

**Original citation:**

Hughes, Christopher W. (2017) Japan's emerging arms transfer strategy : diversifying to recentre on the US-Japan alliance. *The Pacific Review*.

**Permanent WRAP URL:**

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**Publisher's statement:**

"This is an Accepted Manuscript of an article published by Taylor & Francis *The Pacific Review* on 06/09/2017 available online: <https://doi.org/10.1080/09512748.2017.1371212>

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# **Japan's emerging arms transfer strategy: diversifying to re-centre on the US-Japan alliance**

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Japan has always maintained an interest in the strategic value for its security policy and international relations of arms production and transfers. Japanese determination from the Meiji period onwards to develop policies of 'techno-nationalism' and an indigenous defence production capability as essential for the preservation of national autonomy is well documented (Samuels 1994). This intent has continued through into the post-war period even as Japan in its pursuit of low-profile military stance has chosen to impose self-constraints on the types of weaponry that it has produced for the Japan Self Defence Forces (JSDF) to obviate the possession of 'war potential' (*senryoku*), and through the 1967 and 1976 combined restrictions on the export of arms and military technology—albeit with some slippage in dual-use technologies and the US-Japan cooperation—that largely deprived itself of recourse to international arms transfers as a standard tool of statecraft.<sup>1</sup> Japanese policy-makers, despite these constraints, have thus continued to articulate the role that extant or latent defence production capability plays in providing deterrence potential and 'bargaining power' internationally, essentially a code word for hedging within the US-Japan alliance and outside it to preserve strategic autonomy (JMOD 2014).

But Japan's progressive erosion and now full revision of its arms export ban with the initiation of the 'Three Principles on Transfer of Defence Equipment and Technology' in April 2014 has enabled it to make more overt and to expand the range and function of international arms

transfer in national security policy (MOFA 2014a). The 2013 National Security Strategy (NSS) makes it clear that defence equipment and technology cooperation should become ‘mainstream’ in Japan’s security activities and part of the ‘proactive contribution to peace’ (National Security Council 2013). The new Three Principles have opened up a broader range of mechanisms for international arms transfers—two-way and one-way—moving on from past practices of off-the-shelf imports and Foreign Military Sales (FMS) and limited co-development and co-production, to now full-scale bilateral and multilateral co-development and co-production and Japan’s possible export for the first time of whole weapons systems. The Development Cooperation Charter of February 2015 (replacing the 2003 revised ODA Charter) also opens up the prospect of embedding for the first time transfers of military hardware in overseas aid.<sup>2</sup> In addition, Japan has identified a broader range of states geographically and in type for developing arms transfer cooperation—still very much centrally including the US as its ally, but also now the strategic partners or ‘quasi-allies’ (*jun-dōmei*) of Australia and India, individual Association of Southeast Asian States (ASEAN) member states, and NATO countries such as the UK and France.

Japan’s declared plans for enhanced international arms transfer activities, in turn, raise important questions about the impact on its overall strategic direction. For just as Japan in the past utilised self-imposed constraints to highlight and practice a constrained security trajectory, so the question is whether its removal of many of these constraints is both reflective and a driver of changes of direction in security policy. More specifically, questions are posed as to whether Japan is not only casting off constraints in this area to become a more prominent security actor, but also whether the increased range of options for cooperation across different types of arms transfers and international partners might open up scope for renewed autonomy and diversification of its security strategy. In regard to the central question of this project, this paper asks on the issue of arms transfers whether Japan might now have the intent and avenues

of cooperation to re-augment hedging options, and to diversify its reliance on the US-Japan alliance in this area of military activity and more generally in its overall security strategy. Alternatively, it is important to ask if Japan's emerging arms transfer strategy marks more continuity than change in prioritising and reinforcing existing US-Japan alliance ties.

The response of this paper in examining the significance of Japan's arms transfer policies is that, whilst the removal of past constraints has indeed opened up potential new thinking and options for Japan to pursue a more autonomous or hedged security policy, in fact its policy-makers at present in this area do not seem inclined or able to pursue any major deviation from the current security trajectory. That is to say, Japanese policy-makers at present remain fixed on utilising the expanding opportunities in arms transfers with new partners to ultimately complement and reinforce the US-Japan alliance relationship and the US 'rebalance' in the Asia-Pacific as the overwhelming strategic objective. Moreover, even though Japan has opened up potential new avenues to use arms transfer to broaden its security strategy, it is arguable that at the more detailed level of government and private sector implementation, Japan's policy experience and practices and technological leverage are still limited to the point that the efficacy of the strategy is as yet highly questionable. So in terms of intent and capability, Japan really appears to be diversifying in the area of arms transfer in order to 're-centre' ultimately on the US-Japan alliance.

To make these arguments, the paper proceeds in three main sections. The first examines Japanese government and private-sector perceptions of the importance of arms production within national security and Japan's particular mode of defence production. The second examines Japan's growing strategic motivations for expanding international military technological transfers. It assesses the particular policies and patterns of cooperation that have emerged from this new strategy for arms transfers in terms of the types of military technologies involved and the prioritisation of different international partners. The third section

demonstrates the continued limitations of strategy beyond the US-Japan alliance nexus, and elucidates the sheer policy-making and logistical issues and difficulties that Japan has thus far encountered in attempting to broaden partnerships for arms transfers.

### **Japanese grand strategy and the role of arms production and transfers**

As is well known, Japan's total defeat, subsequent economic devastation, loss of independence under the US-dominated Allied Occupation (1945-1951), undergoing of the process of demilitarisation embodied in the acceptance of Article 9 of the 'peace constitution' of 1946, and the emergence of the Cold War in East Asia, demonstrated its international security vulnerabilities and obliged its leaders to formulate a new 'grand strategy'. Japan's eventual settling on Prime Minister Yoshida Shigeru's pragmatic strategic line, or the so-called 'Yoshida Doctrine', emphasising the rebuilding of domestic economic strength, minimal rearmament, and alignment with the US through the 1951 US-Japan security treaty—and the bargain of exchanging Japan's provision to the US of bases for regional power projection in return for effective guarantees of military protection—in large part resolved Japan's immediate security concerns. Japan's subsequent adherence to and adaptation of the Yoshida Doctrine throughout the Cold War period, with the posture of alignment giving way to the creation of an emergent US-Japan alliance relationship and offensive-defensive bilateral division of labour in East Asia, continued to serve Japanese national security interests effectively.<sup>3</sup>

Japanese policy-makers' pursuit of the Yoshida Doctrine and strategic bargain with the US, however, did not mean that they committed unconditionally to these security arrangements or saw them as cost-free. Japan continued to seek to maximise national autonomy as far as feasible within its domestic and international security constraints, and to hedge against the classic alliance dilemmas of abandonment, but especially entrapment, in this period. The result was

Japan's engaging in often convoluted hedging tactics involving the maintenance of the ban on the individual self-defence to curtail risks of embroilment in collective self-defence operations to support the US, general obfuscation of the degree of defensive commitments to the US under bilateral alliance arrangements, and Japan's eschewing the procurement of military capabilities that could be enlisted in the service of the US outside Japan's immediate territorial defence. Japan thus continued to contemplate the development of a 'dual-hedge' against over-dependence on the US—hedging primarily *within* the US-Japan alliance to limit its commitments and maintain autonomy and thus a degree leverage over the US; and more secondarily, given at this time its limited military capabilities and range of possible partners outside the US, hedging *against* the alliance by developing potential alternative options to mitigate over-reliance on the US, or even remove itself from the alliance if the costs of the relationship grew unacceptable (Heginbotham and Samuels 2002).

*Japan's indigenous defence production model as form of hedging*

Amongst the options Japan sought to develop in order to enable hedging behaviour, the maintenance of an indigenous defence production (*kokusanka*) capability, in spite of self-imposed constraints, occupied an important position. Japanese policy-makers in framing and adapting the 'Yoshida Doctrine' have never lost sight of the Meiji maxim 'rich nation, strong army' and the belief that, even though in the post-war period Japan would need to secure itself in large part through economic power and diplomacy, the development of an indigenous defence production capability and gradual restoration of national military power are also the markers and guarantees of national autonomy. Consequently, the main stakeholders in Japan's security policy throughout the Cold War and into the contemporary period—the long-governing Liberal Democratic Party (LDP), main opposition Democratic Party of Japan (DPJ)

(until the formation of the Democratic Party in 2016), Japan Ministry of Defense (JMOD), Ministry of Economy and Industry (METI), Ministry of Foreign Affairs (MOFA), and Defence Production Committee (DPC) of the Japan Business Federation (Nippon Keidanren) as the umbrella organization for a variety of defence producer associations and individual enterprises—have consistently articulated a series of shared objectives for defence production.

Japan should maintain a defence production base that provides for the JSDF's deterrent needs and particularly calibrated to providing for its 'exclusively defense-oriented' posture; it should provide for a degree of self-sufficiency in defence equipment and ability to expand procurement in a time of national emergency; it should benefit national industrial policy through developing dual-use technologies to benefit civilian industry; and it should enable the development of defence technologies that augment Japan's negotiating leverage in the broader international community, and especially in the context of US-Japan alliance cooperation (Hughes 2011).

Japan's defence planners have, therefore, strived to attain a high degree of technological autonomy even if this presents development risks and high procurement costs. Japan has attempted to nurture *kokusanka* in part through the government's direct and indirect subsidization of the defence industry, but also in large part through attempts to harness together military and civilian technology within predominantly civilian corporations so as to draw technological 'spin-off' from the military sector, and for the smaller military sector to derive 'spin-on' from civilian industry.

In turn, Japan has developed a particular industrial defence structure: armaments accounting for less than one percent of total national industrial production; arms production itself occupying, with the exception of aircraft manufacture, small proportions of key industrial sectors such as vehicles, shipping and communications; and the concentration of arms

production within a limited number of large civilian corporations with a small percentage of their sales devoted to this sector. Mitsubishi Heavy Industries (MHI), most notably, has long been Japan's largest defence contractor, securing up to 20 percent of all government contracts, but derives only around ten percent of its total sales from this activity (Bōei Nenkan Kankōkaihen 2010: 521-524). Meanwhile, outside MHI and other large contractors, a considerable number of civilian small and medium enterprises (SME) provide components and specialist technologies to the larger systems integrators and are more heavily dependent on defence work.

Japan's nurturing of an indigenous defence production base has, arguably, scored important successes. The civilian conglomerate-led model has created a very capable defence R&D and production base whereby much of the initial cost and technological risk of weapons development is borne by the private sector; and there has been inter-diffusion of civilian and military technologies, with semi-conductors developed for the civilian sector finding their way through 'spin-on' into missiles and radars and composites for fighter aircraft finding 'spin-off' for use in civilian airliners. Japan has shown that it is capable of building advanced armoured vehicles, missiles and maritime destroyers, and succeeded in rebuilding its post-war aircraft defence production.

Japan has not achieved this defence production base, though, with total autonomy or isolation from international arms transfer. Its policy-makers are aware that the desire for autonomy can spill into autarky and the risks of technological backwardness. Hence, while Japan was prepared to remove itself from outward transfer of armaments under the 1967 and 1976 bans, it continued inward transfers of foreign technology when deemed necessary. Japan has imported US weapons systems through FMS, such as the *Aegis* radar system, as they offer relatively fast and low-risk, if not always low-cost, solutions to JSDF needs. More preferable still has been licensed production of systems such as the F-4J and F-15J fighters and engines,

and P-3C patrol aircraft, to enable the learning and innovation of technologies. Japan has also in the past begun to utilise co-production with the US as in the development of the F-2 fighter, and the first tentative steps towards the transfer of military technologies through exemptions made in the arms export for thirteen different bilateral cooperation projects with the US.

Japan's prime impulse during the Cold War period, however, was to introduce foreign technologies only when they could not be developed indigenously, and where feasible to then develop as rapidly as possible substitute indigenous technologies. Japan had thus been able to claim shares of domestic procurement at around 90 percent or above in much of the post-war period (Bōeichō 2006: 95). This indigenisation policy was not without disadvantages in that often led to the production of weapons systems that lagged behind the most advanced international standards—the F-1 fighter, most notably, becoming near obsolete as soon as it was deployed—and were high-cost to procure compared with off-the-shelf and volume-produced foreign systems. Nevertheless, Japanese policy-makers deemed the policy essential because, even if Japan did not manage to produce the most advanced or entire weapons platforms, it did enable via a relatively small defence production sector the preservation and mastery of key technologies to keep in some step with international competition. In addition, this model brought the believed latent potential for Japan to leap ahead into producing fully independent weapons systems in the future if this became a priority for national security and resources.

### **Japan's shifting grand strategy and defence production: indigenisation through internationalisation?**

Japanese policy-makers may have felt that the arms production and arms transfer model functioned effectively for its overall grand strategy for most of the post-war and Cold War

periods, but in the post-Cold War period this policy, and indeed, the grand strategy which it serves, have come under increasing stress, so necessitating revisions across both sets of policies. The consistent pursuit of the Yoshida Doctrine, even in modified form, has clearly become more difficult in the context of the shifting security environment in the Asia-Pacific and beyond. Japan increasingly perceives North Korea's nuclearisation and missile programmes as existential threats, and most acutely feels the implications of China's rise in regard to territorial disputes in the East China Sea and maritime security (Hughes 2016). Japan's security horizon has also been expanded beyond East Asia with its despatch of the JSDF to support the US 'war on terror' in the Indian Ocean after 9/11 and the reconstruction of Iraq in the early 2000s, as well ongoing commitments to anti-piracy operations in the Gulf of Aden since 2009.

At the same time, Japanese awareness of broadening threats and expectations for its contribution to international security has been accompanied by increasing uncertainties over its ability to rely on the US as the backstop of its security, given the perceived waxing and waning of its ally's power. Japanese concerns at entrapment have continued, as seen in caution over deployments of the JSDF in the 'war on terror'. But fears of abandonment have now also grown in prominence if Japan is not seen to move beyond previously minimalist commitments to the alliance and support the US in responding to North Korean provocations and China's rise, and most recently the US 'rebalance' to the Asia-Pacific.

Japanese policy-makers have responded to this new security environment and the changing terms of the US-Japan alliance by considering the need to boost their state's own military capabilities but most particularly by strengthening the alliance relationship with the US in terms of attempts at a closer shared strategic vision and the integration of military doctrines and capabilities in areas such as ballistic missile defence, air defense, maritime security, extended deterrence, intelligence, reconnaissance and surveillance (ISR), critical infrastructure protection, mutual logistics support, and outer space and cyberspace. Japan has furthermore

been encouraged to make common cause with other US allies and strategic partners, including Australia, South Korea and India, in managing the regional security situation. Prime Minister Abe Shinzō's recent security reforms, including in 2015 the breach on the ban on the exercise of collective self-defence to exercise military force in support of the US and other states under certain conditions, and the revision of the US-Japan Guidelines for Defence Cooperation for 'seamless' security cooperation across a range of 'Japan', 'regional' and 'global' scenarios, demonstrate the ambitions for Japan to shift the functional and geographical scope of its security policy (Hughes 2015: 39-54).

Just how far Japan has moved to deviate from the Yoshida Doctrine remains a subject of intense debate (Hughes 2017). But at the very least it is apparent that any adjusted or emergent new Japanese grand strategy features efforts to generate new proactivity beyond previous legal, functional and geographical limits; a focus on strengthening the US-Japan alliance, whilst still obviating dilemmas of entrapment but now more prominently abandonment; the broadening and deepening of areas for military cooperation; and testing the diversification of security cooperation with a new range of US allies and strategic partners.

If Japan has begun to shift its overall grand strategy, then this has been matched by concomitant stresses and changes in its arms transfer policy. Japanese policy-makers and defence producers have increasingly concluded that the model of indigenous defence production is unsustainable in its current prevailing form. The first challenge is one of resourcing limitations, given the stagnant or declining defence budgets for much of the period since the late 1990s. Japan's government has maintained its one per cent of GNP limit on annual allocations of defense expenditure which constrains the overall budget in a period of slow economic growth, and as a proportion of annual government expenditure it has remained constant at around five per cent, declining in relative importance as a government priority in comparison to the increasing proportion devoted to social security and public works (Asagumo Shimbunsha 2016: 283). The

proportion of the defence budget available for arms production has also fallen within the budget, as over the last twenty up to 45 per cent has been directed towards personnel and provisions (with rising salary and pension costs), whereas the proportion directed to equipment acquisition has declined from around 23 per cent of the budget in 1988 to around 16 per cent in 2016 (Asagumo Shimbunsha, 2015: 285).

Japanese administrations have looked to address these problems by supporting new *kokusanka* projects such as the P-1 patrol aircraft, C-1 transport aircraft (with hopes even that the C-1 might be convertible to a version for the civilian market) and Advanced Technology Demonstration-X (ATD-X), or now F-3, stealth fighter prototype. Nevertheless, Japan's procurement of frontline platforms of main-battle tanks, destroyers and fighter aircraft has continued to decline, and in fact from 2008 no new fighters have been built in Japan since the end of the F-2 production run. Japan is further attempting to stretch the defence budget with more efficient systems and competitive tenders for procurement domestically and internationally, following a series of corruption scandals in the mid-1990s, and in 2015 established an Acquisition, Technology and Logistics Agency (ATLA) (*Bōei Sōbichō*) in an attempt to integrate and manage procurement more efficiently (Kankōkai Henshūbu, 2016: 8-43; Tamura 2016). Defence producers have also been encouraged to consolidate in order to produce economies of scale, but this has proved difficult given that most manufacturers are civilian production-oriented, and that the dual-use spin-on spin-off model cannot easily separate civilian from military production facilities, and thus have no incentive to rationalise their business to suit defence production prerogatives. The result is that the shake-out in the Japanese defence industry has taken the form of producers simply exiting the sector and switching to concentrate on more profitable civilian products.

Most recently, the Abe administration has increased defence expenditure since 2012 and restored levels to the late-1990s, with 2016 budget request marking the largest ever budget in

the post-war period.<sup>4</sup> But still, with rising equipment unit costs due to military technologies becoming more advanced and thus more expensive, Japan's domestic defence procurement alone appears insufficient to sustain the defence industrial base. The proportion of defence equipment procured domestically has now fallen to 83 percent by 2014 (Kankōkai Henshūbu, 2016: 454).

The second challenge is that Japan's techno-nationalist policies risk leaving its defence industry behind in the development of internationally competitive technologies. Japan's emphasis on the indigenisation of technologies has run into the obstacle of the increasing reluctance of the US and other states to provide FMS or licensed production of advanced weapons systems. Japanese industry estimates that the domestic content under licensed production of U.S. systems has progressively decreased, from 85 percent of the F-104, to 90 percent of the F-4EJ, and 70 percent of the F-15J, with a high black-boxed content for the F-15J, and 60 percent for the F-2 (Chinworth, 1992: 127, 137). The National Institute of Defence Studies (NIDS), JMOD's academic research arm, produced a report in 2006 which questioned the degree to which the US can be relied on to allow Japan to maintain autonomous technology even in the case of co-development and co-production, arguing that the F-35 project demonstrates the US's disinclination to share technology fully with even its closest allies and partners (Bōei Kenkyūjo 2006: 34). Japan was further frustrated by the US's refusal to transfer the full or even a 'dumbed-down' less capable version of the F-22 to its ally despite intense lobbying. Japan's highly limited international cooperation to date, especially in terms of co-development and co-production, due to its arms export ban, have thus raised concerns of a 'Galapagos effect' as Japan is isolated from the evolution of international defence production (Kiyotani 2010: 185-188). Hence, as other states forge ahead with consolidation of their defence companies domestically and internationally, and initiating new multilateral weapons platforms to share technologies and costs through economies of scale, Japan has risked being

left as a bystander and surpassed technologically, or over-dependent on its US ally (Sato 2015: 5-6).

*Japan's breaching of the arms export ban: maintaining domestic production base through international collaboration*

Japanese policy-makers although still intent that the maintenance of a domestic defence production base is an essential component for national autonomy have begun to accept that *kokusanka* alone is not a viable approach. Instead, policy-makers have moved to try to revitalise the defence production base through exploring enhanced international cooperation with the US and now other international partners in line with its overall broadening of security policy (JMOD 2014: 7-8, 15; Nishiyama, 2008: 353).

The result has been Japan's progressive weakening and then eventual overturn of the arms export ban. The Japanese government between 1991 and 2010, aside from US-Japan technological cooperation agreements, had enabled twelve other *de facto* if not formal breaches of the arms export ban, although none of these breaches were for commercial gain involving private corporations (Morimoto 2012: 121-123). Moves for formal and broader breaches and removal of the ban began in the early 2000s. The Prime Minister's Council on Security and Defense Capabilities in preparing for the revision of the National Defence Programme Guidelines (NDPG) in 2004—the document which sets out Japanese defence doctrines alongside the necessary capabilities—commented that expanding technological military cooperation with states other than the US should not be seen as Japan acting as a 'merchant of death' (Anzen Hoshō to Bōeiryokyu ni Kansuru Kondankai 2004: 5). The government did in part move to breach the ban in December 2004 in order to facilitate co-development with the US on BMD. The Chief Cabinet Secretary's statement stressed that BMD would not conflict

with the arms export ban because the project was designed for the smooth functioning of the US-Japan alliance and thus Japan's own defence (Bōeishōhen 2008: 388). The JMOD further interpreted the statement as providing grounds for investigation with other countries into joint research and development of technologies to respond to terrorism and piracy (Bōeishōhen, 2008: 388; Kankōkai Henshūbu 2006: 147-148).

The Prime Minister's Council on Security and Defence Capabilities in August under Prime Minister Asō Tarō, in preparation for the scheduled revision of the NDPG in 2009 (delayed to late 2010 due the change of governing administrations from the LDP to DPJ), once again argued for revising the export ban at least on a case-by-case basis to allow Japanese participation in international joint development projects with the US and European partners, or otherwise the risks would increase of Japan being left behind in defence technology (Anzen Hoshō to Bōeiriyoku in Kansuru Kondankai 2009: 64-67). The DPJ, often incorrectly accused as weak on defence issues due to initial wrangling with the US over bases issues, proved just as interested as, if not in fact bolder than, LDP administrations in seeking to revise the export ban (Hughes 2012). The Council on Security and Defence Capabilities in a New Era, a new advisory panel formed under Hatoyama Yukio and then reporting under his successor Prime Minister Kan Naoto in order to prepare for the 2010 NDPG, again reported in August 2010 in favour of a partial lifting of the arms export ban with a licensing system to facilitate international joint development and production projects (Council on Security and Defense Capabilities in a New Era 2010: 45-47). Kan's administration, preoccupied with domestic politics in the wake of the 9/11 disaster and embroiled in National Diet budget battles requiring the assistance of other parties in the Upper House, shied away from lifting the ban, and the 2010 NDPG omitted any reference to the lifting of the ban and simply stated that in order to maintain a stable defence production base it was necessary to 'continue to investigate policies for .... joint development and production' (Bōeishō 2010: 16).

However, Prime Minister Noda Yoshihiko's administration did then move to dismantle the ban with the Chief Cabinet Secretary's 27 December 2011 'Statement on Guidelines for Overseas Transfer of Defence Equipment'. The Statement argued that Japan, in seeking a more proactive contribution to international security, to improve the performance of its defence equipment, and to strengthen the alliance with the US and with other partners with which it was engaged in security cooperation, should allow overseas transfer of defence equipment. The government set the conditions that any transfers should be subject to strict controls and the consent of Japan to ensure no use beyond the agreed purpose and no re-export to third countries; that transfers should benefit Japan's own security; and that they should not be used to aggravate international conflicts (Prime Minister's Office Japan 2011).

Following this, Japan entered into an agreement with the UK under the bilateral 'Leading Strategic Partnership for Global Prosperity and Security' of April 2012, 'to identify a range of appropriate defence equipment for joint development and production, that can be carried out in accordance with Japan's 2011 Guidelines for Overseas Transfer of Defence Equipment which contributes to both countries' security and presents industrial opportunities' (MOFA 2012). Japan and the UK then concluded in July 2013 an agreement for joint research, development and production in defence equipment, and initiated cooperation on chemical and biological defence technologies. Japan also made its first official transfer of military technology in December 2012 when it donated four GSDF hydraulic shovels to Haiti following the conclusion of its participation in the UN PKO Stabilisation Mission in Haiti (MINUSTAH).

Prime Minister Abe Shinzō upon his return to the premiership at the end of 2012 moved to decisively end the export ban. Japan's decision under the previous DPJ administration to procure the F-35A as the successor to the F-4J, with some off-the-shelf procurement but also Final Assembly and Checkout (FACO) and development of elements of the fighter's engine parts, radar, and electro-optical distributed aperture systems (EODAS), meant that Japan also

needed to opt into the Autonomic Logistics Global Sustainment (ALGS) system (Bōeishōhen, 2015: 266-267). ALGS creates under the unitary direction of the US and prime contractor Lockheed Martin a global supply chain for the mutual provision of parts amongst countries deploying the F-35 Joint Strike Fighter platform (potentially incorporating the US itself, the UK, Italy and the Netherlands, Australia, Canada, Denmark, Norway and Turkey as Tier 1, 2 and 3 partners; and Singapore and Israel as Security Cooperative Partners). Participation in this system requires the ability to export to multiple countries with at the same time strict controls on the re-export to any third countries outside the network (Morimoto 2014: 190-198). Abe's government was thus obliged on 1 March 2013 to issue a Cabinet Secretary Statement indicating Japan's participation in ALGS as a major exemption to the arms export ban (Prime Minister's Office Japan 2013).

The Abe administration implemented one further breach to the export ban by agreeing in December 2013 to allow the GSDF deployed in the UN Mission in the Republic of South Sudan (UNMISS) to supply South Korean military peacekeepers with 10,000 rounds of 5.56mm ammunition to assist in their protection of refugees. Japan's International Peace Cooperation Law (IPCL) governing JSDF participation in UN PKO does not preclude the supply of ammunition to other military peacekeepers but previous governments had repeatedly denied in the National Diet that Japan would respond to UN requests for ammunition or weapons. The supply further transgressed the arms export ban as it was made, arguably, to a state involved in an international conflict. However, the Abe administration established this exception on the grounds that the supply was at the request of the UN, for immediate and humanitarian UN PKO purposes, and in line with the policy of a 'proactive contribution to peace' (although the South Korean military was later to refuse Japan's offer of ammunition due to bilateral political tensions).

The NSS and revised 2014 NDPG then both identified overturning of the export ban as a key objective in order for Japan to preserve its defence production base as it is only through new international collaborative partnerships that it will be able to access advanced technology, economies of scale given the still limited JSDF procurement budget, and export opportunities. The Abe Cabinet on 1 April 2014 proceeded to formally remove the arms export ban principles, instituting instead the new Three Principles of Defence Equipment Transfers. The new principles in effect inverted the former principles: moving from a system of a total ban with limited exemptions, to a new potential to export all forms of weaponry overseen by the National Security Council (NSC) with some key restrictions. Hence, the new principles somewhat return to the original 1967 original restrictions by preventing export only to states considered to impede international peace and security, such as those transgressing international treaties or under UN sanctions, but would allow export to those states contributing to international peace or Japan's security such as the US, NATO countries, and those engaged in UN PKO, and that could prove the controls in place to prevent re-export to third countries (*Asahi Shimbun* 2014a, 2014b).

#### *Japan's new arms transfer partners*

Since the introduction of the new transfer principles, the NSC has permitted an expanding number of arms transfers. In July 2014, the Abe administration announced the first formal arms transfer under the new principles in the form of the export by MHI to the US of components for PAC-2 missiles. The PAC-2 exports will assist US transfers of the system to Qatar, and Japanese policy-makers admit that, even with US reassurances under the guidelines about preventing the transfer to third countries, Japanese-made components may find their way into weapons systems exported to Israel (*Asahi Shimbun* 2014d).

Following up on the Japan-UK Defence Equipment Cooperation Framework in 2013, the two sides indicated in July 2014 the intention to jointly develop the Meteor air-to-air missile. The UK and Japan are also thought to be keen to discuss cooperation in NBC technology, mine detection, helicopters, tanks and artillery. Japan was also rumoured to have attempted to pitch sales of the P-1 to the UK, which could have been its first transfer of an entire military platform, although the UK in 2015 chose instead to procure the Boeing P-8 *Poseidon* maritime patrol aircraft (*Japan Times* 2014). Japan has been exploring similar defence and military technology cooperation with France since 2012, and there are reports of plans for cooperation on unmanned submarine technology (Bōeishōhen 2015: 268). Japan has held discussions with Turkey over the development for the latter of tank engines, although progress has as yet been limited.

Japan has been engaged in discussions with India as part of its ‘Strategic and Global Partnership’ for the transfer of Shin Maywa’s US-2 search and rescue seaplane currently utilised by the MSDF. The two countries established a Joint Working Group (JWG) to explore export or licensed production of the US-2 (MOFA 2013a). The Japan-India Summit in September 2014 resulted in a Memorandum of Cooperation and Exchanges in the Field of Defence and directed the JWG to accelerate progress on a ‘road map’ for the transfer of the aircraft and its technology (MOFA 2014c). The December 2015 summit signed off an ‘Agreement on the Transfer of Defence Equipment and Technology’ and further inched forward talks on the US-2 (MOFA 2015). The deal appeared to be in jeopardy in 2016 until Japan agreed a near 10 percent price concession on the transfer of twelve US-2s later in the year. Abe and Prime Minister Narendra Modi noted the importance of the deal in their bilateral summit meeting in November but the two countries are yet to sign a final deal (MOFA 2016b).

Japan in seeking to further develop ‘strategic partnerships’ with the Philippines and Vietnam agreed in July 2013 to export ten patrol boats to the former through a yen loan and thus part of ODA provision, and in January 2013 to investigate providing similar maritime security support

to Vietnam (MOFA 2013b, 2013c). Japan and the Philippines signed a defence ministry-level ‘Memorandum on Defence Cooperation and Exchanges’ in January 2015, including pledging collaboration on defence equipment and technology (JMOD 2015a). Japan and the Philippines further produced in June 2015 an ‘Action Plan for Strengthening of the Strategic Partnership’ again making reference to defence equipment cooperation (JMOD 2015b). In September 2015, Abe and President Rodrigo Roa Duterte agreed on the transfer to The Philippines of MSDF TC-90 training aircraft (MOFA 2016a). The JMOD was reported in August 2017 as looking to offer its PC-3 patrol aircraft to The Philippines and spare parts for UH-1 helicopters (*Japan Times* 2017b). The JMOD was also reported in December 2016 as attempting to sell MELCO’s FSP-3 radar to Thailand in order to counter China’s increasing influence in arms sales to the country (*Japan Times* 2016).

Japan’s principal political and commercial efforts for the transfer of arms technology, outside the US-Japan alliance, and representing the best opportunity for transferring an entire platform have been focussed on ties with Australia. Japan and Australia as part of their ‘Strategic Partnership’ signed an Information Sharing Agreement in May 2012 and then in July 2014 signed an ‘Agreement Concerning the Transfer of Defence Equipment and Technology’ (MOFA 2014b). The NSC in May 2015 under the new arms transfer principles provided permission for Japanese defence manufactures to enter the competition for Australia’s tender to replace its six *Collins*-class submarines with up to 12 new boats by 2030 and worth up to A\$50 billion. MHI and Kawasaki Shipbuilding Corporation the sought, with strong encouragement from the Abe administration, export their *Sōryū*-class advanced air-independent propulsion submarine technology, first hoping initially for an off-the-shelf export but then in November 2015 submitting a bid looking for joint development and offering build to Australian shipyards.

Japan's attempt to export submarines ended, however, in failure in April 2016, losing the contract to France's DCNS. Japan's failure resulted from a number of factors, including: questions over the appropriateness of the *Soryu* technology for Australia's defence needs given that a longer range vessel may have been required; the evaporation of Australian domestic political support with the fall of the highly pro-Japan Tony Abbott government in September 2015; and, crucially, the lack of experience of Japanese defence contractors in competing in international markets manifested in limited bidding skills, lack of an offset strategy, wariness to agree to licensed production and reluctance to share advanced technologies (Gady 2016: Mochizuki 2016: 72-94; Morimoto 2015: 108-128).

### **Japan's emerging arms transfer strategy: opportunities and limitations**

Japan in its desire to adapt its overall grand strategy to changing circumstances and to mitigate risks of entrapment and now especially abandonment, has now moved to more actively and overtly embed its arms transfer policies within and to reinforce that strategy. It is also fair to say that Japan more than at any other time in its post-war history has begun to articulate a strategic intent gearing its international security policy closely with arms transfers and moving beyond mercantilism or 'techno-nationalism', and to develop arms transfers as a potentially credible tool of statecraft to work with a broader range of partners.

Japanese policy-makers' efforts to initiate arms transfers with Australia, India and ASEAN states, integrated with other measures such as 'strategic partnership' agreements, economic partnership agreements (EPA), and ODA provision, provide for a comprehensive package to support overall strategy. Moreover, arms transfers as part of this package appears to be gaining some traction with partner countries, with Australia continuing to gravitate closer to Japan strategically to form a 'special relationship', India demonstrating less standoffishness and

embarking on further maritime security cooperation, and clearly the Philippines and Vietnam keen to involve Japan's presence in the South China Sea as a counter-balance to China's rising influence (Wilkins 2015). Indeed, much of recent Japanese activity in arms transfer can be seen as a means to build a coalition of like-minded states to hedge against or even actively balance against Chinese regional influence, and particularly maritime expansion.

The development of a Japanese arms transfer strategy in large part directed at responding to China's rise draws attention back to the question of the degree to which Japan, whilst trying to add another option to its statecraft toolbox and broadening the scope of its international patterns, is deviating from or confirming its fundamental overall strategic direction of strengthening the US-Japan alliance. Japan's development of stronger relations with Australia and India might in the future reach the degree to which these form hedging options for leverage against the US, hedging against dependence, or even alternatives to the US-Japan alliance if the risks of entrapment and abandonment became too great. But clearly this is not Japan's overall strategic intent, and neither Australia nor India share such an intent.

Instead, it is apparent that Japan's chief strategic objective, and this is matched by the embedding of arms transfers within it, is to restrengthen ties with the US and support the US 'rebalance', and Japan's building of strategic and arms transfer relations with other partners is principally designed to complement this. Japan's true intent and strategic direction is demonstrated by the simple fact that the majority of its arms transfers activities are firmly focussed on, and even arguably increasingly locked into, the US-Japan alliance relationship.

Japan's largest and currently realised arms transfer project in political, technological and budgetary terms still remains BMD. The project entails not only the joint development of components of the SM-3 BLK-IIA interceptor missile, but in due course the likely establishment of joint production facilities. In turn, the project involves the further integration

of US-Japan ISR and space-based surveillance early-warning capabilities, and has already driven the moves for Japan's revision of its ban on the exercise of collective self-defence. Hence, this arms transfer project has been nothing short than a spearhead for the transformation and strengthening of US-Japan alliance cooperation (Gronning 2011). Japan's participation in the F-35 project only promises to further reinforce alliance bonds. For even if Japan has managed to negotiated a degree of build on the F-35 through FACO and some elements of joint development, the majority of technology remains black-boxed and Japan remains dependent on its alliance partner for the imparting of the most advanced technology. In addition, Japan's necessary participation in ALGS integrates its technological capabilities into a US-organised network of allies and strategic partners, all reinforcing broader US strategic dominance. Japan might seek to mitigate dependence on the US through development of the F-3, but given its budgetary pressures and the lack of feasibility in going it alone in stealth fighter development, this may only represent an attempt to have some technological leverage on the US within the alliance but surely not a ready alternative. All in all, therefore, Japan's principal efforts in arms transfer remain directed towards the US, to strengthening bilateral cooperation and integration of capabilities, and at the very most to hedge within the alliance rather than to create the option to hedge outside it. Moreover, Japan's ability to hedge within the alliance through defence production may only become more problematic as the administration of Donald J. Trump presses its alliance partner to increases it burden-sharing and defence expenditure. Japan may well thus devote more of its constrained defence budget to procuring additional US military equipment as a means to placate the US and be seen as a way for the US to offset the cost of its security guarantees to Japan. If Japan were to procure systems such as *Aegis Ashore*, or even as the LDP has proposed Terminal High Altitude Area Defence (THAAD), it would only further lock Japan into greater dependency on US manufactured weapons systems (*Japan Times* 2017a; *Asahi Shimbun* 2017).

Japan's development of arms transfer relations with other states must surely also be seen in terms of looking to strengthen rather than mitigate or evade commitments to the US-Japan alliance and the US 'rebalance'. Japanese policy-makers' have only felt inclined to develop arms transfers with states aligned in some form with the US, and in certain cases to complement closely efforts at trilateral or quadrilateral cooperation involving these states and Japan as initiated by the US. Hence, Japan has attempted to foster arms transfer linkages with Australia, the Philippines, UK and France, all treaty partners with the US, and with India as a US strategic partner, and Vietnam as a US 'comprehensive partner'.

If Japan's strategic intent in arms transfers marks fundamental continuity with the objective of strengthening the US-Japan alliance, then there are also questions about the degree to which, even if Japan was seeking to eke out more strategic autonomy, that arms transfers as yet fully deliver the necessary efficacy as a policy tool. Japan's arms transfers clearly remain small in value and number, and its strategy suffered a major setback with the failure of the Australian submarine project; and Japan has failed to get that far as yet with other partners that it maintains defence equipment agreements with, as in the attempt to sell the P-1 to the UK.

Japan's policy-makers and, just as importantly, defence producers also still lack much of the appropriate appetite and experience for successfully pursuing many international cooperation projects. The Keidanren and defence manufacturers, whilst in favour of enhanced international collaboration, still appear to cling to the argument that the only way to really preserve Japan's indigenous production base is for the government to increase domestic defence spending, and are concerned that international collaboration spells simply more competition and market-opening that could jeopardise domestic producers (Keidanren 2015; *Asahi Shimbun* 2014c). Defence producers appear keenly aware that they lack experience of international bidding processes, even basic language skills for purveying their products, and argue that the Japanese government if it wishes to encourage international transfers for strategic reasons should provide

a system of FMS, offsets and export subsidies (Keidanren 2015: 3; Jo 2016). The failure of the Australian submarine procurement bid appears to have heavily deterred many major Japan defence producers from venturing into international markets. Finally, many defence producers continue to worry about the reputational costs domestically of arms exports and are simply not that motivated to follow government international strategies, still preferring more lucrative and lower-risk civilian markets (*Asahi Shimbun* 2016).

In conclusion, then, Japan's strategic intent, although looking to increase arms transfers as an expanding and integrated option for statecraft and delivering some dividends in international cooperation, still remains focussed on deepening US-Japan alliance cooperation, and to investigate cooperation with other partners only yet as far as to reinforce from another direction the US 'rebalance' to the region. Japan can be said to be diversifying only as far as to re-centre on the US-Japan alliance.

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<sup>1</sup> In 1967, Prime Minister Satō Eisaku's administration first enunciated restrictions on arms exports to communist states, countries under UN sanctions, and parties to international disputes. In 1976, Prime Minister Miki Takeo's administration ordered restraint in the case of all states, and prohibited the export of weapon-related technology. Prime Minister Nakasone Yasuhiro began to erode this principle by signing an Exchange of Technology Agreement Between Japan and the United States in November 1983. For an exhaustive account of the arms export ban principles, see Morimoto 2011. For Japan's export of dual-use technologies that despite the ban found their way into military usage, see Drifte 1986.

<sup>2</sup> The Development Cooperation Charter states that: 'Japan will avoid any use of development cooperation for military purposes or for aggravation of international conflicts. In case the armed forces or member of the armed forces in recipient countries are involved in development cooperation for non-military purposes such as public welfare or disaster relief purposes, such cases will be considered on a case-by-case basis in light of their substantive relevance' (Cabinet Office Japan 2015).

<sup>3</sup> For the Yoshida Doctrine's origins and evolution, see Kōsaka 1968: 47-59; Pyle 1987: 246-249; Green 2001: 14-15; Samuels, 2007: 35, 43; Chai 1997: 389-412.

<sup>4</sup> JMOD for fiscal 2015-2016 has requested a 2.2 percent increase in the defence budget, which would bring it back to the levels of the late 1990s and mark the largest defence budget in the post-war period (Bōeishō 2016).