



Collective Self-Defense for Japan

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Constitutional research committees in both the upper and lower houses of the Diet have begun discussing Article 9 of the constitution, which has been interpreted as prohibiting collective self-defense, including joint military operations with U.S. forces and collective security activities like UN peace enforcement operations. In the security environment surrounding Japan, collective self-defense is becoming increasingly vital. It seems, however, that the need for collective self-defense has not been well explained, and therefore, it is not well understood by the Japanese public. The goal of this article is to describe the necessity for Japan to have the right of collective self-defense not only with the United States but also with other key countries.

Collective self-defense is a universal, inherent right for a sovereign state, and is recognized as such in the UN Charter. Treaties, including the Japan-U.S. security treaty, also acknowledge Japan's right of collective self-defense. Furthermore, the Japanese government claims that Japan has this right. Despite these legitimate claims, the Japanese government denied itself of the right of collective self-defense in 1960 by interpreting Article 9 of the constitution as a prohibition of collective self-defense. Such an interpretation was nonexistent at the promulgation of the constitution, indicating that the constitution does not prohibit the right, only the interpretation does.

In 1960, Soviet submarines were the only critical threat to Japan. Before the Soviet deployment of forces to Cam Ranh Bay, Vietnam, and Dahlak, Ethiopia in 1978, Vladivostok and Petropavlovs were the main bases for the Soviet Pacific fleet. The Soviets sought a way into the Pacific from Vladivostok, their only ice-free Pacific port, through the Souya, Seikan, or Tsushima Strait to avoid having their SLBMs confined by Western forces in the Sea of Japan. The Souya Strait, furthermore, was the easiest for the Soviets to secure control of because one side of it was Soviet territory, enabling the Soviet air force to extend air cover to the entire strait. A Soviet invasion of the opposite side of the strait, northern Hokkaido, was therefore the only realistic scenario in the event of a crisis. In order to respond to a crisis in the Souya Strait and regional sea lines of communications (SLOC) protection, Japan did not have to resort to collective self-defense. Such a situation would be a case of individual self-defense caused by an "attack on Japan."

Since 1960, the security environment surrounding Japan has changed drastically, especially after the Cold War. These changes require Japan to review the constitution and the interpretation of the right of collective self-defense. Japan cannot defend itself without collective self-defense in the current security environment.

There are four critical areas for Japan's security:

1. The territory of Japan;
2. The region surrounding Japan;
3. The Persian Gulf resource area; and,
4. SLOCs from the Gulf to Japan.

Japan depends on the states of the Persian Gulf for 80 percent of its oil supply (50 percent of total energy consumption). After the Cold War, weapons of mass destruction (WMD) have proliferated on the Korean Peninsula, in the Gulf region, and in Central Asia, and new threats such as pirates in Southeast Asia and territorial disputes in the South China Sea have arisen despite the diminution of the Soviet threat.

Compared to the situation in the 1960s, the realistic security arena for Japan has expanded. If Japan intends to defend all security areas including the Gulf and SLOCs by itself, it will need to build up a huge military structure. So far, the United States has greatly contributed to stability in the Gulf and to SLOC protection, but U.S. interests in the area may change in

the future. For example, the United States relies on the Middle East for only 15 percent of its oil supply, while Japan's dependence rate is 80 percent. Japan, therefore, needs to start making preparations to contribute to the maintenance of stability by exercising the right of collective self-defense in cooperation with other countries.

There are several hypothetical situations in which Japan may exercise the right of collective defense:

- **Defense of Japan, with the United States**

North Korean, and potentially Chinese, missiles are existing threats to Japan. Without a retaliatory capability, these missiles could force Japan to acquire a theater missile defense (TMD) system. Even if Japan deployed TMD, China's CSS-3 (4,500km range) could not be challenged due to the Anti-Ballistic Missile (ABM) Treaty's limitation on any TMD system (max 3,500km range). Ultimately, Japan still needs the shelter of the U.S. nuclear umbrella for an effective deterrence policy to function. The importance of the Japan-U.S. security arrangement, therefore, will never decline in the conceivable future. In order to enhance the credibility of U.S. nuclear deterrence for Japan, Japan needs to share more military responsibility, such as wartime cooperation in Korea, by exercising collective self-defense with the United States

- **Defense of Japan, with Korea**

In operating a TMD system that covers a 200km range, defense cooperation with Korea, which is only 50km from the Tsushima island, will be inevitable for the defense of Japan-especially of Sasebo where the U.S. naval base is located.

- **Stability surrounding Japan, with Korea**

Japan may cooperate in a Korean Peninsula crisis without provoking Korean and Chinese protests by conducting rear area support. Japan may provide air bases to the ROK air force in wartime. This would enable ROK fighters to cover North Korea from Japanese bases. The ROK's F-16 and F-4 are similar or the same as Japan's F-2 and F-4 for interoperability.

§ Stability surrounding Japan, with the Philippines, Korea

In the case of a Taiwan Strait crisis, Japan would have to defend its own SLOC in the Bashi Strait by making a detour from its usual SLOC to the Philippine side. In such a case, Japan would have room to cooperate with the Philippines. Korea would have the same interest as Japan.

- **SLOC protection, with the United States**

In dealing with the territorial dispute in the South China Sea, the United States and Japan will need to be engaged because they have no territorial ambitions, and naval power is needed to counteract China's 70 tactical submarines and protect SLOC. In addition, Japan can contribute to mine sweeping efforts, especially in the Strait of Hormuz. The United States' PACOM and CENTCOM have only 4 mine countermeasure vessels, while Japan has 34. In case of another Gulf crisis, Japan could provide logistics support to CENTCOM in cooperation with PACOM. With these efforts, Japan can avoid U.S. disengagement from the Gulf and maintain the stability of area resources.

- **SLOC protection, with countries concerned**

Cooperation with other countries, including China, will be necessary to stop pirate and terrorist activities in Southeast Asia.

- **Stability in the Gulf, with the United States**

Japan may also cooperate with the United States to patrol and transport prepositioning ships around Diego Garcia to prevent another Gulf crisis.

In order to implement all these operations, Japan needs the right of collective self-defense. As security threats have diversified and become more complicated, such security cooperation is essential for Japan's survival and prosperity. For this reason, it is an urgent task for the Japanese government to review the interpretation of Article 9 and grant itself the right of collective self-defense.

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