

# “New Fighting Power!”

Richard J. Samuels

## Japan’s Growing Maritime Capabilities and East Asian Security

For decades Japanese strategists struggled 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 (and playing up) a perceived shift in the nature of the threat Japan faces, they seem to have found a less constrained and highly efficacious route to force transformation. Borrowing from the U.S. model, the Japan Coast Guard (JCG) now has what its publicists—citing capabilities explicitly banned by the constitution—call “New Fighting Power!”<sup>1</sup> Tokyo’s leaders have used the JCG budget to surpass the self-imposed 1 percent of gross domestic product (GDP) limit on defense spending and have strengthened overall Japanese maritime capabilities. In the process, Japanese strategists have changed the rules of naval engagement, vigorously asserted new maritime rights, circumvented the ban on the export of arms, reframed the discourse on national security, and taken a giant step toward exercising the right of collective self-defense, a capability Japan has long denied itself.

The Japanese archipelago has one of the most extensive coastlines in the world. But Tokyo also has significant territorial disputes with each of its neighbors. The newly empowered JCG has both a law enforcement (e.g., stopping illegal crossings) and a security mission (e.g., asserting sovereignty claims and preventing other states from asserting theirs). The JCG has emerged as the first responder on both of these front lines. But this development has collateral—yet counterintuitive—political implications as well. As David Fouse and Yoichiro Sato have suggested, “Japan’s support for counterterrorism in Southeast Asia”—a large component of which involves the buildup of the JCG—“is also part of a wider strategy for enhancing its political and security role in the region.”<sup>2</sup> By raising the visibility and capabilities of the

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1. Kaijō Hoanchō, *Kaijō Hōan Repōto* [Japan Coast Guard annual report] (Tokyo: Kokuritsu Insatsu Kyoku, 2006) (exclamation point in the original).

2. David Fouse and Yoichiro Sato, “Enhancing Basic Governance: Japan’s Comprehensive Counterterrorism Assistance to Southeast Asia,” mimeo (Honolulu, Hawaii: Asia-Pacific Center for Security Studies, February 2006), p. 1.

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JCG, Japan's strategists are moving their country beyond the rigid separation between police and military functions so ill suited to the security agenda of the great powers after the end of the Cold War and the terrorist attacks of September 11, 2001, and so constraining of Tokyo's diplomacy.<sup>3</sup> By increasing its international collaboration in policing transnational crime, Japan is multiplying national power in an unexpected manner—and with unexpected support at home and abroad.

The modernization and expansion of the JCG enhance not only Japan's power projection capabilities but also Japan's ability to project influence—and it does so without the destabilizing consequences that a shift in the formal defense budget might entail. Remarkably, confidence building is being achieved with Japan's ever vigilant neighbors at the same time that Japan's long skeptical domestic public is being reassured, though not without some misgivings in each case. Japan's neighbors—including China and Korea—have not objected to the bulking up of Japan's Coast Guard. Although the JCG will not become a "second navy," it is already a fourth branch of the Japanese military, one laden with more positive than negative political significance for both Japanese diplomacy and national identity.

It has taken decades to come to this point, so this article begins at the end of the Pacific War, a time when the fighting power of the Japanese military—and its legitimacy—were each in tatters. After a short analysis of how Japan's leaders have deftly sliced away at many of the restrictions on Japan's use of force, it explores how the United States Coast Guard (USCG) served as a model for what has been a relatively stealthy enhancement of Japan's military capabilities. These capabilities are explored in the subsequent section, followed by an analysis of the JCG's regional security role.

### *Declining Limits on Military Power*

The primary formal restraint on the growth of the postwar Japanese military has always been article 9 of the U.S.-imposed constitution, the text of which was modeled on the ill-conceived Kellogg-Briand Pact of 1928.<sup>4</sup> It seems straightforward:

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3. It has been argued that a new type of transnational security community is emerging, one "based more on policing alliances against non-state actors than . . . against state-based military threats." See Peter Andreas and Ethan Nadelman, *Policing the Globe: Criminalization and Crime Control in International Relations* (New York: Oxford University Press, 2006), p. 190.

4. Portions of this section are from Richard J. Samuels, *Securing Japan: Tokyo's Grand Strategy for East Asia* (Ithaca, N.Y.: Cornell University Press, 2007).

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 a 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 [*senryoku*], will never be maintained. The right of belligerency of the state will not be recognized.<sup>5</sup>

Still, Japan's Defense Agency (JDA) and Self-Defense Forces were established in 1954 with an explanation from the Cabinet Legislation Bureau, the state agency with primary responsibility for interpreting the constitution, that "war potential refers to a force with the equipment and organization capable of conducting modern warfare. . . . Determining what constitutes war potential requires a concrete judgment taking into account the temporal and spatial environment of the country in question. . . . It is neither unconstitutional to maintain capabilities that fall short of war potential nor [is it unconstitutional] to utilize these capabilities to defend the nation from direct invasion."<sup>6</sup>

In what was just the beginning of the lexical somersaults that have ever since complicated the stratagems of Japanese leaders, "war potential" would be defined on a sliding scale. Armed forces could be maintained after all, and Japan could have a military but, as the term "Self-Defense Forces" suggests, not one that would be readily identified as such. The Japanese public retained vivid memories of a devastating war and had to be brought along slowly. The balance of public opinion valued protection from, over protection by, their military.<sup>7</sup>

In the 1950s Prime Minister Shigeru Yoshida and his bureaucratic allies built a distinctive system to ensure civilian control of Japan's military. The JDA director-general would be a member of the cabinet, but his agency would fall

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5. The term *senryoku* literally means "fighting power," but it was used to translate the words "war potential" by the American authors of the postwar Japanese constitution. It has ever since been the object of definitional—and therefore legal and operational—debate. For a fuller account, see *ibid.*; and Richard J. Samuels and J. Patrick Boyd, "Nine Lives? The Politics of Constitutional Reform in Japan," *Policy Studies*, No. 19 (Washington, D.C.: East-West Center, 2005).

6. Akira Nakamura, *Sengo Seiji ni Yureta Kenpō Kyūjō* [Article nine shaken by postwar politics] (Tokyo: Chūō Keizai-sha, 2001), p. 99. For analysis of the Cabinet Legislation Bureau, see Richard J. Samuels, "Politics, Security Policy, and Japan's Cabinet Legislation Bureau: Who Elected These Guys, Anyway?" Working Paper, No. 99 (San Francisco, Calif.: Japan Policy Research Institute, March 2004).

7. Takako Hikotani, "Reisengo Nihon no Seigun Kankei" [Civil-military relations in post-Cold War Japan], in Yoshihide Soeya and Tadokoro Masayuki, eds., *Nihon no Higashi Ajia Kōsō* [Japan's conception of East Asia] (Tokyo: Keio Daigaku Shuppankai, 2004), chapter 11. Thomas U. Berger speaks of Japan's "antimilitarist ethos," and Peter J. Katzenstein analyzes Japanese security policy based on this norm. Berger, *Cultures of Antimilitarism: National Security in Germany and Japan* (Baltimore, Md.: Johns Hopkins University Press, 1998); and Katzenstein, *Cultural Norms and National Security: Police and Military in Postwar Japan* (Ithaca, N.Y.: Cornell University Press, 1996).

within the prime minister’s office. Convinced that this alone would not suffice to preserve civilian control, Yoshida directed his Cabinet Legislation Bureau to create “internal bureaus” when drafting the Japan Defense Agency Law in 1954 and to ensure they were supervised by officials without military experience.<sup>8</sup> To keep uniformed officers at arm’s length, many civilian assistants were seconded from other ministries to run the JDA. A Foreign Ministry official typically supervised the JDA policy office, an International Trade and Industry Ministry official watched over procurement decisions, and one Finance Ministry official typically supervised JDA budgets while another was parachuted into the highest noncabinet position, that of administrative vice minister. It took three decades before career JDA officials began to occupy these top policy positions. Meanwhile, Japanese defense budgets would be based on fiscal rather than military calculations. JDA and Ministry of International Trade and Industry pleas for new equipment were often indulged to help support domestic defense manufacturers, but it was the Ministry of Finance that controlled the bottom line—a bottom line kept exceptionally low relative to Japan’s national wealth.<sup>9</sup>

Over time, significant new constraints were added, as Yoshida and his successors made Japan’s cheap ride on U.S. security guarantees the central feature of Japanese grand strategy. Although the absolute level of Japanese defense spending has long been considerable (i.e., on a par with that of France, Germany, and Great Britain), and although Japan’s host-nation support is the largest of any U.S. ally in absolute terms, Japanese defense spending was never high as a percentage of national economic activity. Indeed, it plummeted from a postwar high of nearly 2 percent of GDP in 1955 to less than 1 percent of GDP by 1967, when it was frozen by cabinet order.<sup>10</sup> In the 1970s, when the United States increased pressure on Japan to spend more on defense, Washington was resisted by Prime Minister Takeo Fukuda, who insisted Japan would contribute to regional security by economic and diplomatic means only.<sup>11</sup> Until 1983, when Prime Minister Yasuhiro Nakasone declared at the Williamsburg summit that “the security of the West is indivisible,” Japanese prime ministers came to Group of Five meetings unprepared to contribute to

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8. Akihiro Sadō, *Sengo Nihon no Bōei to Seiji* [Postwar Japanese defense and politics] (Tokyo: Yoshikawa Kōbunkan, 2003), p. 82.

9. Richard J. Samuels, *“Rich Nation, Strong Army”: National Security and the Technological Transformation of Japan* (Ithaca, N.Y.: Cornell University Press, 1994).

10. Prime Minister Takeo Miki reaffirmed this in the Diet in 1976.

11. Hideo Ōtake, *Nihon no Bōei to Kokunai Seiji* [Japan’s defense and domestic politics] (Tokyo: Sanichi Shobo, 1983), pp. 147–158.

the conversation on global security. Increasingly, Japan's Self-Defense Forces were seen as little more than a national guard, an adjunct to a real military that wore stars and stripes.<sup>12</sup> Even this was a stretch, as there were no formal exchanges on joint military operations until the 1980s and no formal alliance guidelines until a decade later.<sup>13</sup>

To reassure Japanese citizens that their government would not embark on foreign adventures and their neighbors that Japan no longer posed a military threat, successive Japanese governments further tied their own hands on security policy by wedding Japan to the concept of "defensive defense." In addition to prohibiting armed attack, successive Japanese governments refused to engage in "collective self-defense," a term that refers to defending an ally under attack.<sup>14</sup> Additionally, in the 1960s, they banned the military use of space, the export of arms, and the maintenance of a nuclear arsenal. The crowning achievement of Yoshida's successors was their institutionalization of "comprehensive security" as the intellectual basis for Japan's national security doctrine in the late 1970s.<sup>15</sup> Japan would follow the mercantilist strategy of a trading state rather than the military strategy of a great power. Japan's "reliable and warm hearted" SDF would threaten no neighbor and upset no voter.<sup>16</sup> Military security was not ignored, but it was soft pedaled, and never became the predominant focus of Japan's grand strategy. Japan faced only limited threats, had a very powerful ally (i.e., the United States) with bases on the archipelago, and enjoyed a favorable strategic geography. Limited military spending was sufficient. Political leaders and bureaucrats engineered a military vehicle in which the brakes were handier than the accelerator.

After the end of the Cold War—and in the face of elevated expectations for Japanese contributions to global security—a reinstitutionalization of Japanese

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12. For background on the experience of Prime Minister Takeo Miki at the Rambouillet summit in 1975, see Akihiko Tanaka and Koji Murata, "Takashi Maruyama Oral Interview," April 12, 1996, <http://www.gwu.edu/?nsarchiv/japan/maruyamaohinterview.htm>. "National guard" is the view of former JDA Vice Minister Seiki Nishihiro. See his interview in Akihiko Tanaka and Koji Murata, "Seiki Nishihiro Oral Interview," November 16, 1995, p. 5, <http://www.gwu.edu/?nsarchiv/japan/nishihiroohinterview.htm>.

13. JDA Director-General Michio Sakata in the foreword of the 1976 JDA White Paper "Defense of Japan," p. 8.

14. This concise definition is from Narushige Michishita, "Senryaku Shisō to shite no 'Kibanteki Bōeiryoku Kōsō'" [The basic defense capabilities doctrine as a strategic concept], in Tomoyuki Ishizu and Williamson Murray, eds., *Nichibei Senryaku Shisōshi* [History of U.S.-Japan strategic thinking] (Tokyo: Sairyūsha, 2005), p. 232. Yoshihide Soeya describes the origin of the term. Soeya, *Nihon no "Midoru Pawaa" Gaikō: Sengo Nihon no Sentaku to Kōsō* [Japan's "Middle Power" diplomacy: Postwar Japan's choices and conceptions] (Tokyo: Chikuma Shinsho, 2005), pp. 144–145.

15. Akihiko Tanaka, *Anzen Hoshō: Sengo 50 Nen no Mosaku* [National security: Fifty postwar years of groping] (Tokyo: Yomiuri Shimbunsha, 1997), pp. 265–280; and Soeya, *Nihon no "Midoru Pawaa" Gaikō*, pp. 153–156.

16. Defense Agency, *Defense of Japan* (Tokyo: Japan Defense Agency, 2002).

grand strategy began in earnest. Fifteen new security-related laws were enacted between 1991 and 2003, and a new suite of security policy institutions were designed, including the elevation of the JDA to ministry status and the creation of a leaner, more centralized National Security Council in 2007. The pacifist loaf that had been so carefully prepared by Yoshida and his successors in the conservative mainstream would now be sliced nearly beyond recognition by revisionists in the anti-mainstream once they consolidated power.

The reinstitutionalization of Japan’s grand strategy actually started during the Cold War, even before Nakasone, the first revisionist to achieve sustained power, became prime minister in 1982. In 1981 the Japanese government agreed that the Maritime Self-Defense Force (MSDF) would patrol the sea-lanes of communication as far as 1,000 nautical miles off the coast of Japan.<sup>17</sup> Two years later, Prime Minister Nakasone agreed to exclude defense technology exports to the United States from Japan’s ban on arms export. Then, in 1985, under pressure to accommodate the United States during a period of considerable trade friction and wishing to signal a tough line toward the Soviet Union, he signed Japan on to President Ronald Reagan’s Strategic Defense Initiative. Before leaving office in 1987, Nakasone also passed a defense budget that slightly exceeded 1 percent of Japanese GDP.

This process of reinstitutionalization accelerated after the end of the Cold War, when Japanese strategists identified a list of necessary changes and moved opportunistically to chip away at antimilitarist restrictions.<sup>18</sup> They started with policies that were ideologically most acceptable and geographically most distant: they expanded legal and operational capacities for the most overtly peaceful SDF roles and missions, saving for later those considered more expressly military and closest to the homeland.<sup>19</sup> Passage of a peacekeeping operations bill in 1992 marked the first revision of the ban on overseas dispatch of Japanese forces in nearly forty years. Other revisions followed in relatively quick succession (see Figure 1). Despite all these changes, one thing—perhaps the most important thing—did not change. Even though Nakasone demonstrated that the 1 percent cap could be overridden by leaders with the political will and muscle, Japan’s defense budget remains capped no-

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17. Tetsuya Kataoka and Ramon H. Myers, *Defending an Economic Superpower: Reassessing the U.S.-Japan Security Alliance* (Boulder, Colo.: Westview, 1989); and Sadō, *Sengo Nihon no Bōei to Seiji*.

18. For a useful review, see Christopher W. Hughes, “Japanese Military Modernization: In Search of a ‘Normal’ Security Role,” in Ashley J. Tellis and Michael Wills, eds., *Strategic Asia, 2005–2006: Military Modernization in an Era of Uncertainty* (Seattle, Wash.: National Bureau of Asian Research, 2005), pp. 105–134.

19. See National Institute for Defense Studies, ed., *2001–2002 Report on Defense and Strategic Studies: Council of Defense-Strategic Studies* (Tokyo: National Institute for Defense Studies, 2003), pp. 17–18.

Figure 1. The Incremental Transformation of the Yoshida Doctrine, 1954–2007

1954–91	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
																	elevation of Defense Agency to Ministry
																	Central Readiness Command
																	precision-guided munitions
																	arms exports
																	missile defense
																	Emergency Measures Law
																	special operations
																	Iraq dispatch
																	Coast Guard Law
																	Indian Ocean dispatch
																	projection of force
																	maritime interdiction
																	transports of nationals
																	surveillance satellite
																	Japan Defense Agency Intelligence Headquarters
																	constraints relaxed on uniformed officers
																	acquisition and Cross-Servicing Agreement
																	areas surrounding Japan
																	peacekeeping operations
																	international emergency assistance
																	mine sweepers to Persian Gulf
																	defense technology exports to United States
																	Strategic Defense Initiative
																	sea-lanes
																	disaster relief
																	maintenance public order
																	homeland defense

SOURCE: Richard J. Samuels, *Securing Japan: Tokyo's Grand Strategy and the Future of East Asia* (Ithaca, N.Y.: Cornell University Press, 2007), p. 93

tionally at 1 percent of GDP. This amounts to more than \$40 billion in 2007 dollars and, even though it buys a lot of equipment, it is very low by international and regional standards. Each of Japan's neighbors (China, 4.1 percent; North Korea, 25 percent; Russia, 4.8 percent; and South Korea, 2.8 percent) spends far more on defense relative to its economy than does Japan.<sup>20</sup> So, even though Japan is the fourth largest defense spender in the world, and although it fields the most modern military force in Asia, its 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.

### *Finding a Model for Change*

Some observers insist that Japan's limit on defense spending reflects a more general unhealthy fiscal condition. Others say that Japan has the money, but not the will, to do more. Increased spending on big-ticket projects such as ballistic missile defense remains politically divisive and diplomatically unsettling. An alternative would have to be found if Japan were to increase its defense capabilities without destabilizing the political situation at home and abroad. And here the Japan Coast Guard has sailed to the rescue using the United States Coast Guard as its model.

Like the USCG, the JCG is located administratively in a civilian bureaucracy. Its forerunner, the Maritime Safety Agency (MSA), was created at the direction of U.S. occupation authorities in May 1948 from what was left of the Imperial Japanese Navy and placed inside the Ministry of Transportation, where it languished as a weak stepchild. The 200-odd ships it comprised were small, mostly outdated models, rendering the MSA dysfunctional at the time. From the MSA's inception, a clear line was drawn: its enabling legislation declared that it could not be regarded as an armed force capable of military functions.<sup>21</sup> Indeed, although Maritime Safety Agency personnel died in the Korean War, neither the government nor Yasukuni Shrine authorities honor coast guardsmen killed in action during that conflict.<sup>22</sup> Thus, the MSA/JCG has always lived a contradiction: born out of the remains of a once proud and very powerful navy, and poised to deploy in wartime, it was expressly restricted to non-

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20. Jeffrey Chamberlain, "Comparison of U.S. and Foreign Military Spending: Data from Selected Published Sources" (Washington, D.C.: Congressional Research Service, January 28, 2004), p. 5.

21. See article 25 of the Maritime Safety Agency Law.

22. The Yasukuni Shrine is the nongovernmental, but highly politicized Shinto shrine in central Tokyo where Japan's war dead are enshrined. The history of the MSA unit active in Korea had been classified for years. Kyodo News Agency, September 2, 2006.

military roles and missions. Today, however, despite the stipulation against military training, coast guardsmen conduct joint exercises with the MSDF. The JCG also has a special operations unit dedicated to counterterrorist operations, the Special Security Team, which has received training from the U.S. Navy's SEAL unit as well as from Japan's First Airborne Corps, the elite rangers of the Ground Self-Defense Force.<sup>23</sup> Meanwhile, the newly elevated Ministry of Defense has begun to publicly urge the JCG to hire former SDF personnel who are "well trained and well disciplined."<sup>24</sup> And, most significantly, JCG commanders enjoy more discretion in the use of force than do SDF officers. How did the JCG transform itself into a quasi-military unit?

One answer is that the JCG has tried to remodel itself on the United States Coast Guard. The USCG, originally the Revenue Cutter Service established in 1790, is "simultaneously and at all times both an armed force of the United States and a law enforcement agency."<sup>25</sup> Although administratively located in the Department of Homeland Security rather than the Pentagon, U.S. coast guardsmen are subject to the Uniform Code of Military Justice and receive the same pay and allowances as members of the other uniformed services. Indeed, there has never been any ambiguity about the military status of the USCG. Its officials have always used military titles and have worn military uniforms—and in case there remained any question, its website uses a ".mil" extension. The USCG has participated in every major U.S. war, starting with the 1797 conflict with France. It has been considered the fifth branch of the U.S. armed forces for 200 years, and it has always been tasked with roles and missions "in any maritime region in which [U.S.] interests may be at risk, including international waters."<sup>26</sup> Toward that end, it has been deployed with carrier battle groups to the Persian Gulf and beyond, where USCG vessels are used for interdiction and smuggling surveillance. They also are required to use interoperable communications systems and must avoid unnecessary duplication of

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23. Kazuhiko Inoue, "Kaijō Hoanchō Tokushu Butai 'SST' 40-meī ga Kōsakusen to Taiji suru Hi" [The day the forty members of the Japan Coast Guard's special unit "SST" confronts the spy ship], *Sapio*, Vol. 14, No. 4 (2002), pp. 17–19; and Takao Komine, "Sude ni Kita Chōsen Kōsakusen to 'Jissen' mo Keiken!? Bēru o Nuida Kaijō Hoanchō Tokushu Butai SST no Jitsuryoku" [Already experienced "combat" with North Korean spy ship!? The unveiling of the ability of Japan Coast Guard's special unit SST], *Sapio*, Vol. 18, No. 5 (2006), pp. 95–97.

24. *Yomiuri Shimbun*, January 20, 2007.

25. U.S. Coast Guard Headquarters, ed., *Maritime Strategy for Homeland Security* (Washington, D.C.: U.S. Coast Guard, December 2002), p. 9. This was reinforced by the October 1995 Memorandum of Agreement between the Department of Defense and the Department of the Treasury on the Use of U.S. Coast Guard Capabilities and Resources in Support of the National Military Strategy.

26. U.S. Coast Guard, "Missions," <http://www.uscg.mil/top/missions/>. The USCG moved to the Department of Homeland Security from the Treasury Department in November 2002.

equipment and facilities. The USCG operates nearly 100 surface ships and close to 200 aircraft. As more than one analyst has pointed out, its “only comparable ‘peer group’” is the naval forces of other nations.<sup>27</sup> For example, the USCG has 300 more ships than the entire Canadian Navy.

Nevertheless, there has long been a disparity between the size and the status of the USCG. When it was part of the Department of the Treasury, the USCG was a weak player in the federal bureaucracy.<sup>28</sup> Indeed, it was not even the central player within the Treasury. Despite its de jure standing, gaining a permanent (if not quite equal) “seat at the military table” required sustained lobbying by the USCG and its champions.<sup>29</sup> The first step toward achieving higher status required the conjuring and acceptance of the concept of the “National Fleet,” introduced by Vice Adm. James Loy, the USCG chief of staff.<sup>30</sup> Second, the U.S. Navy, which was losing ships in the post-Cold War drawdown, signed a memorandum of agreement in 1995 by which USCG-U.S. Navy interoperability would be assured.<sup>31</sup> The USCG, its status now elevated, was assigned a greater role in maritime intercept, military response operations, coastal sea control, and other missions. The third, even more ambitious—but ill-fated—step came the following year with congressional approval of the USCG’s Integrated Deepwater Program to recapitalize its aging fleet.<sup>32</sup> The Coast Guard decided to outsource its budget request by engaging the services of large systems integrators who could guide it through its next-generation acquisition program. These tier-1 defense contractors used their considerable clout in Congress to “reduce funding obstacles.”<sup>33</sup> At first, this seemed a great success. After years of declining maintenance funding and a 20 percent decline in fleet readiness, three classes of new cutters and associated small craft, new fixed wing aircraft, unmanned aerial vehicles (UAVs), and helicopters were to be built and procured. An upgrading of USCG capabilities,

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27. Vikram Mansharamani, “The Deepwater Program: A Case Study in Organizational Transformation Inspired by the Parallel Interaction of Internal and External Groups,” master’s thesis, Massachusetts Institute of Technology, 2004, p. 19.

28. *Ibid.*

29. These efforts are reviewed in *ibid.*

30. Bruce Stubbs, former senior staffer to Adm. James Loy, personal communication with author, May 22, 2007. See also David F. Blackburn, “Use of the National Fleet Concept in Maritime Homeland Security and Defense” (Newport, R.I.: U.S. Naval War College, 2003).

31. These are reviewed in Mansharamani, “The Deepwater Program”; and in Catherine Poole, “Coast Guard’s Integrated Deepwater System,” *Acquisitions Directions™ Advisory*, March 2003.

32. The USCG fleet is the fortieth oldest of forty-two coast guards worldwide, and “many of its aircraft are older than the men and women who fly them.” *Ibid.*, p. 7.

33. *Ibid.*, p. 9; and Eric Lipton, “Cost Overruns and Cracked Hulls Plague Plan to Modernize Coast Guard’s Fleet,” *New York Times*, December 9, 2006.

the “largest and most complex acquisition effort in USCG history,”<sup>34</sup> was to be undertaken across all USCG missions, rather than on a platform-by-platform basis. This enabled the introduction of entirely new platforms, such as the national security cutter, a warship with a cruising range of 12,000 nautical miles, and provided the capacity to operate two helicopters as well as up to four UAVs. The entire program was championed by and awarded to Lockheed Martin and Northrup Grumman in their joint venture called “Integrated Coast Guard Systems” through what one analyst has labeled “pull funding.”<sup>35</sup> Each of the national security cutters had a sticker price of \$300 million, and overall the plan called for USCG acquisition of sixty-nine UAVs.<sup>36</sup>

After the September 11 terrorist attacks, the USCG—with the Deepwater Operations at its core—was elevated to a central role in the newly formed Department of Homeland Security in 2002. The newly reaffirmed USCG now reckoned it needed twice the number of the national security cutters and 50 percent more aircraft than currently in its inventory. Broad recognition of the national security role of the USCG enabled a dramatic further acceleration of its ambitious acquisition program. Now it had a \$6 billion budget and was assigned deepwater missions with an “extended on-scene presence” far from the U.S. littoral.<sup>37</sup> In 2007, however, after the discovery of procurement and design errors, congressional hearings revealed defective oversight, and the Deepwater Program was brought back under the full control of the federal government.<sup>38</sup>

### *JCG as Fourth Branch of SDF?*

Impressed with how USCG advocates had reframed its roles and missions, JCG officials and Japan’s defense establishment embarked on a similar, if lower-key, initiative.<sup>39</sup> Although the JCG still has a long way to go to achieve an equivalent status as a fully modernized and militarized service branch—

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34. John Birkler, Brien Alkire, Robert Button, Gordon Lee, Raj Raman, John Schank, and Carl Stephens, *The U.S. Coast Guard’s Deepwater Force Modernization Plan: Can It Be Accelerated? Will It Meet Changing Security Needs?* (Santa Monica, Calif.: National Security Research Division, RAND Corporation, 2004), p. iii.

35. Mansharamani, “The Deepwater Program,” p. 29.

36. Birkler et al., *The U.S. Coast Guard’s Deepwater Force Modernization Plan*, p. 16. On how design flaws resulting from slack oversight have hampered the Deepwater Program, see Lipton, “Cost Overruns and Cracked Hulls Plague Plan to Modernize Coast Guard’s Fleet.”

37. Mansharamani, “The Deepwater Program,” p. 12.

38. Eric Lipton, “Coast Guard to Meet Fleet Modernization,” *New York Times*, April 18, 2007.

39. Shougo Arai, former director-general, Japan Coast Guard, interview by author, Tokyo, May 31, 2006.

with 13,000 personnel, it is barely one-quarter the size of the MSDF—the nascent transformation of the JCG into a de facto fourth branch of the Japanese military 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 the Diet in October 2001, at the same time that the more prominent antiterrorism legislation authorized the dispatch of MSDF ships to Diego Garcia, a U.S. naval support facility in the Indian Ocean. Unlike the naval dispatch legislation, which was limited to the supply of fuel for U.S. and British operations in Afghanistan, the Coast Guard Law was amended to allow the outright use of force to prevent maritime intrusion and to protect the Japanese homeland. Seizing the same opportunity presented by the September 11 terrorist attacks as Washington, Tokyo moved quickly to enhance the functions of its Coast Guard.

A second clause was added to the JCG’s enabling legislation: “In situations where the crew of the vessel refuses to comply with repeated calls to stop, when they resist the captain or vice captain’s enforcement of his duties, or when they try to flee, the director-general of the Japan Coast Guard, based on the vessel’s appearance, its navigational patterns, suspicious behavior by the crew, and information gathered concerning other surrounding situations, can authorize the use of weapons against the vessel for the purpose of stopping the vessel, within reason and, when all of the following stipulations apply, the captain or the vice captain can then use force, within reason, against the vessel if he determines that there is no other way to stop it.” There are four “following stipulations” in the new clause: (1) the ship must be a foreign ship that is taking action other than what is allowed by article 19 of the United Nations Law of the Seas Treaty within Japanese waters; (2) there must be the possibility of repeated offense of the illegal activity if the vessel is not stopped; (3) when it cannot be denied that the crew of the vessel is taking action that would help facilitate a crime that under Japanese law would amount to more than a three-year jail sentence; and (4) when it is determined that searching the vessel would lead to the gathering of information that could preempt the occurrence of a major crime.<sup>40</sup>

David Leheny calls this revision of the Coast Guard Law “the canary in the coal mine,” a prototype testing the acceptance of further expansion of Japanese military roles and missions.<sup>41</sup> This, because the new law delivered powers to

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40. Japan Coast Guard Law, rev., art. 2, par. 2.

41. David Leheny, *Think Global, Fear Local: Sex, Violence, and Anxiety in Contemporary Japan* (Ithaca, N.Y.: Cornell University Press, 2006), p. 165.

the JCG that exceed those enjoyed by the MSDF. Although the MSDF has its own Special Boarding Unit, it is denied authority to fire on enemy ships unless fired on first. The JCG, on the other hand, is now allowed by law to initiate armed conflict with a “suspicious ship” 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.” Warning shots, if ignored, can be followed by disabling fire targeted on the offending vessel’s crew.<sup>42</sup>

Within one month of the amendment of the Coast Guard Law, in the first Japanese use of force since the end of the Pacific War, Prime Minister Keizō Obuchi ordered the JCG to fire on a North Korean vessel, which, unmarked and refusing to identify itself, was considered a “suspicious ship” (*fushinsen*). Initial accounts held that to avoid capture, the North Korean vessel scuttled itself in the Chinese exclusive economic zone, 390 kilometers from the Japanese island of Amami Oshima and a nearly equal distance from the Chinese coast. Later reports clarified the JCG role: the JCG first fired warning shots upon approaching the suspicious vessel, but the vessel continued advancing after waving a Chinese flag. Because the suspicious vessel would not stop, the JCG patrol ship fired, hitting the tail of the vessel and bringing it to a halt. The JCG patrol ship did not attempt to board the vessel immediately, waiting for its Special Security Team to arrive. Meanwhile, the North Korean seamen repaired the damage, and the ship began moving again. Deciding they could no longer wait for the arrival of their special operations unit, the Japanese coast guardsmen attempted to board the North Korean ship themselves. This resulted in an exchange of small arms fire. As the distance between the two ships widened, the North Korean ship fired at the JCG ship with a rocket launcher. The JCG responded with its cannons and sank the North Korean ship.<sup>43</sup> Fifteen North Korean crew members were killed in the firefight.

Soon after this episode, Director-General of the JCG Katsuhiko Nawano was asked about the relationship between the JCG and the MSDF. Nawano explained that Japan follows the international norm in this matter—maritime crime is the responsibility of the JCG while military matters fall under the jurisdiction of the MSDF. But he added that it is not always possible to determine *ex ante* if an intrusion is a matter of international crime or national

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42. Arai, interview by author.

43. Seiryū Cho, “Kakushu Sentei 500-shu ha Sekai Saidai: Fushinsen Jiken to Kaijō Hoanchō no Jitsuryoku” [The 500-strong force is the world’s greatest: The suspicious ship incident and the ability of the Japan Coast Guard], *Gunji Kenkyū*, Vol. 37, No. 3 (2002), p. 64; and former Japanese government official, interview by author, Tokyo, April 25, 2006.

defense. How can the JCG commander know if a suspicious ship is a smuggler or a North Korean spy vessel? he wondered.<sup>44</sup>

Director-General Nawano was asking a good question, an ambiguous answer to which was highly prized. Those who have guided the development of the Japan Coast Guard insist that the new, improved JCG—the English name of the *Kaijō Hoanchō* was changed from Maritime Safety Agency in April 2000—is merely a long overdue response to the need to modernize. Japan was simply “changing an analogue JCG into a digital one.”<sup>45</sup> They maintain that whereas militaries fight one another, coast guards enforce laws and are partners in crime fighting.<sup>46</sup> Still, using the term for “war potential” declared unconstitutional in article 9, the 2006 annual report headlines the JCG’s “New Fighting Power!” (*arata na senryoku!*) and trumpets repeatedly its expanding security role.<sup>47</sup> 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>48</sup> One senior JDA official argues that the JCG is Japan’s first line of defense, serving as “litmus paper for MSDF action.” He also reports that although the MSDF and the JCG had long been bureaucratic rivals, they now coordinate more closely than ever before.<sup>49</sup> A senior intelligence officer further acknowledges that the JCG routinely participates in cabinet intelligence briefings, and in early 2007 then Chief Cabinet Secretary Yasuhisa Shiozaki announced plans to integrate government intelligence agencies, including the JCG.<sup>50</sup> Thus, it is useful for the JCG that the line between military and anticriminal action is often blurred.

While the formal justification for expanding JCG roles and missions focuses on the JCG’s police function, there is already considerable public discussion in Japan concerning how this requires the occasional use of force as well as the Coast Guard’s integration in Japan’s more general defense strategy. One law professor argues in the monthly magazine of the Ministry of Land, Infrastructure, and Transport—the supervisory agency of the JCG—that in the era of globalization, national security must be reconceived and that the Coast Guard

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44. Katsuhiko Nawano, “Kokusai Hanzai, Tero e no Yokushi Ryoku to shite: ‘Shitsuko!’ Kaiho, Koko ni Ari” [The force that will contain international crime and terrorism: Presenting the “persistent” Japan Coast Guard], *Zaikaijin*, Vol. 15, No. 9 (2002), p. 49.

45. Arai, interview by author. Arai also notes that the modernization was accelerated after the JCG’s widely reported failure in March 1999 to pursue intruders off the Nōtō Peninsula.

46. *Ibid.*

47. *Kaijō Hoanchō, Kaijō Hōan Repōto*, p. 9.

48. *Ibid.*, pp. 1, 9.

49. Senior JDA official, interview by author, Tokyo, May 26, 2006.

50. Senior intelligence officer, interview by author, May 17, 2006; and *Yomiuri Shimbun*, February 18, 2007.

is better suited to provide national security than the military. On this account, even as a law enforcement organization, the JCG is being repositioned at the front line of Japanese national defense.<sup>51</sup>

Beyond the promotional rhetoric, however, the reinvention of the JCG certainly has been politically expedient. Mainstream politicians and political parties (including both the Kōmeitō Party within the ruling coalition as well as the opposition Japan Communist Party) that would not abide increased defense spending were willing to increase maritime safety and international cooperation. Calling it a “tactful approach,” one senior JDA official notes: “Prime Minister [Junichirō] Koizumi could not increase the defense budget because of the Kōmeitō, so he expanded the roles and missions of the Coast Guard instead.”<sup>52</sup> And, not coincidentally, Koizumi awarded the portfolio for Land, Infrastructure, and Transport to a Kōmeitō lawmaker, Kazuo Kitagawa. His successor, Shinzō Abe, followed suit by appointing Kōmeitō’s Tetsuzō Fuyushiba to the same post, and upon becoming prime minister in September 2007, Yasuo Fukuda reappointed Fuyushiba. Not surprisingly, the Kōmeitō became a forceful advocate for increased JCG budgets.<sup>53</sup> These budgets grew nearly tenfold in the past four decades in nominal terms. Interestingly, Japan’s overall defense budget rose even more rapidly, and thus the ratio of JCG to MSDF budgets actually has dropped from 22 percent to 17 percent—though it had declined to under 14 percent in 1987. The ratio of JCG to JDA budgets, less than 4 percent in 1987, increased to 4.3 percent in 2007.<sup>54</sup>

Upper House member Ichita Yamamoto, former chair of the Liberal Democratic Party’s Policy Committee on Foreign Affairs, minced no words about JCG budgeting and national security: “I am concerned about decreasing defense budgets. . . . [But] the increase in the Coast Guard budget is timely and

51. Akio Igarashi, “Atarashii Anzenhoshō no Kadai to Kaijō Hoanchō ni Taisuru Kitai” [The national security problem and the expectations toward the Japan Coast Guard], in *Kokudo Kōtsū*, April 2006, pp. 36–37. Other, more hawkish, analysts insist that the “suspicious ship” incident is evidence that bulking up the JCG is insufficient and that Japan’s formal military posture must be enhanced. See Tsuneo Yoshihara, “Fushinsen e no Taiō wa Kokusai Hō ni Junkyo Se Yo” [Responding to the suspicious ship requires conforming to international law], *Sokoku to Seinen*, February 2002, pp. 24–27.

52. Senior JDA official, interview by author.

53. *Yomiuri Shimbun*, June 26, 2006.

54. Data are from Ministry of Finance, <http://www1.mof.go.jp/data/index.htm>; *Bōei Nenkan Kankōkai* [Defense Yearbook Publishing Group], *Bōei Nenkan* [Defense yearbook] (various years); Ministry of Finance, <http://www.bb.mof.go.jp/hdocs/bxss010bh19.html>; Cabinet Office, <http://www5.cao.go.jp/keizai1/2007/0125mitoshi.pdf>; and Ministry of Defense, *Wagakuni No Bōei To Yosan* [Japan’s defense budget], 2007, draft, <http://www.mod.go.jp/j/library/archives/yosan/2007/yosan.pdf>.

will serve Japan's national interests. . . . We should increase the MSDF [budget], but this is difficult. Instead, we have to pay more attention to the Coast Guard, where it is easier to increase resources to make Japan's seas safer."<sup>55</sup>

John Bolton, former U.S. undersecretary of state for nonproliferation, agreed. He reported that building up the JCG was "a way for Japan to avoid going through tortured constitutional restraints and to build its capabilities," adding that the JCG has "participated fully with the United States in ways that were indistinguishable from the navies of other countries."<sup>56</sup> The question remains, though, whether in the late 2000s the more empowered JCG is in fact a second Japanese navy, something less, or something more.

### *The JCG as a Military*

With widespread political support, Japan's Coast Guard has developed a fleet that, at 145,000 aggregate tons in 2005, was more than 60 percent of the total tonnage of China's surface fleet, which expanded to 237,000 aggregate tons in 2007.<sup>57</sup> This fleet includes eighty-nine armed patrol ships weighing more than 500 tons each, some fifty-six of which are more than 1,000 tons. (The Chinese Maritime Surveillance Headquarters, administered by the State Oceanographic Administration, the JCG's closest analogue, acquired its first ship on this scale in 2005.) In 2005, when JDA budgets were cut, the JCG's equipment budget was increased, with funds earmarked for modernization—including twenty-one new boats and seven new jets, as well as replacement of older boats and planes.<sup>58</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, as well as two patrol ships with advanced fire control systems, 20-millimeter and 40-millimeter cannons, and advanced targeting night-vision capabilities, which it dispatched for duty near the disputed Senkaku/Diaoyudai Islands. These ships have no antisubmarine capabilities and no anti-aircraft radar, nor are they armed with missiles. Still, with a top speed of more than 30 knots, a length of

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55. Ichita Yamamoto, interview by author, Tokyo, June 9, 2006.

56. John Bolton, interview by author, Washington, D.C., March 15, 2007.

57. This compares Chinese surface combatants weighing more than 500 tons and armed JCG ships. It does not mean, of course, that the JCG enjoys two-thirds of the combat power of China's navy. I am grateful to Eric Heginbotham for this comparison derived from data in James Hackett, ed., *The Military Balance, 2007* (London: Routledge, for International Institute for Strategic Studies, 2007).

58. *Sankei Shimbun*, December 2, 2005.

95 meters, and a weight of nearly 2,000 tons, they are about two-thirds the size of Japan's Hatsuyuki-class destroyers.<sup>59</sup>

The largest and most capable armed patrol ships in the JCG inventory are the thirty large patrol vessels (PLs) with one or two helicopter platforms (PLHs), plus the sixty-nine large PLs without helicopter pads.<sup>60</sup> The single *Shikishima* PLH is the largest JCG ship in service.<sup>61</sup> It displaces 6,500 tons, is 150 meters long, and has a range of 37,000 kilometers. Although not as heavily armored as a naval warship, a PLH, like the *Shikishima*, can withstand small weapons fire. It can carry two helicopters onboard, is equipped with an air and surface-search radar system, and is armed with two twin 35-millimeter cannons and the same M61 20-millimeter gatling gun used aboard U.S. fighter planes.<sup>62</sup>

These JCG patrol vessels are fine and capable ships, but they lack the weapons suite, armament, and sensors necessary for success in modern naval battles. They carry no torpedoes, antiship cruise missiles, or surface-to-air missiles. They have no air or missile defenses, no air-searching radars, no sonars or antisatellite weapons capability, and no mine detection or clearing assets. Nor do they have replenishment ships that would enable long-range patrolling.<sup>63</sup> Their weapons would be effective only at what is a point-blank range compared to the weapons systems of most navies against which they are defenseless. To be effective in combat against a warship, JCG PLs would somehow have to close to a range of a few thousand meters, where they would be disadvantaged by their lighter armaments.

Most of the JCG's airplanes are transport or utility aircraft, but a few might have combat capabilities. They optimize patrol and scouting functions instead, as the JCG enjoys patrol authority that is denied to the MSDF. For these missions, the JCG owns and operates two Saab-340 Erieye airborne early warning

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59. Kaijō Hoanchō, *Kaijō Hoan Repōto*, p. 9. For direct comparisons, see *GlobalSecurity.org*, "Military: DD Hatsuyuki Class," <http://www.globalsecurity.org/military/world/japan/hatsuyuki.htm>. Former JCG Director-General Arai insists that the JCG's 2,000-ton ships were much more cheaply constructed than naval destroyers. He also insists that the guns are "just for decoration." Arai, interview by author. There is no indication of plans to "up armor" these ships with missiles, torpedoes, or minesweeping systems.

60. Christopher Langton, ed., *The Military Balance, 2006* (London: Routledge, for International Institute for Strategic Studies, 2006), p. 275.

61. *Ibid.*

62. *GlobalSecurity.org*, "Military: GAU-4 20mm Vulcan M61A1/MG1A2 20 mm Automatic Gun," <http://www.globalsecurity.org/military/systems/aircraft/systems/m61.htm>.

63. It is not clear, however, if the MSDF replenishment ships currently under way are used for both fleets.

craft, which have a range of 1,300 kilometers and an endurance of seven hours, and are equipped with powerful radar that can detect air and sea targets at a range of 320 kilometers.<sup>64</sup> The long-range Gulfstream V jets mentioned above were reconfigured to serve as UAVs. JCG helicopters are also used to extend the visual scouting and targeting range of JCG ships when operated from PLHs.<sup>65</sup> But the JCG has no submarine or antisubmarine assets, nor does it have mine or mine counterwarfare assets. Despite its continual upgrading, the JCG would be the inferior force in nearly any combat situation against an opposing navy.

Not surprisingly, then, there remains considerable pressure for further enhancement of the JCG's capabilities. Former Director-General Nawano justifies the need for advanced weapons systems by arguing that JCG ships must be able to fire at a suspicious ship for the purpose of stopping the movement of the ship without mistakenly sinking it; and this, he insists, requires precision guidance systems.<sup>66</sup> Furthermore, in response to a question regarding the possibility of North Koreans using submarines to enter Japanese waters, Nawano argues for acquisition of antisubmarine weapons already deployed by the MSDF.<sup>67</sup>

With an annual budget of nearly \$1.6 billion, the JCG was already a force of considerable size when in December 2005 the government announced plans to modernize its five hundred ships.<sup>68</sup> Although not on the scale of the Deepwater Program, twenty-one new ships and seven new jets would be added, and the fleet would be reconditioned, at a cost of more than \$450 million per year between 2006 and 2012. A Coast Guard spokesman defended the budget expansion with explicit reference to China: "We demanded this increase . . . because of mounting concerns in the East China Sea area, especially near the disputed gas field."<sup>69</sup> Indeed, JCG scouting and active search capabilities sent out ahead of MSDF assets create both an extra layer of defense against detection and a buffer against formal military engagement. Given that the de-

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64. Langton, *The Military Balance*, 2006, p. 275; *GlobalSecurity.org*, "Military: S 100B Argus SAAB 340 AEW&C," <http://www.globalsecurity.org/military/world/europe/saab340-specs.htm>; and *GlobalSecurity.org*, "Military: S 100B Argus SAAB 340 AEW&C," Specifications, <http://www.globalsecurity.org/military/world/europe/saab340.htm>.

65. *GlobalSecurity.org*, "Military: Gulfstream G500," <http://www.globalsecurity.org/military/systems/aircraft/g550.htm>.

66. Nawano, "Kokusai Hanzai Tero he no Boushi Yokushi Ryoku to shite," p. 49.

67. *Ibid.*, p. 50.

68. Kaijō Hoanchō, *Kaijō Hoan Repotō*, p. 44.

69. AFX News, December 2, 2005.

fense of disputed territory is usually viewed as distinct from law enforcement of a settled boundary, it seems clear that the JCG's military role—and not just its police one—has been enhanced.

Still, the Japan Coast Guard cannot function as an independent naval force because it cannot project naval power ashore or sustain itself over long stretches of ocean. It has limited capacity to attack enemy targets, to support ground operations, to establish blockades, to launch amphibious assault operations, to protect sea-lanes of communication, and to deter conflict. In short, although the JCG can use its handful of long-endurance UAVs and helicopters to provide scouting and over-the-horizon target identification for the MSDF, it is not able to project power—a capability the MSDF also has in short supply. Even if the JCG does not become Japan's "second navy," by filling niches that are too difficult for the MSDF to handle, it should be considered a distinct fourth military branch. Evidence that this is precisely what the Japanese government has had in mind can be drawn from an analysis of the JCG's evolving regional security role.

### *The JCG's Regional Security Role*

It is difficult to take at face value a 2003 claim by the JDA's National Institute for Defense Studies that the expansion of Japan's security portfolio "indicates just how strong the demand is in the international community today for defense activities in regions lying beyond the areas surrounding Japan."<sup>70</sup> After all, despite some sixty years of peaceful behavior, few nations continue to inspire as much neighborly distrust as Japan. But, the unopposed expansion of the JCG suggests that this claim may not have been too far from the truth. The JCG is at the center of an emerging Southeast Asian security framework, and its leadership is welcomed by East Asian neighbors.

No doubt because the JCG is described as a police, rather than as a military, force, these distant deployments have ruffled few feathers at home or abroad.<sup>71</sup> After all, the JCG buildup has not included power projection assets

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70. National Institute for Defense Studies, *2001–2002 Report on Defense and Strategic Studies*, pp. 17–18.

71. One minor exception 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. See Atsushi Kōketsu, "Fushinsen' Jiken to wa Nandatta no ka: 'Daini Kaijō Jieitai ka' suru Kaijō Hoanchō no Mokuromi" [What was the "suspicious ship" incident about? The scheme of the Japan Coast Guard that is transforming into the "second self-defense force"], *Impaction*, No. 129 (2002), pp. 1–3. It has been suggested that the MSDF has resented the expansion of JCG roles and missions, but

that could challenge foreign naval forces. To assure that a benign view of the JCG persists, the Japanese government has tied the Coast Guard to its foreign aid program. Although Japanese official development assistance has declined overall, a new category of “security assistance” was created and has been increased substantially.<sup>72</sup> It is now routine for the JCG to assist Southeast Asian states with training and technology to help them police the Malacca Strait and other areas along the Middle East oil routes.<sup>73</sup> Monthlong conferences on maritime safety and law enforcement training seminars attended by Coast Guard officials from the Association of Southeast Asian Nations (ASEAN) are funded through the Japan International Cooperation Agency, Japan’s foreign aid agency. Agency funds set aside as “antiterror grant aid” were also used to provide the Indonesian and Philippine Coast Guards with three fast patrol craft each in 2006.<sup>74</sup> Because these ships were equipped with bulletproof glass, they were classified as “weapons” by the Ministry of Economy, Trade, and Industry. But because they were unarmed and were supplied to a coast guard, the Japanese government claimed it was not violating its arms export ban. Acknowledging that this was the first time the Japanese government had ever used official development assistance to transfer weapons, Chief Cabinet Secretary Shinzō Abe set conditions on their use. The patrol boats (valued at \$17 million each) could be deployed only against terrorists or pirates, and any subsequent sale or transfer to a third party would require the permission of the Japanese government. The Japanese government apparently helped Indonesia (and Malaysia, which purchased similar ships) create their coast guards so as to avoid the overt transfer of arms to foreign militaries, a move one senior JDA official called “very smart.”<sup>75</sup> Tokyo also has begun training Southeast Asian Coast Guard officers in the Japanese military academy in Yokosuka. If this is the shape of things to come, Japan has taken another step toward ending its self-imposed ban on the export of arms and providing military aid to neighboring states. The “canary in the coal mine” metaphor again seems apt.

Japan took the lead in organizing conferences regarding maritime terrorism and piracy in East Asia even before the September 11 terrorist attacks, when

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there is no public evidence supporting this claim. MSDF admiral (ret.), interview by author, Tokyo, January 11, 2006.

72. Fouse and Sato, “Enhancing Basic Governance.”

73. Kaijō Hoanchō, *Kaijō Hoan Repotō*, p. 29.

74. *Nihon Keizai Shimbun*, August 14, 2006. See also Fouse and Sato, “Enhancing Basic Governance.”

75. Kaijō Hoanchō, *Kaijō Hoan Repotō*, p. 29; and senior JDA official, interview by author.

U.S. assessments of challenges to maritime security barely touched on Asia and failed even to mention terrorism.<sup>76</sup> The first such meeting took place in December 2000, when the heads of the Coast Guards and equivalent agencies of Canada, China, Japan, Russia, South Korea, and the United States met at Tokyo's initiative. This group, comprising the commandants of each nation's Coast Guard, is now called the "North Pacific Coast Guard Forum" (NPCGF), and has met annually since, rotating hosts each time.<sup>77</sup> In addition to its annual summit, the NPCGF sustains an active calendar of working-level meetings. Each member nation chairs a different working group—Canada on fisheries, China on drugs, Japan on maritime security, Russia on information exchange, South Korea on migration, and the United States on joint operations.<sup>78</sup> Arranged in this fashion, the discussions are nonconfrontational and organized around shared interests; each nation contributes what it wishes; no member comes to the meeting with its hand out; and no single country dominates. Although underlying regional tensions and mistrust have not been eliminated, five years of tentative information sharing and confidence-building exercises, such as "table-top tracking" simulations, led in 2005 to the NPCGF's first at-sea combined operation. Vessels from each of the member states practiced "fisheries enforcement."<sup>79</sup> By 2006 the NPCGF had engaged in its first robust professional exchanges on law enforcement at sea.

JCG activity in Southeast Asia has been better publicized. In 2002 Japan initiated a five-year training project with the Philippine Coast Guard, culminating in a January 2006 joint exercise involving patrol ships and helicopters from both countries' coast guards.<sup>80</sup> In June 2003 Japan hosted a two-day summit conference of Coast Guard heads in Tokyo in which ASEAN, Bangladesh, China, Hong Kong, India, South Korea, and Sri Lanka participated. In mid-2004 the heads of the Coast Guards of sixteen countries in South and Southeast

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76. Office of Naval Intelligence and U.S. Coast Guard Intelligence Coordination Center, eds., "Threats and Challenges to Maritime Security, 2020" (Washington, D.C.: U.S. Coast Guard National Intelligence Coordination Center, March 1, 1999).

77. Masayuki Kikuchi reports that the original name of the working group was the North Pacific Heads of Coast Guard Agencies. Kikuchi, "Keisatsu to Kaijō Hoanchō no Tokushu Butai: Nihon no Tero Taisaku wo Kiru" [The special forces of the police and the Japan Coast Guard: Investigating Japan's terrorism policy], *Gunji Kenkyū*, Vol. 40, No. 12 (2005), pp. 72–83.

78. Most of this paragraph is derived from U.S. Coast Guard International Affairs, ed., "A Model for International Cooperation at Sea: The North Pacific Coast Guard Forum," unpublished briefing, 2006.

79. These tensions were made apparent in May 2006 when China and Korea canceled participation in a NPCGF tracking exercise—proposed by Tokyo—after it was mischaracterized in the press as a Proliferation Security Initiative exercise aimed at North Korea. *Asahi Shimbun*, May 26, 2006; and *Asahi Shimbun*, May 31, 2006.

80. *Sekai no Kansen*, April 2006, pp. 160–162.

Asia met again in Tokyo to discuss piracy on the high seas. By September, the 2004 Asia Maritime Security Initiative had been signed by more than a dozen states across the region. A subsequent agreement among Indonesia, Malaysia, and Singapore established the trilateral Malacca Strait Coordinated Patrols. In February 2007 Japan, Malaysia, and Thailand conducted antipiracy exercises in the Malacca Strait, through which one-third of global trade passes each year. Cooperation has broadened and deepened.

Indeed, the JCG has been active—and welcomed—far from the Japanese home islands, most notably by India, a nation that Tokyo has assiduously courted in an attempt to balance Chinese power. In April 2005 Prime Minister Koizumi visited Indian Prime Minister Manmohan Singh in New Delhi, and the two governments announced the Eight-fold Initiative for Strengthening Japan-India Global Partnership, specifying enhanced security cooperation on a sustained basis between the two nations’ navies and coast guards.<sup>81</sup> Following up, in November 2005 the Indian and Japanese coast guards conducted a rescue and antipiracy drill while Indian Coast Guard Director-General Arun Kumar Singh was visiting Japan to confer with his Japanese counterpart. Subsequently, in May 2006 Indian Defense Minister Pranab Mukherjee visited Tokyo to meet with Japan’s defense and foreign ministers, as well as the chief cabinet secretary. He also found time to meet with Kitagawa Kazuo, minister of land, infrastructure, and transportation, to discuss the JCG.

The Japanese government has bilateral agreements with Russia, South Korea, and the United States on coordinated maritime rescue operations, but none with China. Still, in June 2005 Japan sent a JCG vessel to Shanghai, at Beijing’s invitation, to participate in a rescue practice drill.<sup>82</sup> The 2006 JCG annual report speaks of “cooperation on the high seas” with China, Russia, South Korea, and countries with which Japan still has unresolved—and combustible—territorial disputes.<sup>83</sup> Since 1999 senior leaders of the coast guards of each of these nations have met annually with those from Canada and the United States to discuss marine security, refugee flows, fisheries enforcement, and smuggling. But the Japan Coast Guard has also been deployed alongside the MSDF in the South China Sea to participate in multilateral antipiracy exercises. In October 2005 it participated in the multinational rescue mission after the earthquake in Pakistan. And in May 2006 Canada, China,

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81. For the text of the joint statement, see <http://www.mofa.go.jp/region/asia-paci/india/partner0504.html#eight/>.

82. Kyodo News Agency, June 29, 2005.

83. Kaijō Hoanchō, *Kaijō Hoan Repōto*, p. 18. For bilateral arrangements with each neighbor, see *ibid.*, pp. 24–27. For detail on the territorial disputes, see *ibid.*, pp. 34–35.

Japan, Russia, South Korea, and the United States agreed to conduct an interdiction exercise designed by the JCG, before it was canceled due to difficulties in Sino-Japanese diplomacy.<sup>84</sup> According to a former JCG director-general, “So long as the Japan Coast Guard is in pursuit of a criminal, it can sail out even to the Persian Gulf.”<sup>85</sup> The gradual acceptance by otherwise suspicious 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. Confidence building is well under way that may diffuse these memories—the most nettlesome problem in Japanese diplomacy.

For all this sustained confidence building, East Asia’s various maritime security forces are not always poised for cooperation with Tokyo. This is particularly true for South Korea and China, each of which has outstanding territorial disputes with Japan. The South Korean Coast Guard, which has been conducting joint exercises with the JCG since 1999, has been stationed on the disputed rocks at Takeshima/Tokdo since 1954, and efforts to demarcate the exclusive economic zone that began in 1996 have not made much progress. Instead, there have been repeated incursions in areas claimed by the other, as each claimant repeatedly has undertaken maritime surveys without the other’s permission, and over the other’s protests. In April 2006 the JCG announced it would dispatch two 550-ton ships to survey the area near the disputed rocks, and the South Korean Coast Guard responded by meeting them with 5,000-ton patrol ships. The JCG stood down and anchored closer to the Shimane coast, and a hotline was set up to forestall misperceived maritime movements. But just three months later, in July, the Japanese press was abuzz with news that the JCG was simultaneously tracking Chinese survey ships near the Senkaku Islands and South Korean survey ships near Takeshima/Tokdo.<sup>86</sup> There is no evidence that Beijing and Seoul coordinated these visits, but the timing drove home how difficult the situation is for Japan and its neighbors. In July 2006, JCG vessels closely monitored the movements of a South Korean Coast Guard vessel that was escorting a Korean survey vessel in disputed waters. Demands that the South Korean ship cease and desist were rejected. The Japanese government likewise protested Chinese maritime surveys near the Senkaku Islands in February 2007.<sup>87</sup>

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84. *Ibid.*, p. 8. See *Tokyo Shimbun*, May 24, 2006. For more on JCG’s antipiracy activities, see *Asahi Shimbun*, May 29, 2006.

85. Arai, interview by author.

86. Kyodo News Agency, July 3, 2006; and *Yomiuri Shimbun*, July 3, 2006.

87. Jiji Press, February 7, 2007.

It seems clear that some Chinese officials do not fully trust the JCG or the motives behind its expansion. The daily newspaper of the People's Liberation Army (PLA) insisted in 2001 that there was "no justification" for the JCG's use of force in the sinking of the North Korean "mystery ship," and that the incident "warrants people's concern."<sup>88</sup> Another PLA newspaper declared in 2004 that Japan was "using the fight against piracy as an excuse to cover Malacca with its military attack power."<sup>89</sup> And in January 2005, a PLA Navy monthly described the JCG as an "emerging threat to Chinese maritime security."<sup>90</sup>

There is a lingering distrust of Japanese intentions in Seoul and Beijing in part because of the way in which the government, led by the Liberal Democratic Party, has used the JCG to respond to initiatives undertaken by nationalist groups and conservative think tanks. The Nippon Seishinsha, a right-wing group, has constructed lighthouses and a Shinto shrine at various locations in the Senkaku chain since the 1980s. Until the mid-1990s, the Japanese government was unresponsive to their demands that these projects formally be approved. But in July 1996, Chief Cabinet Secretary Seiroku Kajiyama declared that it was legal to build a lighthouse so long as the landowners agreed to the construction, adding that this was different from approving it as a legal beacon.<sup>91</sup> After *démarches* from China and Taiwan, Tokyo decided not to approve one of the lighthouses. Rather than rejecting the application, however, it merely "suspended" it.<sup>92</sup> Japanese politicians and rightists thereupon periodically landed on the islands. In 2002 the Japanese government had the islands "loaned" to the government so as to strengthen Japan's claims and, it insisted, to prevent further construction.<sup>93</sup> But the lighthouse on Uotsuri Island became an official beacon in March 2004.<sup>94</sup> In a different case, the Nippon Zaidan, the most prominent in a network of conservative Sasakawa group foundations and think tanks, conducted research on Okinotori Island, a small coral islet 1,700 kilometers south of Tokyo that the Chinese insist is merely a rock. The group studied how to grow the coral so that it would remain above sea level and be accepted as an island, which would extend Japan's borders. It also proposed building a lighthouse there, a plan that found its way into the 2006 JCG budget.<sup>95</sup> The lighthouse began operation in 2007 under JCG supervision.

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88. *Jiefangjun Bao*, Foreign Broadcast Information Service (FBIS), December 31, 2001.

89. *Huanqiu Shibao*, FBIS, December 13, 2004.

90. *Dangdai Haijun*, FBIS, January 1, 2005.

91. *Yomiuri Shinbun*, July 19, 1996.

92. *Yomiuri Shinbun*, September 16, 1996.

93. *Yomiuri Shinbun*, January 1, 2003.

94. *Yomiuri Shinbun*, February 9, 2005.

95. *Yomiuri Shimbun*, August 25, 2005.

Meanwhile, the Japan Fisheries Agency funded a program to cultivate organisms from the reef that would be returned there to accelerate its growth.<sup>96</sup> In addition to raising and publicly exhibiting the North Korean “suspicious ship” that the JCG had sunk in 2001, the Nippon Zaidan has also established the Coastal Guard, a volunteer organization whose 100,000 members pledge to report suspicious activity along the coast to the JCG.<sup>97</sup>

These sorts of activities and relationships may partly explain why China has withheld full cooperation with the JCG. Most prominently, Beijing refused to participate with Japan and the United States in the U.S.-led Proliferation Security Initiative (PSI). Touted as a “global initiative with global reach,” the PSI is directed at rogue states such as North Korea and Iran and is designed to interdict ships on the high seas suspected of transporting weapons of mass destruction.<sup>98</sup> It was intended to prevent the “flow out” of weapons of mass destruction from proliferators rather than wait to try to block the “flow in,” and was established outside the framework of United Nations.<sup>99</sup> Japan was the only Northeast Asian state to agree to participate.<sup>100</sup> It did so primarily with JCG vessels, but the MSDF has also become involved. In addition to enabling the MSDF and JCG to practice coordination, PSI was used to expand the aerial surveillance capabilities of the MSDF’s fleet of P3-Cs.<sup>101</sup>

A 2003 statement of principles by the PSI’s eleven members outlined the circumstances under which participants might board a ship in search of weapons of mass destruction. They agreed “[to] stop and/or search in their internal waters, territorial seas, or contiguous zones (when declared) vessels that are reasonably suspected of carrying such cargoes to or from states or non-state actors of proliferation concern and to seize such cargoes that are identified, and [to] enforce conditions on vessels entering or leaving their ports, internal

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96. *Yomiuri Shimbun*, July 27, 2007.

97. The formation of this auxilliary was welcomed by the JCG. See *Yomiuri Shimbun*, August 3, 2002. For details on the ship exhibit, see Leheny, *Think Global, Fear Local*.

98. Ralph A. Cossa, “U.S. Security Strategy in East Asia and the Prospects for an Asian Regional Security Regime,” *Asia-Pacific Review*, Vol. 12, No. 1 (May 2005), p. 70.

99. PSI does not involve the participation of China or Russia, two members of the UN Security Council. Beijing and Moscow have resisted on the grounds that international law does not permit the interdiction of ships on the high seas without the permission of the flagged state. Given that it would be invoked without UN authorization and that it is highly unlikely that the Japanese military would ignore a request by the United States to stop a suspected vessel bound to or from North Korea, the Japanese now risk crossing the line of both domestic and international law. See Mark Valencia, “Japan in a Corner over Interdictions at Sea,” *International Herald Tribune*, October 22, 2005.

100. Kaijō Hoanchō, *Kaijō Hoan Repōto*, p. 20.

101. MSDF participation was justified as “research.” See Fouse and Sato, “Enhancing Basic Governance,” pp. 5–6.

waters, or territorial seas that are reasonably suspected of carrying such cargoes, such as requiring that such vessels be subject to boarding, search, and seizure of such cargoes prior to entry.”<sup>102</sup>

The JCG’s armed patrol vessels are well suited for such PSI actions. Their high speeds, long endurances, and sufficient armaments allow them to close in on and credibly threaten unarmed merchant ships. JCG aerial surveillance platforms are also valuable for identifying and tracking suspect ships. Given North Korea’s nuclear program, its ships are prime targets for such interdictions. In 2003 Japan announced it would inspect all North Korean vessels that dock at Japanese ports, and detained several. Performing interdictions at sea was the next logical step.

The JCG has been training for such missions. In September 2003, off the coast of Australia, the JCG participated with the navies of nine other nations—including seven European states as well as Australia and the United States—in the first PSI exercise. Subsequently, in October 2004 it hosted Australia, France, and the United States in Operation Team Samurai, which featured a series of exercises in Tokyo Bay in which ships from a North Korean-like state were suspected of transporting sarin nerve gas.<sup>103</sup> During one such drill, as “Japan Coast Guard ships crossed its [the target ship’s] bow, a squad of specially trained troops rappelled down from helicopters to board the first target ship.”<sup>104</sup> The Japanese government specifically requested participation of the USCG to emphasize the law enforcement nature of the exercises and to learn USCG procedures for boarding, conducting maritime searches, and performing constabulatory functions.<sup>105</sup> In August 2005 Singapore hosted a large-scale maritime exercise in the South China Sea under the aegis of the PSI that engaged 2,000 military and coast guard personnel from thirteen nations.<sup>106</sup>

Geographically, Japan is in an excellent position to interdict North Korean ships. Ships leaving from ports on North Korea’s east coast have to pass through the Korea Strait, which is less than 200 kilometers wide and technically could fall under Japan’s exclusive economic zone. Even ships leaving

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102. *GlobalSecurity.org*, “Proliferation Security Initiative,” <http://www.globalsecurity.org/military/ops/psi.htm>.

103. Team Samurai officials insisted that the exercises were not directed against any particular nation, but U.S. Undersecretary of State John Bolton said in a speech in Tokyo in 2004 that PSI measures were targeted at nations such as North Korea. North Korean officials denounced the exercises as an “illegal attack” against them. See *GlobalSecurity.org*, “Exercise Team Samurai,” <http://www.globalsecurity.org/military/ops/team-samurai.htm>.

104. *Ibid.*

105. Bruce B. Stubbs, “Making the ‘1,000 Ship Navy’ a Reality,” *U.S. Naval Institute Proceedings*, Vol. 133, No. 1 (January 2007), pp. 2–3.

106. Kyodo News Agency, August 17, 2005.

from North Korea's west coast would most likely use international sea-lanes that would bring them within range of JCG assets stationed near Japan or Okinawa.<sup>107</sup>

Another mission for which the JCG is well suited—and actively engaged—is sea patrol, the establishment of an armed presence that, although it could be overwhelmed by an opposing force, places the onus on the intruder to fire the first shot. As noted above, although MSDF assets also could be used in this way, current constitutional interpretations do not permit MSDF patrols, and the sustained deployment of MSDF assets would be far more politically provocative. Moreover, as pointed out by a former JCG commandant, there are diplomatic advantages in having the JCG as Japan's first responder on matters of preserving Japanese territorial integrity.<sup>108</sup> It is harder for the MSDF to back down if it takes an aggressive posture in territorial defense. Using the JCG helps buffer against the eruption of emotive exchanges between Japan and its neighbors, as in cases such as the landing of Chinese nationalists on the Senkaku Islands in 2004. Meanwhile, the newly enhanced JCG has sufficient numbers of armed, blue-water patrol vessels to maintain patrols around disputed islands or sea-lanes. Those JCG vessels can defend Japanese claims against any unarmed protest or survey boats. When foreign boats approach, the JCG orders them to vacate Japanese waters. It is the intruder's choice whether to back down or to initiate a confrontation with what is nominally a law enforcement agency. As Sam Bateman points out, "Since 2000 Japan has been actively using the JCG as a 'foot in the water' in Southeast Asian waters."<sup>109</sup> In fact, the JCG has become a regular participant in the ASEAN Regional Forum, Southeast Asia's most prominent collective security assembly. This "foot" may not be sheathed in a steel-tipped boot, but it is nonetheless a formidable addition to Japan's diplomatic and military capacity—ironically, not least because of its nonmilitary character.

### *Conclusion*

Former Prime Minister Junichirō Koizumi broke new ground when, in March 2006, he became the first Japanese prime minister ever to attend the graduation ceremonies at the Japan Coast Guard Academy near Hiroshima.<sup>110</sup> By that

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107. For a chart of international sea-lanes in East Asia, see U.S. Pacific Command, "Sea-Lanes," <http://community.middlebury.edu/?scs/maps/sealanes.gif>.

108. Nawano, "Kokusai Hanzai Tero he no Boushi Yokushi Ryoku to shite," p. 49.

109. Sam Bateman, "Coast Guards: New Forces for Regional Order and Security," *Asia Pacific Issues: Analysis from the East-West Center*, No. 65 (March 2003), p. 3.

110. *Yomiuri Shimbun*, May 30, 2006.

time, the die had already been cast. Japanese leaders had renamed, repositioned, and reequipped the Japan Coast Guard in ways that Ambassador John Bolton has suggested have made it “indistinguishable” from neighboring navies.<sup>111</sup>

As shown in the foregoing analysis, however, like the JCG claim to be a “New Fighting Power,” this assessment may be overstated. The Japan Coast Guard operates a large fleet of ships, some of which have blue-water size and endurance, but it lacks the offensive or defensive capability to act as a full-fledged naval force. 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, although the JCG has the capacity to perform sea patrol activities—and in doing so frees the MSDF to position itself in a more “navy-like” posture—its own fighting capabilities would be extremely suspect if confronted by a real 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 Japanese Maritime Self-Defense Force, the only blue-water navy of any East Asian state and already among the top three or four naval forces in the world. Presently, 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 farther from friendly coastlines and on the open seas. As a consequence, Japanese air and naval forces will likely 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>112</sup> Moreover, because the JCG can perform missions that, if executed by the MSDF, might be considered provocative or acts of war, it has emerged as more than a niche player in Northeast Asian security.<sup>113</sup>

Second, as I have shown, 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 of defense spending and of 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,

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111. Bolton, interview by author.

112. For analyses of the shifting maritime balance, see Lyle Goldstein and William Murray, “China Emerges as a Maritime Power,” *Jane’s Intelligence Review*, October 2004, pp. 34–38; and Eric A. McVadon, “China’s Maturing Navy,” *Naval War College Review*, Vol. 59, No. 2 (Spring 2006), pp. 90–107.

113. Bateman, “Coast Guards,” p. 5.

the JCG has been used to diversify Tokyo's portfolio of overseas development assistance as well as to assuage the concerns of its U.S. ally that Japan will 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.