

## **Maruyama's Choice: the Article 9 Paradox**

### **I. Come Tomorrow**

No discussion of the Japanese capacity for war can be conducted in the abstract. The closing months of the Pacific War of 1941-1945, long after any chance of victory for Japan was irretrievably lost, saw the highest American combat casualty rates of World War II and the loss of over thirty ships to *kamikaze* during the Battle of Okinawa. American President Truman, no fanatic, believed it was necessary to authorize two nuclear strikes on Japanese cities to induce Japan to surrender. Even then, the direct intervention of the Emperor was required to end the killing.

Article 9 of the 1946 Japan postwar constitution, by which “the Japanese people forever renounce war,”<sup>1</sup> is therefore one of the most important documents in the world. We shall consider the ideal and the reality of the connection between passage and policy.

By 1964, ten years after the end of American occupation and the restoration of Japanese independence, there had been a full decade of political debate in Japan over possible revisions to the constitution, much of it centered around what Maruyama Masao called the “dualism of principle and reality” in Article 9. To Maruyama, the debate featured the contrast between the ideal, the principle of peace characterized as a “political manifesto,” and the actual, taken to be national “policy constraint.” The question was whether the political declaration of Article 9 was “correct as principle but unworkable in reality.” Or was Article 9 a framework that could contain the notion of self-defense? Maruyama called this putative framework a “fence” that defined the playground where the game of defense policy could be played. He rejected this idea with the view that

*Maruyama's Choice*

Pete Ahrens

Article 9, empowered by the “spirit of the Preamble related to it” was a “compass,” indicating the “direction” of policy. Maruyama contended that “Article IX actually obliges...the final goal of the Japanese government” to be the “realization of complete disarmament.”<sup>2</sup> Maruyama observed three conceptual links between the Preamble of the Japanese constitution and Article 9. The first link was that war is an act of government policy, and in a democracy the people are sovereign: noting that it is the people who suffer most in modern war, it is the people who pass judgement on policy. The second link was the Preamble’s pledge of Japan’s “national honor” to raise the Japanese people to “an honored place in an international society striving for the preservation of peace.”<sup>3</sup> The third link was the confirmation in the Preamble of the “*people’s right to a national existence.*” For Maruyama, this was the very core of the challenge Article 9 represented.

We might question the entire concept of the right of national self-defense when that right is exercised through *war methods* which destroy another people’s right to live.<sup>4</sup>

At the time, the semantics of self-defense were suffused with the “dialectics of the Cold War.”<sup>5</sup> In the Cold War context of total war with nuclear weapons self-defense becomes deterrence. And, Maruyama pointed out, “deterrence is essentially a *war* concept.”<sup>6</sup> Maruyama’s rationale for total disarmament was “the disconcerting paradox” that an increase in armament led to a decrease in security. “Equally paradoxical” for the Japanese was that the spirit of Article 9 ran counter to the “national common sense” of

the past, a glorious saga of battle, individual combat, duty and honor. “The problem for the Japanese people,” said Maruyama, “is to choose between these two paradoxes.”<sup>7</sup>

## **II. Cold War**

Against the compass heading of Maruyama's ideal, the helm of the Japanese ship of state steered an actual policy of defensive rearmament. Protected by the United States throughout its postwar rejuvenation, Japan pursued the declared strategy of Prime Minister Yoshida Shigeru, “that Japan should naturally reinforce its defensive power, as the nation's economy recovered.” Yoshida held that Article 9 was not violated because self-defense was not, in the word of Article 9, “belligerency.”<sup>8</sup> As this course was set over more than two decades, several anti-militaristic guidelines were developed to guide the Yoshida strategy. The first and most explicit guideline is Article 9 itself, much debated, never amended. The second guideline is the set of three non-nuclear principles, “that Japan will not possess, manufacture, or introduce nuclear weapons.”<sup>9</sup> The third and fourth guidelines are that Japan will not export weapon or defense technology, and that a 1% GNP ceiling will be maintained on military spending.<sup>10</sup>

While the sudden, near-miraculous end of the Cold War still lay hidden in the future, new international threats to Japan seemed to crystallize in the early 1980s. The U.S. had withdrawn from Southeast Asia. The Russians were in Afghanistan. Soviet military activity in northeast Asia increased, including the deployment of Backfire bombers and SS-20 missiles. Economic friction with the U.S. developed in the years following the Oil Crisis of the mid-1970s. Also, slow domestic economic growth and “the government policy of fiscal retrenchment” gave added impetus to serious discussion

of the rationale behind defense expenditures. The security debate in Japan intensified. Drawing upon an assessment of Japan's future role in the world by Kenneth B. Pyle, Mike Mochizuki in his 1984 essay on Japanese defense policy identified four schools of strategic thought in the security debate. First were the mainstream political realists, "inheritors of the Yoshida strategy." Mochizuki asserted that none of this school felt "any need to revise the Constitution." Then came the unarmed neutralists, the "Japanese gaullists," and the military realists. The unarmed neutralists, claimed Mochizuki, saw "economic vulnerability" as Japan's greatest threat. Pacifists leery of the security arrangement with the U.S., they opposed revision of the constitution and sought arms control and international diplomatic initiatives in line with the Preamble's dicta. Mochizuki dismissed the Japanese gaullists, an oddly Euro-charged synonym for resurgent nationalists. "[T]he influence of those who seek...to project national power...has waned." Importantly, he admitted their influence was not zero, nor likely to disappear.

Although the influence of the gaullists remains quite limited, two developments could stimulate their rise: the loss of America's security guarantee and an unexpected and direct military threat to Japan.

In the emergence of military realists, Mochizuki discerned two variations from the previous schools. The military realists, unlike the political realists, began their analysis with an assessment of Japan's military environment, and, unlike the gaullists, they advocated close military cooperation with the United States. Mochizuki himself appears

to be of this school, staking out a position for the impending Nakasone government. In addition to advocating Japanese participation in United Nations peacekeeping forces and various force structure and defense program modifications, he proposed to raise the 1% GNP defense spending ceiling, and revise the three non-nuclear principles “to permit the transit of American nuclear weapons through Japanese waters and ports.”<sup>11</sup>

In 1988 the successes of the military realist school were listed in a study by Glenn D. Hook as evidence of the “erosion of anti-militaristic principles” in Japan. Of particular significance are Hook’s empirically verifiable points, that American vessels equipped with potentially nuclear-tipped Tomahawk missiles called at Japanese ports, that Japan involved itself in research related to the U.S. Strategic Defense Initiative among other advanced defense projects, and that the 1% GNP ceiling was raised.<sup>12</sup>

Heavily influenced by the military realist school and the longevity of the Nakasone administration, the momentum of Defense Agency policy carried it beyond the end of the Cold War in 1989 to “soldier on”<sup>13</sup> through the volatile fits and starts of 1990s electoral politics and domestic policy confusion. On Friday, December 15, 2006, the government of Prime Minister Abe Shinzo passed a law elevating the Defense Agency to the status of Ministry.<sup>14</sup>

### **III. Yoshida Redux**

It is fair to say that the Yoshida strategy has survived and evolved to the present day. Now counter-measures rather than deterrence are the goals of defense policy. The relationship of Japan and the United States remains cordial and committed. Maruyama’s dualism of principle and reality continues to be reflected and reinforced in the dubious

connections between Article 9 and Japanese defense policy. The guidelines are perhaps dangerously adrift, but not altogether lost.

Directly impinging on the linkages between Article 9 and the Preamble of the Japanese Constitution is the current strategic situation in East Asia. There is concern in Japan over Chinese intentions vis a vis Taiwan.<sup>15</sup> The anxiety over North Korea's irrational leadership, ballistic missile development, and nuclear capability is palpable.<sup>16</sup> There can be little doubt that American warships equipped with nuclear weapons have visited Japanese ports of call. Defense technology and weapon development is proceeding. Ballistic missile defense is an active area of research.<sup>17</sup> Sea, air, and land capabilities are all part of Japan's current National Defense Program Guideline.<sup>18</sup>

On the other hand, an assessment by the People's Republic of China finds that Japan spent .89% of GNP on defense in 2005, and Japan's Ministry of Defense reports that in 2006 defense-related expenditures were .937% of GNP.<sup>19</sup>

What of Maruyama's choice?

To justify defense expenditures, there must always be an enemy. In the real world, there usually is. In 1964 Maruyama warned that "[i]n order to rationalize the possession of absolute weapons...there is a psychological impulse toward the supposition of an absolute enemy."<sup>20</sup> The Soviet threat that drove Mochizuki's military realists in the 1980s was an illusion. United States foreign policy in the 21<sup>st</sup> century has given Japan, and the rest of the world, much to consider. Maruyama again: "The cultural achievements which express national individuality cannot be replaced by military energy."<sup>21</sup> Maruyama's moral compass holds true to the distant pole of Article 9: to steer *beyond the paradox*.

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<sup>1</sup> THE CONSTITUTION OF JAPAN, November 3, 1946, CHAPTER II: RENUNCIATION OF WAR, Article 9, *Paragraph 1*.

<sup>2</sup> Maruyama, Masao. *Thought and Behavior in Modern Japanese Politics*. Edited by Ivan Morris. London: Oxford University Press, 1963. "Some Reflections on Article IX of the Constitution." Translated by Frank Baldwin. 1964. 290-320. Henceforth referred to as *Thought and Behavior*.

<sup>3</sup> THE CONSTITUTION OF JAPAN, November 3, 1946, PREAMBLE.

<sup>4</sup> *Thought and Behavior*, 306. Maruyama's italics.

<sup>5</sup> *Thought and Behavior*, 317.

<sup>6</sup> *Thought and Behavior*, 318. Maruyama's italics.

<sup>7</sup> *Thought and Behavior*, 320.

<sup>8</sup> Review, *The Yoshida Memoirs*. By Yoshida Shigeru; Yishida Kenichi. W. Macmahon Ball. Public Affairs, Vol. 35, No. 4. (Winter, 1962-1963), pp. 409-411. Mike M. Mochizuki, "Japan's Search for Strategy," *International Security*, Winter 1983/84 (Vol. 8. No. 3), Harvard and MIT, 1984. 153, fn.

<sup>9</sup> Mike M. Mochizuki, "Japan's Search for Strategy," *International Security*, Winter 1983/84 (Vol. 8. No. 3), Harvard and MIT, 1984. 163.

<sup>10</sup> Glenn D. Hook, "The Erosion of Anti-Militaristic Principles in Contemporary Japan," *Journal of Peace Research*, vol. 25, no. 4, 1988. 384.

<sup>11</sup> Mike M. Mochizuki, "Japan's Search for Strategy," *International Security*, Winter 1983/84 (Vol. 8. No. 3), Harvard and MIT, 1984. 152-178.

<sup>12</sup> Glenn D. Hook, "The Erosion of Anti-Militaristic Principles in Contemporary Japan," *Journal of Peace Research*, vol. 25, no. 4, 1988. 392.

<sup>13</sup> Gary D. Allinson, *Japan's Postwar History*. Ithaca, New York: Cornell University Press, 2004. 208.

<sup>14</sup> "Japan Upgrades Its Defense Agency," [washingtonpost.com](http://washingtonpost.com). Anthony Faiola, Washington Post Foreign Service, Saturday, December 16, 2006.

<sup>15</sup> "Japan Defense Agency set 3 scenarios of China attack," Kyodo News, November 8, 2004.

<sup>16</sup> "Japan's Next Move," [www.cato.org](http://www.cato.org). Christopher Preble, Dallas Morning News, October 22, 2006. See also, "Defense of Japan 2006," Chapter 1, "Security Environment Surrounding Japan," [www.mod.go.jp/e](http://www.mod.go.jp/e). 5.

<sup>17</sup> "White paper cites need for missile defense," [japantimes.co.jp](http://japantimes.co.jp). Nao Shimoyachi, The Japan Times, Wednesday, August 6, 2003.

<sup>18</sup> "Overview of Japan's Defense Policy 2006," Ministry of Defense, [www.mod.go.jp/e](http://www.mod.go.jp/e).

<sup>19</sup> "China's National Defense in 2006," Chapter IX. "Defense Expenditure," [english.people.com.cn/whitepaper/defense2006](http://english.people.com.cn/whitepaper/defense2006). For comparison, the PRC chart gives per cent of GNP for the U.S. at 4.03, Russia at 2.45, and China at 1.35. As a per cent of GNP, Germany spends more than Japan, 1.07 vs .89. "Defense of Japan 2006," Chapter 2, "The Basics of Japan's Defense Policy," [www.mod.go.jp/e](http://www.mod.go.jp/e). 119.

<sup>20</sup> *Thought and Behavior*, 317.

<sup>21</sup> *Thought and Behavior*, 310.