF. The servicemen are not called "gunjin," the proper Japanese term for "military." Furthermore, grade titles such as Lieutenant, Captain, Colonel, and General have been done away with.[32] New, non-military terms are used to address officers.

The anti-military psychology of the people and its recognition by the SDF have kept the morale of the SDF low. This is shown in several examples. One is the absence of any formal military laws because the SDF is not considered a military force. Offenses must be tried in other than military courts since those military courts do not exist. Officers complain often about the lack of military spirit and discipline among the rank and file.[33] There have been cases where SDF personnel have been refused acceptance into graduate schools for the pursuance of professional studies.[34] The members of the SDF feel deeply the prejudice against them from the public. Combined, these situations contribute to low morale.

Recruitment has always been a problem. There has been a decline in applicants for the SDF since the early 1950's. Thomas Brendle notes that the decline in applicants for the SDF can be attributed, in part, to the increasing advantages and opportunities accompanying the burgeoning economy.[35] An indication of this point is that the Defense Agency attributed the increase in applicants in 1965 to a slight recession in the economy. The Defense Agency attributes the declining applications for enlistment to declining population in the age bracket for enlistment (between ages 18 and 25), and due to increased number of young people seeking higher education.[36] These are important factors, but they do not totally explain the low rate of application. In a public opinion poll conducted in December, 1978, by the Prime Minister's Office, only 10% of those who replied

negatively to the question, "Do you agree to your relative joining the SDF?" indicated the existence of other suitable jobs as a reason. For the same question, only 31% approved their relative enlisting in the SDF, although it was a two percentage point rise from three years previously.[37] Though economic concerns are important, the root cause must be the low popularity of the SDF due in large measure to the anti-military psychology of the Japanese people.

Despite these problems, as the polls have indicated, there is today a greater acceptance of the SDF than anytime before. As Kotani Hidejirō notes, one of the reasons that the SDF is becoming accepted by the public is its conservative actions and conservative pronouncements.[38] But the anti-military psychology of the people continues to be a check upon the leadership's desire to increase the status of the SDF in the public eye. Because of this, there has been an on-going effort to raise the status of the SDF. From the earliest days since the creation of the SDF, great emphasis has been placed upon showing the SDF in an attractive light. For example, the participation of the Ground SDF in highly-visible administrative tasks in the 1964 Tokyo Olympics led to an all-time high in favorable public opinion. Thomas Brendle notes that this favorable opinion probably contributed to a recruiting success the following year.[39]

A highly visible and popular use of the SDF has been for disaster relief operations. The disaster relief operations of the SDF are highly publicized. Its importance is shown in the fact that disaster relief operations have become the most visible, if not the most important, peace-time operation of the SDF. Looking at a chronology of defense-related matters put out by the Defense Agency, one sees that disaster relief operations by the SDF occupy a large part of the meritorious defense accomplishments.[40] When one considers such embarrassments as the inability of the SDF to find the Soviet MiG-25 in September 1976 when it flew into Japanese air space and the collision of the SDF aircraft with the All

Nippon Airways airliner over Shizukuishi in July 1971, the success of disaster relief operations sheds a bright light upon the SDF. It is perhaps the most attractive part of the existence of the SDF to the Japanese public. In fact in a December 1978 poll (when asked about the reason for the necessity of the SDF), the people placed "Disaster Relief" in second place with 46% (multiple answers) to "Ensuring National Security"'s 59%.[41] The importance of this peace-time role to a volunteer armed force's acceptance is voiced by Morris Janowitz. He states, "The essential issue is to make use of the military's standby resource; that is, its ability to respond to emergencies, broadly defined, and to improvise in a crisis.[42] The Japanese policymakers seem to understand this point quite well.

The anti-military psychology of the Japanese people as manifested in the foregoing discussion indicates that it remains a significant factor in the consideration for Japan's rearmament. However, there has been an equally significant change in the level of this bias. As Japan emerged from the destruction of the war and became a world economic power, she acquired new confidence and new responsibilities. These new feelings, however, combined with new insecurities. The U.S. collapse in Vietnam, the Nixon Shocks, and the Guam Doctrine all shook confidence in the U.S. resolve to defend Japan. The 1973 oil crisis, the territorial dispute with the Soviet Union over the Northern Islands, the fishing dispute with the same, and the territorial dispute with China over the Senkaku Islands heightened Japan's insecurity. The MiG-25 defection incident in 1976 showed the inadequacies of Japan's air defense network. Soviet troop exercises in Kunashiri and Etorofu made Japan further mistrust Soviet intentions. These all combined to give the Japanese people a renewed sense of rationality to tackle their problems of security. Understandably, the anti-military psychology waned. The polls have indicated this change, and so has the decrease in the

levels of opposition to issues which in the past would have been controversial. As the editor of the Japan Echo notes, essays by so-called reformist intellectuals are undeniably on the wane as far as Japan's monthlies are concerned.[43] As an illustration, he points out that until about 10 years ago, the monthlies regularly spilled over with anti-war, anti-nationalist articles around August 15, the day of Japan's surrender in World War II. This has changed. The articles reevaluating the fundamentals of the defense issue have today increased.

But while increased confidence and renewed nationalism along with insecurity have eroded the anti-military psychology of the Japanese people, the continuing distrust of the military remains. There are still continuing reminders of the disasters of the past. Hiroshima Day is still remembered, and old bomb explosions still occur even within the heart of Tokyo.[44] The disposal of dud shells and bombs from World War II and the clearing of mined areas surrounding Japan, still continue. For example in 1977, 164 tons of dud shells were disposed of and over 287 tons of mines were cleared. There still remains about 2,000 square kilometers of sea which are uncleared and are declared unsafe for navigation.[45] Political opposition to the existence of the SDF continues, though diluted. More importantly, political controversy over the mission and the nature of the SDF has come to occupy the central stage. An example is the dismissal of the Chairman of the Joint Staff Council General Kurisu on July 25, 1978. The general had questioned the lack of any emergency power to deal with aggression. In an interview in a weekly magazine he stated, "Due to deficiencies in the Self-Defense Force Law, our hands are tied in the event of a surprise enemy landing on Japanese soil until such time as the Prime Minister issues orders for defense action. It is possible that frontline commanders would first take supralegal action on their own."[46] This statement touched off a controversy which resulted in his dismissal.

Though decreased over time, the anti-military psychology of the Japanese people continues to have a significant effect upon the rearmament policy. As Kotani Hidejirō notes, although the SDF is gradually being accepted by the Japanese public, it does not necessarily mean that the various problems it experiences will disappear. There exists no direct relationship.[47] It will take more time for the Japanese to forget the excesses of the past and to openly embrace a military establishment. Former Prime Minister Yoshida put this point forward quite clearly in speaking of another problem: ". . . the legacy of the ruthless regimentation of the war years cannot be swept away at a stroke of the pen, . . . It takes time for democratic practices to reassert themselves in the life of the nation."[48]The same can be said for the acceptance of the military.

ARTICLE 9

Background

The inclusion of Article 9 in the postwar Japanese Constitution was not originally a Japanese initiative.[49] The original draft submitted by the postwar leadership for approval to the Occupation authorities had no mention of a no-war clause. As it had been pointed out, the Japanese leadership was under the consensus of the so-called "Four Principles of Revision.[50] The leadership wanted as little change as possible from the original Meiji Constitution. It is unclear still exactly which side proposed the addition of Article 9, but once the new Constitution drawn up by the Occupation authorities was accepted by the Japanese, Article 9 became an integral part of the Japanese Constitution.

Article 9 reads as follows:

> Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.
>
> In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.[51]

The Japanese claim was that although Japan renounced war as a policy, she did not renounce the right of self-defense. Supposedly the inclusion of the words, "in order to accomplish the aim of the preceding paragraph . . ." was a deliberate attempt to indicate this concept.[52] This interpretation has been embraced by all except those who advocate an idealistic unarmed neutrality. When the SDF came into being, the occasion created a test for the constitutionality of the SDF as constituting "war potential." This argument became one limiting factor to the rearmament of postwar Japan and the expansion and modernization of the SDF.

The original Japanese concept for insuring Japan's security within the guidelines of the Constitution and Article 9 is reflected in the so-called "Ashida Memorandum" which was prepared in September, 1947. This memorandum shows the general consensus of the political leadership of Japan at the time concerning the security of Japan. The memorandum reads in part:

> At this time of growing international insecurity, the Japanese Government, as the most desirable means of protecting Japan's independence, wishes to enter into a special agreement with the United States against external aggression by a third power; and at the same time, to build up its domestic police forces, on the ground and on the sea. Until the United Nations shows that it can perform the functions set forth in the Charter, we believe that it is the wish of the Japanese people to have Japan's security guaranteed by the United States.[53]

The gist of the memorandum is that the United States was asked to guard Japan's external security while Japan took care of internal security. Thus the original conception of the postwar Japanese leadership for ensuring Japan's security saw no immediate need for a significant military force for Japan. Ironically, it was the U.S. which, though responsible for such a thorough demilitarization of Japan, launched Japan toward rearmament. General MacArthur's order to establish the National Police Reserve Force became the forerunner for the establishment of the SDF four years later in 1954. Thus the door was opened to the controversy surrounding Article 9 and the existence of an indigenous armed force in Japan.

Court Cases and Interpretations

The controversy of the constitutionality of an armed force began in 1950, shortly after the creation of the National Police Reserve Force. In 1952, just after the formal end of the Allied Occupation, Suzuki Mosaburō, the Secretary-General of the Japan Socialist Party, petitioned the Supreme Court to declare the National Police Reserve Force unconstitutional. But the Court took the position, reflective of U.S. Supreme Court decisions, that unless a specific grievance is presented, the Court cannot rule on a case.[54] It must be more, it continued, than just the general addressing of provisions or statutes. Japan does not have "constitutional courts" such as those in West Germany and other countries which assumes primary jurisdiction in constitutional disputes. The Suzuki case is significant in that the Court declared that it will rule only on concrete legal disputes.[55]

The second case for the Supreme Court interpretation of Article 9 occurred in 1959. This case involved an incident in Sunakawa where a group of Japanese demonstrators were arrested for illegally entering the base in a protest over the expansion of the U.S. Air Base. The defense held that the demonstrators could not be legally arrested because the stationing of American troops in Japan violated Article 9.[56] On March 30, 1959, the Tokyo District Court found in favor of the defendants. The decision stated that maintenance of both foreign and Japanese military forces in Japan was unconstitutional in violation of Article 9. The Supreme Court handled the appeal. The Court in this case avoided the issue of constitutionality of the SDF. It did, however, rule that Japan had a right to provide for her self-defense, and that therefore, the Security Treaty with the U.S. was not unconstitutional.[57]

The next test came in 1962 when two brothers were charged with cutting a communication line of the Ground Self-Defense Force in violation of the Self-Defense Force Law. This case was significant in that there had been speculation

since the formal creation in 1954 of the SDF whether the courts would be able to avoid the constitutionality issue any longer.[58] The Sapporo District Court was able to solve the problem at this point by stating that the cutting of the communication line did not relate to self-defense; therefore, the defendants were not guilty.[59] Thus the constitutionality issue was again avoided, this time at a level lower than the Supreme Court.

To achieve a better understanding of the constitutionality controversy surrounding Article 9 in Japan, one needs first to delve into the nature of Japanese law and the Constitution. To begin with, Japan is basically a civil law nation, not a common law country like the United States. The laws in Japan arise primarily from codes and laws, not from judicial decisions. This was especially true before 1947.[60] When Japan adopted Western legal codes in conjunction with the promulgation of the Meiji Constitution, she derived much of her system of law not from the common law tradition countries such as the United States and England, but she patterned her judicial system after those of France and Germany which had a civil law tradition. When the Occupation authorities were faced with the task of drafting the new postwar Constitution, they found it difficult to incorporate the U.S. legal system into the Japanese tradition. Hence, a point of contention resulted immediately in the new Constitution.

First, the Occupation authorities desired all sovereignty to reside with the people vice the Emperor. This concept was duly written into the Constitution as Article 41. It states,

> The Diet shall be the highest organ of state power, and shall be the sole law-making organ of the State.[61]

Secondly, to provide a check upon the power of the Diet, as is the case with the U.S. Constitution, the power of judicial review was granted to a Supreme Court in the form of Article 81. It states,

> The Supreme Court is the court of last resort with power to determine the constitutionality of any law, order, regulation or official act.[62]

This state of affairs seem clear enough to an outside observer, but the wordings of the two articles are frought with problems from the standpoint of law, given the Japanese legal tradition.

It should be remembered that the concept of "judicial supremacy" in which the courts are recognized as the final arbiters of the law did not become common practice in the United States until the Marbury v. Madison case of February, 1803. In this ruling, the Supreme Court, Chief Justice John Marshall presiding, upheld the concept of judicial supremacy.[63] The ruling became a precedent, and judicial supremacy has been upheld in the U.S. since that time.

In Japan, this concept of judicial supremacy is noticeably lacking. There has been no Supreme Court ruling to uphold the concept of Article 81. A Marbury v. Madison decision has not been made in Japan. What this means is that the Supreme Court of Japan will usually sustain acts of the Diet, the cabinet, administrative agencies, and local autonomous units. Relying on the doctrine of non-justicability of matters internal to other branches of government, the Court has usually declined to review the legislative process of the Diet.[64] However, one high court judge did invoke the concept of judicial supremacy. This was in the Naganuma case of 1969.

The landmark case in the issue of the constitutionality of the SDF came with the Naganuma Case. This case resulted from a decision in 1969 regarding the Minister of Agriculture's cancellation of a designated forest reserve in Hokkaido for the purpose of using the same area to construct a surface-to-air missile base for the Air Self-Defense Force. The position of the plaintiffs in this case was that the designation of the forest reserve could not be cancelled unless it was for the purpose of public welfare, and it did not meet this

requirement because the establishment of the SDF was in violation of Article 9.[65] The defense argued (1) that the enactment of the Self-Defense Force Law and the Defense Agency Establishment Law were "acts of government" (tochi kōi), political questions, not properly susceptible to review by judicial courts; and (2) even if they were subjected to judicial review, the laws were constitutional because minimum armament necessary for defense was not forbidden by Article 9.[66]

The momentous decision came on September 7, 1973. Judge Fukushima Shigeo of the Sapporo District Court handed down a decision which clearly called the creation of the SDF unconstitutional:

> Article 9 of the Constitution bans all armament, including even defensive weapons; it abolishes arms, and denies even the right of belligerency. In view of their scale, equipment, and capability, the Ground, Maritime, and Air Self-Defense Force are land, sea, and air forces as specified in Article 9, paragraph 2, and are unconstitutional. The claim that they are necessary for the defense of the country cannot be a basis for denying that they are not military units or war potential.[67]

It has been said that the most significant part of the decision lay in Judge Fukushima's rejection of "the doctrine of the political question" which had enabled the government to limit the power of the courts in regard to the question of the constitutionality of SDF. He stated that Article 81 of the Constitution gave the courts authority to review all legislation [echoes of Marbury v. Madison], whereas the government had maintained that political questions such as the enactment of the Self-Defense Force Law were not susceptible to review by the courts.[68]

The resolution of this case did not come for another three years. On August 5, 1976, the Sapporo High Court revoked the decision of Judge Fukushima. The high court said in its ruling that the organization, formation, and equipment of the SDF cannot, as claimed by local citizens, be said to be "apparently and clearly capable of making incursions. . . " Therefore, ". . . whether the existence and other aspects of the SDF are compatible with Article 9 of the

Constitution is a judgement related to sovereign act, and as a political act of the Diet and Cabinet, it should be entrusted ultimately to the people as a whole for their political judgement. It is interpreted that the court must not rule on this matter."[69] What the court actually did was that it returned to the precedent set by earlier decisions of the Sunakawa and Eniwa cases. It avoided the issue of the constitutionality of the SDF and upheld the doctrine of the political question. The court did, however, voice its opinion that the organization, formation, and equipment of the SDF cannot be said to constitute war potential as defined by the Constitution. Apparently the court did not entertain the idea as expressed by Asai Kiyoshi, that the emergence of the SDF is due to the interpretation of Article 9 exceeding the wording of Article 9.[70] By refusing to rule on the constitutionality of the existence of the SDF, it skillfully avoided the issue of constitutionality entirely. The door was left open to future interpretations.

Further support for the government's position came with the Mito District Court ruling concerning the Hyakuri Air Base lawsuit. This particular case had been disputed for some 18 years. The lawsuit was filed in 1958 when the government revoked the confirmation and registration of titles to private land lots traded in connection with the construction of Hyakuri Air Base. Initially it was treated as a routine civil suit, but as the case proceeded, it began to involve the question of the constitutionality of the SDF. Hence in 1971, the court launched upon an investigation into the actual role and status of the SDF. On February 17, 1977, the Mito District Court found in favor of the government. In its ruling the court again upheld the doctrine of the political question by stating,

> The defense issues of a nation are issues that concern the foundation of the nation's existence, and are a matter of policy decision related to the basis of national rule.

> Policy decision as to the size of the organized force which Japan may maintain for exercising the right of self-defense is a matter to be made through comprehensive study of the fluid international environment, international situation, scientific and technological developments and other factors and their future prospects, and this necessarily requires highly political, technological expert judgement.[71]

The Mito District Court ruling however went much deeper than previous rulings into the meaning of Article 9 and the status of the SDF. It stated first of all that the first paragraph of Article 9 renouncing war as a sovereign right of the nation and the threat or use of force as a means of settling international disputes should not be interpreted to mean that Japan has renounced war even as a means of achieving self-defense. It stressed that the first paragraph renounces war and the threat or use of force only when used as a means of settling international disputes.[72] It went on to say that it is appropriate to interpret "the aim of the preceding paragraph" as it appears in the first sentence of the second paragraph of Article 9, as referring to the prohibition of all war potential that can serve an <u>aggressive</u> war [emphasis added], or a threat or use of force. The second sentence of the second paragraph, it went on, does not in any way prohibit the use of force by Japan in the exercise of the right of self-defense to thwart or eliminate an incursion. Hence, it does not violate Article 9 of the Constitution should Japan organize and maintain effective and appropriate measures to the degree required for national self-defense. This last part is significant, for the court went on to conclude that from all the evidence examined by the court, it could not be concluded that the SDF constituted apparent and clear war potential. Therefore, what the Mito District Court ruling did is clear:

(1) It upheld the doctrine of the political question which the government had insisted upon since the earliest days of the court battles.

(2) It interpreted the meaning of the Constitution and Article 9 as it applies to an armed force for Japan in line with the stated policy of the government.

(3) It implied that if the SDF constituted "war potential" as the court defined the term (see above), then the SDF could conceivably be declared unconstitutional.

This ruling left the door open for further interpretation of the term, "war potential." The defendants in the case appealed to the Tokyo High Court.

The Tokyo High Court in March 22, 1978, overruled a lower court ruling on the Niijima Missile Test Range case. In its ruling, the court stated that the problem of whether or not development and maintenance of modern weaponry through such measures as the establishment of the missile test range by the government is in violation of Article 9 of the Constitution is a matter of judgment related to sovereign acts, and is of a nature on which the court should not rule.[73] Thus the Tokyo High Court followed the practice of the lower courts in not ruling concretely on the constitutionality of the existence of the SDF.

Although the courts have defined much more closely than before the meaning of Article 9, that is, reflecting the government position that Article 9 does not renounce Japan's right of self-defense, a question still remains regarding the term "war potential." This has been addressed up to now to the satisfaction of the majority of the governmental leadership and the people. Both the JCP and Kōmeitō have in principle come to accept the existence of the SDF. Only the Japan Socialist Party remains as an advocate for disbanding the SDF. Recent polls indicate an increased acceptance of the SDF reflecting that a high percentage of the population does not regard the SDF unconstitutional. But at the same time, a high percentage of the people reject a revision of Article 9.[74]

On the political scene, Nakasone Yasuhiro of the LDP remains a chief advocate of revising Article 9. There was one attempt in the early years of the Constitution by the liberals and the conservatives to challenge outright the validity of Article 9 with a call for its revision, but the attempt failed due to lack of

support. In the September 1978 issue of Seiron, Nakasone reiterated his desire to take a good look at Article 9, saying that it was forced upon Japan by foreigners, namely the U.S. But instead of an outright call for revision, Nakasone toned down his desire to one of looking at the article closely, and, if the public so desired, amending it.[75] It seems that the pressure for revision of Article 9 even from stern advocates of revision was waned. The greatest contributor to this state of affairs is perhaps that the present interpretation, that Japan has the right of self-defense but forever renounces aggressive use of force for political solutions, has proved satisfactory to nearly all parties concerned.

But the question of constitutionality of the existence of the SDF is far from closed. The key has been and will continue to be the interpretation of Article 9. As long as Article 9 exists, at least in its present form, there will be those who will challenge its interpretation. It is clear that future conflicts will be fought along these lines:

(1) There must be a concrete case concerning the SDF before a case will be entertained by the courts.

(2) The courts will most likely continue to uphold the doctrine of the political question which the government has invoked in the past.

(3) If the courts invoke the concept of judicial supremacy, the complexity of the situation may be changed radically.

(4) The conflict will center on the interpretation of "war potential."

First, the courts have continued to follow the U.S. practice of entertaining only legal disputes. The courts will not rule on theoretical arguments concerning the propriety of Article 9 in the Constitution. Secondly, although Japanese laws arise primarily from legal codes and not from judicial decisions, American common law approaches have been intermingling with Japanese civil law methods and concepts with the result that the use of precedent, including foreign judicial decisions, has become a common feature of judicial life.[76] In fact, the present

Supreme Court has used on occasion the pre-1945 Supreme Court (Daishin'in) decisions as precedent. Therefore, it should be expected that the precedent of avoiding the constitutionality question regarding the SDF will be followed. Thirdly, it seems unlikely that the courts will change its position on supporting the doctrine of the political question. Judge Fukushima, who challenged this concept in the Naganuma case, was severely criticized by the more conservative of his contemporaries. But at the same time, the road is left open for more liberal jurists and more liberal courts to again challenge the concept of judicial supremacy. As Theodore McNelly notes, the constitutional crisis is not limited to conflicting interpretations of Article 9, but also to judicial independence, the scope of judicial review, and the preservation of the Constitution as a whole.[77] The Article 9 controversy could be a useful vehicle to this end. When that happens it is entirely possible that the doctrine of the political question that the government based most of its support in the SDF constitutionality cases may be threatened. Hence, if the political question is no longer upheld in the Court, it is conceivable that the Court could declare the SDF unconstitutional in violation of Article 9. If that happens, the problem for Japan in maintaining armed defensive capability will be greatly compounded. Lastly, short of declaring the SDF unconstitutional, the controversy will revolve around the meaning of the term "war potential." As stated in the Defense White Paper, "In other words, although individual weaponry constituting defense capability must be judged in accordance with the international situation, standards of military technology and other prevailing conditions, selections and introductions must be made strictly within the scope of self-defense requirements."[78] One is reminded of the Diet debate on the issue of adopting the F-4 aircraft for the Air Defense Force in 1968. The Japan Socialist Party argued that the F-4 with bombs was unconstitutional because it would pose a threat to other countries.[79] Defense Agency Director-General

Masuda promised to remove the bombsight. Later, the in-flight air refueling devices from the F-4's were removed for the same reason. It can be expected that in the future interpretations will be required during acquisitions of new military hardware. The potential is there for the term to be interpreted either way, in an expanded view or in a more confined, narrow view.

There are still other problems with the present interpretation of Article 9. As stated in the Defense White Paper, dispatch of armed personnel abroad is not permitted under the terms of the Constitution.[80] However, the right of self-defense is recognized. There are numerous hypothetical cases one can think of which could bring these two concepts into conflict. For example, is a Japanese ship on the high seas considered the territory of Japan, and if it is attacked, is Japan allowed to defend it with the use of force? What about a Japanese-owned embassy or property overseas? Can they be defended with force if attacked? Whatever form the interpretations will take, Article 9 will remain a significant factor to the status of Japan's armed forces as long as it exists. It remains an obstacle to Japan's rearmament.

ECONOMIC POLICY

Background

It would be difficult to believe that Japan's phenomenal growth and the economic policy responsible for such a growth could be an obstacle to rearmament. The sheer economic power of Japan should be an aid to increased rearmament. However, upon closer inspection, the success of Japan's economic policy is not such a blessing after all for increasing significantly Japan's rearmament.

When Japan's postwar leadership confronted the task of reviving Japan from the devastation of war and to make it a thriving, strong country in the community of nations it made certain choices while understanding the state of affairs and

the constraints Japan faced. For her economic policy, Japan chose a course of total concentration to recover her economic vigor in as short a time as possible. In fact, as Edwin Reischauer notes, the fundamental foreign policy of Japan was not the Security Treaty and the whole alliance with the U.S., but the determination to pursue trade as vigorously as possible with all other countries, and through this trade, to restore Japan's economic strength.[81] Reischauer goes on to say that this orientation to an alliance with the U.S., that is, the reliance for Japan's security upon the military power of the U.S., relieved Japan of costly military expenditures. Zbigniew Brezezinski has pointed out that Japan's low defense expenditure has enabled Japanese industry, though perhaps not benefitting from military research and development, to concentrate its resources in areas offering the greatest payoff.[82]

This course, with one exception, has continued to be the basic policy of the Japanese government to this day. The exception was during the Prime Ministership of Hatoyama Ichirō. Hatoyama sought to create a different foreign policy for Japan. He felt that while a friendly relationship with the U.S. was politically beneficial and necessary, the extremely close relationship with the U.S. that Yoshida had created was too confining.[83] Feeling that the way to achieve greater independence was to improve dramatically the relationship with the Soviet Union and simultaneously build up Japan's armed forces, Hatoyama launched a new foreign policy. Hatoyama thought that these two steps would reduce the Soviet threat and enable Japan to better defend herself with less American help.[84] When Kishi Nobusuke gained the Prime Ministership in 1957, he returned Japan to the path which was set forth by Yoshida. Japan again resumed the course of total concentration on economic growth, relying upon the U.S. military protection, and maintaining a gradual, minimal rearmament policy. This policy has continued virtually unchanged to this day.

The Japanese government has skillfully exploited the restrictions on her defensive rearmament to further the economic policy of minimizing defense spendings so as to have available the maximum of capital for economic development. When the U.S. demanded large-scale Japanese rearmament and military cooperation in regional security, Yoshida called attention to the existence of Article 9 which forbade a military force, and the anti-military sentiments of the Japanese which would make it difficult for Japan to rearm significantly. Gradually increasing Japan's defense forces was presented by the Japanese to the Americans as a concession on the part of the Japanese.[85] This tactic has been repeatedly used over the years to minimize Japan's defense spendings. What is also interesting is that this "economic growth first" policy has been used effectively in countering increasing demand by the Defense Agency for a larger share of the national budget. For example, when the Second Buildup Plan (1962-66) was under discussion, and again in 1966-67 when the Third Buildup Plan (1967-72) was being considered, the Defense Agency argued for an increase in the defense expenditure up to 2% of the GNP, twice the politically acceptable level of 1%. On these occasions, the Defense Agency was opposed by the Finance Ministry, MITI, and the Economic Planning Agency. They argued that the then existing rate (less than 1% GNP) was sufficient to provide for minimum defense and fulfill the obligations under the Security Treaty framework.[86] More recent requests for increasing the defense budget has been countered using similar arguments.

In 1947 Japan realized that she could not defend herself alone. Today, she feels just as strongly that she cannot defend herself alone. In 1947 she cast her lot with the U.S., relinquishing to U.S. armed forces the job of insuring Japan's security. Today, this continues to be the Japanese policy, although Japan's armed forces have gradually grown over the years and can now contribute to Japan's security. As long as Japan continues to rely upon the U.S. for her

security, she does not need to have a massive military force. The defense budget may seem meager in comparison to her economic strength, but it is sufficient to satisfy Japan's part of the bargain in insuring Japan's defense--at least that is what the leadership believes. And, if in fact the government believes that the allocation of a tiny portion of the GNP to her defense is a contributor to the economic growth rate, the government will continue to minimize the amount allocated for defense.[87]

The Defense Sector

This is not to imply, however, that the government and industry have neglected Japan's defense and defense-related industries. On the contrary, although the pursuance of the "economic growth first" policy has had a dampening effect upon the development of a domestic defense industry sector, it has not been totally quashed. The defense sector of the economy grew gradually over the initial postwar years, deriving much of its business from the maintenance of U.S. military equipment. Influx of knowhow and technology increased the size of the defense sector. The deliveries of the defense industry declined slightly in fiscal 1976, but thereafter, it began increasing at aroung 15% yearly.[88] Though modest in comparison to the U.S. or the Soviet Union, there exists a sizeable military-industrial complex ready to take on the task of rearming Japan much more extensively than she is armed today.

The defense sector remains a relatively weak sector in the Japanese economy. The single most important organization within the defense sector is the Defense Production Committee (DPC) of the Keidanren.[89] The DPC is the political representative of the aggregated interests of the defense production sector. Here a vehicle exists within the business community to put forth defense production sector interests to the government. The DPC meets regularly with the Japanese Defense Agency to coordinate defense production efforts. The Defense Agency

wants the most from its defense budget while the DPC wants the most from defense contracts. The relationship can be termed "intimate," but the budgeting process for the defense sector is outside these channels.[90] The actual budget battle is waged between the Defense Agency and the Finance Committee of the LDP. The budget appropriations for the SDF has remained fixed at less than 1% GNP for some time. This figure has become a sort of a political barrier which seems unlikely to be breached anytime soon, and the figure increased significantly, considering the present circumstances. But recent indications are that a rise to several percent of GNP may be possible in the near future.[91] However, no matter how intimate the relationship between the defense sector of the economy and the Defense Agency may be, given the present budgetary constraints and the weakness of the Defense Agency vis-a-vis the other ministries, the likelihood of a formation of a powerful military-industrial complex which can significantly influence defense procurement is marginal at best.

Due partly to the relatively low defense spending compared to the size of the economy, major private defense contractors do not have the highest percentage of their production in the defense sector. In the listing of defense industry manufacturers in The Japan Economic Journal of March, 1980, of the 52 companies on the list only one was dependent on the Defense Agency for more than 50% of its business.[92] Only two were dependent for more than 40%. More significantly, the top 10 companies were much less dependent.[93]

1.	Mitsubishi Heavy Industries	9.9%
2.	Kawasaki Heavy Industries	8.8%
3.	Mitsubishi Electric	4.1%
4.	Ishikawajima-Harima Heavy Industries	5.9%
5.	Nippon Electric	2.4%
6.	Toshiba	1.2%
7.	Fuji Heavy Industries	3.7%
8.	Shin Meiwa Industry	15.0%
9.	Nippon Seiko	8.4%
10.	Hitachi	0.5%

As the figures point out, defense production is not a major sector of Japan's economy. The potential is there for defense production to become a more important sector, but as long as Japan's government continues to allocate a small percentage of the GNP for defense, the likelihood for the growth of a military-industrial complex with significant influence on defense production on the scale of the U.S. or the Soviet system seems remote.

The defense sector has, of course, been an advocate for greater defense spending. John Emmerson notes that the industrialists are pushing in two directions: first, the development of indigenous defense production, which implies less dependence on foreign imports and foreign technology, and second, the creation of an arms-export industry.[94] This attitude has been strengthened especially in the wake of the U.S.-Soviet confrontation resulting from the Soviet military advance into Afghanistan. Numerous high-ranking business leaders have come out in favor of increased defense spendings. Kono Fumihiko, the present chairman of the DPC of the Keidanren, and Inayama Yoshihiro, picked as the next president of Keidanren, both are stern proponents of increased defense spendings.[95]

Japan's time-tested "economic growth first" policy, which has been supported in a large measure by the minimal defense spendings, is under severe strain. As Japan saw a continuing U.S. withdrawal from East Asia and saw a growing threat of the Soviets around Japan and around the world, she came to question the effectiveness of the U.S. nuclear umbrella and security guarantee. There has been a call for increased defense spendings. With heightening pressure for increased defense spendings, can Japan change her policy and move toward massive rearmament?

Not only must non-economic factors be overcome, that is, the anti-military psychology of the people and the problems with Article 9 already mentioned, but also, purely economic problems must be surmounted. The first is the growing

competition for a share of the budget. As Japan's economy grew and government revenues increased, so did the request for those funds. Each ministry has a stake in the yearly budget. Not only is there a competition by the various ministries for funds, there is also increasingly greater demand for a share of the budget from the public sector. When Japan was forced to deal with the environmental problems which had been created by the unbridled economic growth, the solution required a massive input of funds to correct the problem. Public welfare programs will require additional funds. The Arab oil embargo and the energy crisis required economic concentration in the energy sector to solve the problem of shortage. In fact, energy development, especially nuclear energy, remains the largest consumer of Research and Development (R&D) funds. In fiscal 1977, nuclear energy development outpaced the four other major R&D sectors, space exploitation, ocean development, data processing, and enviornmental protection. Nuclear energy development recorded a rise in expenditures of 32.5%, far above the closest rival, ocean development, with 6.1% increase.[96] The last thing needed was greater demand for funds from the defense sector. As mentioned earlier, other governmental ministries and agencies, especially the powerful Finance Ministry, MITI, and the Economic Planning Agency, have argued against higher defense budgets. In this kind of atmosphere, the defense sector is bound to be somewhat neglected.

The second factor which must be overcome is precisely the past success of the "economic growth first" policy. This reason has been used in innumerable situations to justify Japan's low defense spendings to both the Americans in their request for increased Japanese contribution to her own security and also to the Defense Agency and the public. The politicians, the bureaucrats, and the general public have become used to this reason for the low defense funding. It will be difficult to overcome this inertia.

Surely Japan can provide more than the present less-than 1% of GNP for her defense. As Martin Weinstein notes, even the war-weary, demoralized, economically insecure Japan of 1954 could devote 1.72% of its GNP and 13.[illegible]% of its taxes to defense; the revitalized, confident, and increasingly affluent Japan of today could at least do as much.[97] Recently it was reported that Japan's Foreign Minister will propose that Japan increase her defense budget to 3% or more of its GNP.[98] It may very well happen. However, it is certain that the continued Japanese adherence to an economic policy of growth which minimizes defense spending and the increasing competition for funds from all sectors will be formidable obstacles to overcome for Japan to significantly increase her rearmament efforts.

FOREIGN OPINION

Perhaps more than any other country on the earth today, Japan is a hostage to her past. Even Germany who subjugated most of Europe and participated in a compaign of genocide against a people is not a hostage to her hostage as much as Japan. This can be explained partly due to the dominance of the Soviet Union in the European political scene and its dubious legacy of inheriting the fear of the West once ascribed to Germany, and also partly to the existence of Article 9 in the Japanese Constitution, where rearmament in Japan raises questions about its intentions not only in Japan itself, but also in the neighboring nations which once either were subjugated by Japan or felt its military threat. In the former category are China, Korea, the Philippines, Indonesia, Malaysia, Singapore, Vietnam, Cambodia, Laos, and Thailand. In the latter category is the Soviet Union.

As Japan both expanded its military potential and increased its economic penetration into these areas, there was a growing fear of the revival of Japanese

militarism and the reappearance of the hated "Greater East Asia Co-Prosperity Sphere." In fact, there came to be a growing fear that Japan was trying to achieve economically what she failed to achieve militarily during the Pacific War. The Chinese have not forgotten the terrors of the Japanese occupation. Korea retains a hatred for the Japanese from the many years of its colonial status when its sovereignty was disregarded. Other Asian nations remember the Japanese military occupation not too long ago. The Soviets have unquestioned military superiority over Japan and can thwart any present territorial design by Japan. But certainly the Soviets harbor some anxiety about any revival of a strongly armed Japan which is an ally of the U.S. and the other Western powers.

The fear of a revived and economically strong Japan has been skillfully exploited especially by the Soviet Union, and China until just recently. The following passage by a Soviet writer well illustrates the manipulation of this fear:

> The Soviet people and the peoples of the Asian countries have not forgotten, nor can they forget Japanese militarism. The horrors which the Japanese people experienced during the war, the horrors into which adventurist warlords plunged them are still fresh in their memories. Thus the Japanese are watchful of any attempts to subordinate the peoples of the Asian countries either politically or economically, and of plans for the creation of new blocs or alliance designed to establish domination in that part of the world.[99]

Although the passage includes a noticeable tinge of propaganda, one cannot escape the veracity of the main points: Asians are watchful of Japan and Japan is cautious so as not to give any impression of a revival of the "Greater East Asia Co-Prosperity Sphere."

Japan is careful so that charges of either political or economic dominance in East and Southeast Asia will not be raised, or at least kept to a low level. To allay this fear, Japan has on numerous occasions reiterated her declaration not to send her troops overseas. The Japanese courts' interpretation of Article 9

of the illegality of dispatching Japanese armed forces overseas contributes to allaying the fears of these neighboring nations. Japan's adoption of the Three Non-Nuclear Principles is another form of reassurance of peaceful designs. Japanese sensitivity in this regard is illustrated very recently in the statement made in Beijing following the conclusion of new economic accords with the Chinese. As part of the negotiations, Prime Minister Ōhira affirmed that Japan will not provide military cooperation.[100]

Up until 1972 Chinese charges of reviving Japanese militarism were voiced often and unequivocally. Revival of Japanese militarism was a constant theme of the Chinese propaganda attacks directed against Japan. When Premier Chou En-lai visited Pyongyang, North Korea, in April 1970, at the end of the visit, a joint communique devoted nine paragraphs to Japanese militarism. The first paragraph reads,

> The two sides vehemently condemned Japanese militarism which revived again as a dangerous force of aggression in Asia under the active patronage of U.S. imperialism is embarking on the road of open aggression against the Asian people with a delusion to realize the old broken dream of "Greater East Asia Co-Prosperity Sphere" with the backing of U.S. imperialism and in conspiracy and collusion with it.[101]

Japanese and Chinese delegates to trade conferences to Beijing have in the past condemned Japanese militarism, and a strong alarm was sounded upon the publication of the first Defense White Paper in October, 1970. The Chinese press greatly played up Mishima Yukio's suicide in November of the same year as an indication of this militarist tendency in Japan.

On the other hand, the Japanese harbor a guilt-complex over what they had done to China during the last war.[102] The charges of militarism and the guilt complex combine to make the Japanese very cautious in regard to presenting any hint of a revival of the old militarism. It is certain that the Japanese recognize the deep propagandistic coloring of the attacks, but Japan cannot ignore

these criticisms, especially when Japan is in the process of expanding her economic penetration of these nations. These propaganda attacks do not determine Japan's defense options, but they do have the effect of making Japan carefully consider the political ramifications of the rearmament decision.

Whereas the Soviet attacks upon the supposed revival of Japanese militarism still are voiced, the Chinese attacks have ceased. This change in basic Chinese policy toward Japan came about as rapprochement was reached between Japan and China as a result of the U.S. decision to normalize relations with China. In the Japanese-Chinese summit talks on the normalizing of relations between the two countries, reportedly Chou En-lai criticized the concept of unarmed neutrality by saying that he considered himself to be far more sensible than the Socialists in Japan who are advocating unarmed neutrality. It is only natural, he stated, for an independent nation to have armed forces for self-defense.[103] More recently the Chinese have come out in favor of the existence of the SDF, and the U.S.-Japanese Security Treaty.[104]

Since the cessation of Chinese attacks, the Soviets have become most vehement in charging the revival of Japanese militarism. They have skillfully exploited the fear of the revival of Japanese militarism for political gain. Though the Soviets may not fear the present posture of the Japanese armed forces as a direct threat to the Soviet territories themselves, the alliance of Japan and the U.S. directed against the Soviet Union is certainly a concern. The fear also exists of a Japan-China alliance directed against the Soviet Union. An article by I. Ivkov appeared in the fourth quarter, 1978 issue of the Soviet Far Eastern Affairs periodical published by the USSR Academy of Sciences, entitled "Japanese Militarism Rears Its Head."[105] Because it came in the wake of the signing of the Japan-China treaty on peace and friendship on August 12,

1978, it is likely that it was written in reaction to the treaty. References to Japan's militarist past are also regular. A fourth quarter, 1979 article in the same quarterly glorified the victory of the Mongolian and Soviet forces over the Japanese forces at Halhyn-Gol in September, 1939.[106]

The removal of Chinese attacks upon the existence of the SDF and rearmament of Japan have lifted quite a large portion of the obstacle of adverse foreign opinion toward Japanese rearmament efforts. However, Japan has not deluded herself into thinking that fear of a revival of Japanese militarism has vanished. As the recent statement in Beijing by Prime Minister Ōhira shows, the thought is still imprinted upon the minds of the Japanese. Propaganda attacks from the Soviet Union have not ceased. There are occasional reminders of continued prejudice toward the Japanese in Asia. The furor in the summer of 1979 in Korea over the so-called "sex-vacations" of the Japanese businessmen is one example. Furthermore, Japan continues to have three territorial disputes with three different nations: the dispute with the Soviets over the Northern Islands, the dispute with China over the Senkakus, and the dispute with Korea over Take Shima, or Tok Do, in the Sea of Japan. These territorial issues will continue to be factors in the distrust of Japanese intentions as Japan continues to rearm. Although diminished greatly since the change in the basic Chinese policy, Japan's awareness of the fear and distrust of the Asian countries of the revival of Japanese militarism and economic domination remains an obstacle to Japanese rearmament. It is an obstacle which must be considered carefully by Japan as she continues to expand her military power and the economic penetration of Asia.

U.S. INFLUENCE

Original Concepts of Security

Japan's security policy and rearmament policy has been closely connected with the U.S. influence. Although the Occupation of Japan was called the "Allied Occupation," it was so in name only. In reality it was a U.S. Occupation. From the beginning the other allied powers had little say in the Occupation of Japan. General MacArthur, the SCAP, made certain that it would stay that way.[107]

Of course the first order of business for the U.S. was to completely demilitarize Japan to insure that a military Japan would never again threaten the security of East Asia. The Occupational reforms were thorough and far-reaching as mentioned earlier. But there resulted presently a fundamental change in the U.S. policy toward Japan. Although the U.S. had created a major obstacle for the creation of a renewed Japanese rearmament in the form of a Constitutional prohibition, Article 9, it was soon forced to reconsider this move. The immediate developments of the postwar political scene shed new insight into the U.S. views regarding security in East Asia. By 1950 nearly four years had lapsed since Winston Churchill's perception of an "Iron Curtain" around the Soviet Bloc and the Berlin Blockade was two years old. In East Asia, the Chinese Nationalists were defeated by the end of 1949, fleeing to the island of Taiwan as a new Communist giant stood on the continent. In Korea, the Soviet-backed and Soviet-armed North Korean regime posed a threat to the security of South Korea. U.S. now needed an armed Japan as an ally in the East as U.S. forces were divided a full continent apart. The U.S. began to press Japan into rearmament to aid in the security of East Asia. Although this policy has undergone change in emphasis through the years, its basic position has not changed. It became a significant factor in Japan's rearmament policy.

By 1950 Japan had already understood for several years the need to provide for Japan's future security in the bipolar world which she saw developing, that between the Soviet Union on one hand and the U.S. on the other. Martin Weinstein makes a strong case for the farsightedness of the postwar Japanese leadership in addressing this dilemma and choosing the U.S. as its ally. He points out that as early as 1947, Japan's views on the defense question began to crystallize.[108] By late 1947, as the Ashida Memorandum shows, Japan already had ideas about insuring her own internal security while desiring to enter into a security arrangement to insure against external attack, pursuant to a conclusion of a peace treaty with the U.S. But at this early stage, the U.S. was not prepared to consider the matter of a separate peace treaty with Japan and rebuffed the memorandum.[109]

However, by 1950 the U.S. was moving toward a separate peace treaty with Japan without Soviet participation. The U.S. by this time wanted to stablize the Far East by means of a Western Pacific defense perimeter which would include Japan. Korea was to be a buffer zone. By this time also the U.S. wanted to retain some military presence in Japan even after the conclusion of a peace treaty.

Japan's desire at this point, however, was a drastic reduction in U.S. forces on Japan's soil, if not a complete withdrawal.[110] General MacArthur's pressing desire for an early end to the Occupation and the speedy economic recovery of Japan undoubtedly affected the U.S. view in favor of an early peace treaty.

Actually, U.S. initiative for rearming Japan came even before the outbreak of the Korean War and MacArthur's decision to order the creation of the National Police Reserve. In June, 1950, Ambassador Dulles flew to Tokyo to consult with General MacArthur and to gauge Japanese thoughts on a peace treaty. At this meeting, Dulles strongly urged that the Japanese begin to rearm. The Japanese were not prepared for such a comment and shrugged it off.[111] The outbreak of

the Korean War on June 25 changed the entire complexion of the situation. By July, General MacArthur ordered the establishment of the National Police Reserve Force of 75,000 men and expansion of the personnel of the Maritime Safety Agency by 8,000. Although the forces were created only for internal security, the rearmament of Japan had begun.

Ambassador Dulles arrived in Japan in January, 1951, to begin negotiations on the upcoming peace treaty between the U.S. and Japan. Two significant decisions were reached at that meeting: (1) The U.S. would continue to retain a military presence in Japan following the peace treaty, and (2) Japan should positively contribute to the defense of the entire region of East Asia.[112] Both sides came away with a different understanding of the upcoming security arrangement and the provisions for insuring Japan's security. The U.S. understanding was that it would be willing to cooperate in the defense of Japan if Japan immediately began taking vigorous measures to defend herself and participate in regional security. For Japan, the understanding was that Japan would allow the stationing of U.S. troops on Japan as a quid pro quo for agreeing to rearm gradually to contribute to the security of Japan and to East Asia.[113] Japan did not abandon the external-internal security equation, that is, Japan would insure its internal security while the U.S. would insure its external security. But Prime Minister Yoshida and the Japanese had realized that concessions were necessary. These basic positions have not changed since their formulation. The U.S. pressure for greater Japanese participation in her own security has continued since the formulation of these positions.

Evolution of Positions

U.S. pressure for Japanese contribution to regional security in the Western Pacific intensified during the negotiations for the revision of the 1951 treaty. During the negotiations in 1958, Ambassador MacArthur reiterated Dulles' earlier

proposal that the treaty should apply to areas in the Western Pacific beyond Japan. Prime Minister Kishi and Foreign Minister Fujiyama opposed this idea just as Prime Minister Yoshida had done during the 1951 negotiations. They stated that Japan did not possess the means to take such an expanded task and that the Japanese people still had the memories of the disastrous attempt to bring stability to Asia by military means.[114]

The U.S. pressure for increased Japanese contribution to the security of Japan and contribution to regional security abated somewhat after that time, but the pressure was resumed during the negotiations for the return of Okinawa to Japanese jurisdiction. The Dulles years had passed, and the Kennedy years gave way to the era of Nixon and Kissinger. President Nixon's policy toward East Asia and Japan is reflected in his 1967 Foreign Affairs article, "Asia After Vietnam." Nixon stated:

> Looking toward the future, one must recognize that it simply is not realistic to expect a nation moving into the first rank of major power to be totally dependent for its own security on another nation, however close the ties. Japan's whole society has been restructured since World War II. While there still are traces of fanaticism, its politics at least conform to the democratic ideal. Not to trust Japan today with its own armed forces and with responsibility for its own defense would be to place its people and government under a disability which, whatever its roots in painful recent history, ill accords with the role Japan must play in helping secure the common safety of non-communist Asia.[115]

Although the concept was put forth mainly against a future Chinese threat to the area, Nixon envisioned some kind of a regional security system for Asia with Japan playing a major role.

The Okinawa reversion issue came to a head in 1969. At that point the Security Treaty of 1960 was to be up for review in one year, to be possibly terminated after the intial ten-year period. The growing popular sentiments for reversion of Okinawa to Japanese control was seen by the U.S. administration

as a potential stumbling block to the continuation of the Security Treaty. The policymakers felt that unless the Okinawa issue was handled skillfully, the kind of upheaval seen in the 1960 Security Treaty crisis could recur.[116] Thus the resolution of the Okinawa issue was a pressing one for both the United States and Japan. The basic principles that the U.S. would follow concerning the overall policy toward Japan and the Okinawa reversion was agreed to at a Review Group meeting on April 25 and received the approval of Nixon at a National Security Council meeting on April 30, 1969. According to Kissinger this position was that (1) Japan was the cornerstone of the U.S. Asian policy and that it must be the basic objective to strengthen the relationship, (2) the U.S. would seek to continue the Security Treaty without amendment after 1970, assuming Japan was not torn by domestic schisms over it, (3) the U.S. would encourage Japan to play a larger political role in Asia and to make moderate increases in her defense capability, and (4) the U.S. would not exert pressure on Japan to develop substantially larger forces.[117] Hence, the U.S. position toward Japan had jelled. First, the U.S. would pressure Japan for a greater contribution to her own security. Second, the U.S. would discourage a massively-armed Japan.

The Japanese saw in the Okinawa reversion an opportunity to diffuse opposition to the continuance of the Security Treaty. Prime Minister Satō noted that an Okinawa agreement would go a long way to diffuse opposition to the U.S.-Japan relationship.[118] With Okinawa out of the way, Satō added, Japan would be able to increase its defense capability. The Okinawa reversion issue had become by this time a very popular issue, and it is apparent Satō felt that large political gains could be realized with a successful reversion of Okinawa to Japanese control. Thus Japan was ready to compromise and entertain the U.S. desires for increased Japanese commitment for improvements in Japan's defense capability and a commitment for a larger Japanese political role in Asia. Accordingly, Satō agreed in

principle to a greater Japanese role in Pacific defense and increased defense capability. The joint communique of November 21, 1969 showed a Japanese commitment to further contribution to the peace and security of Korea and Taiwan.[119] Although this declaration amounted to only the agreement of allowing unobstructed use of the Okinawa bases by the U.S. and committed no Japanese forces or intentions to use those forces for regional security, Japan had affirm that her own security was interlinked with the U.S. ability to provide security for Korea and Taiwan. Japan had responded again to U.S. pressure for increased rearmament and increased participation in regional security.

About the same time, a significant change in the U.S. position in Asia produced a change in the Japanese conception of U.S. military presence on Japanese soil. In the early years, during the time Prime Minister Yoshida was in office, U.S. pressure for increased Japanese rearmament was resisted with the reason that Japan was neither psychologically nor economically capable of undertaking the degree of rearmament that the U.S. demanded.[120] This reasoning held up quite well until the 1960's when Japan was well into her amazing economic recovery. The reason for Japan's hesistancy to rearm rapidly by that time concentrated upon the psychological unwillingness of the people to rearm rapidly, constitutional restraint, and the fear of arousing charges of militarism, especially from her Asian neighbors with whom Japan shared special economic interests.

Throughout these two periods, U.S. troops on Japan's soil were viewed as a necessary evil by the Japanese--a quid pro quo for guaranteeing Japan's security. But in the late 1960's a fundamental change in the Japanese position resulted. This was due partly to the Vietnam debacle of the U.S. and the resultant Nixon Doctrine as the U.S. began to withdraw significantly from East and Southeast Asia. At this point the commitment of the U.S. forces for Japan's security became increasingly questioned, and the presence of U.S. forces in Japan was held as

necessary for the continuing credibility of the U.S. security guarantee.[121] Hence U.S. pressure for increasing Japan's rearmament and a greater role in regional security had shifted not at the direct initiative of the U.S., but with a change in the conceptualization of the U.S. security guarantee by the Japanese themselves. The U.S. pressure is now more the specter of U.S. withdrawal from Asia, and more specifically, Japan itself, than the overbearing pressure in the past as Occupation Authorities, provider of a nuclear umbrella, or a holder of Japanese territory. It is a much more realistic attitude concerning Japan's security, one which portends a greatly independent security policy for Japan.

Present U.S. policy toward Japanese rearmament and its contribution to Japan's security has not changed significantly since the Nixon-Kissinger era, but has turned to a less assertive posture. One indication of the present U.S. policy toward Japan in this regard is reflected in a January 1972 article in Foreign Affairs by Zbigniew Brezezinski:

> However, an undeniable dilemma is involved in the argument here: continued U.S. military presence in Japan offends Japanese nationalist feeling and creates strains in the U.S.-Japan relationship; but a reduced U.S. presence there would intensify Japanese insecurity, increase the need for larger Japanese armed forces and give rise to renewed fears of Japanese militarism. Under the circumstances, the best that can be done is for both the Japanese and the Americans to try to harmonize a gradual change in their military relationship with Japan's gradually increasing self-assertiveness.[122]

A more recent indication of the less assertive posture of the U.S. regarding Japanese rearmament is the relative calm of Defense Secretary Harold Brown's statement upon his trip Japan in October, 1979. After watching a demonstration by the Japanese Ground and Air Self-Defense Forces in Hokkaido, he commented upon the professional character of these forces. This, noted Richard Halloran of the New York Times, was in marked contrast to the mildly derisive comments which his

predecessor made with inference that Japan was not doing its share for its own defense or for collective security.[123]

Thus the respective positions of the Japanese and the Americans concerning Japan's rearmament policy are as follows. On one side Japan desires the protection of the U.S. and the guarantee of her security with the Security Treaty and the presence of U.S. troops in East Asia. With the continued U.S. withdrawal from East Asia, Japan has become extremely sensitive about further U.S. troop reductions, either from East Asia or from Japan. Japan's uneasiness following President Carter's announcement of the planned troop withdrawals from Korea is a strong indicator of this concern. As long as the U.S. protection continues, it seems unlikely Japan will drastically alter its present policy of gradual rearmament and minimal defense. On the other side, the U.S. also wants the best of both worlds. On one hand, the U.S. desires a militarily powerful ally in Japan which is able not only to defend itself, but also to contribute to regional security in East Asia. On the other hand, the U.S. does not desire a militarily powerful Japan which would be so powerful that it could alter significantly the balance of power in East Asia, and certainly not powerful to the extent of possessing nuclear weapons. The U.S. policy in the past has been to follow these two sometimes conflicting courses in its relations with Japan. This state of affairs becomes the source of the problems to follow.

As long as the respective desires of Japan and the U.S. continue in the present form, then the mutual desires will not be in conflict. Both sides will continue to have the best of both worlds. It has worked well in the past with slight concessions from each side. The U.S. has been careful not to press Japan too hard to rearm, and Japan has skillfully used its unique status vis-a-vis the U.S. to follow a gradual course of rearmament. But Japan seems to be on the verge

of a reassessment of its military status. Lately the Japanese have been questioning the adequacy of Japan's defense forces in the face of growing Soviet threat, and questioning the American resolve to come to the aid of Japan. Diplomacy as a primary means of insuring Japan's security is also being questioned. Indicative of this type of argument is one put forth by Sasabe Masuhiro. He notes that although national power consists of various powers, for example, economic, political, and diplomatic, it is foolhardy to believe that a military force can be resisted successfully without military power.[124] Perhaps the uncertainty is strong enough to push Japan to make unilateral decisions about its security.

It is highly questionable if the U.S. would consent to Japan's unilateral massive rearmament without sounding some sort of alarm. The U.S. would think twice about a militarily-revived Japan with sufficient power to change the military balance in Asia. The U.S. would certainly oppose the acquisition of nuclear weapons by Japan. In the case of Japan's massive rearmament initiatives, it seems likely that the U.S. would use political pressure to try to keep Japan in conformity with U.S. desires, that is, a strong Japan, but not a militarily-powerful Japan possessing nuclear weapons. The pressure which the U.S. could apply may include the threat to withdraw the protection of the nuclear umbrella during the stage that Japan is pushing toward massive rearmament. It could mean a complete U.S. troop withdrawal from Japan, including troops in Okinawa. Of course such a step taken unilaterally by the U.S. would be almost certain to cause Japan alarm and conceivably even push Japan into a massive rearmament program. But if the pressure were to be applied at the strategic interval when Japan would be nearly defenseless, that is, during the transition period from the present minimum defense stance to the attainment of massive rearmament sometime hence, it would surely make the Japanese leadership think twice about any unilateral move toward massive rearmament. At present, the specter of U.S. withdrawal from East Asia

and Japan makes Japan fear the shortcomings of the gradual rearmament and minimum defense policy, and the need to revise the policy to a more self-sufficient defense policy. But on the other hand, if Japan does decide unilaterally to rearm massively the specter of U.S. withdrawal will act as a brake to the Japanese initiative. In this way, the specter of the withdrawal of the U.S. nuclear umbrella and the security guarantee by means of the Security Treaty and the presence of U.S. troops in Japan would be an obstacle to a Japanese massive rearmament initiative. Japan could not very easily forsake the U.S. protection to pursue a course of massive rearmament. Hence, the U.S. influence would be an obstacle to be reckoned with in any Japanese move toward massive rearmament.

CONCLUSION

Today Japan confronts a rearmament dilemma composed of various obstacles; these are, (1) the anti-military psychological stance of her people, (2) the no-war clause of her Constitution, Article 9, (3) the economic policy which emphasizes gradual rearmament and minimum defense, (4) foreign distrust of Japanese intentions, and (5) the U.S. policy of discouraging the evolution of a massively-armed Japan. Scholars may say that drastic changes in the external or internal political environment would cause Japan to abandon the present policy of gradual rearmament and minimum defense, but even if there occurred a drastic change in the international or domestic scene which may force Japan to attempt massive rearmament, it would be a difficult undertaking. The obstacles to massive rearmament are formidable. The gradual rearmament of the past has been accomplished extremely slowly, often under severe controversy. These controversies will not disappear anytime soon. It has taken Japan 35 years to come this far. There still remain numerous unresolved issues which have a dirct relationship to the changing character of the Japanese postwar society, such as, the question of the interpretation of Article 9 and the authority of the courts versus the authority of the

government. These issues may be conveniently postponed by means of clever interpretations, but they must eventually be resolved. To be sure, drastic change in either the external or the internal political environment will change the nature of the present gradual rearmament and minimum defense policy. However, all the obstacles to rearmament will not simply disappear. They must be resolved over time. In the past Japan has skillfully used her postition, alliance, and limitations to follow a gradual course of rearmament. Now that a reassessment may be necessary, Japan may find that she cannot rearm massively.

NOTES

1. Albert Axelbank, Black Star Over Japan: Rising Forces of Militarism, (Hill and Wang, 1972).

2. Edwin O. Reischauer, The Japanese (Cambridge: Belknap Press, 1978).
   Martin E. Weinstein, Japan's Postwar Defense Policy, 1947-68 (New York: Columbia University Press, 1971).
   James W. Morley, ed. Forcast for Japan, Security in the 1970's (Princeton: Princeton University Press, 1972).

3. Reischauer, p.154.

4. Yoshida Shigeru, The Yoshida Memoirs: The Story of Japan in Crisis, tr. by Yoshida Kenichi (Boston: Houghton Mifflin Co., 1962), p.289.

5. The Department of State, The Far Eastern Commission, A Study in International Cooperation: 1945-1952 (Washington: Department of State Publication, 1953), p.67.

6. Douglas H. Mendel, "Public Views of the Japanese Defense System," in The Modern Japanese Military System, ed. James H. Buck (Beverly Hills: Sage Publications, 1975), p.154.

7. Yoshida, p.131.

8. Ibid, p.132.

9. Ibid, p.134.

10. Ibid, p.140.

11. Ibid, p.139.

12. John K. Emmerson and Leonard A. Humphreys, Will Japan Rearm? A Study in Attitudes (Washington: AEI for Public Policy Research, 1973), pp.14-15.

13. Ibid, p.15.

14. Ibid, p.16.

15. Japan Defense Agency, The Defense of Japan, Defense White Paper (Tokyo: Defense Agency, 1970), p.40.

16. Defense White Paper, 1976, 1977, 1978, 1979.

17. Defense White Paper, 1979, p.64.

18. Sakanaka Tomohisa, "Defects in Japan's Defense Policy," Japan Echo, 5, No. 4 (1978), 51-2.

19. Mendel, pp.165-7.

20. Weinstein,Japan's Postwar Defense Policy, p.51.

21. Yoshida, pp.139-140.

22. Ibid, p.140.

23. Japan Defense Agency, "Public Opinion Survey on the Self Defense Forces and Defense Issues Conducted by the Information Office of the Prime Minister's Office," A Compilation by the Japan Defense Agency (1979), p.1.

24. Yoshida, p.183.

25. Weinstein, Japan's Postwar Defense Policy, p.63.

26. Theodore McNelly, "The Constitutionality of Japan's Defense Establishment," in The Modern Japanese Military System, ed. James H. Buck (Beverly Hills: Sage Publications, 1975), pp.105-8.

27. Fukushima Shingo, "Japan's Wavering Defense Plan," Japan Quarterly, 25 (1978), 402.

28. International Institute for Strategic Studies, The Military Balance: 1979-1980 (London: 1979), pp.94-7.

29. Ibid, pp.94-7.

30. Ibid, pp.96-7.

31. Fukushima, p.406.

32. Leonard A. Humphreys, "The Japanese Military Tradition," in The Modern Japanese Military System, pp.37-8

33. Ibid, p.38.

34. Defense White Paper, 1976, pp.58-60.

35. Thomas M. Brendle, "Recruitment and Training in the SDF" in The Modern Japanese Military System, p.89.

37. Foreign Press Center, Public Opinion Survey on Self-Defense Force and Defense by Public Relations Office, Prime Minister's Secretariat, February 1979 (1979), pp.8-9.

36. Defense White Paper, 1979, p.36.

38. Kotani Hidejirō, Kokubō no Ronri (The Logic of National Defense), (Tokyo: Akajiro Publishing Co., 1971), p.175.

39. Brendle, p.89.

40. Defense White Paper, 1978, pp.223-232.

41. Foreign Press Center, *Public Opinion Survey on Self-Defense Force and Defense*, p.7.

42. Morris Janowitz, "Volunteer Armed Forces and Military Purpose," *Foreign Affairs*, 50 (1972) 443.

43. Editor, *Japan Echo*, 5, No.4 (1978), 8.

45. Defense White Paper, 1978, p.219.

44. *New York Times*, 25 Aug. 1979, p.6, col.1.

46. Editor, *Japan Echo*, p.6.

47. Kotani, p.175.

48. Yoshida, p.289.

49. *Ibid*, p.137.

50. See 7.

51. Department of State Publication 2836, *The Constitution of Japan* (Washington: U.S. Government Printing Office, 1947), p.2.

52. Nakasone Yasuhiro, "Toward Comprehensive Security," *Japan Echo*, 5, No.4 (1978), 36.
Murakami Kaoru, "The Postwar Defense Debate in Review," *Japan Echo*, 5, No.4 (1978), 18.

53. Weinstein, *Japan's Postwar Defense Policy*, pp.24-5.

54. McNelly, p.102.

55. *Ibid*, p.103.

56. *Ibid*, p.103.

57. *Ibid*, p.104.

58. *Ibid*, p.105.

59. *Ibid*, p.105.

60. Itoh Hiroshi and Lawrence Ward Beer, *The Constitutional Case Law of Japan, Selected Supreme Court Decisions, 1961-70* (Seattle: University of Washington Press, 1978), p.8.

61. *Ibid*, p.261.

62. *Ibid*, p.262.

63. Stephen K. Williams, *Cases Argued and Decided in the Supreme Court of the United States and Others, 1,2,3,4 Cranch, Book 2, Lawyers Edition* (Rochester: The Lawyers Cooperative Publishing Company, 1926), pp.173-179.

64. Itoh and Beer, p.18.

65. McNelly, p.106.

66. Ibid, p.106.

67. Ibid, p.106.

68. Ibid, p.107.

69. Defense White Paper, 1978, p.183.

70. Asai Kiyoshi, "Kenpō Dai Kyūjō to Naganuma Hanketsu" (Article 9 of the Constitution and the Naganuma Case), Shin Bōei Ronshū, 2, No.1 (1974) 92.

71. Defense White Paper, 1978, p.186.

72. Ibid, p.185.

73. Ibid, p.186.

74. Mendel, p.150.

75. Nakasone, p.38.

76. Itoh and Beer, p.9.

77. McNelly, p.110.

78. Defense White Paper, 1979, p.63.

79. Murakami, p.26.

80. Defense White Paper, 1979, p.61.

81. Reischauer, p.357.

82. Zbigniew Brezezinski, The Fragile Blossom, Crisis and Change in Japan (New York: Harper and Row, 1972), p.41.

83. Martin E. Weinstein, "Strategic Thought and the U.S.-Japan Alliance," in James W, Morley, ed. Forcast for Japan, Security in the 1970's (Princeton: Princeton University Press, 1972), pp.52-3.

84. Ibid, p.53.

85. Ibid, p.58.

86. Ibid, p.54.

87. Martin E Weinstein, "The Evolution of the Japan Self-Defense Forces," in Modern Japanese Military System, p.61.

88. The Japan Economic Journal, 18, No.892 (February 26, 1980) 15.

89. David R. Hopper, "Defense Policy and the Business Community: The Keidanren Defense Production Committee," in The Modern Japanese Military System, p.142

90. Ibid, p.141

91. The Japan Economic Journal, 18, No.895 (March 18, 1980) 1. See report of planned trip to Washington by Japanese Foreign Minister Ōkita Saburō.

92. The Japan Economic Journal, 18, No.894 (March 11, 1980) 2. This is the Japan Aircraft Manufacturing Company, a government-created company which receives 53.8% of fixed capital from the government. See Chalmers Johnson, Japan's Public Policy Companies (Washington: American Enterprise Institute for Public Policy Research, 1978), p.158.

93. The Japan Economic Journal, March 11, 1980, 2.

94. John K. Emmerson, Arms, Yen & Power, The Japanese Dilemma (New York: Dunellen, 1971), p.148.

95. The Japan Economic Journal, March 11, 1980, 11.

96. Science and Technology Agency, White Paper on Science and Technology (Tokyo: Science and Technology Agency, 1978), pp.21-2.

97. Weinstein, "The Evolution of the Japan Self-Defense Forces," p.53.

98. The Japan Economic Journal, March 18, 1980, 1.

99. N. Nikolaev, Thirty Years Since Victory Over Militarist Japan (Moscow: Novosti Press Agency Publishing House, 1975), p.52.

100. New York Times, December 11, 1979, p.6, col.1-6.

101. Emmerson and Humphreys, p.44.

102. Edwin O. Reischauer, Japan, The Story of a Nation (New York: Alfred A. Knopf, 1964), p.278.

103. Murakami, p.28.

104. New York Times, November 11, 1979, p.8, col.1.

105. I. Ivkov, "Japanese Militarism Rears Its Head," Far Eastern Affairs, 4 (1978) 43-55.

106. Air Marshal V. Sudets, "Rout of Japanese Militarist at the Halhyn-Gol," Far Eastern Affairs, 4 (1979) 44-62.

107. Hellman, p.323.

108. Weinstein, Japan's Postwar Defense Policy, p.12.

109. Weinstein, Japan's Postwar Defense Policy, p.25

110. Ibid, p.48.

111. Ibid, p.50.

112. Ibid, pp.59-60.

113. Ibid, pp.59-63.

114. Ibid, p.92.

115. Richard M. Nixon, "Asia After Vietnam," Foreign Affairs, 46 (1967) 120-21.

116. Henry Kissinger, White House Years (Boston: Little, Brown and Company, 1979), p.325.

117. Ibid, p.328.

118. Ibid, p.334.

119. Excerpts from the Joint Communique between President Nixon and Prime Minister Satō, November 21, 1969, in Emmerson and Humphreys, pp. 128-131.

120. Weinstein, Japan's Postwar Defense Policy, p.25.

121. Hellman, pp.332-334.

122. Zbigniew Brezezinski, "Japan's Global Engagement," Foreign Affairs, 50, No. 2 (1972) 279.

123. New York Times, November 11, 1979, p.8, col.1.

124. Sasabe Masuhiro, "Anzen Hoshō no Gainen" (Concept of National Security), Shin Bōei Ronshū, 6, No.2 (1978) 46-48.