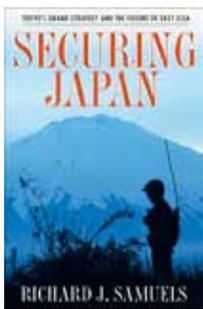


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## Stretching Constraints

The primary formal restraint on the growth of the postwar Japanese military has been Article 9 of the Constitution, prohibiting the use of force as a means of settling international disputes and denying Japan possession of “war potential.” Still, Japan’s Defense Agency (JDA) and Self-Defense Forces (SDF) were established in 1954 amid lexical somersaults that have ever since complicated the stratagems of Japanese leaders. “War potential” now would be defined on a sliding scale. Armed forces could be maintained after all, and Japan could have a military. But the public retained vivid memories of a devastating war, and had to be brought along slowly. The balance of public opinion valued protection *from*, more than protection by, their military.

Over time, significant new constraints were added, as Japan’s cheap ride on U.S. security guarantees became the central feature of Japan’s grand strategy. In order to reassure Japanese citizens that its government would not embark on foreign adventures and its neighbors that Japan no longer posed a military threat, Japan would follow the mercantilist strategy of a trading state rather than the military strategy of a great power.

After the Cold War, the re-institutionalization of Japanese grand strategy began in earnest. Fifteen new security-related laws were enacted between 1991 and 2003 and a new suite of security policy institutions was designed, including the elevation of the JDA to ministry status in 2007. The pacifist loaf that had been so carefully prepared by the conservative mainstream would now be sliced nearly beyond recognition by revisionists who consolidated power under Prime Minister Koizumi Junichiro.<sup>2</sup>

Despite many changes, one important thing did not change. Japan’s defense budget remains capped notionally at one percent of GDP. This amounts to more than \$40 billion in 2007 dollars and, while it buys a lot of equipment, it is very low by international and regional standards. So, while Japan is the fourth largest defense spender in the world, and although it fields the most modern military force in Asia, defense spending remains constrained at a time when demands for enhanced capabilities and a longer reach—from the United States, from the Japanese defense industry, and from conservative politicians—continue unabated.

## Enter the Japan Coast Guard

An alternative would have to be found if Japan were to increase its defense capabilities without destabilizing the political situation at home and abroad. From its inception in 1948, a clear line was drawn for the JCG: it would not be regarded as an armed force capable of military functions.<sup>3</sup> Today, however, coast guardsmen conduct joint exercises with the Maritime Self-Defense Force (MSDF). It also has a special operations unit dedicated to counter-terrorist operations. And, most significantly, JCG commanders enjoy more discretion in the use of force than SDF officers.

While the JCG still has a way to go to become a fully modernized and militarized service branch, the transformation of the JCG may be the most significant and least heralded Japanese military development since the end of the Cold War. The Japan Coast Guard Law was revised by Diet in October 2001, to allow the outright use of force to prevent maritime intrusion and to protect the Japanese homeland. Seizing the same opportunity presented by 9/11 as Washington, Tokyo moved quickly to enhance the functions of its Coast Guard.

The JCG is now allowed by law to initiate armed conflict under conditions that are vaguely defined and easily justifiable in retrospect. Local commanders are now authorized to use force under the conditions of “justifiable defense” and during an “emergency.” Within one month, in the first Japanese use of force since the end of the Pacific War, Prime Minister Obuchi ordered the Japanese Coast Guard to fire upon a North Korean vessel, which, unmarked and refusing to identify itself, was known as a “suspicious ship” (*fushinsen*). Fifteen North Korean crew members died in the fire fight.

Some insist that the JCG is merely being modernized: “an analogue JCG [is changing into] into a digital one.”<sup>4</sup> Militaries might fight one another, but coast guards enforce laws and are partners in crime fighting. Still, using the term for “war potential” (*senryoku*) declared unconstitutional in Article 9, a JCG White Paper headlines the JCG’s “New Fighting Power!” (*arata na senryoku!*) and trumpets repeatedly its expanding security role. It explicitly lists “securing the safety of the sea lanes” and “maintaining order on the seas” alongside rescue, fire fighting, and environmental protection as core missions.<sup>5</sup> One senior defense official argues it is Japan’s first line of defense. The JCG routinely participates in Cabinet intelligence briefings, and will be part of an impending integration of intelligence agencies.<sup>6</sup>

The reinvention of the JCG certainly has been politically expedient. Mainstream politicians and political parties (including both ruling coalition member Kōmeitō as well as the opposition

Japan Communist Party) that opposed increased defense spending were willing to increase maritime safety and international cooperation. Calling it a “tactful approach,” one senior defense official notes: “Prime Minister Koizumi could not increase the defense budget because of the Kōmeitō, so he expanded the roles and missions of the Coast Guard instead.”<sup>7</sup> JCG budgets have increased tenfold in the past four decades, from ¥19 billion in 1967 to ¥189 billion in 2007.

Along the way, the JCG fleet has grown as large as 65 percent of the total tonnage of China’s surface fleet.<sup>8</sup> It includes 89 armed patrol ships over 500 tons, some 56 of which are over 1,000 tons. In 2005, when JDA budgets were cut, the Coast Guard equipment budget was *increased* to an average of 50 billion yen per year for the next seven years, with funds earmarked for modernization—including twenty-one new boats and seven new jets, as well as replacement of older boats and planes.<sup>9</sup> In 2006, when the JDA budget was again cut, the JCG received delivery of two long range (12,000 mile) Gulfstream V jets configured for continuous data collection and real time ship identification, and other equipment.

The JCG patrol vessels are capable, but they lack the weapons, armament, and sensors necessary for success in modern naval battles. They carry no torpedoes, anti-ship cruise missiles, or surface to air missiles. They have no air or missile defenses, no air-searching radars, no sonars or ASW capability, and no mine detection or clearing assets. Nor do they have replenishment ships that would enable long range patrolling. While reassuring to some, for others this is reason to press for further procurement.<sup>10</sup>

### JCG’s Regional Security Role

So far, the Coast Guard’s build-up has ruffled few feathers at home or abroad.<sup>11</sup> To assure that a benign view of a crime fighting JCG persists, the Japanese government has tied it to its foreign aid program. Although Japanese official development assistance (ODA) has declined overall, a new category of “security assistance” was created, and has been increased substantially.<sup>12</sup> It is now routine for the JCG to assist Southeast Asian states with training and technology to help police the Malacca Straits and other areas along the Middle East oil routes.<sup>13</sup>

Japan took the lead in organizing conferences regarding maritime terrorism and piracy in East Asia even before 9/11, when U.S. assessments of challenges to maritime security barely touched upon Asia and failed even to mention terrorism. Tokyo convened the North Pacific Coast Guard Forum in 2000, and by 2006, the Forum had engaged in its first “robust professional” exchanges on law enforcement at sea. It is the only operational, multilateral maritime safety/security regime in the Asia-Pacific.

A number of other confidence-building measures involving dozens of countries have been remarkably successful, and the JCG has been active—and welcomed—as far from the Japanese home islands as India, a nation that many Japanese strategists have assiduously courted in order to balance Chinese power. The JCG is now a regular participant in the ASEAN Regional Forum, Southeast Asia’s most prominent collective security assembly. The gradual acceptance by otherwise apprehensive neighbors of security roles and missions of armed, uniformed Japanese is of potentially great benefit in minimizing the negative legacy left by the Imperial military more than sixty years ago.

### JCG’s Broader Significance

The Japan Coast Guard operates a large fleet of ships, some of which have blue-water size and endurance. Many JCG vessels are armed, and Japanese coast guardsmen have demonstrated a capability and willingness to use their weapons. But the JCG’s lack of air,

missile, submarine, and mine defenses prevents it from operating in a genuine battle zone with much hope of safety or efficacy. Thus, while the JCG has the capacity to perform sea patrol activities, its own fighting capabilities would be extremely suspect if confronted by a modern navy.

The enhancement of the JCG therefore must be understood in two alternative ways. First, it must be assessed as an adjunct to and multiplier of the capabilities of the MSDF, the only blue water navy of any East Asian state and already among the top naval forces in the world. The MSDF alone is more than capable of defending Japanese territorial waters against Chinese or North Korean fleets. But the enhanced capabilities of the JCG free the MSDF for operations further from friendly coastlines, on the open seas. It remains likely that Japanese air and naval forces will continue to “outclass” those of regional rivals for the foreseeable future, in spite of recent modernization efforts within the Chinese navy and air forces.<sup>14</sup> Moreover, since the JCG can perform missions that, if executed by the MSDF, might be considered provocative, it has emerged as more than a niche player in Northeast Asian security.<sup>15</sup>

Second, the JCG’s strongest assets may be *political*—both at home and abroad. At home, by enhancing the capabilities of the JCG, pro-defense politicians have been able to test—and to stretch—extant limits on public acceptance on defense spending and on the use of force. They can now be confident that Japanese voters are more prepared than ever to support military procurement and deployment. As an instrument of Japanese diplomacy, the JCG has been used to diversify Tokyo’s portfolio of overseas development assistance and assuage the concerns of its U.S. ally that Japan might fail to pull its own weight in a crisis. And, in surely what is the most edifying development, transparent enhancement of the JCG has built confidence among Japan’s neighbors that Tokyo is willing and able to contribute positively to regional and global security. Japan’s “new fighting power” is thus far greater than the sum of its military parts.

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### article footnotes

The author is grateful to Robert Butts and Reo Matsuzaki for their research assistance and to Bud Cole, Taylor Fravel, T.J. Pempel, and Christopher Twomey for reading drafts of a longer version of this essay.

<sup>1</sup>David Fouse and Yoichiro Sato, “Enhancing Basic Governance: Japan’s Comprehensive Counterterrorism Assistance to Southeast Asia,” mimeo, Asia-Pacific Center for Security Studies, February 2006.

<sup>2</sup>See Richard J. Samuels, *Securing Japan: Tokyo’s Grand Strategy for East Asia* (Ithaca: Cornell University Press 2007), ch. 3 and 4.

<sup>3</sup>Article 25 of the Maritime Safety Agency Law states: “The various provisions of this law cannot be interpreted as allowing the Maritime Safety Agency or its personnel to be organized and trained as a military or to possess military capabilities.”

<sup>4</sup>Interview, Arai Shougo, former Director General, Japan Coast Guard, 31 May 2006. Councillor Arai also notes that the modernization was accelerated after the JCG’s widely reported failure in March 1999 to pursue intruders off the Noto Peninsula.

<sup>5</sup>Kaijō Hoanchō, ed., 2006, *Kaijō Hoan Repōto* (Japan Coast Guard Annual Report). Tokyo: Kokuritsu Insatsu Kyoku. pp.1, 9. (exclamation point in the original).

<sup>6</sup>Interview, senior intelligence officer, 17 May 2006. *Yomiuri Shimbun*, 18 February 2007.

<sup>7</sup>Interview, senior JDA official, 26 May 2006.

<sup>8</sup>This compares Chinese surface combatants over 500 tons and armed JCG ships. It does not mean that the JCG enjoys two-thirds of the combat power of the PLAN. I am grateful to Eric Heginbotham for this comparison.

<sup>9</sup>AFX News, 2 December 2005 and *Sankei Shimbun* 2 December 2005.

<sup>10</sup>Katsuhiko Nawano, “Kokusai Hanzai, Tero he no Boushi Yokushi Ryoku to shite: ‘Shitsukoi’ Kaiho, Koko ni Ari” (The Force that Will Contain International Crime and Terrorism: Presenting the ‘Persistent’ Japan Coast Guard). *Zaikaijin*, 15:9, (2002): 50.

<sup>11</sup>One minor exception at home was a formulaic critique from the left, arguing that expansion of the JCG is the first step toward the militarization of Japan and the ultimate return of fascism. Some in the Chinese military have voiced concern as well.

<sup>12</sup>See Fouse and Sato, op. cit.

<sup>13</sup>Kaijō Hoanchō, ed., *Kaijō Hoan Repōto* (Japan Coast Guard Annual Report). (Tokyo: Kokuritsu Insatsu Kyoku, 2006):29.

<sup>14</sup>Eric A. McVadon, “China’s Maturing Navy,” *Naval War College Review*, 59:2 (Spring 2006): 90-107.

<sup>15</sup>Sam Bateman, “Coast Guards: New Forces for Regional Order and Security.” *Asia Pacific Issues: Analysis from the East-West Center*, 65 (2003):5.



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# Audit of the Conventional Wisdom

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# Audit of the Conventional Wisdom

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## “New Fighting Power!” for Japan?

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Japanese strategists struggled for decades to find a way to field a robust military despite legal, political, and normative constraints on the expansion of the Self-Defense Forces (SDF). Their progress was steady and significant, but slow. Now, leveraging off (and playing up) a perceived shift in the nature of the threat Japan faces, they have found a less constrained and highly efficacious route to force transformation.

The Japan Coast Guard (JCG) now has what its publicists, citing capabilities explicitly banned by the Constitution, call “New Fighting Power!” They have used the JCG budget to surpass the self-imposed limit on defense spending—one percent of GDP—and have strengthened overall Japanese maritime capabilities. In the process, they have changed the rules of naval engagement, asserted new maritime rights, circumvented the ban on the export of arms, and have taken a giant step toward exercising the right of collective self defense, a capability Japan had long denied itself.

The Japanese archipelago has one of the most extensive coastlines in the world and Tokyo has significant territorial disputes with each of its neighbors. The newly empowered JCG has both a law enforcement (preventing illegal crossings) and a security mission asserting sovereignty claims and preventing other states from asserting theirs. This development has collateral—but counter-intuitive—political implications as well. As two analysts suggest, “Japan’s support for counterterrorism in Southeast Asia”—a large component of which involves the build-up of the JCG—“is also part of a wider strategy for enhancing its political and security role in the region.”<sup>1</sup> By raising the visibility and capabilities of the JCG, strategists are moving Japan beyond the rigid separation between police and military functions so ill-suited to the security agenda of great powers after the Cold War and 9/11, and so constraining of Tokyo’s diplomacy.

JCG modernization and expansion not only enhances Japan’s power projection capabilities, but it also enhances its influence projection—and it does so without the destabilizing consequences that a shift in the formal defense budget might entail. Remarkably, confidence building is being achieved both with Japan’s ever vigilant neighbors *and* from its domestic public, though not without some misgivings. Japan’s neighbors—including China and Korea—have hardly blinked at the bulking up of Japan’s Coast Guard. While the JCG will not become a “second navy,” it is already de facto a fourth branch of the Japanese military, one laden with more positive than negative political significance for both Japanese diplomacy and national identity.