

**Chii Kyotei Kenkyukai.** *Nichibei Chii Kyotei Chikujo Hihan (&i&t;A Thorough Critique of the SFA&t;/i&t;).* Tokyo: New Japan Press, 1997. 453 pp. 4,200 yen, cloth, ISBN 978-4-406-02519-5.



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The direct stimulus for Japanese people to notice the existence of the SFA came from the rape of a twelve-year-old schoolgirl in Okinawa in September 1995. Ordinary people suddenly found that, according to this SFA (Clause 17-5C), U.S. military servicemen and their families are protected from being turned over to Japanese custody before a formal indictment even in serious criminal cases. People have concentrated their attentions on the Security Treaty. Until today, serious study on the SFA has been rare. However, the end of the so-called Cold War in Japan resulted in the collapse of the Japanese Socialist Party, the main opposition party in Japanese politics. The Security Treaty is no longer an issue in mainstream Japanese politics. Ordinary Japanese, especially people in Okinawa, have to confront the SFA on their own.

Moreover, since the so-called North Korea Nuclear Crisis of 1994, a series of United States-Japan bilateral security-related statements, especially the security Guidelines of September 1997, have come out enforcing the Security Treaty and the SFA. While the United States remains the world's

only superpower, its ability to enforce policies vital to its interests in East Asia has not been total. Enforcing a military alliance with Japan that has lost significance in the post Cold War era and pressing Japan's SDF (Self-Defense Forces) to subsidize U.S. global strategy in East Asia has become a Pentagon favorite. New agreements changed Japan's security policy from exclusively defense-oriented (*senshu boei*) to sharing a "cooperation" role with U.S. forces in the Asia-Pacific theater. They brought about a strong warning to other Asian people, as well as a crisis consciousness to Japanese people. If Japan is allowed to "defend" former colonial territories of Korea, Taiwan, and Southeast Asia, claimed in the Guidelines as "areas surrounding Japan," is there any territory in the world which Japan cannot "defend"? This timely published book offers every one concerned with current U.S.-East Asia relations an excellent reference on this seldom studied issue of the status of U.S. forces in Japan.

Chapter one criticizes Clauses Two and Four of the SFA that define Japan to provide bases for U.S. forces. Succeeding previous U.S.-Japan Ad-

ministrative Agreement (signed on February 28, 1952), Japan's Congress passed the SFA along with the new Security Treaty in 1960 without any debate because the Ampo (Security Treaty) Struggle concentrated on the Security Treaty itself. The SFA is based on Clause Six of the Security Treaty, the clause allowing U.S. forces to utilize Japan's facilities and territory. Of the 314 square kilometers of military facilities monopolized by U.S. forces in Japan (there are another 670.6 square kilometers of joint facilities shared with the SDF), three fourths of the area, and two thirds of 45,000 U.S. troops, are located in Okinawa, Japan's smallest prefecture. U.S. bases occupy one third of Okinawa. For some cities/towns/villages, this rate may be much higher. For example, 82.85 percent of Kadena cho is used as U.S. military facilities (p. 262, Ref. 5). Moreover, the book points out that the purpose of U.S.-Japan Joint Declaration on Security of April 1996 is to maintain this situation into the next century, hence to occupy Japan's land permanently (p. 22). These occupied bases are not for "the defense of Japan." Rather, according to the definition of the Security Treaty, Japan's central task has been "corrupted to contributing to U.S. global military strategy" (p. 23).

Chapter two criticizes Clause Three of the agreement, the clause relating to maintenance and management of U.S. bases in Japan. Comparing it with the similar Agreement of Status of NATO forces in Germany, the book rebukes the Japanese government for offering U.S. forces exclusive rights in Japan as *han kokuminteki* (anti-nationalistic), an expression usually used by Japan's ultra-nationalists to attack anti-war Japanese during the wartime period. It is widely believed that U.S. navy vessels transported nuclear weapons into Japan and stored them in U.S. bases. Does the Japanese government dare to require an inspection in accordance with its "three non-nuclear principles"? It does not dare to, but Okinawa Prefecture did require such an inspection in June 1994. U.S. forces refused any inspection by Japanese within U.S. bases (p. 59). In 1995, however,

the Japanese government froze that year's non-interest ODA to China because of China's two nuclear tests. This is the first tough diplomatic gesture toward China since its "normalization" with China in 1972. China's Ambassador to Japan Xu Dunxin angrily inquired: "Does Japan have such a right to protest other country's for-defense-only nuclear tests while Japan itself is protected under the umbrella of the world super power?" China's Prime Minister Li Peng spoke more directly: "Compared with the war reparations China gave up, this ODA is too tiny an amount." China's media warned: "If Japan dares to utilize its last card (the low-interest ODA), the total Sino-Japanese confrontation will arrive."

This chapter includes some surprising facts difficult to find from other sources. For example, the U.S. Department of Defense claimed in its report of March 1, 1995 that U.S. military facilities in Japan meet even the more crucial environmental criterion of Japan and America. However, research by the Tokyo Environment Protection Bureau shows that there are only fourteen days in the whole year of 1994 that met Japan's environment criterion for residents near the United States' Yokoda base (p. 50). When U.S. forces moved out from Germany to conduct exercises in Canada's uncultivated land, they were required to provide assurance that their actions would have no harmful effect even on wild life. In Japan, however, U.S. forces even disregarded the Japanese Supreme Court's decisions and the SCC (refer to Chapter Ten) agreements signed by themselves (p. 50).

Chapters three through eight criticize Clauses Five to Twenty-Three of the agreement, which ensure U.S. military servicemen and their families privileges in Japan. Reference Twelve (pp. 290-303) lists about seventy domestic laws created by the Japanese government to accomplish the implementation of the Security Treaty and the SFA. While some people may accept some degree of privilege given a foreign occupying military

forces (though Japan is in fact an independent sovereignty) as unavoidable, many facts listed here boggle the imagination. For example, besides monopolized airports, U.S. forces can freely use Japan's civil airports or ports without permission. They just "notify" Japan's civil airports of their landings the morning of the same day, while a civil airplane must apply for permission two months in advance (p. 68). Many local governments prohibit hazardous materials from entering their ports, but they cannot refuse U.S. warships entry. The Japanese government claims the Security Treaty, as an international agreement, prevails over Japan's domestic laws (pp. 69-70).

While the agreement's Clause Six does not define whether U.S. forces should have the right to control skies over Japan's airports, there exists an agreement (unpublished) of June 4, 1959 which grants U.S. forces the right to control all airlines that take off or land near an U.S. base (p. 88). For this reason, sky areas for Narita and Haneda airports are compressed to the narrow east side of Tokyo because the wide sky of west Tokyo belongs to the U.S. Yokota base (p. 91, Figure 1). Hiroshima airport is in the same situation because it is close to the U.S. Iwakuni base (p.92, Figure 2). Naha (Okinawa's capital) airport's sky is completely under the control of the U.S. headquarters in Kadena base (pp. 93-95, Figures 3-5). In 1975, the Iejima Airport construction had to be cancelled after spending one billion yen, because the airport sky is within the U.S. controlling W-178 space (p. 96).

Many abuses happened outside the scope of the SFA. There is no agreement allowing U.S. aircraft super-low flying, but they continue such exercises, especially during emergency periods, such as the Gulf War in 1991, despite frequent incidents (p. 138). Fully armed Marine Corps march out of their bases, sometimes to shooting exercises in national or prefecture roads. This book reviewer remembers witnessing such a march in summer of 1995 during a climbing tour of Mount

Fuji. The Japanese government fallaciously illustrated these marches as "moves between bases" which are granted by the agreement's Clause 5-2, even though sometimes the U.S. troops returned back to the same starting base (pp. 75-76). The whole tone of the book inquiries: "Why are foreign forces in our Japan, an independent sovereignty with the world second largest economic capacity, not subject to the laws of us?"

Chapter nine criticizes the so-called "sympathy budget" (*omoiyari yosan*, sympathy for the poor Americans who cannot afford their military existence in Japan due to the strong yen), which has been conducted since 1978. The Japanese government had to create four "Special" agreements (in 1987, 1988, 1991, and 1995, see Ref. 21) with the United States to ensure this budget because these agreements obviously violate the SFA's Clause Twenty-Four which defines costs paid by the United States. The *omoiyari* budget of the 1997 financial year increased to 273.7 billion yen, 42 percent of the total 647.6 billion yen provided to U.S. forces from Japanese budget (p. 184, Table 8). Thanks to this *omoiyari* budget and others from the generous Japanese government, Assistant Secretary of State Lord testified before the Senate Foreign Relations, Subcommittee on Asia and the Pacific in October 1995: "Japan offers greater financial support than all other alliances to U.S. forces. To stay in Japan is less expensive than to maintain these forces in the U.S." (p. 202). Seriously concerned with Japan's current fragile financial situation, the book appeals to discard the *omoiyari* budget immediately (p. 202).

The last chapter, Chapter Ten, criticizes the U.S.-Japan Security Consultative Committee (SCC), which was set up by Clause Twenty-Five of the agreement. Japanese translation of SSC as a *kyodo* (joint), not a *kyogi* (consultative) committee, brings about confusion for people trying to understand SSC. To avoid resistance from opposition parties, the Japanese government claims that the representative of SSC Japan side is also the repre-

sentative from Japanese government. Thus, from the view of Japanese government, all "SSC Agreements," as they were called, automatically become "international" obligations of Japan (p. 212). No need to say, this U.S.-Japan governmental "joint" committee is completely a closed black box. The first SSC Agreement on May 7, 1952 under the old Administrative Agreement (even before the 1960 Security Treaty) is not to publish all SSC agreements (p. 217). Among about four thousand SCC agreements (as told by Japanese government), one thousand agreements have been published in forms of "outlines" or "summaries" (p. 218). Only one agreement of noise control has been published in full, but as a temporary Japanese translation, because formal SSC agreements are all in English.

The Japanese SSC representative and six deputy-representatives come from bureaucrats of Foreign Affairs Ministry, Defense Agency, Justice Ministry, Financial Ministry, and Agriculture Ministry. On the other hand, only one of seven American SSC members is civilian official, the Envoy of U.S. Tokyo Embassy (p. 205, and Ref. 22 in pp. 344-345). As the real executive institute to implement the SFA, SSC is a typical alliance of the Kasumigaseki and the Pentagon. This alliance offers the "oxygen" (borrowed from Joseph Nye's March 1995 Report) of U.S.-Japan relations, and Pentagon's strategists declaimed it the "oxygen" of democracy, human rights, and prosperity in Asia and Pacific area. It is true, by this book reviewer's observation, that the Tiananmen Incident of June 4, 1989 makes the U.S.-Japan military alliance "necessary." However, this alliance had supported the survival of dictators in South Korea, South Vietnam, Taiwan, the Philippines, and still does in Indonesia. Now it pushes Japan toward a "normal state," as normal as the United States. So sometimes the SDF can act world widely, giving legitimacy to the authoritarian regime in Beijing, the totalitarian regime in Pyongyang, and others.

In the cover, the book states: "The SFA provides U.S. forces military bases and ensures them numerous privileges. In essence, to ensure the U.S. forces a full 'freedom of actions' in Japan, this agreement has become nothing else but a tool to restrict our country's sovereignty and our national citizens' fundamental human rights." This thoroughly researched book offers plenty of persuasive data and evidences to support this statement. As shown from the rape incident, the conclusion of the book is that there is no other way to "improve: current situations except abolishing this SFA and the Security Treaty. This perspective is difficult to reach but not impossible. According to the Security Treaty's Clause Ten, the Treaty itself, and hence the Agreement and all other related laws can be completely discarded after one year of a notice from Japan's side (p. 18).

>From the press name of the book and the frequently cited conclusions in the book, readers may have correctly guessed where the book's writers are from. Among ten writers of this book, five are lawyers who have long participated in lawsuits related to U.S. bases. One lawyer, Kobayashi Ryojun, was the candidate for Osaka governor in 1995 supported by the Japanese Communist Party (if I am not wrong). There is one Law professor and the other four writers are JCP cadres from Politics and Foreign Policy Committee, Law Policy Division, and Congress Staff Bureau. Actually, this book is a result of the rewriting of a series of issues of October 1996, December 1996 and January 1997 published in *Zenei* (Vanguard's political theory monthly). Some conclusions in the book are directly cited from Akahata (Red Flag, JCP's institutional daily) or Fuwa's (JCP head) speeches. In this meaning, the book can also be read as the U.S. policy of the JCP, the only real opposition in contemporary Japanese politics. However, ordinary people without any specific political knowledge of the JCP can naturally reach conclusions similar to the statements in the book, and such citations from "authoritative sources"

are unnecessary and actually hurt the otherwise salutary objectivity of the book.

The only fault of the book, related to the partisanship mentioned above, is the extremely strong nationalistic tone found throughout, even though it is natural to have strong nationalist feelings after learning the situation discussed in the book. The Status Agreement of Germany is intentionally translated and the book emphasizes that the Germany agreement is an "equal treaty" between Germany, an equal member of NATO, and other NATO members. In contrast, Japan's obedience to the United States and the SFA shows that it is a direct extension from the U.S. occupation policy since the end of WWII (p. 142). Researchers have noticed JCP's policy changes in foreign and defense affairs. For example, Asahi Shimbun of January 10-11, 1997 reported a "big talk" between Shii (JCP Secretary-general) and Kato (LDP Secretary-general). In their talk Shii held a "soft" line, treating the SDF and the Security Treaty separately by denying the latter while "temporarily" recognizing the former, for the purpose of attracting nationalistic supporters. Proudly, Akahata also reported Shii sneering at *Bjimito shokun* (LDP fellows) "Don't you know Japan's independence?" Certainly, the ruling LDP and Japanese government, who are pushing Japan from a world economic power to a world political power by strengthening its military ability, well know that Japan is a sovereign nation. The only reason for them to accede to the United States by sacrificing the best interest of Japanese people, by this book reviewer's experience, is in order to confront the Asian people. The historical *ianfu* and other war reparation issues, as well as the recent Chinese democratic activists' status in Japan, have the same characteristic of the Okinawa rape incident.

For researchers, the other half volume of this book contains twenty-three very valuable and important references which can be divided into two sections. One section includes the contents of the SFA, four Special (*Omoiyari yosan*) Agreements, a

list of approximately seventy Japanese domestic laws related to the Security Treaty and the SFA, the SCC organization, and the Agreement of Status of NATO Forces in Germany. The other section includes detailed data of implementations and abuses of the SFA. In summery, this well documented book is ground-breaking research in a very important field, worthy of translation into English. Many may not agree with the strongly worded statements in the book; however, every one interested in current U.S.-Japan relations and U.S.-East Asia relations, from ordinary citizens to (especially) policymakers in Washington and strategy planners in the Pentagon, should read this book.

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