

## Briefing Memo

The purpose of this column is to respond to reader interests in security issues and at the same time to promote a greater understanding of NIDS.

A “briefing” provides background information, among others. We hope these columns will help everyone to better understand the complex of issues involved in security affairs. Please note that the views in this column do not represent the official opinion of NIDS.

# A Nuclear Japan Revisited

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In the past, the likelihood of Japanese nuclearization was repeatedly discussed in the United States and other countries. Whenever such discussions were held, the Japanese government denied the possibility of Japanese nuclear development on the basis of such things as the Japanese public’s hatred of nuclear weapons owing to the atomic bombing of Hiroshima and Nagasaki; Japan’s faithful adherence to the Nuclear Non-Proliferation Treaty (NPT) regime; and domestic laws and principles that strongly guard Japan from acquiring nuclear weapons, such as the Atomic Energy Basic Law, which limits the use of nuclear energy to nonmilitary areas, and Japan’s continued adherence to the three non-nuclear principles of not manufacturing, possessing, or introducing nuclear weapons.

This response, however, was not very convincing to foreigners concerned about Japanese nuclear armament. For one thing, one of the three non-nuclear principles, no-introduction of nuclear weapons into Japanese territorial space, was long perceived to be dubious. Despite the non-introduction rule, under the U.S.-Japan security arrangements nuclear-capable U.S. warships often made port calls to Yokosuka or Sasebo in the Cold War days. The Japanese government repeatedly tried to dispel the suspicion that nuclear weapons were being introduced into Japanese territorial space by arguing that the U.S. government did not request “prior consultation.”<sup>1</sup> For another thing, the Japanese answer did not deal squarely with questions raised by foreigners, and the Japanese government and foreigners were often on different wavelengths. Although overseas watchers, who were familiar with Japan’s non-nuclear policy but were still concerned about Japanese nuclearization, raised the question of the possibility of a change in the non-nuclear policy, especially if the credibility of the U.S. nuclear umbrella deteriorated, the Japanese response was always essentially a repetition of the non-nuclear policy. One reason for this is that, given the strong

antinuclear sentiment in Japanese society and the seemingly enduring nature of the U.S. nuclear commitment, the development of nuclear weapons was considered so unrealistic in Japan that the Japanese government and people alike did not seriously examine the issues related to Japan's nuclear armament.

Considering that complete nuclear disarmament is close to impossible politically and technologically, however, nuclear weapons are likely to outlive the U.S.-Japan security relationship. To prepare for such a situation, this paper explores the propriety and feasibility of a nuclear Japan and offers a couple of policy proposals for Japan's security against nuclear weapons.

### **Will a nuclear North Korea trigger Japan's nuclear armament?**

With the revival of North Korea's nuclear weapons program as the trigger, argument over Japanese nuclear armament has intensified again. The current debate on nuclear armament can be divided into two categories. One is the view that a nuclear North Korea will trigger a domino effect, pushing Japan and South Korea into developing their own nuclear weapons. The other is advocacy of Japanese nuclear armament as a bargaining chip of U.S. policy toward China, and is presented by some former U.S. government officials and columnists. The main point at issue is approval of and support for Japanese nuclearization if China, which should fear Japan's nuclear armament, does not earnestly tackle the problem of North Korea's nuclear weapon development. It is rather insolent, however, to think of making a foreign country develop nuclear weapons as a card of one's own foreign policy. More than that, there is understandable displeasure that such a discussion is taking place in the United States without regard for the trauma of Hiroshima and Nagasaki to the Japanese public. Thus the argument in favor of Japanese nuclear armament as a diplomatic card is out of the question and can be dismissed. The view that North Korea's nuclear armament might invite Japanese nuclearization merits some examination, however.

The argument that a nuclear North Korea might bring about Japanese nuclear weapon development assumes that while the U.S. extended nuclear deterrent protecting Japan will not work against North Korea, Japanese indigenous nuclear weapons can deter North Korea, or that Japan has no credence in the U.S. nuclear umbrella vis-à-vis North Korea. Are these assumptions justified? First, the view that while the U.S. nuclear umbrella cannot work Japanese nuclear weapons can deter North Korea cannot be made into a concrete and realistic scenario. If there were any scenario in which U.S. nuclear forces could not deter a North Korean nuclear strike against Japan, it would be North Korea's "final blow."<sup>2</sup> If North Korea were defeated by U.S. forces and the survival of its regime appeared very unlikely, Pyongyang might launch any surviving nuclear-armed ballistic missiles. Such a "final blow of a loser about to die" could not be deterred by any means, including American or Japanese nuclear weapons. Likewise, if it is held that U.S. nuclear forces cannot deter North Korea because its leadership has a peculiar and irrational way of thinking, then Japanese nuclear forces cannot either.

As for the assumption that Japan no longer has faith in the U.S. nuclear umbrella, it is simply unrealistic and wrong. Under the U.S.-Japan security arrangements Japan was long under the protection of the U.S. extended nuclear deterrent in the Cold War era. The U.S.-Japan alliance is intact today, and no significant event has occurred that might lead a third party to conclude that the alliance is on the verge of collapse. It is improbable that the Japanese public has suddenly lost confidence in the U.S. nuclear commitment. From the deterrence theory point of view, the Japanese public was more likely to question the credibility of the U.S. nuclear umbrella during the Cold War. This is simply because the Soviet Union, in sharp contrast to today's North Korea, deployed nuclear forces capable of devastating the United States through retaliatory nuclear strikes. For all that, the U.S. nuclear umbrella worked during the Cold War. The Soviet leadership was not sure that the United States would not live up to its nuclear commitment, just as the Japanese public was uncertain about America's nuclear guarantee. In other words, the Soviets knew very well that nuclear exchanges with the United States would eventually destroy their country, and therefore they had to have second thoughts about launching a nuclear strike against Japan as long as they could not be sure that the United States would not uphold its nuclear commitment. The possibility of a U.S. nuclear response in the event of a nuclear strike on Japan remains today, and provides the basis for the U.S. nuclear guarantee to Japan.

### **The first alternative to the U.S. nuclear umbrella**

As discussed thus far, as long as Japan is under the U.S. nuclear umbrella, there are no reasonable grounds for Japan to dare to choose its own nuclear armament. Should the U.S.-Japan alliance become merely nominal or be dissolved for some reason, however, there would be a serious debate in Japan on whether it should go nuclear. What, then, is the prospect of success for an indigenous nuclear deterrent?

One likely consequence of a Japanese decision to go nuclear would be reinforcement of Chinese and Russian nuclear forces. Even though Japanese development of nuclear weapons would be for the limited defensive purpose of deterring a nuclear North Korea, Chinese and Russian suspicion of Japan would undoubtedly increase for historical reasons. This would not only have the effect of providing China and Russia with an incentive for increasing their retaliatory nuclear forces; it would also provide them with a clear reason for adopting a nuclear deterrence strategy targeting Japan. Therefore, Japan would have no choice but to consider Chinese and Russian nuclear arsenals as objects of deterrence. In short, if Japan were to pursue nuclear weapon development, it would have to develop and deploy a considerable number of longer-range nuclear delivery systems, a strategic nuclear force, that would enable it to practice deterrence vis-à-vis China and Russia.

Normally, the delivery systems of strategic nuclear forces consist of land-based longer-range ballistic missiles, intercontinental ballistic missiles (ICBM) in particular; sea-launched ballistic missiles (SLBM) delivered from nuclear-powered ballistic missile submarines (SSBN); and

long-range heavy bombers. Of these three types of delivery systems, the only viable strategic nuclear force Japan can hope for is SSBN/SLBM. To assure the survivability of the land-based leg, Japan would have to deploy it in a mobile mode. But the Japanese island chain, including its many adjacent islands, does not offer enough area for mobile basing of land-based ballistic missiles. Similarly, guaranteeing the survivability of a heavy bomber force is no easy task. Considering the proximity of the Japanese islands to China and Russia on the Eurasian landmass, defense in depth is difficult. For this reason, Japan would have to adopt costly methods of deployment, such as keeping part of the Japanese bomber force airborne at all times, to guarantee survivability.

As discussed, although SSBN/SLBM would be the only invulnerable strategic nuclear force that Japan could hope for, it still would not provide Japan with a reliable deterrent if its retaliatory capability ceased to be counter-city alone. In view of the Japanese experience of nuclear devastation, it is far from certain that the Japanese public could psychologically endure a situation in which an opponent threatened a counterstrike against Japanese cities with concentrated populations after Japan had threatened to retaliate against the opponent's cities. To build a strong and convincing deterrent, a Japanese SSBN/SLBM force would have to attain a certain level of counterforce capability, a time-urgent hard-target kill capability in particular, as well as the ability to put an enemy's cities at risk. Deterrence would be robust only if we had the ability to conduct a retaliatory nuclear attack against an opponent's strategic nuclear forces, so that the opponent's anxiety about the threat of nuclear escalation would be heightened.

It is not easy, however, to equip SLBM with a prompt hard-target kill capability. Of the five declared nuclear-weapon states, only the United States has succeeded in giving its SLBM force this counterforce capability, and even the United States, which is proud of its advanced military technology, has spent about twenty-five years on this. Furthermore, in parallel with the effort to develop an SLBM force with powerful counterforce capability, it is advisable to develop MIRVed SLBM. It requires additional years to develop and deploy MIRVed SLBM. It may be claimed that MIRVed SLBM are not an indispensable capability. But if MIRVed SLBM are to be given up, many SSBN must be deployed. It is not financially feasible to build a strategically meaningful force just with single-warhead SLBM. Moreover, in the long run there is no guarantee that a deterrent strategy based on SSBN/SLBM alone would continue to be effective in view of the possible augmentation of antisubmarine warfare capabilities. A deterrent capability based on one type of weapon system is inherently fragile.

Likewise, the political and security repercussions of Japanese nuclear weapon development would be very negative indeed. Most worrisome would be the reaction of Japan's neighboring countries. Japanese nuclear weapon development, even its intention were totally defensive, would be likely to invite caution and countermeasures from China, Russia, and South Korea even in its early stages. As a result, Japan might face a serious security problem before it succeeded in attaining the necessary SSBN/SLBM force. Although nuclear weapons, depending on their survivability and capability, can

have a positive effect in helping prevent war among nuclear powers, Japan's nuclearization may invite a serious security threat well before a strategically meaningful nuclear force can be built and deployed.

Similarly, given that there are few international scenarios in which the United States benefits strategically and militarily from Japanese nuclear weapon development, a decision to develop indigenous nuclear weapons is likely to elicit a negative American response. Nonproliferation of nuclear weapons and other weapons of mass destruction is one of the top priorities of the U.S. foreign policy agenda. More than this, considering that Japan has been the victim of U.S. nuclear attack and that Japan's nuclearization would inevitably lead it to develop a sizable strategic nuclear force, it is unrealistic to believe that the United States would stand by and watch Japanese nuclearization.

In addition, Japan suffers from a lack of the natural resources requisite for producing nuclear weapons. By concluding agreements with Australia, Britain, Canada, China, France, and the United States, Japan imports uranium ore and enriched uranium from these countries. Each of these agreements limits the use of imported uranium and nuclear materials to nonmilitary and peaceful purposes. A Japanese decision to use imported uranium for nuclear weapon development would certainly invite an embargo by the traditional suppliers. Unless Japan succeeds in making a fast breeder reactor fit for practical use and achieves a nuclear fuel cycle, such a halt of nuclear material imports would have a significant impact on the Japanese economy, considering that about 35 to 40 percent of all Japan's electricity is generated by nuclear power.

## **The second alternative to the U.S. nuclear umbrella**

As discussed thus far, the prospects for success of the option of coping with a nuclear threat by indigenous nuclear armament are small. What policy choice, then, is left for Japan? One policy option is to build a worldwide regime that prohibits nuclear-armed states from arbitrarily using their nuclear weapons to threaten or attack any non-nuclear-weapon state. Such an effort would gain support from non-nuclear-weapon states, since the present NPT regime does not provide non-nuclear-weapon states with sufficient security assurances against nuclear threats, while the NPT categorizes the signatories into nuclear-weapon states and non-nuclear-weapon states and prohibits the latter from developing their own nuclear weapons.

One specific means of doing so is to draw up a "negative security assurance" agreement that stipulates that none of the five NPT nuclear-weapon states—Britain, China, France, Russia, and the United States—will use nuclear weapons against any NPT non-nuclear-weapon state, except in the case of an armed attack on an NPT nuclear-weapon state or its allies by an NPT non-nuclear-weapon state allied to or associated with a nuclear-weapon state in carrying out the attack.

To date, the five NPT nuclear-weapon states have repeatedly given negative security

assurances to NPT non-nuclear-weapon states. These assurances, however, have been nothing more than political declarations. If they are to have any real meaning, they must be spelled out in a legally binding agreement. In fact, legally binding negative security assurances against the use of nuclear weapons have long been a goal of non-nuclear-weapon states. The five NPT nuclear-weapon states have provided legally binding negative security assurances to NPT non-nuclear-weapon states that are signatories of a nuclear-weapon-free zone treaty. Recently, in particular since the 1995 NPT Review and Extension Conference, the number of NPT non-nuclear-weapon states eligible for legally binding assurances from all five NPT nuclear-weapon states has increased and amounts to about one hundred today. Moreover, as is evident from negative security assurances announced in April 1995 by the five NPT nuclear-weapon states, the wording of recent statements of this kind is becoming increasingly similar. The only exception to this is China, which has declared an unconditional negative security assurance. In short, the time is riper than ever to implement a global system of negative security assurances.

Such nations as India, Pakistan, and Israel—nuclear powers that remain outside the NPT framework—cannot be urged to abide by legally binding negative security assurances, however. The reason is that making these nations party to a legally binding negative security assurance agreement would be tantamount to legitimizing the possession of nuclear weapons outside the NPT regime. This limitation of negative security assurances can be complemented by the so-called “positive security assurances” that aim to provide assistance and countermeasures through the U.N. Security Council to NPT non-nuclear-weapon states that come under nuclear threat or attack. The five NPT nuclear-weapon states, all permanent members of the Security Council, together declared positive security assurances in Security Council Resolution 984 for the first time. Although any U.N. action for positive security is highly unlikely if any of the five NPT nuclear-weapon states uses or threatens to use nuclear weapons, because of the veto power of the offending nuclear-weapon state, the system can be expected to work if the offender is not one of the permanent members of the Security Council.

Even in that event, however, a veto by a Security Council permanent member cannot be ruled out entirely. To counter such a situation, it would be necessary to establish beforehand some form of rules against the use of nuclear weapons. A clue can be found in an advisory opinion handed down by the International Court of Justice in July 1996. The court declared that except in an extreme circumstance of self-defense, in which the very survival of a state would be at stake, the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law.<sup>3</sup> If this segment of the advisory opinion can be written into law, it should be possible to prevent nuclear-weapon states from politically using their veto power over the threat or use of nuclear weapons. It is hoped that all non-nuclear-weapon states, including Japan, will muster their wisdom and work together for this common cause.

## NOTES

1. Article 6 of the 1960 U.S.-Japan Mutual Security Treaty establishes the “prior consultation” arrangement requiring the United States to consult the Japanese government before making major changes in the deployment of U.S. forces in Japan or in their military equipment or before using Japanese bases for combat operations undertaken from Japan other than those conducted under Article 5 of the Security Treaty. (Article 5 stipulates the United States’ commitment to defend Japan.) Introduction of U.S. nuclear weapons into Japan, including port calls by U.S. nuclear-armed warships, comes under major changes in the military equipment of U.S. forces stationed in Japan and is thus assumed to be subject to prior consultation.
2. Such a scenario assumes that North Korea does not deploy ballistic missiles that can target U.S. cities. If North Korea deploys invulnerable, nuclear-armed long-range ballistic missiles that can reach U.S. cities, the North Korean leadership may mistakenly judge that it can deter the United States.
3. See International Court of Justice, Case Summaries, “Legality of the Threat or Use of Nuclear Weapons.” Advisory opinion of July 8, 1996 (<http://www.icj-cij.org/icjwww/iddecisions/isummaries/iunanaummary960708.htm>).

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