

The Japan Self- Defense Forces Law

The Japan Self- Defense Forces Law:

*Translation, History,
and Analysis*

Edited by

Robert D. Eldridge
and Musashi Katsuhiro

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INTRODUCTION

ROBERT D. ELDRIDGE

In recent months, as well as irregularly over the past half-century, there have been numerous discussions within Japan regarding the revision of Article 9, the so-called “peace clause,” among other aspects of the Japanese Constitution. The postwar Constitution came into effect seventy years ago in May 1947 but has yet to be amended even once.

The initial debate on Article 9, originally drafted in February 1946 by the staff of General Douglas MacArthur, Supreme Commander for the Allied Powers (SCAP) during the Occupation of Japan (1945-1952), began during deliberations in the Diet, Japan’s parliament. The final form of Article 9 reads: “(1) 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 means of settling international disputes. (2) In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.”¹

There is much academic and political debate about the original intent of Article 9, with Colonel Charles A. Kades, a lawyer serving as the deputy chief of the Government Section at General Headquarters, SCAP, explaining to interviewers later how he struck out the more extreme clause in the original version which included at the end of what became the first paragraph following “international disputes” the phrase, “even for preserving its own security” in order to allow Japan to be able to participate in collective self-defense as part of the United Nations (Article 51 of the U.N. Charter, which went into effect in October 1945²).

There is also debate, interestingly, as to how Article 9 itself came about—some, like Theodore McNelly, a scholar serving on MacArthur’s staff, say MacArthur proposed it, others, including MacArthur himself in

his memoirs (completed in 1964 just weeks before his death), say it was Prime Minister Shidehara Kijūrō who did so during a lunch in late January 1946.³ In any case, it has stayed with Japan for the past seventy years once it went into effect on May 3, 1947.⁴

A few years after the postwar Constitution went into effect, however, the Korean War broke out and the rushed departure from Japan of American and other forces to fight on the Korean peninsula necessitated Japan assuming greater responsibility for domestic security, leading to the creation of the National Police Reserves (*Kokka Keisatsu Yobitai*) in July 1950.⁵ Two years later, after Japan regained its independence, the National Safety Force (*Hoantai*) was established in October 1952, absorbing the NPR. And then, in July 1954, the present-day Japan Self-Defense Forces (*Jieitai*) were established, which necessitated the Japan Self-Defense Forces Law, or *Jieitaihō*, the subject of this book.

Many Japanese conservatives, some of whom had been depurged and returned to political life, saw the 1947 Constitution as a vestige of the U.S.-led occupation, and sought to amend or totally revise it. Constitutional study commissions looked at the issue, and made proposals for amendments, but to no avail. The most prominent discussions took place in the 1950s, 2000s, and in the latter half of the 2010s. Political parties, especially the long-time ruling Liberal Democratic Party (*Jiyū Minshutō*), have looked, too, at amendment suggestions, as have some of the major newspapers, such as the *Yomiuri Shimbun* (which has made three sets of proposals in 1994, 2000, and 2004) and various civic groups, academics, and other observers, both in Japan as well as abroad.⁶

On the surface, based on the wording of Paragraph 2 of Article 9, the very existence of the SDF is unconstitutional, and thus much legal and political maneuvering in the early years focused on this question. Instead of amending Article 9, which would have invited domestic criticism and pressure from political parties in favor of “protecting the constitution (*goken*),” the Japanese government over the years has as necessary expanded its interpretation of the provisions of Article 9. For example, it has stated that “war potential” means the ability to wage an aggressive war, and because the SDF is for Japan’s own self-defense it is thus constitutional. Eventually, the courts endorsed this view but politically in Japan, there is an uneasy status—the SDF is seen as legal, because its existence is enshrined in laws and bound by them, while being technically unconstitutional.

While the Japanese Constitution has been hotly—and inconclusively—debated over the years, the law concerning the Self-Defense Forces

has received little attention. This book is the first full translation of the SDF Law, and actually the first book in any language that looks at the law in any detail.

It is odd that neither the Government of Japan, Ministry of Defense, nor the Self-Defense Force has made an official or even a courtesy translation of the SDF Law, although highlights and summaries of some of the key concepts usually appear in the annually published defense whitepaper known as the *Defense of Japan*. It goes without saying an official translation would prevent any misunderstandings from arising from allies and partner nations, as well as potential adversaries. The author had urged the Japanese government on numerous occasions to make at least a courtesy translation. Because it had not done so, this book became necessary.

The SDF Law has been amended 162 times as of today (2019), and will likely be changed in the future as times demand, such as concerning the Self-Defense Force's increasing involvement in the areas of cybersecurity and electronic warfare, non-traditional military functions such as nation-building, and new regions, including the militarization of outer space, issues discussed in the recent statement of the Japan-U.S. Security Consultative Committee comprised of the Japanese Ministers of Foreign Affairs and Defense and U.S. Secretaries of State and Defense.⁷

The phrase, "as times demand," seems, therefore, to mean a never-ending race to be prepared militarily and legally. Hence, the regular need to amend existing laws.

Similarly, parallel to normal revisions in the law is the debate on revising the main law of the land, the Japanese Constitution, which has heated up again amid statements by the ruling party, in consultation with its coalition partner, the centrist *Kōmeitō* (Clean Government Party), that it intends to submit a draft in the near future with the hope to have the revised constitution going into effect by 2020. As the current prime minister, Abe Shinzō, one of those most in favor of constitutional revision will likely serve out his final three-year term as LDP president (which ends in 2021) without problem, it is probable that he will seek to make good on his 2020 promise to complete the revision in time. If he succeeds, he will finish an effort his grandfather, Kishi Nobusuke, also a former prime minister, began back in the 1950s.

But "finish" actually may be simply a new start. In other words, this may not be the only time revision takes place. During an interview I conducted in early October 2018 with a senior staff member of the LDP and leading specialist in Japan on security-related legislation, Tamura

Shigenobu stated that the revisions sought “this time around” would not be far-reaching.⁸ I took this to mean that the real goal was to create a precedent for revision. Namely, by showing that amendments can be made, the ruling party and its partners likely will seek changes afterwards that more match their political, ideological, and policy goals. Creating a precedent may thus be more important than substantive changes at this juncture for them.

In any case, revisions to Article 9 will inherently affect the Self-Defense Forces Law, in both word and spirit (tending to place great limitations on the SDF). While the Constitution has yet to be amended, the SDF Law itself has. Many times. One of the more recent changes took place after the creation in the passage of the set of security legislation bills in the fall of 2015 introduced by the Abe Cabinet. The set consisted of: (1) the Law for Partial Amendments to the Self-Defense Forces Law and other Existing Laws for Ensuring Peace and Security of Japan and the International Community (Security Laws Amendment Law⁹) and (2) the Law Concerning Japan’s Cooperation and Support Activities for Foreign Military Forces and other Personnel in Situations that the International Community is Collectively Addressing for Peace and Security (International Peace Support Law¹⁰). The former, according to Nasu Hitoshi, currently a professor of international law at Exeter University (and previously at the Australian National University), is a collection of partial amendments to ten existing laws, including the SDF Law, and the latter “removed temporal and geographical restrictions previously imposed upon various peace support operations undertaken by the SDF overseas.”¹¹

This is good news for those who wish to see the Self-Defense Forces do more, but it is still limited according to many foreign and domestic experts. Japan, these people argue, should adopt a “negative list”—namely if it is not banned by international law it should be permitted—rather than the “positive list” approach—if an action by the SDF is not explicitly permitted it is in fact forbidden—the government has used throughout the postwar. Indeed, the late Nakamura Hideki, the former Maritime Self-Defense Force submarine commander and author of numerous books on Japan’s military strength (or lack thereof), often said the SDF Law should be compressed into one simple phrase: “In principle, everything that contributes to the defense of Japan is to be permitted that is not forbidden by international law.” Nakamura, who died in late 2018 as we were finishing a different book together, is rare in his laser-like focus on the SDF, but he is not alone.¹²

While the SDF Law tends to receive little academic attention, it does occasionally make the news directly or indirectly. In 2017, for example, then-Defense Minister Inada Tomomi got into hot water for calling upon members of the SDF to vote for her party's candidates in the upcoming Tokyo Metropolitan Assembly Election.¹³ She retracted her statement, but she was accused of violating at least three laws when she made the comments, including the SDF Law which forbids members of the SDF from participating in political activities. Inada later resigned that summer due to another issue, but this one was a significant blow from which she did not recover.

Further, in the spring of 2018, an Air Self-Defense Force officer, Major Ikeda Shinichirō, called Konishi Hiroyuki, a member of the House of Councilors, “an enemy of the people” outside the Diet building. The officer was reportedly immediately punished for violating Article 58, the “Obligation to Uphold Dignity.” Although the punishment was quick, and then-Defense Minister Onodera Itsunori took it seriously, some saw the officer's threats to the opposition member as a challenge to civilian control in that it was scarily reminiscent of the prewar military's disdain for politicians and wanted to see the officer punished more severely.

Others, such as the outspoken American lawyer, popular commentator, and long-term resident of Japan, Kent Gilbert, saw it as a freedom of speech issue, and applauded the officer who was critical of the Upper House member (himself a controversial figure), in a published discussion with the author. Instead, as someone who worked in the Department of Defense for the United States Marine Corps, I understand and supported the decision to punish the Air Self-Defense Force major.¹⁴ The 40-year old pilot, who is considered as one of the most elite among his peer group, remains in his current rank although he was relocated out of the Kantō (Tokyo) area, where the rising stars tend to locate. Unfortunately, a redacted e-mail exchange shared with the author suggests he is not entirely unrepentant.

A somewhat similar incident had happened in February 2010 when Nakazawa Tsuyoshi, a then-colonel in the Ground Self-Defense Force—the third of the three branches of the Japanese military—speaking at a ceremony at the start of combined exercises with the U.S. military, made comments that were viewed, correctly, as critical of the prime minister, originally from the opposition party. According to then-Defense Minister Kitazawa Toshimi, “The officer in charge touched on high-level national policies concerning political and diplomatic issues, quoting the words of the supreme commander. Commenting on such matters on a public

occasion causes a problem of discipline.”¹⁵ In this case, the officer was reprimanded in writing and later reassigned. Kitazawa was bothered enough by the incident to write about it in his memoirs and to allude to it in an interview many years later: “I made the decision to discipline him from the point of view of civilian control. There was criticism of the punishment, but when comments like this come from the SDF, it is very problematic for civilian control and puts great fear in the minds of the public.”¹⁶ There were others, however, at the time who felt the punishment was too harsh. In any case, Nakazawa eventually became commanding general of the Western Army Combined Brigade (*Seibu Hōmen Konseidan*), retiring as a major general in late 2018.

Of course, one of the most famous incidents in recent years was that of Air Self-Defense Force Chief of Staff General Tamogami Toshio whose essay on views of World War II [that Japan was not an aggressor nation] published in late October 2008 were found to go against the position of the Japanese government (1995 Kōno Statement) and he was removed from his position by then-Defense Minister Hamada Yasukazu. He retired a few days later, having been demoted in rank. The issue of applying the SDF Law here did not come up. Rather his dismissal was framed in the context of civilian control.¹⁷ His supporters say it was politically and organizationally motivated (as Tamogami was critical of planned purchases of a certain type of aircraft and “was in the way.”) In any case, many cite the case as an example of political comments by a member of the SDF going too far.

Now 70, Tamogami, always controversial, remains quite active as a public speaker and writer, and even made an unsuccessful bid to become governor of Tokyo in 2014, gaining more than 610,000 votes. Ironically, his dismissal caused his views to gain even more attention, exploding his popularity and setting in motion a dramatic increase in those who are providing alternative (and some would say “revisionist”) views of history.

Civilian control is a concept enshrined in the Constitution in Article 66, which states among other things that the prime minister and other ministers must all be civilians. However, the concept, whose details vary from country to country, is not spelled out in the Constitution or in Self-Defense Forces Law. In short, however, the head of the defense ministry is a civilian, as is the prime minister, who serves as the supreme commander over the SDF. Moreover, executive power is invested in the Cabinet, the Cabinet is collectively responsible to the Diet, which is the highest organ of state power and represents the people. Moreover, the

Diet chooses the prime minister and through laws, deliberations, and committees seek to check the employment of the SDF, especially in its missions abroad. SDF Law thus falls under this important principle of civilian control.¹⁸

In addition to providing the first-ever translation of the SDF Law, this book will introduce the history of the SDF Law and the process and reasons for its amendments over the years. It is divided into four chapters, including this Introduction. The next chapter, Chapter 1, reviews the history. Chapter 2 presents a translation of the SDF Law in English, and Chapter 3 provides the SDF Law in the original Japanese.

The history chapter was authored by my co-editor, Musashi Katsuhiro, whom I am proud to introduce here to English readers. Dr. Musashi is a professor of law and policy at the School of Policy and Management, Dōshisha University in Kyoto. He graduated from the Faculty of Law, Kōbe University, and served in the Secretariat of the House of Councilors, the Upper House of Japan's Parliament, in Tokyo. He received his LL.D. from Kōbe University in 1996, and his Ph.D. from Ōsaka University in 2007. After teaching at Meijō University from 1996 to 2004, he moved to his present position. He is a specialist on Japanese politics and legislation. Among his works (in Japanese) are *Contemporary Japanese Legislative Process* (Tokyo: Shinzansha, 1995), *A Study of Diet Member Bills* (Tokyo: Shinzansha, 2003), and *The Evolution of Civilian Control in Japan after the Cold War* (Tokyo: Seibundō, 2009). He contributed a chapter cited earlier about civilian control and the Ground Self-Defense Force in my book, *The Japanese Ground Self-Defense Force: Search for Legitimacy* (New York: Palgrave Macmillan, 2017, co-edited with Paul Midford). In 2010, he served as a member of the Minister of Defense's Experts Advisory Panel on Ministry Reform under Minister Kitazawa.

In doing this book, we are indebted to numerous people, including: Yonetsu Hitoshi, a former member of the House of Representatives and personal advisor to Kawano Toshikatsu, until March 2019 the Chief of Staff, Joint Staff, Self-Defense Forces, and Kitajima Jun, a parliamentarian secretary and expert on ethics and law, of Tokyo, both of whom answered numerous questions and provided further insights, Dr. Graham B. Leonard, who translated an early version of Dr. Musashi's chapter into English, student interns Mori Nanase, Yoshida Teiko, and Deirdre Erkman, and a number of other students from Osaka University's School of International Public Policy, where I was a tenured associate professor from 2001-2009, and Ritsumeikan's Asia-Pacific University (in Beppu,

Oita), were I was a visiting guest professor in 2008, who helped with translating, editing, or otherwise checking versions of translations of SDF Law, and the staff of Cambridge Scholars Publishing, with whom we are working for the first time, for their support of this project. Finally, Dr. Musashi and I would like to thank our families, especially his wife Atsuko and my wife Emiko, for their support over the years.

I would like to dedicate this book to the late Nakamura Hideki, discussed above, who has long independently and consistently identified problems in the SDF in which he served for more than thirty years, including with the SDF Law. I had the privilege of knowing him the last near three years of his life and of translating his 2017 book *Nihon no Gunjiryoku*.¹⁹ He will be missed both as a friend, mentor, and as a voice of warning about the fundamental problems Japan's SDF faces when its legislation is unrealistically restrictive of, politicians grossly inexperienced in, and the public largely indifferent to military matters.

Notes

¹ As some readers will know, it was Ashida Hitoshi, later foreign minister and prime minister, who added in 1946 the phrase, "In order to accomplish the aim of the preceding paragraph," to the beginning of the first part of paragraph (2). At the time, Ashida was serving as the chairman of a government subcommittee on constitutional revision and modified the draft (becoming known as the "Ashida modification") so that Japan could possess a certain level of war potential that was not of a "means of settling international disputes" banned in paragraph 1.

² Article 51, which is part of Chapter VII (Chapter VII Action with respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression), reads: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

³ Theodore McNelly, *The Origins of Japan's Democratic Constitution* (University Press of America: 2000), and *Witness to the Twentieth Century: The Life Story of a Japan Specialist* (Xlibris: 2004). In contrast, MacArthur writes of his interaction with Shidehara and of his role as a whole in Article 9 in the following way: "It has frequently been charged, even by those who should be better informed, that the 'no war' clause was forced upon the government by my

personal fiat. This is not true, as the following facts will show: Long before work was completed on the new document by Dr. Matsumoto [Jōji, in charge of the committee in to draft revisions to the Meiji Constitution], I had an appointment with Prime Minister Shidehara, who wished to thank me for making what was then a new drug in Japan, penicillin, available in aiding his recovery from severe illness. He arrived at my office at noon on January 24th and thanked me for the penicillin, but I noted he then seemed somewhat embarrassed and hesitant. I asked him what was troubling him, that as prime minister he could speak with the greatest frankness, either by way of complaint or suggestion. He replied that he hesitated to do so because of my profession as a soldier. I assured him soldiers were not as unresponsive or inflexible as they are sometimes pictured—that at bottom most of them were quite human. He then proposed that when the new constitution became fine that it include the so-called no-war clause. He also wanted it to prohibit any military establishment for Japan—any military establishment whatsoever. Two things would thus be accomplished. The old military party would be deprived of any instrument through which they could someday seize power, and the rest of the world would know that Japan never intended to wage war again. He added that Japan was a poor country and could not really afford to pour money into armaments anyway. Whatever resources the nation had left should go to bolstering the economy.” See Douglas MacArthur, *Reminiscences* (New York: Crest Books, 1964), pp. 346-347. There was some exchange after Shidehara’s remarks, including MacArthur’s wholehearted support of the idea, which brought tears to Shidehara, who supposedly said, “The world will laugh and mock us as impractical visionaries, but a hundred years from now we will be called prophets.” Shidehara died in 1951, and MacArthur in 1964, and thus we may never know the full truth. For more on Shidehara, see Okazaki Hisahiko (translated by Noda Makito), *Shidehara Kijūrō and His Time* (Tōkyō: Japan Publishing Industry Foundation for Culture).

⁴ For a history of the development of the Constitution, see Koseki Shōichi (translated by Ray A. Moore), *The Birth of Japan’s Postwar Constitution* (Boulder: Westview Press, 1998).

⁵ For more on the NPR, see Frank Kowalski (edited and annotated by Robert D. Eldridge), *An Inoffensive Rearmament: The Making of the Postwar Japanese Army* (Annapolis: Naval Institute Press, 2013).

⁶ For readers interested in Japanese thinking on the constitution, see The Constitution of Japan Project 2004 (translated by Fred Uleman), *Rethinking the Constitution: An Anthology of Japanese Opinion* (Tokyo: Japan Research Inc., 2006). Also see Robert D. Eldridge, “Prospects for Constitutional Revision in Japan,” *Kokusai Kōkyō Seisaku Kenkyū* (International Public Policy Studies), Vol. 10, No. 1 (September 2005), pp. 17-38.

⁷ “Joint Statement of the Joint Security Committee, April 19, 2019,” available at: <https://www.mofa.go.jp/files/000470738.pdf>.

⁸ Tamura, who guest-lectured at Keiō University for a number of years, is the author of dozens of books on Japan’s security legislation, and is the author in fact of much of the legislation itself. For a recent book of his, see Tamura Shigenobu, *Nihon no Bōei Hōsei* (Japan’s Defense Legislation), (Tōkyō: Naigai Shuppan, 2018).

⁹ Law No. 76 of 2015,
http://www.shugiin.go.jp/internet/itdb_gian.nsf/html/gian/honbun/houan/g18905072.htm .

¹⁰ Law No. 77 of 2015,
http://www.shugiin.go.jp/internet/itdb_gian.nsf/html/gian/honbun/houan/g18905073.htm .

¹¹ Hitoshi Nasu, “Japan’s 2015 Security Legislation: Challenges to its Implementation under International Law,” *International Law Studies*, Vol. 92 (2016), p. 253.

¹² For example, retired U.S. Marine Colonel Grant Newsham, who served as the first-ever liaison officer to the Ground Self-Defense Force, has spent much of his professional life pushing his Japanese counterparts become a better military and ally and pressuring their government to allow them to do more. See Grant Newsham, “Let Japan’s Self-Defense Forces Take More Risk,” *Japan Forward* (available at:

<http://japan-forward.com/let-japans-self-defense-forces-take-some-risk/>).

¹³ “Editorial: Inada’s Campaign Speech ‘on behalf of SDF’ Inexcusable,” *The Mainichi*, June 27, 2017

(<https://mainichi.jp/english/articles/20170629/p2a/00m/0na/022000c>).

Incidentally, Self-Defense Force Reservists, of which there are three categories, are not prevented from being involved in politics at the local level with 45 reservists were serving in local assemblies as of March 2017 according to documents provided to the author by an official of the Japanese government.

¹⁴ For our discussion (in Japanese), see Kent Gilbert and Robert D. Eldridge, *Heiwa Baka no Kabe* (The Wall of Pacifism), (Tōkyō: Sankei Shimbunsha, 2018), pp. 56-70.

¹⁵ “GSDF Officer Reprimanded Over Speech on Japan-U.S. Alliance,” *Kyodo News*, February 13, 2010.

¹⁶ Kitazawa Toshimi, “Bunmin Tōsei o Dō Kinō Saseruka (How to Make Civil Control Function),” *Sekai*, No. 870 (June 2015), p. 78. Also see, Kitazawa Toshimi, *Nihon ni Jieitai ga Hitsuyō na Riyū* (Why the SDF is Necessary), (Tōkyō: Kadokawa Shoten, 2012), pp. 196-197.

¹⁷ One person who was particularly critical of Tamogami’s historical views and failure to adhere to the government’s stance on war responsibility was Iokibe Makoto, then president of the National Defense Academy (*Bōei Daigakkō*), who wrote a commentary a week after the publication of Tamogami’s essay in his regular column (*Jidai no Kaze*, or The Breeze of the Times) in the *Manichi Shimbun* that emphasized the importance of civilian control. Iokibe, who is the

author's academic advisor, also noted comments by some in the media of the need to review the education of cadets at the academy. He subsequently came under personal attack (his home in Nishinomiya, Hyogo Prefecture, was targeted) and threats by the ultranationalists, including an effort to force his dismissal. For more on this period, see his description in Iokibe Makoto, "Watashi no Rirekisho: Bōdai Kōchō Shifuku Kara Kōsei Saido no Kaikaku Tamogami Mondai Shūgeki ni Kussazu (My Biography: President of the National Defense Academy From Biding One's Time to Going on the Attack to Attempt Reforms Again; The Tamogami Problem I Did Not Give in to the Threats)," *Nihon Keizai Shimbun*, February 24, 2019.

¹⁸ For more on the question of civilian control, see Musashi Katsuhiko, "The Ground Self-Defense Force and Civilian Control," in Robert D. Eldridge and Paul Midford, eds., *The Japanese Ground Self-Defense Force: Search for Legitimacy* (New York: Palgrave Macmillan, 2017), pp. 233-263, and Chapter 3 ("Civilian Control: A Comparison between Japan and the United States"), in Osamu Nishi, *The Constitution and the National Defense Law System in Japan* (Tokyo: Seibundo Publishing Co., 1987), pp. 123-172.

¹⁹ Nakamura Hideki (translated by Robert D. Eldridge and Graham B. Leonard), *Japan's Military Power: The True Ability of the Self-Defense Forces* (2019 forthcoming).

CHAPTER ONE

THE SELF-DEFENSE FORCES LAW AND ITS HISTORICAL CHANGES

MUSASHI KATSUHIRO

Prior to the Establishment of the Self-Defense Forces Law

Postwar Japan's "legislated pacifism" began with the enactment of a new Constitution on May 3, 1947. Under Article 9 of this postwar constitution, Japan forever renounced "war as a sovereign right of the nation and the threat or use of force as means of settling international disputes" and promised that it would never maintain "land, sea, and air forces, as well as other war potential." The government at the time initially took the position that, as the second paragraph of Article 9 prohibited all armaments and the right of belligerency of the state, Japan had also renounced the right to go to war even in self-defense.¹

Despite this, the National Police Reserve (*Keisatsu Yobitai*) was established to supplement police (actually near-military) strength when the Korean War broke out in 1950, and this was followed by the creation of the Maritime Safety Force (*Kaijō Keibitai*) under the Japan Coast Guard in 1952. When the Allied Peace Treaty with Japan (Treaty of San Francisco) and the U.S.-Japan Security Treaty took effect on April 28, 1952, Japan regained its sovereignty as an independent nation. The National Police Reserve and Maritime Safety Force (*Kaijō Keibitai*) were reorganized into the National Safety Forces (*Hoantai*) and the Safety Security Force (*Keibitai*) respectively that August to prepare against indirect aggression, and the National Safety Agency (*Hoanchō*) was established as a government organ to integrate the two forces.

In the United States, the Dwight D. Eisenhower administration took office shortly afterwards and newly-appointed Secretary of State John Foster Dulles, who had previously negotiated the above two treaties as special

ambassador, announced that the United States would provide assistance to Japan under the Mutual Security Act (MSA) to strengthen its security. But while accepting MSA assistance would improve Japan's economic situation, it would also oblige Japan to make efforts towards increasing its defense. Prime Minister Yoshida Shigeru held talks with Reform Party (*Kaishintō*) President Shigemitsu Mamoru, who supported the creation of a "self-defense military (*jieigun*)," in connection with the acceptance of MSA assistance. It was agreed as a result of these talks that the National Safety Forces would be reorganized into the Self-Defense Forces (*Jieitai*, or SDF) and given the additional role of defending Japan against direct aggression.² The three conservative political parties, the Liberal Party, Reform Party, and Japan Liberal Party (*Nihon Jiyūtō*, or Hatoyama Ichirō's breakaway Liberal Party), conferred and a government bill with a central focus on the National Safety Agency was drafted based on an agreement reached between them. The bills for the Defense Agency Establishment Law (*Bōeichō Secchihō*) and Self-Defense Forces Law (*Jieitaihō*) were submitted by the Yoshida Shigeru government to the Diet on March 11, 1954, and passed on June 2. When the two laws went into effect on July 1, 1954, the Japan Defense Agency was created as an external bureau of the Prime Minister's Office and the SDF was formed to be an effective force for responding to direct and indirect aggression. The government also took the opportunity provided by the creation of the SDF to change its prior interpretation of the Constitution. Article 9 was now interpreted as not going so far as to reject Japan's inherent right as an independent nation to self-defense. It permitted maintaining the minimal amount of force necessary for self-defense; as the SDF was the minimum effective force needed to defend Japan. Therefore, the government chose to argue that the SDF was not unconstitutional.³

The Self-Defense Forces Law at the Time of its Enactment

When the amendments to the Self-Defense Forces Law (SDF Law) over the past sixty years are examined, they can be understood as a history of the expansion of the SDF's size and authority within the restrictions of Article 9 of the postwar Constitution. When the SDF came into existence on July 1, 1954, the SDF Law laid out its missions, its supervisory framework, the organization and composition of its units, its activities and powers, and the management of its personnel. It stated that the SDF's primary mission was to "defend our nation from direct and indirect aggression in order to protect its

peace and independence and preserve its security.” It was also to “maintain public order when necessary” (SDF Law, Article 3).

The law established the SDF’s supervisory framework for carrying out these missions in Chapter Two. The prime minister was made the SDF’s supreme commander, with the director general of the Defense Agency presiding over the SDF under the prime minister’s control and supervision. The director general’s control over SDF units was to be implemented through the SDF chiefs of staff who would, under the director general’s control and supervision, direct units and personnel in the course of their duties.

Chapter Three laid out the organization and composition of each branch of the SDF. At the time of the SDF’s formation, the Ground Self-Defense Force (GSDF) was to consist of armies (*hōmentai*), regional divisions (*kankutai*), and other units directly under the director general; one army and six divisions were initially formed under the command of the Ground Staff Office (*Rikujō Bakuryō Kanbu*). Likewise, the Maritime Self-Defense Force (MSDF) was to include the Self-Defense Fleet (*Jiei Kantai*), district fleets (*chihōtai*), and those units under the direct command of the director general; it initially consisted of the Self-Defense Fleet and five district fleets under the command of the Maritime Staff Office (*Kaijō Bakuryō Kanbu*). The Air Self-Defense Force (ASDF) was to include the Air Training Wing (*Kōkū Kyōikutai*) and those units under the direct command of the director general; these were created and placed under the Air Staff Office (*Kōkū Bakuryō Kanbu*). Chapter Four regulated the subordinate bodies of the SDF. It established schools, supply depots, hospitals, and provisional liaison offices.

Chapter Five provided regulations for SDF personnel. In addition to stipulating the appointment, duties, and treatment of personnel it also provided regulations for voluntary reserve SDF personnel.

Chapter Six governed the activities of the SDF and regulated the various actions it could take in the course of its duties. The SDF’s primary mission was defined as performing defense operations (*bōei shutsudō*) to defend Japan. Public security operations, maritime security, disaster relief, and responding to violations of Japanese airspace by foreign aircraft were stipulated as secondary missions. Chapter Seven included regulations concerning the SDF’s powers in relation to its missions such as its authority to possess arms and use armed force during defense operations. It also established the authority of those tasked with maintaining order within the SDF and the use of weapons to defend the SDF’s arms and equipment. Chapter Eight contained a variety of regulations. It entrusted the SDF with mine clearing and civil engineering as secondary missions and laid out defense burdens such as the SDF’s expropriation of materials and use of

public telecommunications during defense operations. Chapter Nine dealt with punishments. The other defense law implemented at the time of the SDF Law, the Defense Agency Establishment Law, stipulated the number of SDF personnel and other employees and created the Defense Agency's internal subdivisions, the three branch staff offices, SDF units, the Joint Staff Council (*Tōgō Bakuryō Kaigi*), and five subordinate bodies. It also created the National Defense Council within the cabinet. The size of the SDF at the time of its creation in 1954 was fixed at 152,115 by the Defense Agency Establishment Law.⁴

Reform of the Self-Defense Forces Law during the Cold War

As of 2019, the SDF Law has been amended, either directly or via other laws, 162 times since first going into force in 1954.

Tracing the progress of the major amendments, they were primarily related to expanding the SDF's unit composition until the 1980s. First, in the 1955 amendment to the SDF Law, the Western Army and two mixed or composite regiments (*konseidan*) were created for the GSDF along with an air wing for the ASDF. In the 1956 amendment, a mixed regiment was created for the GSDF and an air wing for the ASDF. In the 1957 amendment, a training flotilla for the MSDF and an air division of two air wings for the ASDF were established. In the 1958 amendment, a mixed regiment was created for the GSDF. The ASDF's air division was also reorganized into Air Defense Command (*Kōkū Sōtai*) and an air defense force, Control Training Command (*Kansei Kyoiku Shūdan*), and Transport Wing (*Yusō Kōkūdan*) were each formed. In the 1959 amendment, the GSDF was expanded to five armies by adding the Northeast, Eastern, and Central Armies, and the ASDF's Flight Training Command (*Hikō Kyoiku Shūdan*) was established. It was at this time that the revised U.S.-Japan Security Treaty (formally known as the Treaty of Mutual Cooperation and Security between the United States of America and Japan) was signed in January 1960 and the domestic fight against the passage of the treaty intensified. Using the GSDF in public security operations was seriously considered but the new treaty ultimately went into effect on June 23 without this having to be implemented.⁵

In the 1961 amendment, the GSDF's six regional divisions (*kankutai*) and four mixed regiments were reorganized into thirteen divisions (*shidan*). The MSDF's Air Training Command (*Kyōiku Kōku Shūdan*) was established and the composition of the Self-Defense Fleet was reorganized into the Fleet

Escort Force (*Goei Kantai*), Fleet Air Force (*Kōkū Shūdan*), and other smaller units. The ASDF's Western Air Defense Force (*Seibu Kōkū Hōmentai*) was also created. The amendment also stipulated that orders from the director general of the Defense Agency concerning joint operations would pass through and be carried out by the chairman of the Joint Staff Council.

Thus in the early 1960s, ten years after the National Police Reserve was first formed, and after multiple amendments to the SDF Law, the SDF looked like the following: the GSDF was made up of five armies, thirteen divisions, and various units directly under the control of the JDA director general; the MSDF consisted of the Self Defense Fleet, Air Training Command, five district fleets, the Training Squadron, and various units directly under the control of the JDA director general; and the ASDF consisted of Air Defense Command, Flight Training Command, Air Transport Command, the Air Traffic Control and Weather Wing, and various units directly under the control of the JDA director general. Later amendments during the Cold War included the creation of the ASDF Southwestern Composite Air Division (*Nansei Kōkū Konseidan*) in 1973 following the reversion of Okinawa to Japanese control the year before and the addition of the Fleet Submarine Force (*Sensui Kantai*) to the Self-Defense Fleet in 1980. There was some reorganization of the three branches in the 1988 amendment, such as the merger of the ASDF's Air Rescue Wing (*Kōkū Kyūnandan*), Transport Wing, and Air Traffic Control and Weather Wing (*Hoan Kansai Kishōdan*) to create the Air Support Command (*Kōkū Shien Shūdan*), but there were no major changes to their respective compositions. As for the scope of SDF activities, earthquake disaster prevention was added with the passage of the 1978 Act on Special Measures Concerning Countermeasures for Large-Scale Earthquakes (*Daikibo Jishin Taisaku Tokubetsu Sochihō*), but that was all. The U.S.-Japan Guidelines for Defense Cooperation (the U.S.-Japan Guidelines) were also set in 1978, leading to research and exercises for joint U.S.-Japan operations in preparation for emergencies. In 1988, near the end of the Cold War, the fixed size of the SDF as set in the Defense Agency Establishment Law reached its peak of 273,801.

Reform of the Self-Defense Forces Law after the Cold War

It was the period following the end of the Cold War in the early 1990s that caused major changes to this stable situation. A multinational force centered on the United States was formed following the Iraqi invasion of Kuwait in August 1990 which ultimately developed into the Gulf War. Prime Minister

Kaifu Toshiki sought to dispatch the SDF and submitted the United Nations Peace Cooperation Bill to the Diet, but strong resistance from the opposition parties caused the bill to fail. Instead, the SDF was dispatched overseas for the first time when MSDF minesweepers were sent to the Persian Gulf in April 1991, after hostilities had ended. Although Japan provided \$13 billion in economic support toward the conflict, this contribution was criticized by the international community as having been “too little, too late,” particularly as personnel were not deployed during hostilities. Based on this experience, the government passed the Act on Cooperation with United Nation Peacekeeping Operations (the so-called PKO Law, or *Kokuren Heiwa Iji Katsudohō*) in June 1992 to enable the SDF to participate in UN peacekeeping operations. The passage of this law also amended the SDF Law to state that the SDF would be allowed to conduct international peace cooperation efforts and transportation so long as doing so did not interfere with the completion of the SDF’s missions. The Disaster Relief Team Dispatch Law (*Kokusai Kinkyū Enjotai Hakenhō*) was also amended at this time, making it possible for the SDF to undertake international disaster relief activities as well. Since the first dispatch of the GSDF to Cambodia in September 1992, the SDF has been able to participate in peacekeeping operations in Mozambique, Rwanda, the Golan Heights, East Timor, Haiti, and most recently, South Sudan. Based on the experience of the Gulf crisis, the SDF was given the ancillary mission of, when requested, transporting Japanese citizens needing protection due to an emergency situation abroad such as a natural disaster or rioting in the 1994 amendment. The Basic Law on Natural Disasters (*Saigai Taisaku Kihonhō*) was amended in 1995 to incorporate the lessons learned from the Great Hanshin-Awaji Earthquake. SDF personnel involved in disaster relief operations became authorized to take measures necessary to ensure the smooth transit of SDF emergency vehicles.

The U.S.-Japan Joint Declaration on Security was issued in April 1996 to improve trust in the U.S.-Japan alliance. The SDF Law was amended in 1996 following the signing of the U.S.-Japan Acquisition and Cross-Servicing Agreement (ACSA) to enable the SDF to provide goods and services to the American military during activities such as U.S.-Japan joint exercises and peacekeeping operations as long as doing so would not interfere with the accomplishment of the SDF’s missions. The GSDF Ground Materiel Control Command (*Hokyū Tōsei Honbu*) was created in the 1997 amendment and the Ready Reserve Personnel (*Sokuō Yobijieikan*) system was introduced to provide reservists with a higher level of readiness. In the 1998 amendment the scale of the GSDF’s divisions were downsized and they were reorganized

into brigades and the MSDF's Maritime Materiel Command (*Hokuyū Honbu*) was created. The 1978 U.S.-Japan Guidelines were amended in September 1997 and the SDF's first maritime security operation was ordered in March 1999 in response to a suspicious vessel believed to be North Korean entering Japanese waters. The Act Concerning the Measures for Peace and Safety of Japan in Situations in Areas Surrounding Japan (*Shūhen Jitai Anzen Kakuhō*, SIASJ Law) was passed in May 1999 to respond to this situation. This law authorized the SDF to provide goods and services as rear area support and undertake search and rescue operations in rear areas in the case of a situation in the area surrounding Japan so long as doing so did not interfere with the completion of the SDF's missions. The 1999 amendment added ships as an acceptable means for transporting Japanese from overseas and authorized the use of weapons in cases when it was unavoidable to protect lives. In the Act on Special Measures Concerning Nuclear Emergency Preparedness (*Genshiryoku Saigai Taisaku Taisaku Tokubetsu Sochihō*) passed that same year, the mission of nuclear disaster relief operations by SDF units was created. The GSDF's Ground Research and Development Command (*Kenkyū Honbu*) was created in the 2000 amendment and the Ship Inspection Operations Act was passed in November of that year. This law authorized the SDF to conduct ship inspections in the case of a situation in the area surrounding Japan so long as doing so did not interfere with the completion of the SDF's missions. The 2001 amendment introduced the fixed-term personnel (*Ninkitsuki Taiin*) and reserve candidate (*Yobijikanho*) systems as well as a system for summoning SDF reserve personnel in the case of a disaster.

The United States experienced a series of terrorist attacks on September 11, 2001. The Japanese government passed the Special Measures Act against Terrorism that October. This law amended the supplementary provisions of the SDF Law to allow SDF units to provide cooperative support services and undertake search and rescue operations and victim relief activities as a countermeasure against terrorism, so long as doing so did not interfere with the accomplishment of the SDF's missions. Prime Minister Koizumi Junichirō dispatched MSDF supply ships and escorts to the Indian Ocean where they performed refueling operations until 2010. The SDF Law was amended at the same time the Terrorism Special Measures Act was passed to create the role of facility security operations, allow the use of weapons to guard SDF facilities, to take measures against armed agents and suspicious vessels, and to strengthen penalties in order to help maintain secrecy.

The Iraq War began in March 2003. The Armed Attack Situation Response Law was passed that June, forming the core of a legislative

package to deal with military emergencies, and the Act on Special Measures on Humanitarian and Reconstruction Assistance in Iraq was passed the following month. The SDF Law was amended as part of this crisis legislation to introduce measures for the construction of defense facilities prior to defense operations being ordered, streamline procedures for the expropriation of goods and emergency transit during defense operations, and to establish penalties for those disobeying orders to reserve goods for expropriation. The SDF Law's supplementary provisions were amended by the passage of the Act on Special Measures on Humanitarian and Reconstruction Assistance in Iraq to allow the SDF to provide goods and services as a response measure so long as doing so did not interfere with the completion of the SDF's missions. The GSDF was dispatched to Samawah, Iraq, in January 2004 in a reconstruction assistance deployment on this basis.

The Civil Protection Act was passed in June 2004. The SDF Law was amended by this new development to create the role of civil protection deployments in situations such as armed attacks. The Law Concerning Measures Taken by Japan during United States Military Actions, the Law Concerning Punishment of Grave Violations Against International Humanitarian Law, the Law Concerning Use of Designated Public Facilities, the Law Concerning Regulations of Marine Transportation of Goods, and the Law Concerning Dealing with Prisoners of War were also passed at the same time as the above law. These amended the SDF Law to allow the SDF to provide goods and services as a measure related to American military actions prior to the ordering of a defense operation and to establish prisoner of war camps as well as granting the SDF the authority to issue regulations regarding maritime transportation during defense operations. The SDF Law was amended that same year following the amendment of the U.S.-Japan ACSA to allow the SDF to provide goods and services to the American military as a response to a large-scale natural disaster, an armed attack situation, or as a contribution towards international peace and security.

To move the SDF to a joint operations framework, the 2005 amendment created the Joint Staff Office (*Tōgō Bakuryō Kanbu*); the Minister of Defense's orders concerning SDF operations would now pass through and be implemented by the Chief of Staff, Joint Staff (*Tōgō Bakuryōchō*). Measures to destroy ballistic missiles were also put into place, authorizing the defense minister to, in the case of an emergency, issue advance orders to SDF units in conformance with emergency response guidelines approved by the prime minister.

Under the 2006 amendment, the SDF's provincial liaison offices were reorganized into provincial cooperation offices (*Chihō Kyōryoku Honbu*) and

the GSDF's Central Readiness Force (*Chūō Sokuō Shūdan*) was created. The Defense Agency Establishment Act was also amended in 2006 to elevate the Defense Agency to the cabinet as the Ministry of Defense (*Bōeishō*) in January 2007 and make the Defense Agency Director General the Minister of Defense. Regulations in the SDF Law referring to the prime minister as the SDF's chief in the cabinet were amended at the same time to refer to the defense minister. Also, international peace cooperation activities (peacekeeping operations, international emergency relief operations, operations based on the anti-terrorism special measures law, and operations based on the Iraqi special measures law), responding to situations in surrounding areas, clearing mines, and evacuating Japanese nationals overseas, all of which had been collateral missions, were now made intrinsic missions of the SDF.

Joint GSDF, MSDF, and ASDF units were created in the 2007 amendment and the GSDF Central Readiness Force and MSDF District Fleets were reorganized. The Act on Special Measures Concerning Resupply Assistance was passed to replace the Act on Special Measures against Terrorism which went out of effect in 2008, allowing the provision of goods and services as resupply assistance operations for maritime interdiction operations against terrorism. The Piracy Countermeasures Law was passed in 2009 on the basis of the SDF's marine security operations in the Gulf of Aden, allowing the SDF to undertake anti-piracy operations. With the adoption of the Japan-Australia ASCA Agreement in 2012, the SDF Law was amended to authorize the SDF to provide goods and services to the Australian military during training, United Nations peacekeeping operations, international emergency assistance operations, and the evacuation of Japanese nationals abroad.

The SDF Law was amended in 2013 following an act of terrorism against Japanese nationals in Algeria to expand the range of those eligible to be evacuated by the SDF from abroad and to permit the use of land vehicles for such transport. The position of Defense Councilor was created in 2014 due to amendments to the Ministry of Defense Establishment Law. Furthermore, the Security Council Establishment Act was amended in 2013 and the National Security Council (NSC, or *Kokka Anzen Hoshō Kaigi*) was located within the Cabinet in December.⁶ The newly created National Security Council would develop Japan's first national security strategy.⁷

The New Security Legislation

In a cabinet decision on July 1, 2014, the Abe Shinzō government approved a new official view allowing the limited exercise of the right of collective self-defense. Under the new interpretation, the government, after consultations with its coalition partner, submitted to the Diet on May 15, 2015, a bill called the “Legislation for Peace and Security (*Heiwa Anzen Hōsei Seibihō*)” that amended ten existing laws and a new bill named the “International Peace Support Act (*Kokusai Heiwa Shienhō*).” These laws went into effect in March 2016.⁸

With the bills passing on September 19 that year, the concept of “Situations of Significant Influence (*Sonritsu Kiki Jitai*)” in which Japan can enter a defense operation triggered by an armed attack against a foreign country with which it has a close relationship should the situation pose a threat to Japan’s survival and a clear danger that the people’s right to life, liberty, and the pursuit of happiness would be overturned was added to the previous situations of “armed attack against Japan” and an “anticipated armed attack against Japan.” If there were no other appropriate means to repel the threat and ensure Japan’s survival, then the operation would be deemed defensive in nature and would fall under the scope of the missions conducted by the SDF. As such, Article 3 of the SDF Law defining the mission of the Self-Defense Forces was revised in the following way: “The primary mission of the Self-Defense Forces shall be to defend the peace and independence of the nation, and to maintain the security of the nation by defending it, and if necessary, take charge of maintaining the public order.” In addition, Article 76 concerning defense operations was revised to include the concept of “Situations of Significant Influence.” In addition, in the amendments to the SDF Law, the SDF was tasked with protecting and evacuating Japanese citizens abroad whose lives and physical safety might be endangered by instability abroad. Moreover, the SDF was empowered to conduct defense operations to protect the weapons of the U.S. military if they were being used in activities to assist in Japan’s defense in conjunction with the SDF. Furthermore, the services the SDF can provide to the U.S. military in peace time were also increased. In the amendments to the SIASJ Law, which was changed to Situations of Significant Influence, the provision of ammunition was approved, as was the refueling of aircraft proceeding to launch in combat operations and in the maintenance of said aircraft. The Peacekeeping Operations Act designated new missions—the securing of a specified area and the local population and rescuing civilian peacekeeping

personnel on urgent request—and permitted the use of weapons to execute these tasks. In addition, the PKO Act authorizes peacekeeping operations based not only on UN resolutions, but also on requests from regional organizations in addition to those organized by the United Nations.

Furthermore, the International Peace Support Act, which is a permanent (versus a temporary one with a limited period of validity), authorizes the implementation of responsive measures in efforts to respond collectively to threats to international peace. Without exception, Japan can undertake, with the prior consent of the Diet, to participate in cooperation assistance activities, search and rescue operations, and ship inspections.

Parallel to the drafting and passage of the above legislation, the Defense Ministry Establishment Law was also amended in 2015, with operating forces coming under the control of the Joint Staff Office and the Acquisition, Technology, and Logistics Agency (*Bōei Seibichō*) also being created.⁹ In addition, through revisions in 2017 of the SDF Law, a Ground Central Command (*Rikujō Sōtai*), which replaces the Central Readiness Force, was established in March 2018. In addition, the amendments allow for the establishment of a Ground Education, Training, and Research Development Command (*Rikujō Kyōiku Kunren Kenkyū Honbu*), to replace the existing Ground Research and Development Command, and the ASDF's Southwestern Composite Air Division was realigned to make the Southwestern Air Defense Force. Furthermore, amendments to the law allowed the GSDF to provide supplies and services to the militaries of Australia and the United Kingdom. In 2019, there are plans to sign and approve Acquisition and Cross-Services Agreements with Canada and France as well, and in the future, one can probably expect similar agreements with India and the Philippines.

The Current SDF Law

The SDF Law, established in 1954, has been amended more than 160 times, including fourteen direct amendments and the remaining changes to related laws, as of today in 2018. The SDF's missions are defined in Chapter 1 of the law, entitled “General Rules” (Art. 3; the SDF's specific activities are listed in Chapter 6). Of the SDF's essential missions, defense operations (Art. 76), is given primacy. Civil protection deployments (Art. 77-2), public security operations (Art. 78, 81), facility security operations (Art. 81-2), maritime security operations (Art. 82), anti-piracy operations (Art. 82-2), destructive measures taken against ballistic missiles (Art. 82-3), measures taken against violations of Japanese airspace (Art. 84), disaster relief operations (Art. 83),

earthquake relief operations (Art. 83-2), nuclear disaster relief operations (Art. 83-3), mine disposal (Art. 84-2), the protection of Japanese nationals abroad (Art. 84-3), and the evacuation of Japanese nationals abroad (Art. 84-4) are defined as missions falling under Article 3, Paragraph 1. Operations based on the SIASJ Law, now known after 2015 as the Significant Situations Exercising an Influence Security Preservation Law (*Jūyō Eikyō Jitai Anzen Kakuhohō*), Ship Inspection Operations Law (*Senpaku Kensa Katsudohō*), and the International Peace Support Law, such as rear area support (Art. 84-5, Paragraph 1, Paragraph 2, Nos. 1, 2, 4, and 5), international emergency assistance operations (Art. 84-5, Paragraph 2, No. 3), and international peace cooperation work (Art. 84-5, Paragraph 2, No. 4) are also defined as missions falling under Article 3, Paragraph 2.¹⁰

Under Chapter 2 of the SDF Law, “Control and Supervision,” the prime minister has the supreme right of command and supervision over the SDF as the representative of the cabinet and the minister of defense commands the SDF’s units. The minister of defense’s command over SDF units is implemented through each branch’s chief of staff (Art. 8). The chiefs of staff of the SDF branches oversee the duties involving business under the jurisdiction of their branch, assist the minister of defense as his or her highest specialist advisors related to military affairs, and implement his or her orders (Art. 9). Under the joint operations framework, the defense minister’s instructions regarding the operation of the SDF pass through the Chief of Staff, Joint Staff and orders regarding the operation of the SDF are carried out by the Chief of Staff, Joint Staff (Arts. 8, 9, 22).

The organization and composition of each SDF unit is defined in Chapter 3, “Units (*butai*).” The GSDF is composed of armies, the Ground Central Command [to take effect in March 2018], and other units directly under the defense minister. It has five armies, nine divisions, and six brigades. The MSDF is composed of the Self Defense Fleet, district fleets, Air Training Command, the Training Squadron, and other units directly under the defense minister. It has five district fleets. The ASDF is composed of the Air Defense Command, Air Support Command, Air Training Command, Air Development and Test Command (*Kōkū Kaihatsu Jikken Shūdan*), and other units directly under the defense minister. It has four air defense forces and nine air wings. Furthermore, joint units of the SDF branches can be established in cases where integrated management is necessary for the smooth accomplishment of a mission through joint operations (Art. 21-2). Special units can also be created when the SDF is deployed such as for defense operations or when necessary during disaster relief operations,