Gender Equality and Multicultural Conviviality in the Age of Globalization

GEMC journal

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Preface

The earthquake which hit eastern Japan on March 11th 2011 was truly dreadful, and unlike any we have known before. We offer our heartfelt condolences to all those affected. We are extremely grateful for all the many warm messages of support and condolence which Tohoku University has received. Our Tohoku University Global COE Program entitled “Gender Equality and Multicultural Conviviality in the Age of Globalization” is committed to academic work on issues caused by and brought to light by the natural disaster.

Our Program established in 2008 at Tohoku University attempts to present solutions for the broad set of problems emerging in a world of advancing globalization. Furthermore, as its primary purpose, this GCOE program aims to cultivate young researchers able to generate deep understanding and effective answers addressing the problems of globalization (for further details please visit the GCOE program’s website available at http://www.law.tohoku.ac.jp/gcoe). Since the second year of this project we have been also able to welcome the participating students of our Cross-National Doctoral Course (CNDC) allowing the GCOE program to unfold its full research capacity.

To aid in achieving its stated purposes and objectives this GCOE program launched a journal which publishes its academic research results in academic year 2008. Adopting the first letters from the GCOE’s program title “Gender Equality and Multicultural Conviviality”, this periodical was named “GEMC journal”. Since academic year 2009, we have published two GEMC journals, English and Japanese volumes every year. Numbers 6 and 7, published in March 2012, both featured articles on the disaster.

As a general rule, the journal is divided into two sections. The first section includes invited articles requested by members of the journal’s editorial board and features papers based on presentations held at one of the GCOE’s workshops, as well as research articles from program members. In order to provide young researchers the opportunity for publishing their research work, the second section of this journal features submitted and reviewed articles. The journal accepts articles related to the GCOE’s program regardless of the author’s academic status and qualifications, and invites the authors of articles considered for publication to present their work at a workshop and to share the results of this research work. All submitted papers are subject to a review process conducted by the Referee Board established within the Editorial Board of this journal. Given the broad nature of themes the submitted papers cover, this Referee Board evaluates the articles by inviting additional opinions from anonymous experts from each article’s academic field. Based on these evaluations the Referee Board aims to provide a firm and fair review process. We would like to express our deepest gratitude to all external experts who have been kind enough to provide their help in offering their opinions on the various articles.

Accompanying the advancement of globalization, the differences created by gender, nationalism, community and generation have caused severe and structurally entangled negative effects for society. This GCOE program was initiated to support the seeking of ways to overcome these negative effects and to construct a society sharing a plurality of cultural values. In 2008, the year of the GCOE program’s founding, the world was been dominated by the globalization issue of the financial crisis spreading from its epicenter in the United States of America. The Great East Japan Earthquake, which hit at a time of global economic crisis, made the difficult issues facing Japanese society far graver. Yet, while this crisis has created challenges of a complex and immediate nature, this GCOE program wishes to create through academic ventures reliable and sound research building the foundations for addressing these challenges. Therefore, we hope that this GEMC journal represents one effort in this endeavor.

March, 2012
GEMC journal Editorial Board
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GENDER ISSUES IN DISASTER PREVENTION, DISASTER RELIEF AND RECONSTRUCTION PROCESSES IN JAPAN

HARA Hiroko

I. Limited Review of International Trends

Of the references I enumerated, works by Keiko Ikeda (Faculty of Education, Shizuoka University), who is specialized in social geography and South Asia studies are of prime importance. She has conducted fieldwork (1996, 2009, etc.) in Bangladeshi farming villages. To examine gender and development, disaster response of farming village residents and women’s participation in community disaster prevention. Her dedicated research in this area is ongoing (Ikeda 2011a, b, c).

II. Disaster Prevention and Gender issues in Japan

In 1990, before the Great Hanshin-Awaji Earthquake, Nihon Bosai Hyakunenshi (100-year Record of Disaster Prevention in Japan) was published by Kokkai Shiryo Hensankai. This publication includes a chronological table covering the period from the first year of Meiji (1868) through to the end of the Showa period (1989), but there is only one mention of special considerations for the elderly and none at all of gender issues.

1. The Great Hanshin-Awaji Earthquake, January 17, 1995

(1) Overcoming the difficulty of gaining access to statistics on earthquake-caused deaths (by age, gender)

Since the Great Hanshin-Awaji Earthquake, local/national governments have begun to release gender/age-disaggregated data on the number of dead saying it is extremely difficult to ascertain correct figures and a heavy load to calculate (Table 1). Overall, the number of women who died was greater than the number of men, and the number of deaths of elderly women was particularly high because there are more elderly women than elderly men.

Ideally a cross-tabulation showing socio-economic factors like whether the casualties were
on social welfare or whether they paid high taxes, should be made available (even though it might be technically quite difficult). It is often mentioned that there was more damage among the poor because they live in disaster-prone areas without firm ground that have lower property values. The relationship between gender and class is another issue to be investigated.

(2) Activities by women

Among reasons this theme “disaster prevention and gender issues” has been getting so much attention is the activities of “Women’s Net Kobe.” This NGO was originally involved in activities in the Kobe area aiming to increase the number of women members of the Kobe City Council and the Hyogo Prefectural legislature. This NGO had been active even before the Hanshin Awaji Earthquake on January 17, 1995. One of its early activities was to set up a “Women’s House” which was to function as an information exchange hub. This house was lost in the earthquake, but because the group was already set up and running, it was able to provide extensive as well as systematic support to earthquake survivors. Establishing a support hotline for domestic violence survivors after the earthquake deserves special mention.

In due course, Women’s Net Kobe compiled records and published a book (Women’s Net Kobe ed. 1996), but it was not until nearly a decade after the earthquake that it became well-known within and outside Japan (Masai, Kuzunishi, and Kondo 1998). In line with the group’s original intentions, their representative, Reiko Masai, stood for the Kobe Council elections in 1995, but was not elected.

Women’s Net Kobe’s original objective was brought to some kind of reality when the Act Concerning Support for Reconstructing Livelihoods of Disaster Victims (May 1998) was passed due to the efforts of Tomoko Nakagawa, a member of the lower house of the national Diet who was from Takarazuka, Hyogo Prefecture (Mayor from April 20, 2009, now serving her second term which ends in 2013).

2. Action taken by the Council for Gender Equality, Cabinet Office

Regarding the Council for Gender Equality, Cabinet Office, in 2002, seven years after the Great-Hanshin Awaji Earthquake, Kaoru Honoki,
a professor at Kobe University (as of 2002) and Reiko Masai, leader of Women’s Net Kobe, reported the situation of women victims at the Earthquake at a meeting of the Cabinet Office’s Impact Survey Case Study Research Team (henceforth ISCRT, Mari Osawa, the secretary general of the Human Security and Gender Committee of the Science Council of Japan, was also a member). This report had such an impact on committee members and government officials that disaster issues were included in the second and third Basic Plans on Gender Equality.

We saw some progress in the government’s response to the Chuetsu Earthquake in October 2004 and then the Indian Ocean Earthquake and Tsunami in December 2004. Partly because of, a lasting influence of the ISCRT of 2002, when the Chuetsu Earthquake occurred, a female officer from the Cabinet Office Gender Equality Bureau was dispatched to the support and countermeasure office of the affected area in order to make sure that women’s points of view were reflected in the support activities. This was the first time that government responses had included the gender issue. When the Indian Ocean Earthquake and Tsunami occurred in December 2004, Japan immediately made a donation of 1 million dollars through the United Nations agency UNIFEM. The Japanese government’s response to the disasters in Indian Ocean is mentioned in the White Paper on Disaster Management FY2006 (2006, Vol. 1, Chapter 4-1, 1-3).

Following this, from 2004 through 2005, the Council for Gender Equality and the expert committee on the Basic Plan on Gender Equality, began to debate disaster prevention policies from a gender perspective. In the Second Basic Plan on Gender Equality we find a new field, “Priority field 12: Promoting gender equality in fields requiring new initiatives.” This includes disaster prevention in addition to other fields such as science and technology, community development, town planning, tourism and environment.

The Third Basic Plan on Gender Equality (approved by Cabinet on December 17, 2010) includes the disaster prevention field from the point of view of gender equality, as a part of Priority field 14. Specifically, in the contents of this plan, Priority field 14 is “Promoting gender equality in the area of regional development, disaster prevention, environment and others.”

3. Event at Japan Women’s Conference, Hiroshima (October 19-20, 2007)

In the private sector, each year the Japan Women’s Conference is held in a different city across Japan, usually a prefectural capital. There are many people involved in organizing the conference, including city office employees, women and men from NPOs/NGOs. At the Women’s Conference held in Hiroshima in 2007, a session titled “Including women’s views into disaster prevention measures” was held (Organizing Committee of Japan Women’s Conference, 2007, Hiroshima (ed.) 2007).

4. “Disaster and women’s empowerment” at the FY2005 International Forum on Women’s Learning, National Women’s Education Center

A session on “Disaster and women’s empowerment” was held at the FY2005 International Forum on Women’s Learning in the National Women’s Education Center and lively discussion from a wide range of perspectives took place, speakers from abroad also contributing (NWEC 2005).
5. “Conference on disaster prevention for women” and the “Anamizu Declaration”

On March 25, 2008, at Anamizu Town in Ishikawa Prefecture, a conference on disaster prevention for women was held and the “Anamizu Declaration” was proclaimed. Members of an NGO set up by disaster survivors in the Kobe region to help recovery efforts came to support Anamizu residents immediately after an earthquake occurred there in 2007, and this created the momentum for the Conference event. It seems that the experience of Kobe meant a lot to the people of Anamizu, as “the people from Kobe didn’t just come and give moral support, they were a great help when it came to concrete detailed responses.”

6. Special Committee on Gender Equality, National Governors’ Association (chaired by Akiko Domoto, Governor of Chiba)

The Special Committee on Gender Equality under the National Governors’ Association (NGA) deemed disaster and gender and disaster prevention and gender as important issues nationally and conducted a survey on them (Special Committee on Gender Equality, National Governors’ Association 2008). When Akiko Domoto became the Governor of Chiba Prefecture in 2001, there were four female Governors participating in the NGA and they were joined by several other Governors in the Special Committee to develop the project. Surveys titled “Disaster prevention measures from the point of view of women and local residents” were sent to all prefectures and municipalities in Japan. Responses were received from all prefectures and 1,746 municipalities (96.6%), the survey also being carried out in municipalities within the prefectures. In response to recommendations from the Prefectural Governors, many Prefectures created a base to build a framework for integrating the local government’s policies on women’s participation in disaster prevention into actions from the planning stages at township and village levels.

7. Review of White Paper on Disaster Management

I reviewed White Papers on Disaster Management from 2001 through 2010 to analyze descriptions on women and gender. First, women have been participating in the volunteer fire corps’ national conferences etc. under the name of “Women’s Fire Prevention Club.” Originally it was the fire corps’ “wives of officers” group, but I feel that they are gradually becoming more involved in system-building in the community.

In the FY2006 issue, there are a number of places that deserve attention. On December 26, 2004, the Indonesian earthquake occurred and in January 2005, a special ASEAN leaders’ meeting was held in Jakarta. Japanese Prime Minister at the time, Mr. Koizumi stated that as Japan was part of Asia, it would be supporting relief efforts as much as possible in the three areas of monetary, technical and personnel contributions.

8. Final Declaration of the Asia and Pacific NGO Forum on Beijing + 15

In 1995 the 4th World Conference on Women was convened by the UN in Beijing and government leaders participating in the Conference adopted the Beijing Platform for Action identifying 12 comprehensive critical areas of concern to be addressed globally. Following this, every year in the spring at the UN Headquarters in New York, the Commission on the Status of Women is held over two weeks, discussing mainly set themes. The
2010 session marked 15 years since the Beijing Conference and to commemorate this, in each of the UN’s five regions, large-scale inter-government meetings and NGO forums were held. The Asia-Pacific regional NGO forum was held in October 2009 in Quezon City, a part of the Greater Manila. In the declaration that was adopted, especially concerning disaster and women, mention is made of what kind of problems may occur (sexual abuse, factors caused by cultural situation, others). As well, cases where women are extremely disadvantaged when it comes to recovery efforts are also mentioned.

9. UN World Conference on Disaster Reduction (WCDR) and the Asian Conference on Disaster Reduction

Regarding the UN, as part of the International Decade for Natural Disaster Reduction, the World Disaster Reduction Conference was held in Yokohama in 1994, adopting the “Yokohama Strategy and Plan of Action for a Safer World.” There was no specific mention of gender or women in this “Strategy.” However, in the “Hyogo Framework for Action 2005-2015” which was adopted at the UN Disaster Reduction Conference held in Kobe about ten years later, reference is made to an outcome document of the 23rd Special Session of the UN General Assembly “Women 2000: gender equality, development and peace for the 21st Century” and this framework mentions paying attention to gender-sensitive disaster countermeasures.

Within Asia, the ADRC—Asian Disaster Reduction Center was established in Kobe in 1998 and since 2002 the Asian Disaster Reduction Conference has been held once almost every year. It has been held in Japan in 2003, 2009 and 2010, at Kobe. In the conference summary of the 2010 Kobe Conference it says: “In line with the ASEAN Charter, the AADMER (ASEAN Agreement on Disaster Management and Emergency Response) work program 2010-2015 will also promote a more people-centered disaster risk reduction, by including issues related to vulnerable groups such as children, elderly and people with disabilities as well as gender perspectives” (ADRC 2010). This surely bodes well for the conference’s host country, Japan—for the progress of both domestic and international practice, except the fact that Japan’s Basic Act on Disaster Control Measures, last revised on August 31, 2011, has no mention of gender and women’s issues.

III. Conclusion

Measures for disaster prevention and disaster response in Japan, at the national, prefectural and municipal level must include not just men but women, the elderly and persons with disabilities from the stage of policy-making. Especially in some communities in Japan, mature-age men are out at work, leaving only elderly and family members with disabilities in the home. It is necessary for these people to have a say in how to handle these types of cases and it is mainly municipal units that must respond to these needs. For this to happen, prefectural governors and local mayors must have strong awareness of the issues, including disaster prevention, immediate response to disasters, management of evacuation centers, temporary housing design, medical and health services, individuals and public opinion and reopening and rebuilding of businesses. Moreover, women, the elderly, persons with disabilities and children should also be a part of decision-
making team regarding the contents of measures and making individual proposals for the recovery process.

It has also been confirmed that the disaster prevention perspective has been included in the amended Basic Act for Persons with Disabilities. On July 29, 2011, this amended law, designed to overcome cases of miscommunication of information to people with disabilities during the Great Tohoku Earthquake, was passed in the upper house of the Diet, making it compulsory for the national and local governments to set disaster prevention and crime prevention measures that take into account the situation of people with disabilities (NHK News, broadcast at 16:44, on July 30, 2011).

It is also necessary to implement gender perspectives of diverse actors into the area of international cooperation. This issue is being addressed by Kishie Shigekawa, a member of the “Human Security and Gender Committee” of the Science Council of Japan (SCJ) (Professor at Graduate School of Environment and Disaster Research, Fuji Tokoha University) as well as Keiko Ikeda (Shizuoka University), as mentioned previously. There are a few scholars undertaking this type of research, but their number is small and must be increased.

Finally, it is necessary to publish and promote books such as The book of how to protect your children from earthquakes (Nobue Kunizaki 2001) and 50 ways to protect children from crime (Nobue Kunizaki 2005) which are useful for people in everyday life.5

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English

Notes
On June 11, 2011, I received a copy of Never Forget—Women’s Reconstruction from Earthquake which was published by the association to promote reconstruction by women and recovery after the Niigata Chuetsu Earthquake. This publication is a record of a symposium, held in October 2009 to commemorate the 5th anniversary of the Great Chuetsu Earthquake on October 23, 2004. It also includes writings on experiences and thoughts immediately after the earthquake occurred. I would like to express my respect for the women of Niigata, as well as the women of Kobe, for their involvement and for publishing this information.

1 This paper is mainly based on the author’s oral presentation made at the Committee on Human Security and Gender in the Science Council of Japan (SCJ) on November 30, 2010 and a few comments were added in July, 2011.
2 As an addition to this report, I would like to point out that poorer classes of people were not the only ones to suffer the damage by the liquefaction of reclaimed land along the coast in Chiba, caused by the Tohoku Earthquake on March 11, 2011.
3 The White Paper on Disaster Management FY2009 (p. 21) also refers to the “Conference on disaster prevention for women” and the “Anamizu Declaration”: “Through the spread of such activities, disaster prevention measures that reflect women’s needs will be fostered; it is also hoped that more women will participate in community disaster prevention.”
4 http://www.nga.gr.jp/english/roughly/rougtop.html
5 Despite this base, it seems that many municipalities especially at the township and village levels failed to place emphasis on gender perspectives at the time of the Great East Japan Earthquake on March 11, 2011.
6 On June 14, 2011, after this presentation was made, the White Paper on Disaster Management for 2011 (which sets out the overall measures related to disaster prevention and the plan for disaster prevention in FY2011) was approved by Cabinet and presented to parliament. In this white paper, the death toll in Iwate, Miyagi and Fukushima Prefectures due to the Great Tohoku Earthquake (up until April 11, 2011) was broken down by age and compared with the age composition of the local population (as of September 1, 2010) (p.12). However, there is no breakdown by gender. There is only one table showing the number of deaths by age and gender in the reference data (p. 100). It is hoped that in future there will be a deepening and progression of awareness regarding the necessity of responding to diverse communities (gender, age, disabilities, language—level of understanding of Japanese) in disasters.
8 I would also like to recommend, from the point of view of learning from Japan’s past experiences, Sanriku kaigan ootsunami (The Sanriku coast giant tsunami) (Yoshimura 2004a) and Kanto daishinsai (The Great Kanto Earthquake) (Yoshimura 2004b).
SETTLEMENT IN POLLUTION CASES:
Contribution to the Dispute Resolution of the Fukushima Nuclear Power Plant’s Melt Down

KABASHIMA Hiroshi

I. Preface

Pollution disputes are to define as cases in which the life and health of the human being is injured seriously by man-made harmful chemicals diffused in the human environment. There are several types of pollution cases in Japan in a wide sense, firstly the industrial pollution like as the big four pollution cases in 1950s, secondly the drugs and foods poisoning like as the SMON disease and the Kanemi Oil disease, thirdly the noise and air pollution from undesirable institutions like as airports, military camps, nuclear power plants and so on.¹

One of the ways to resolve these different pollution disputes is the civil litigation, in which the victims as plaintiffs claim the payment for damages based on the tort law liability of the polluter. In Japan, however, only a few cases have been resolved by the judgment of the court, but mostly by the settlement reached either within or outside of the litigation process. In some cases, indeed, not only the dispute parties achieved the settlement, namely the settlement between the victims on the one side and the private enterprise and the central as well as local government on the other side, but also the parliament as legislator has enacted the statute for the remedy measure, which articulates the provisions of the settlement and has binding force to the dispute parties as well as to the third parties of unattended latent victims.

My report on hand would like to clarify the merit and demerit of settlement, litigation and legislation as legal ways to resolve pollution disputes, so as also to analyze the legal framework of compensation for the Fukushima radiation leak arranged by the legislator. For this purpose, I would like to bring out my own historical overview about the legal way of dispute resolution in Japan in terms of the pollution cases.
II. Preparing consideration - Three types of law and separation of powers

At the beginning, I would like to make a general remark about the theoretical framework of my report on hand in view of a jurisprudential approach to the environmental law.

In the field of jurisprudence in Japan, Shigeaki TANAKA developed the typology of law, which divides different laws into three types: firstly the universal type of law, for example, contract, property, tort, criminal law or also constitution and human rights etc., secondly the control oriented type of law, for example, city planning law, education law, competition law, consumer law etc., and thirdly the autonomous type of law, for example, unwritten custom law of community, prescriptive contract stipulations etc.4

Seen from this typology, the field of environmental law extends widely from administration law to tort law, namely from the control oriented type to the universal type of law. As a part of administration law, environmental law works in preservation of natural environment and precaution against pollution, in concrete also precaution against global warming etc., and it belongs so far to the control oriented type of law. However, once the environmental pollution causes damages to the human life and health or also to the private property, tort law should be applied in order to resolve the environmental dispute with a fair result of compensation. In these issues, environmental law functions as a part of tort law, and belongs so far to the universal type of law.

In the area of the environmental administration law, the parliament and the government, that is the political part of the state organization, should operate the control function over production and consumption activities of the private sector. This is usually put into practice in the way that the legislator provides the statute, according to which the government regulates private activities in favor of environmental preservation. Generally speaking, this idea is named as constitutionalism, or rather Rechtsstaat in German legal theory.5 While in dispute cases, indeed, the private party can bring a public law action seeking for the legality of the administrative measure and also the constitutionality of the legislation, the main purpose of the environmental administration law is to regulate private activities in favor of environment in advance of pollution, and not to recover pollution damages afterward. For this reason the political body should play the prior role in the environmental administration law.

In the area of environmental tort law, on the contrary, the court of law, that is the judicial power of the state organization, should play the central role. Thereby the legal action initiated by the private party is the key factor in operating the tort law system. This is because the court of law will not and can not consider any remedy for pollution victims until they files the damage suit against the polluter. In the abstract, the main function of the judiciary is to resolve the dispute case in the way that the court of law applies the general rule of the positive law to the individual concrete case. This idea would be correspondent to the principle of rule of law in Anglo-American common law culture, which means something different in nuances from constitutionalism in continental civil law culture.6

In Japan, however, not a few of pollution cases were not resolved through the judicial procedure, but often in form of the private settlement outside of the court, or sometimes in form of the special remedy act provided by the legislator. Here arises
the question from the jurisprudential point of view, whether Japanese pollution cases have been and will be resolved in accordance with the idea of rule of law, namely the fair distribution of right and duty among the concerned parties.

III. Historical overview of Japanese pollution cases

1. Three stages of the dispute resolution of pollution cases in Japan

It seems to me that the dispute resolution of environmental cases in Japan can be divided into three stages in view of its historical development since Meiji era. The first stage is from 1890s to 1960s when the environmental cases were mainly resolved by means of private settlement, for example, the Ashio Mining pollution case, the Edogawa Paper Manufacturing pollution case etc. The second stage is from late 1960s up to present, that is the period since the big four pollution suits, when the environmental cases have mostly been resolved through the judicial procedure, for example beside the four big pollution cases, the Osaka Alkali incident, the Morinaga Dry Milk incident etc. The third stage has newly emerged for the last decade when the parliament has been involved in the dispute resolution of the individual pollution cases, based on the legal scheme of the Compensation Act for Pollution Victims” of 1973, for example, the Compensation Act for Asbestos Victims of 2006, the Remedy Act for Victims of HCV tainted Blood Products of 2008.

2. The first stage of the settlement

(1) Three major cases

The first major pollution case in the Japanese modern industrialization history was the case of Ashio Mining Pollution. Furukawa Mining Company purchased the Ashio Mine in Tochigi Prefecture in 1877, which caused the air, water and soil pollution with toxic oxide and copper compounds. In 1890 the farmers and residents on site suffered severely under health and property damages because of poisoned crops and poor harvest, and some of them were killed or born dead. Without filing a damage suit, the victims

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<th>Air, soil and water pollution by oxide and copper compounds</th>
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<td>Furukawa Mining Co.</td>
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<td>Poor harvest of rice; death, stillbirth</td>
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<td>1896</td>
<td>Permanent private settlement 30,119 JPY to 5127 victims: 6 JPY per capita</td>
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<td>1907</td>
<td>Yanaka village destroyed</td>
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<td>1958</td>
<td>Decrease of fish catch Struggle between fishers and guards during bargaining Private settlement: 40mio JPY for 8 fisherman’s guilds; Cf. 306mio claimed</td>
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<th>Yokkaichi Kombinat sea water pollution</th>
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<tbody>
<tr>
<td>1938</td>
<td>Ishihara Industry plant</td>
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<td>1958</td>
<td>Cosmo Oil Co.</td>
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<tr>
<td>1959</td>
<td>Mitsubishi Chemical Co.</td>
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<tr>
<td>1962</td>
<td>Private settlement: 100mio JPY for 5 fisherman’s guilds; Cf. 3bio JPY claimed</td>
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</table>
reached the permanent private settlement with the polluter company in 1896, which provided only 6 JPY pro person with the waiver close for the victims to give up claiming any compensation more permanently.

The second example would be the case of Edogawa river water pollution. Honshu Paper Company, founded in 1922 and Oji Paper at present, polluted the Edogawa River on the border between Tokyo and Chiba Prefecture severely in 1950s with oxide compounds included in its waste water. Fishers suffered under the decrease of fish catch, and struggled against pollution with claiming compensation for damages. After the violent battle between the fishers and the guards of the company, the both parties reached the private settlement in 1958, which provided the compensation of 40 million JPY for the 8 fisherman’s guilds, a small amount compared with the claim of 306 million.

The third example would be the sea water pollution by the Yokkaichi Kombinat, above all by the chemical plants of Ishihara Industry founded in 1938, Cosmo Oil founded in 1958 and Mitsubishi Chemical founded in 1959. Here also fishers on site, where is famous the Ise Lobster, suffered under the decrease of fish catch, and struggled against pollution with claiming compensation for damages. In 1962 the 5 fisherman’s guilds and the companies in the kombinat reached the private settlement, which provided 100 million JPY, that is also a small amount compared with the claim of 3 billion JPY.

(2) Features of the settlement
I would like to identify some features of the settlement in view of Japanese way of dispute resolution.

Firstly, it is worthy to remark that the dispute was resolved by means of settlement, even though the victims committed nothing to be imputed to, while the settlement contract in general is based on the reciprocal concession after the Article 695 of the Japanese civil code. The settlement contract was named sometimes as monetary gift contract (mimai-kin keiyaku) or also as permanent private settlement contract (eikyu jidan keiyaku).

Secondly, the bargaining for settlement was often mediated by the meaningful politician on site, sometimes by the member of the national parliament, or also by the governor of the prefecture government. In these circumstances, the group of victims took lobbying actions in the political process, which did not grow to the civic movement or mass movement in form of grass roots democracy.

Here we can identify the merit and demerit of the settlement. It was certainly a merit for the pollution victims not to pay any costs for bargaining in cash by themselves, because they could expect that the politician, who mediated the negotiation, would surely bring them at least some amount of compensation for damages, and therefore they did not need to worry about losing the dispute. This merit for them included, however, those negative side effects. They must be content with a small amount of compensation compared with their lost profits, because the polluter company was ready only to pay within his gain and not obliged to pay the total amount for damages. In addition, the settlement contract provided, in general, the waiver clause, with which the victims should give up any claim more, so far as the settlement meant the ultimate resolution of the dispute. Based on such a permanent settlement like this, the polluter company could continue his production activities, which caused more serious pollution after the settlement.
3. The second stage of the litigation

(1) Three examples of the damage suit

The situation of the first stage would not be changed without the legal action of victims against the polluter company, which was started not until with the Second Minamata Disease litigation in Niigata in 1967.

Before that, it was difficult for the pollution victims to bring a damage suit, initially because the Supreme Court declared in the judgment on the civil suit against the Osaka Alkali Company in 1916 that the production activity of the factory should not be held liable for damages, so far as some adequate equipments were installed to avoid the pollution. Osaka Alkali incident was the air pollution by the waste gas containing sulfuric acid from the polluter factory around 1900.\textsuperscript{11} 37 farmers residing ca. 220m far from the factory filed the damage suit claiming for the compensation for the property damages of poor harvest in 1906. The plaintiffs won the first and the revision instance, but the Supreme Court returned the suit to the high court which did not consider if the factory installed adequate equipments to avoid the pollution. The high court again declared the factory liable in 1916 because of lack of adequate equipments, so that the plaintiffs won the suit finally.

The second remarkable case would be the Morinaga Dry Milk litigation filed in 1956.\textsuperscript{12} Morinaga Dry Milk incident was the case that the babies were severely poisoned by being fed on the dry milk contaminated with arsenic produced by Morinaga Milk Co. around 1955. It seemed easy in the early phase of the incident for the plaintiffs to prove the negligence of the company. However, the criminal court declared the director of the factory not guilty to causing death or injury through negligence\textsuperscript{13} in 1963. After that, the plaintiffs, mainly parents of the victimized babies, withdrew the damage suit in 1964, because they found it difficult to prove the negligence of the factory in the civil suit procedure, so as that they chose the way of the private negotiation with the causer company outside of the court and reached the private settlement in 1973.

\begin{table}[h]
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\begin{tabular}{|c|l|}
\hline
Osaka Alkali Incident & Air pollution by sulfuric acid  \\
1879 & Foundation of the Osaka Alkali Co.  \\
1906 & Poor harvest of rice; 37 farmers filing the damage suit  \\
1910 & Plaintiff's win the first instance  \\
1916 & Reverse at the supreme court  \\
1919 & Final win of the plaintiffs at the high court  \\
\hline
Morinaga Dry Milk Incident & Baby poisoned by arsenic in dry milk  \\
1917 & Foundation of Morinaga Milk Industry  \\
1955 & Appearance of the victimized babies  \\
1956 & 53 victims filing the damage suit  \\
1963 & Not guilty of causing enterprise at the criminal suit  \\
1964 & Plaintiffs withdrawing the damage suit  \\
1973 & Settlement  \\
\hline
Niigata Minamata Disease Incident & Water pollution and fish poisoning by organic mercury  \\
1934 & Building the Kanose chemical plant  \\
1956 & Appearance of the First Minamata Disease in Kumamoto Pref.  \\
1965 & The Second Minamata Disease caused by the Kanose chemical plant in Niigata Pref.  \\
1967 & 77 victims filing the damage suit  \\
1971 & Plaintiff's win: total 270 mio JPY, 1-10 mio per capita  \\
\hline
\end{tabular}
\caption{Timeline of the pollution incidents}
\end{table}
The first successful civil suit for pollution damages was the Second and Niigata Minamata Disease litigation filed by 77 victims in 1967. The polluter was the Kanose chemical plant of Showa Denko Company, who produced plastic materials and whose waste water polluted Agano river with organic mercury, which caused severe nervous disease leading to death. The Niigata District Court judged in 1971, about forty years ago, that the polluter company should compensate the plaintiffs for health and property damages in total amount of ca. 270 million JPY, that is in amount of 1 to 10 million JPY to each plaintiff according to the degree of his health damages.

(2) Features of the litigation

Here again I would like to identify some features of the damage suits in pollution cases.

Firstly, it is characteristic in the mass damage suit like as the Niigata Minamata Disease litigation that the plaintiffs claimed the uniform consolation money instead of lost profit of each plaintiff, because they wanted to keep themselves in solidarity coming from the idea that each person should have the same value as a human being.

Secondly as a matter of course, the bargaining agents were mainly lawyers within as well as outside of the legal procedure. Thereby it was remarkable that the supporter group of plaintiffs was formed by ordinary citizens as well as specialists in science who felt sympathy with them, so as that they could carry out the struggle in the court against well financed lawyers and specialists of the defendant company. In this sense, the damage suit of pollution cases appeared as the battle between the grass roots civic movement and the economical and industrial power represented by the Japan Business Federation.

Here we could find out the merit of the litigation. Because the legal process was carried out by the lawyers, the outcome of it was a fairer one. This means that the amount of the compensation judged by the court must be much higher than the payment in the private settlement, even thought it was in general not sufficient compared with the lost profit claimed by the plaintiffs. Furthermore it was also the merit of litigation that the judgment of court declared the production activity of the causing company to be liable and illegal, so as that the enterprise should stop producing so as to observe the law.

On the other hand, there are also some demerits of the litigation. First of all, the victims themselves had to pay the bargaining costs to file the suit, in form of the filing fee and the lawyer’s consultation fee, even though they were mainly simple farmer and fisher with a small income. In addition, they had to spend much time until they won the suit, for example, the plaintiffs of the Kansai Minamata Disease litigation filed the suit in 1982 and won it finally at the Supreme Court in 2004, so that it took 22 years to get the compensation for damages. Further more in view to the outside of the court, there were many pollution victims who did not file the damage suit, partly because they worried about losing the suit, partly because they did not want themselves to be known as the pollution victims for fear of losing job or discriminated in the society. For these latent victims or rather third parties outside of the court, the judgment of the court could not provide any remedy, so that they were left unattended, especially because the Japanese legal system did not and do not know up to today such legal institute like as the class action in the opt-out style as known in common law system.

4. The third stage of the legislation

(1) Three statutes

The government considered the situation of those unattended victims as serious and took
a comprehensive measure in form of statute to provide them the legal remedy, that is the Compensation Act for Pollution Victims enacted in 1973. About 50,000 victims have been designated as patients of the four typical pollution diseases of asthma, Minamata disease, cadmium poisoning and arsenic poisoning. The designated patients can receive the uniform compensation for damages from the polluter company as well as the medical care and the handicapped pension, and the bereaved family of them can receive either pension or compensation. The public support of medical care and pension are payed by the Environmental Restoration and Conservation Agency (ERCA) financed by the polluter companies and the automobile taxation. This statute has worked as the basic legal scheme of remedy for pollution victims. Adopting a similar legal scheme like this, the parliament legislated the Remedy Fund Act for Pharmaceutical Side Effect Damages in 1979, which provides the compensation and the medical care together with the pension for the victims suffering under the harmful effect of drugs like as the victims of the SMON (subacute myelo-optic neuropathy), the thalidomide side effect etc.

In recent years, there have arisen some serious issues besides the unattended victims of the typical pollution diseases or of the harmful side effect of drugs. The national parliament legislated special remedy acts for each of them. We are going here to look in two examples of those remedy acts.

The first example would be the Compensation Act for Health Damages caused by Asbestos enacted in 2006. The exposure to asbestos causes mesothelioma and lung cancer. 4,000 victims, that is a half of the total number of asbestos victims, have received the medical care and the pension from the worker’s insurance. The rest half, who were left unattended because they are not workers but residents near the polluter or independent

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<th>Compensation Act for Pollution Victims in 1973</th>
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<td><strong>Background</strong></td>
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<td><strong>Concerned</strong></td>
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<td><strong>Remedy</strong></td>
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<td><strong>Financing</strong></td>
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<th>Compensation Act for Health Damages caused by Asbestos in 2006</th>
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<td><strong>Concerned</strong></td>
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<td><strong>Remedy</strong></td>
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<td><strong>Financing</strong></td>
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<th>Remedy Act for Victims of HCV tainted Blood Products in 2008</th>
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<td><strong>Concerned</strong></td>
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<td><strong>Financing</strong></td>
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craftsmen working on contract, can now receive the medical care and pension in the name of health allowance based on the compensation act. In order to finance this social welfare payment, polluter companies and the government set up the Remedy Fund for Health Damages caused by Asbestos.

The second example would be the Remedy Act for Victims of HCV tainted Blood Products enacted in 2008. There assumes to exist more than 10,000 exposed to Hepatitis C Virus through transfusion of tainted blood products. About 1,000 of them, namely 10%, reached settlement based on the remedy act with the government, who was declared as liable for the damages in the judgment of the state reparation suit. The designated patients can receive the compensation in the name of allowance in amount of 40 million JPY by death or cancer, 20 million JPY by chronic hepatitis and 12 million JPY by HCV infection. In order to finance this compensation, the pharmacy industry by 2/3 and the government by 1/3 payed for setting up the Remedy Fund for HCV Carriers.

(2) Features of the legislation
Hear again I would like to identify the characteristics of the legislation concerned with pollution issues.

Firstly, the legislator enacted the remedy act under the condition that the victims have once filed the damage suit and the court of the first instance has already passed the judgment on it. This means that the provision of the remedy act and the amount of the compensation is usually based on the judicial judgment. Therefore, so far as pollution cases are concerned, the legislative way of dispute resolution depends on the judicial procedure initiated by the pollution victims.

Secondly, the government played an essential role in the negotiation process of the legislation, because she was, in most cases, the defendant of the damage suit and was held liable for damages in the judicial judgment. Therefore she was very concerned with reaching a settlement with the plaintiffs. If the both parties of the government and the victims achieved the settlement, the former articulated the agreement in form of a statute draft, which the legislator deliberated and enacted. This political process is based on the Japanese constitution and parliament system after the Westminster model.

Here we could find out the merit of the legislative way of dispute resolution. If the remedy act is enacted, all the victims can receive the compensation in form of medical care and monthly payment of pension, and they do not have to file the damage suit, to bear the legal struggle paying the consultation fee for lawyers and to wait for a long time to win the suit definitively.

At the same time, the legislative way of dispute resolution includes those demerits. The budget for the legislative remedy measure is not limitless but depends on the political decision in accordance with the financial situation, and therefore it is not guaranteed for the victims to receive the whole amount of lost profits, but they need to be ready to compromise. In addition there is a more serious problem, in fact, that not all the victims can be compensated with the remedy act, because the scientific authority, usually the specialist commission formed by famous medical doctors and professors, decides whether the applicant should be designates as a victim of the pollution disease or not. In other words, the causation between the pollution and the symptoms of the patient is decided not by the lawyers or rather judges in the court of law, but by the specialist committee set in and financed by the government. There would be a room of doubt whether the committee would be corrupt, which gets the salary from the government and knows that the designation leads to the expenses of the government.
IV. Legal Scheme of Compensation for Fukushima Radiation Leak

1. Overview of the legal scheme

The compensation scheme for victims of Fukushima radiation leak can be understood in comparison with the legislative way of dispute resolution in recent years, because it is based on the two statute, firstly the Compensation Act for Nuclear Damages enacted in 1961 and secondly the Act of Support Organization for Nuclear Damages enacted after the earthquake on the March 11th 2011 in the Offshore Pacific of North Eastern Japan. In this legal scheme, there are three categories of the affected persons who can claim the compensation for damages against the liable agent Tokyo Electric Power Company (TEPCO). The first group consists of 60,000 residents who lived in the mandatory evacuation area within the 20 km distance from the Fukushima nuclear power station, and 40,000 residents who lived in the voluntary evacuation area.

<table>
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<tr>
<th>Legal sources:</th>
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<tbody>
<tr>
<td>Compensation Act for Nuclear Damages 1961</td>
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<tr>
<td>Government Ordinance of Examination Committee for Nuclear Disputes 1979</td>
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<tr>
<td>Act of Support Organization for Nuclear Damages 2011</td>
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<thead>
<tr>
<th>Concerned parties</th>
<th>Area</th>
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<tr>
<td></td>
<td>60,000 mandatory refugees from 20km area</td>
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<td>40,000 voluntary refugees from 30km area</td>
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<tr>
<th>Concerned parties</th>
<th>Occupation for example</th>
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<tr>
<td></td>
<td>Farmers, fishers or other industry damaged in account</td>
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<tr>
<td></td>
<td>Workers having lost job or salary</td>
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<td>Others indirectly affected like as tourist industry</td>
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<th>Concerned parties</th>
<th>Compensation in causation</th>
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<td>Inspection costs</td>
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<td>Evacuation costs</td>
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<td></td>
<td>Health damages</td>
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<td>Solatium: 100,000-120,000 JPY per month</td>
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<td>Loss in business account</td>
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<td>Loss in salary</td>
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<td>Tainted property</td>
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<td>Loss in value of estate</td>
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<td>Loss in business caused by rumors</td>
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<th>Concerned parties</th>
<th>Mediation for settlement</th>
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<td>Mediation panel,</td>
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<td>Mediation office,</td>
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<td>Examination committee built within the administration</td>
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<th>Concerned parties</th>
<th>Support organization</th>
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<tr>
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<td>supporting the compensation for damages</td>
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<td>paying the compensation via TEPCO</td>
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<th>Concerned parties</th>
<th>Financing</th>
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<tr>
<td></td>
<td>TEPCO as polluter</td>
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<tr>
<td></td>
<td>12 nuclear electric power companies</td>
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<td>National bond</td>
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area within 30 km distance. To the second group do belong the individual persons and companies who had the working place in the same area and have lost their income and the economical value of their property caused by the radiation leak. Mostly affected are the farmers, fishers and workers who have lost their job or salary. Also any other persons or companies belong to the third and last group, who are affected by the radiation leak even indirectly and can claim the compensation against TEPCO.

All the persons and companies in these three groups can receive the compensation for damages caused by the melt down of the nuclear power plant. The range of the causation extends from the direct costs of inspection, evacuation and health damages together with consolation money, to the lost profits in business account, salary or personal income, further more to the loss in economical value of contaminated property and real estate, and at last to the lost profits in business caused by rumors and prejudice.

The bargaining of the affected persons or companies with TEPCO is mediated by the Mediation Panel set up in the Mediation Office under the control of the Examination Committee constituted in the Ministry of Education and Science. The payment of the compensation presupposes that the concerned party has reached a settlement with TEPCO through the mediated bargaining. Anyway the mediation panel belongs not to the judicial body, but to the administration, therefore one could be skeptical if it were neutral to the both negotiation parties.

To finance the huge amount of the payment for damages, the Support Organization has been established on purpose, which has been payed by TEPCO itself together with the other 12 nuclear electric power companies in Japan and the government who decided newly to issue the special national bond for recovery from the catastrophe. Here arises the question, which party will be supported by the special support organization. The answer is surly not the affected persons, but obviously TEPCO herself.

2. Evaluation of the compensation scheme

I have already made some remarks about what is problematic in the Japanese way of dispute resolution seen in the Fukushima case. At the end of my report, I would like to summarize and suggest some more concerns about it.

The first problem is the question whether the bargaining mediator would be neutral. If the Mediation Panel would stand on the side of TEPCO and the government who intends to retain her, the dispute resolution based on the legislative scheme would be an unfair one.

The second problem is the question who pays the compensation substantially and finally. So far as the Support Organization for payment of the compensation is financed by TEPCO, the other nuclear power companies and the government, the payment will be substantially and finally born by the electricity consumers and the taxpayers, i. e. the citizens living in Japan who have nothing to do with the cause of the melt down. Would this resolution mean a fair distribution of costs caused by the failed breakdown?

This situation will thirdly lead to severe deficit in the corporate governance. It is assumed that TEPCO should pay for the compensation in total amount of ca. 4 trillion JPY, whereas her net assets amounted ca. 2.5 trillion at the end of the fiscal year of 2010. For this excessive debt in the balance sheet are responsible the managers and the directors of the company. If the payment of this huge amount would be financed by the Support Organization and the compensation would be substantially and finally payed by the consumers...
and the taxpayers, the managers and directors would be exempted from the responsibility for their failure in crisis management to avoid the catastrophic melt down.

Fourthly and last, the enormous scale of pollution like as Fukushima’s melt down brings inevitably about social costs and social damages which will never be compensated by the polluter. Karl William Kapp formulated firstly in 1950 social costs as: “all direct and indirect losses suffered by third persons or the general public as a result of private economic activities”.\(^{22}\)

The Japanese legal system does not know any measure against social costs and social damages. I will not enter into details of the discussion of Kapp, but want to explain it with my personal experience in relation to the Fukushima’s case. I visited on September 22th 2011, six months after the earthquake, the Soma High School in Fukushima Prefecture located about 40 km far from the nuclear power station, and made a lecture to the students. There I found out also the evacuated students from the Haramachi High School located about 20 km far from the power station. Haramachi High is famous as a qualified school, where good students are learning diligently in order to be granted admission to elite universities. But the problem is as follows: If one student there fails to succeed in the next admission examination to a qualified university like as the Tohoku University, and if he has to visit the catch up school for one year more, who will pay the tuition fee for him? Because the causation between the radiation leak and the failure in the admission exam is interrupted, TEPCO does not need to pay him for the tuition fee according to the dominant opinion, and he should bear the tuition fee and one year time by himself. But the question is whether he would also be a victim of the Fukushima melt down in some sense.

My reform proposal from this point of view looks like as follows. Firstly, the compensation for damages should not be decided by the administrative authority, but by judicial body. Secondly, TEPCO should be thrown into bankruptcy and liquidation in order for her managers and directors to take responsibility and for her shareholders to give up all their profits related to her. Thirdly and last, the judicial remedy can not cover all the circumstances influenced by such huge pollution like radiation leak and therefore should be complemented and combined with the administrative measure in view to the social welfare, particularly in order to compensate the third parties who bear the social costs.

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As a very important contribution to these problems in Japan, see Tanaka and Takeuchi: Role of private agents in realizing the law, 3rd printing 2005, p. 70 ff.


Article 695 (Settlement) of the Japanese civil code: “A settlement shall become effective when the parties to a dispute promise to settle the dispute through reciprocal concessions.”


Cf. Article 211 of the Japanese Penal Code (Cause of Death or Injury through Negligence in the Pursuit of Social Activities): the first clause in the section 1: “A person who fails to exercise due care required in the pursuit of social activities and thereby causes the death or injury of another shall be punished by imprisonment with or without work for not more than 5 years or a fine of not more than 1,000,000 yen”.


As a very important contribution to these problems in Japan, see Tanaka and Takeuchi: Role of private agents in realizing the law, 3rd printing 2005, p. 70 ff.


A HEDONIC APPROACH TO RADIATION CONTAMINATION DAMAGES

MORITA Hatsuru*

Abstract
The hedonic method is an econometric tool to calculate implicit evaluation of environmental factors by employing the fact that preference of residents is capitalized into housing price. This paper utilizes the change of land price after the radiation contamination caused by the accident at the Fukushima Dai-ichi Nuclear Power Plant to calculate the amount of damages under Japanese tort law. The paper argues that the hedonic estimates can be used not only as proprietary loss of land owners but also as nonproprietary loss of residents in the radiation contaminated area. The hedonic method can be employed in other environmental nuisance cases, such as noise nuisance lawsuits and air pollution lawsuits.

I. Introduction
The accident at the Fukushima Dai-ichi Nuclear Power Plant which followed the March 11, 2011, earthquake in Japan has emitted huge amounts of radioactive materials, which caused widespread contamination in eastern Japan (Fig. 1). Many residents who live in the radiation contaminated area are suffering various difficulties. Since the purpose of tort law is to internalize externality of harmful behaviors, thereby deterring socially inefficient behaviors, it is desirable that tort law should cover all damages that were caused by the Fukushima accident.

However, the tentative compensation draft for the Fukushima accident by the government committee at the Ministry of Education, Culture, Sports, Science and Technology (MEXT) (hereinafter Tentative Draft)¹ and the Tokyo Electric Power Co., Inc.'s (TEPCO) guidelines which were published in accordance with the Tentative Draft (hereinafter TEPCO guidelines)² are quite restricted. The Tentative Draft and the TEPCO guidelines cover only those damages caused by the governmental evacuation orders, such as evacuation cost, property damages, life and casualty losses, business losses, and losses caused by rumors. They do not include voluntary evacuation cost, decontamination cost, and nonproprietary damages outside of the
governmental evacuated areas.

We cannot say that the damages covered by the Tentative Draft and the TEPCO guidelines are the only damages that were caused by the Fukushima accident. Although we can expect voluntary evacuation cost and decontamination cost outside of the governmental evacuated areas to be covered in the government committee’s final guideline, nonproprietary damages outside of the governmental evacuated areas have not come up for sufficient debate in the government committee. Among others, younger children who live in the contaminated areas are vulnerable to radiation contamination and are suffering enormous mental hardship. They cannot play outdoors and are forced to stay indoors even on hot summer days. In addition, their parents are experiencing stress both for themselves and because they must take care of their children. Excluding these nonproprietary damages would lead to socially undesirable tort law.

This paper proposes a novel way to compensate these nonproprietary damages by employing the hedonic method which has been developed in econometrics. The paper argues that the estimated decrease of land price caused by radiation contamination.
contamination can be used not only as proprietary damages (real estate damages), but also as a convenient proxy of nonproprietary damages. The rest of the paper is organized as follows. First, section 2 provides a brief overview of the hedonic method and its limitation. Then in section 3, the paper discusses various legal problems which arise when the hedonic method is incorporated in the traditional tort law system. Finally, section 4 gives several concluding remarks.

II. Hedonic Method

1. Hedonic Method

(1) What is Hedonic Method?
When we want to know the price of goods (products or services), the most convenient way is to observe a market for the goods. However, for some environmental factors, such as clean air and tranquility, we usually do not have any explicit market and cannot know their price directly. In such cases, Rosen (1974) argued that we can know the price of such factors indirectly — by utilizing a principle called the hedonic method.

Let us suppose that the quality of a house \( Q \) depends on a set of characteristics \( (q_1, q_2, \ldots, q_n) \). Then the quality of a house is a function of the characteristics:

\[
Q = Q(q_1, q_2, \ldots, q_n)
\]

Furthermore, the price of ith house is also determined by its characteristics and can be written as a function of the characteristics:

\[
P_i = P(q_1, q_2, \ldots, q_n)
\]

If we want to know the implicit marginal price of a factor \( q_j \), the partial derivative \( \partial P/\partial q_j \) gives the answer. Rosen (1974) also showed that the implicit marginal price is equal to an individual consumer’s “marginal willingness to pay (MWTP)” in a competitive housing market. In this way, even when there is no explicit market for the factor \( q_j \), we can know its price.

We could say that utility which arises from the factor \( q_j \) is capitalized into the housing price. To put it another way, Tiebout-like “voting by foot” determines the price of the factor \( q_j \).

(2) Source of Bias
Although the hedonic method is widely known and has been employed in many countries, it has several drawbacks. Among others, the hedonic method is susceptible to two sources of bias: unobserved omitted variable biases and self-selection bias.

With respect to unobserved omitted variable bias, the housing price is correlated not only with environmental factors, whose effect we want to estimate, but also with other factors. Let us suppose we want to estimate the effect of air pollution on housing price. Air tends to be heavily polluted in urban areas because of urbanization and industrialization, where housing prices also tend to be high because of those same factors. The common causes drive up both air pollution level and housing price, so that simple regression of housing price on air pollution level shows positive correlation — higher air pollution correlates with higher housing price. Of course, this correlation is superficial, and the true causation is actually the opposite: higher air pollution correlates with lower housing price since normal residents prefer clean air to polluted air. This example shows how the omission of unobserved variables can bias the
estimates seriously.

The second difficulty is self-selection bias. Heterogeneity of preference usually exists among individual market participants, both sellers and buyers. For example, individuals with higher valuations for clean air sort out from areas with worse air quality into better air quality, while individuals with lower valuations for clean air sort out from areas with better air quality into worse air quality. Then the distribution of preference and the amount of sorting behavior can affect the estimates either positively or negatively.\(^5\)

(3) Identification Strategy

In order to account for the above mentioned biases, we need to consider various identification strategies. For example, Chay and Greenstone (2005), who tried to estimate the effect of the Clean Air Act on housing price, adopted several econometric techniques.\(^6\)

To detect the omitted variables biases, they adopted the instrumental variable (IV) strategy. They chose the Clean Air Act’s attainment/nonattainment status of middle year as an IV. Since the attainment status affects the contamination level several years after the attainment decision, but the housing price is not correlated with the status, the status can be a candidate of IV. They also confirmed their identification strategy by employing other strategies, such as regression discontinuity design (RDD) and matching. These three identification strategies brought robust results, and they showed that clean air quality is correlated with higher housing price.

With respect to the self-selection biases, they adopted random coefficients. To be precise, they included two control functions, which accounted for both the omitted variables biases and the self-selection biases. Using this identification strategy, they showed that there did exist heterogeneity and self-selection biases, but that the amount of the biases was not serious.

(4) Radiation Contamination of Fukushima

In contrast to the usual hedonic method using housing price, the omitted variables biases are not a serious problem in the case of the radiation contamination by the Fukushima Nuclear Power Plant. The degree of radiation contamination depends on geography, direction of wind, and weather at the time of radiation emission, such as on March 15 and March 21. None of these factors are correlated with housing price and other control variables, so we can say that the radiation contamination level is orthogonal to the dependent variable, housing price. In essence, the degree of radiation contamination is exogenous to relevant variables, and we can consider it as an excellent natural experiment. Additionally, we can expect that simple cross-section analysis can reveal the marginal willingness to pay for the radiation contamination.

However, we may need to account for self-selection biases by employing econometric techniques, such as the control function approach adopted in Chay and Greenstone (2005). Sorting behavior does exist in the Fukushima area: many younger children and their parents have fled from the radiation contaminated area of Fukushima. At the same time, this may not be a serious problem, as in the case of Chay and Greenstone (2005), where they found self-selection bias but determined that the amount of the bias was not large.

As to the area of study, we should include only the Naka-dori area of Fukushima (basin area), not the Hama-dori area (coastal area). The Hama-dori area was heavily hit by the March 11 tsunami, which makes it difficult to separately identify the radiation contamination effect from the tsunami effect. The evacuation area is also to be excluded, since we want to estimate the effect of
radiation contamination only, not the effect of the governmental evacuation order. The evacuation order by the government must have forced housing prices downward.

2. Estimation Strategy

(1) Model Specification
Considering the problems discussed in the previous subsection II.1, a possible specification in order to identify the effect of radiation contamination would be as follows. Since what we want to know is the effect of radiation contamination on land price,\(^7\) difference-in-difference technique with matching is a suitable estimation strategy. This simple regression can circumvent the problem of the omitted variable biases.

In addition, in order to account for many other factors which may affect the land price, it is desirable to match cities which are similar except for the degree of radiation contamination. Cities in Akita, Iwate, and Yamagata prefectures could be good candidates for matching. In contrast, Miyagi cities, especially Sendai, and Aomori cities may not be suitable. Sendai is not suitable because there exists the “straw effect” in the Tohoku region: the Tohoku region is connected by the Shinkansen (super express railway), and both industry and population are concentrated in Sendai, while industry and population tend to decrease in other cities of the Tohoku region. As to Aomori prefecture, the Shinkansen was extended to Shin-Aomori in December 2010, which has caused an increase of land price in Aomori prefecture. Therefore, if we matched Fukushima cities with Sendai or Aomori, then the estimate would not reveal the effect of radiation contamination, but rather the results of the straw effect or the extension of the Shinkansen.

(2) Variables
Next we need to discuss which variables to pick up. First, with respect to the dependent variable, which is land price, the current market price is the most desirable data. However, current market price of land is available only in the Tokyo area, and there is no such data regarding other regions of Japan. Possible alternatives include official land price (Koji Chika), benchmark land price (Kijun Chika), and land tax assessment price (Rosenka). Since land tax assessment price is determined according to official land price (usually around 70% of the latter), the former is not a good alternative.

Although there is an excellent database of official land prices and benchmark land prices, there are several problems when we employ either price. First, official land price and benchmark land price are considerably lower than current market price. Second, there is a time-lag between the change of current market price and the change of official land price or benchmark land price. The change of current market price is only gradually incorporated into official land price or benchmark land price. Considering these two problems, there must be a significant downward bias when we employ official land price or benchmark land price as the dependent variable.

In addition, Fukushima is a rural area, so local community ties and blood ties still remain strong. Therefore, population mobility in Fukushima is quite low, and the land trading market in Fukushima seriously lacks liquidity. As such, it will take a considerable amount of time for the change of radiation contamination level to be incorporated into land price. Considering this possibility, even though official land prices and benchmark land prices are published yearly, a simple one-year difference-in-difference may not reveal the full impact of the change of radiation contamination level. It would be better to compare
differences over more than two years.\(^8\) As to explanatory variables, it is easy to acquire data of radiation contamination levels.\(^9\) Other control variables include economic conditions, demographic conditions, and neighborhood conditions. The age structure of each city is especially important, since younger children are more vulnerable to radiation contamination and a younger age structure leads to larger decreases in land price.

**3. Back-of-the-Envelop Calculation**

Although it is not yet possible to gather all the data mentioned above, we can try a back-of-the-envelop calculation. Since benchmark land price, whose reference date is July 1 of each year, is already published, we can easily compute the difference-in-difference-in-difference (triple difference) estimator of radiation contamination.

Here we select Fukushima city (the capital of Fukushima prefecture) and Morioka city (the capital of Iwate prefecture) as a matching pair. We pick up all the points from the two cities\(^10\) and compare the changing rate of their land price in 2009, 2010, and 2011. Then we calculate a simple average of the changing rate of both cities. The result is shown in Table 1.

<table>
<thead>
<tr>
<th>City</th>
<th>2009 → 2010</th>
<th>2010 → 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fukushima city</td>
<td>−3.41%</td>
<td>−7.02%</td>
</tr>
<tr>
<td>Morioka city</td>
<td>−7.09%</td>
<td>−6.48%</td>
</tr>
</tbody>
</table>

Assume that there is no difference between Fukushima city and Morioka city other than the radiation contamination level. Then the land price of Fukushima city would have shown the same change as that of Morioka city. Since the decreasing rate in the land price of Morioka city has slowed slightly (0.5\%) in the period from 2010 to 2011, we would expect the same change to happen in Fukushima city if Fukushima city did not have the radiation contamination. Then, without the radiation contamination, we could expect that the land price of Fukushima city would show a 2.91 \((=−3.41+0.5\%)\) decrease from 2010 to 2011. However the real decrease is −7.02\% and we can infer that the difference of −4.11\% is caused by the radiation contamination.

Many readers would be surprised by the small estimate of 4.11\%, since the land price could have fallen much more dramatically. The smallness of the estimate is probably caused by the low liquidity of the Fukushima land trading market and the time lag between the change of current market price of land and its incorporation into benchmark land price. Therefore this estimate is biased heavily downward, and we can expect that the true impact on land price is much larger. However, we can still employ the estimate as a simple reference point: if the awarded damages are lower than this estimate, then we can safely insist that the amount of damages is too low. In other words, this estimate sets the minimum for the amount of damages.

**III. Incorporation into Tort Law**

By employing the hedonic method discussed above, let us suppose we have found a statistically and economically significant decline of land price which has been caused by the radiation contamination. At this stage, there are two ways to incorporate such a decline of land price into the traditional tort law system. One way is to consider the decline as proprietary loss, and the other is to consider it as a proxy of nonproprietary loss. The remainder of this section discusses each strategy in...
However, before moving on to the discussion of the two strategies, we need to pay attention to the dual nature of the hedonic estimate. Since we think that the hedonic estimate works as a proxy of nonproprietary loss because that nonproprietary loss is capitalized into proprietary loss, the hedonic estimate has a dual nature: proprietary loss and nonproprietary loss at the same time. Then, if a victim were compensated for both proprietary loss and nonproprietary loss, she would enjoy double compensation for essentially the same damage. Such a double compensation should be avoided, since double compensation would lead to overcompensation and suboptimal overdeterrence, which is socially undesirable.

Therefore, we need to consider how to exclude double compensation. For example, let us suppose a victim has received compensation for her proprietary loss. Then she is not qualified for nonproprietary compensation. If she had already received compensation for her nonproprietary loss, she should be obliged to reimburse the overlapping part of the two compensations.

1. Proprietary Loss

First, we analyze the possibility of incorporation as proprietary loss. The traditional tort law doctrine of Japan defines damages as the difference between the state before the misconduct and after the misconduct. Since the hedonic estimates discussed in 2.1 correspond to the difference of land price before the radiation contamination and after the radiation contamination, it seems quite natural to consider the hedonic estimates as tort damages.

However, there can arise a couple of counterarguments. First, traditional tort law doctrine adopts the brick-by-brick style strategy in calculating damages, which means damages are calculated by accumulating individual realized losses (outflow of money) which the victim has paid out or missed. The hedonic estimates are still unrealized losses and are not recognized as damages by traditional tort law doctrine. Although traditional tort law doctrine does not explain why it adopts the brick-by-brick strategy, we could imagine that the brick-by-brick strategy is a rational strategy to avoid double compensation.

Let us suppose a resident who lives in the radiation contaminated area receives compensation for the decline of her land valuation. Then she decontaminates the land and seeks indemnification for the decontamination cost. If she receives compensation for the decontamination cost, then it leads to double compensation for materially identical property loss. In contrast, if she is not qualified to receive compensation for unrealized property loss, then she is compensated only for the decontamination and no double compensation happens. If this procedural efficiency exceeds the substantive efficiency of full compensation, then the brick-by-brick-strategy, which does not recognize unrealized property loss, can be understood as a rational legal rule.

Second, the hedonic estimate is just a mean and does not describe the exact loss of each individual land. Since estimation errors caused by unobserved variables inevitably occur, we cannot entirely avoid overcompensation or undercompensation in each case. However, this may not be a serious problem because such estimation errors cannot be avoided in the case of usual calculation of damages. If such estimate errors were not allowed, then some of the usual damages calculations would become invalid, too.

2. Nonproprietary Loss

As discussed in the previous subsection, several counterarguments may be presented against
considering the hedonic estimate as unrealized proprietary loss. Then we should consider the possibility of employing the hedonic estimate as a proxy of nonproprietary loss. In this way, those residents who do not own land and are just tenants, as well as land owners, can receive compensation. The residents who do not own land have not suffered proprietary loss, but they do suffer mental distress from the radiation contamination. The distress is caused not by ownership of the contaminated land, but by living in the radiation contaminated area. By employing nonproprietary loss, it is possible to consider mental distress in the context of tort law.

The mental distress caused by radiation contamination can be considered as personal interest, which is different from proprietary interest in traditional tort law. Nonproprietary loss, which corresponds to infringement of personal interest, is subject to the court’s discretion. Since the way residents evaluate the radiation contamination is capitalized into land price, the change of land price can be seen as a good proxy for nonproprietary loss. We can think of several alternatives to incorporate the hedonic method into nonproprietary loss under tort law doctrine. A tentative proposal is as follows.

Hypothesize the typical size of a family house, which is larger on average in the Fukushima area than in the Tokyo area because of the difference of land price level. Then calculate hypothetical decline of land price, which is presumed to be the nonproprietary loss of a family. Since this is only a rough proxy, a comprehensive and uniform lawsuit, which is allowed by a Supreme Court decision, is suitable.

Of course, other proposals can be possible. For example, if we want to account for the heterogeneity of preference among the residents, families with younger children must suffer more than families without any children and should qualify for higher compensation. To account for the heterogeneity, we compute the ratio of families with younger children to the total of all families; families without younger children are not qualified for nonproprietary loss, while families with younger children are qualified for nonproprietary loss multiplied by the inverse of the ratio. Since this is a rather extreme proposal, we can think of many other variants of nonproprietary loss calculation formulae.

Although it is possible to calculate nonproprietary loss as discussed so far, several issues remain to be analyzed, as discussed below.

(1) Problem of Underestimation

The first problem of employing the hedonic method as a proxy of nonproprietary loss is the possibility of underestimation. First, as mentioned above, the land trading market of Fukushima is illiquid, and it is expected to take much longer for the change of utility of residents to be capitalized into land price. As such, a simple hedonic estimate may systematically underestimate the real effect of the radiation contamination. Considering this possibility, we need to be cautious when using the hedonic method as a proxy of nonproprietary loss. It is much safer to employ it as a minimum standard for nonproprietary loss.

Second, the land price level differs greatly between urban areas and rural areas. For example, the land price level of Tokyo is much higher than that of Fukushima. It follows that the hedonic estimate can be much lower in Fukushima than in Tokyo. Then the residents of Fukushima may receive lower compensation than those of Tokyo even though the former suffer more serious radiation contamination than the latter. If we consider that the loss of Fukushima residents and Tokyo residents should be the same, this result may not be justifiable.

However, a similar problem arises in the
case of life and casualty loss, where damages are determined by the income level of the victim. The difference is caused by the accumulation of human capital; it does not mean that the intrinsic value of human life is different but that the monetary valuation of human life varies among different people. By applying the same logic in the case of the hedonic method, the difference among areas can be justifiable.

(2) Coverage of Nonproprietary Loss
Another important issue is the coverage of the hedonic estimate. Since double compensation needs to be avoided, if a victim receives compensation for nonproprietary loss through the hedonic method, she is not qualified for proprietary loss that substantively overlaps the nonproprietary loss she has already received.

In order to consider this issue, it is useful to remember the assumption of the hedonic method that disutility from living in the radiation contaminated areas is capitalized into housing prices. Then what we estimate by the hedonic method is the disutility from living in the radiation contaminated area, which allows us to conclude that proprietary loss caused by the same disutility needs to be excluded in order to avoid double compensation. For example, receiving nonproprietary loss and the cost of decontamination at the same time is receiving double compensation in essence and is not allowed.

(3) Future Loss
A similar issue arises in an interesting characteristic of the hedonic estimate. In effect, the hedonic estimate implies compensation for future loss, which is generally not allowed in Japanese tort law. Just as stock price incorporates future earnings, future (dis)utility of living in a house is capitalized into housing price. Considering that the future loss is incorporated into the hedonic estimate, we need to make sure that double compensation can be avoided.

For example, selling a land after receiving compensation for nonproprietary loss does not cause double compensation because the land price is lower than before the Fukushima accident. At the same time, those who come into the radiation contaminated area after the Fukushima accident can purchase lands at lower prices, but they are not qualified for compensation for nonproprietary loss because of the “coming to the nuisance” doctrine. \(^{16}\)

(4) Mitigation Principle
Finally, the issue of mitigation principle can arise. For example, let us suppose a family living in Fukushima city can migrate to Sendai city by incurring costs of 500,000 yen, while the hedonic estimate of nonproprietary loss for the family is 2,000,000 yen. Is it irrational for the family to stay in Fukushima city, and should the family’s compensation be reduced to 500,000 yen by the mitigation principle?

The answer is clearly no. The family’s decision to stay in Fukushima city must be rational because social capital is still very strong in Fukushima city, and migrating out of the city would destroy valuable local ties. This means that the real cost of migration to Sendai city is not 500,000 yen but over 2,000,000 yen. Therefore, there is no room for the mitigation principle, and the family still qualifies for the full compensation of 2,000,000 yen. \(^{17}\)
In order to achieve socially optimal deterrence, it is essentially necessary for tort law to compensate for the whole externality. Traditional loss calculation methods of Japanese tort law are not sufficient to achieve this goal, and a more comprehensive approach is socially desirable. Here the hedonic method can provide a useful tool as a good proxy. Although there are some issues arising from incorporating the hedonic method into the traditional tort law system, many of them can be overcome.

In these concluding remarks, we want to mention a couple of extensions of the hedonic method.

(1) Application to Other Problems
The first issue is the extent of application of the hedonic method. In order to employ the hedonic method, we need a hedonic relationship, where preference of market participants is capitalized into market price. Even if there is no direct market for some environmental factors, preference for the factors can be revealed in the market of other goods. In addition, we need statistically and economically significant effects. In some cases, we cannot collect a dataset, or even when we can construct a dataset, the relevant factor is not important or has only a small effect, and marginal price for the factor may be too small to estimate effectively.

However, when these two conditions are met, we can employ the hedonic method. One promising candidate is noise nuisance, where there has been no established method for determining compensation. In the Osaka-Itami International Airport Case, where the residents around the Osaka Airport sued the airport company and the state for noise nuisance, the Supreme Court decided that nonproprietary loss was 8,000 yen or 3,000 yen per month from January 1965 through January 1970 and 10,000 per month from February 1970 through May 1975. However, the Supreme Court provided no justification for the amount of nonproprietary loss, since the amount is left to the court’s discretion. By employing the hedonic method, we could have calculated nonproprietary loss much more ostensively and effectively.

(2) CBA of Decontamination
The hedonic method can be also employed as a tool of cost-benefit analysis (CBA). After the Fukushima accident, many efforts have been made to decontaminate the radiation contaminated area. However, there is no CBA of the decontamination processes so far. It may be possible to employ the hedonic method as a tool of CBA of the decontamination.

If the cost of decontamination is larger than its benefit as calculated by the hedonic method, then the decontamination process is not efficient. In this case, the mitigation principle requires a reduction in the amount of damages for the victims. In contrast, if the cost of decontamination is smaller than its benefit, then the decontamination process is efficient. In this case, the full cost of decontamination should be compensated by TEPCO.

However, there is one important caveat. As we have discussed above, there is a high possibility of underestimation because of the nature of the available variables and the low mobility of the Fukushima area. Even if the cost of decontamination is found to be larger than its benefit as calculated by the hedonic method, it is not reasonable to conclude that the decontamination process is not worthwhile. We need to be extremely careful when employing...
the hedonic method in CBA.

References

Notes
* Associate Professor, Tohoku University School of Law. I thank Yoko Akitsuki, Kentaro Fukumoto, Taro Nakahara, and seminar participants at Economic Analysis of Law Workshop, Tohoku Civil Law Workshop, and Hokkaido University Civil Law Workshop for helpful comments. I also thank the Mitsui & Co., Ltd. Environment Fund for financial support. Author’s contact information: hatsuru@law.tohouk.ac.jp
4 For a brief overview of Tiebout voting, see Mueller (2003), pp. 186-189.
5 The direction of the biases depends on the distribution of preference and the amount of sorting behavior; it is difficult to predict the direction beforehand.
6 For explanation of the econometric techniques cited in the body text, see Angrist and Pischke (2009) and Lee (2005).
7 In Japan, land and house are different property, unlike the United States and other countries where land and house constitute a single property. Since house price is affected by many factors and the house is considered to be just an accessory to the land, we consider only the price of the land, not the price of the house.
8 However, note that extending the time span of comparison could contaminate the estimate since a longer time span means more noise, resulting in a severe trade-off relationship.
9 It is also possible to include a quadratic term and interaction terms.
10 There are 22 points in Fukushima city and 46 points in Morioka city.
13 Note that TEPCO guidelines offer compensation for nonproprietary loss only for those who have lived in the governmental evacuation area. The amount of compensation for proprietary loss is 100,000 or 50,000 yen per month for those who have evacuated and 100,000 yen for those who have taken indoor shelter. Those who live outside of the governmental evacuation area and are still suffering from the radiation contamination are not qualified for nonproprietary loss under TEPCO guidelines.
14 Dec 16, 1981 (Minshu vol 35 no 10, p. 1369) [Osaka-Itami International Airport Case].
15 The cut-off age distinguishing families which are qualified and those which are not can be 7, 12, 18, or another reasonable age.
16 Those who come to the nuisance are not qualified for damages compensation under Japanese tort law. See the Supreme Court decision Dec. 16, 1981 (Minshu vol 35 no 10, p. 1369) [Osaka-Itami International Airport Case].
17 Although we cannot exclude the possibility that there exists some fake non-migrator, it is difficult (or prohibitively costly) to distinguish such people.
19 The Supreme Court decision Dec. 16, 1981 (Minshu vol 35 no 10, p. 1369).
Gender and Constitutional Citizenship

GENDER AND CONSTITUTIONAL CITIZENSHIP: Combining Historical, Theoretical and Doctrinal Perspectives

Helen IRVING

A COMMENT ON PROFESSOR IRVING’S PAPER, “GENDER AND CONSTITUTIONAL CITIZENSHIP: COMBINING HISTORICAL, THEORETICAL AND DOCTRINAL PERSPECTIVES”

OKANO Yayo

Hagi Seminar 2011 Workshop 1

Jon MORRIS

Workshop 1 of Day 4 of the “Gender Equality and Multicultural Conviviality in the Age of Globalization” Global COE Program’s Hagi Seminar took place at Tohoku University on the 16th October, 2011. The workshop was part of a research project organized by Professor Miyoko Tsujimura, and focused on a presentation entitled: ‘Gender and Constitutional Citizenship: Combining Historical, Theoretical and Doctrinal Perspectives’ delivered by Professor Helen Irving of the Sydney University Law School, an expert in Constitutional History, Constitutional Law and Jurisprudence. The commentator was the political philosopher and theorist Professor Yayo Okano of the Graduate School of Global Studies, Doshisha University.

Professor Irving opened her presentation with the questions: “What does it mean to be a citizen?” and “Does citizenship have a different meaning for men and women?” Moving beyond the rights-centered discourse which typifies most approaches to these issues, she focused on the key issue of how citizenship is acquired in the first place, and introduced the legal history of citizenship with particular attention given to women’s history of unequal access to it. Acknowledging the inequalities in social rights which limit “political citizenship”, Professor Irving explained the contrasting notion of “constitutional citizenship”, which depends upon qualities or attributes that allow a person to be legally defined. The history of gender-discriminatory legal rules surrounding the acquisition of citizenship is, regrettably, little known to non-specialists. A range of examples were presented of women’s experience of such legal conditions as “marital naturalization”, “marital denaturalization” and being “under disability”. Professor Irving argued that these legal impositions were based on essentially masculine definitions of citizenship, and concluded with a commentary on the centrality of citizen “consent” in establishing constitutional legitimacy and the importance of recognizing the gendered nature of historical and contemporary constitutional narratives.

Professor Okano provided a commentary which offered theoretical insights from thinkers such as Arendt, Walzer and Young, and a discussion of the Japanese legal and constitutional history of the various issues which were raised in Professor Irving’s presentation; including examples relating to the Family Registration Law. Professor Okano provided an ideal starting point for the extremely fruitful discussion which followed by offering questions concerning obtaining a new citizenship, dual citizenship and reproductive rights as constitutional rights. I was most pleased to be involved with this extremely thought-provoking and fruitful workshop which brought depth and perspective to these fundamental issues, some of which continue to affect my own family directly.
What does it mean to be a citizen? Many people, including many scholars of citizenship, have answered this question with a reference to rights - political rights in particular. A citizen, many would say, is a member of the political community, a person who enjoys the right to participate in political decision-making, to vote, and to stand for public office. Feminist scholars, writing about women’s citizenship, have focused, in particular, on the long struggle by women to gain the right to vote. However, I want to argue that the focus on rights gives us a limited understanding of the nature of citizenship. Such a focus is valuable, but it overlooks a more important question: how is citizenship acquired in the first place? This question, which concerns what I call constitutional citizenship, is central to a full understanding of the gendered history of citizenship.

This is not to diminish the importance of political rights. The enjoyment and exercise of the rights we associate with citizenship are critical. The right to vote is both in practice, and symbolically, vital. It allows individuals to take part in selecting those who make the laws under which they live. This form of participation is a core element in the idea of democracy, and a key token of the liberal-democratic commitment to the equality of individuals. It symbolises the autonomy of the individual, and it permits the individual to assume and to exercise a public identity. The latter is of particular importance to women, in their emergence from the private, domestic identity that was so long ascribed to them. So, indeed, for as long as women were unable to vote, they were in this sense, non-citizens, excluded from exercising political judgment or taking part in public life, and assumed to be incapable of doing so.

We know that one of the long-standing arguments against women’s enfranchisement was their supposed irrationality, their incapacity to understand the political realm, or make autonomous political choices. Women have proved this to be wrong, in every country in which they have been enfranchised. We know that women can exercise not only the vote, but also political leadership at the highest level. Australia, at the time of writing, has a woman Governor-General and a woman Prime Minister. This was inconceivable at the time the Australian nation-state was formed under a federal Constitution one hundred and ten years ago. The founders of the Commonwealth of Australia were advanced enough to believe that women were capable of voting and standing for elected office; they extended the vote to women...
in the first federal Franchise Act, in 1902, in one of the earliest women’s enfranchisement laws in the world. But they would never have envisaged that the end result would be to see women occupy these top political positions.

We know also that, in almost all parts of the world, women can now hold property in their own right, sit on juries, sit as judges, and work in the public service: all of which were denied to women before the twentieth century in almost all countries, and until well into the twentieth century in many. But, while these are enormously important indicators of progress in democratic thinking and in women’s lives, this is not, in my view, the first thing we should look for in understanding the relationship between gender and citizenship.

There is a further perspective on rights that we need to consider, before making a case for ‘constitutional citizenship.’ Since 1950, when T. H. Marshall published his seminal work, Citizenship and Social Class, the idea that social rights, and not merely civil or political rights, are a measure of citizenship, has been influential. Marshall’s idea has been taken up in recent times, and the emphasis on political rights as a token of citizenship has attracted criticism. Political rights, as Marshall stated, are purely formal rights. Social and economic inequality is a significant impediment to participation – to full citizenship - and the claim that equal citizenship has been achieved cannot be satisfied while such inequality exists. Although Marshall did not address the issue of women’s social rights or ‘citizenship’, feminist scholars have noted that women are disproportionately represented in most categories of disadvantage: poverty, illiteracy, homelessness, and vulnerability to abuse. If citizenship means equality, women have not yet achieved it, even in the most modern, developed, and wealthiest parts of the world. For as long as women are disproportionately disadvantaged according to socio-economic measures, they are, in this sense, non-citizens, or at least, lesser citizens.

These are certainly important considerations to apply to theories of citizenship, and Marshall’s analysis is an important qualification to place on claims that political equality under the law is an adequate measure of citizenship. The theory of social citizenship is also a valuable corrective, or challenge, to more recent theories of ‘republican citizenship’, which emphasise ‘civic virtue’ on the part of the individual and ‘good citizenship’, promoting duties and responsibilities in the place of rights. From the perspective offered by an understanding of social citizenship, the counter-argument can be made that those who are socially and economically disadvantaged cannot be expected to act as ‘good citizens’ on an equal footing to those who are advantaged. But again, to understand citizenship in this manner is to abstract if from its core meaning, to make it essentially normative – a theory about what should follow from being a citizen, rather than an analysis of the experiential impact of law – and to turn it into a broad claim for equality, rather than an understanding of status.

My concern is with citizenship as status. Although the denial of rights, such as the right to vote, and socio-economic disadvantage are a matter of injustice, the denial of citizenship is an existential injury. The existential importance of citizenship is not always apparent: like good health, we take our citizenship for granted until we experience its loss. To lose one’s citizenship, without one’s consent or control, or to be forced to take the citizenship of another country, is a deep denial of independent selfhood. It also places a person in a state of personal and physical vulnerability. To become stateless, to have no citizenship, is a tragedy. These experiences, as I will explain, were the fate of many women, under...
the law, until relatively recently.

In August, 1958, the United Nations Convention on the Nationality of Married Women came into force. According to its opening statement, the contracting States,

*Recogniz[ed] that, conflicts in law in practice with reference to nationality arise as a result of provisions concerning the loss or acquisition of nationality by women as a result of marriage, of its dissolution or of the change of nationality by the husband during marriage,*

*Recogniz[ed] that, in article 15 of the Universal Declaration of Human Rights, the General Assembly of the United Nations has proclaimed that “everyone has the right to a nationality” and that “no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality”, [and]*

*Desir[ed] to co-operate with the United Nations in promoting universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to sex ...*

Among other things, the States that ratified this Convention committed themselves to ensuring that, under their laws, the nationality of a husband would not in itself determine the nationality of his wife. Neither marriage, nor divorce, would change a woman’s nationality without her consent; and a change in a man’s nationality would not automatically lead to a change in his wife’s nationality.

Why was the question of married women’s nationality so important as to give rise to a whole United Nations Convention on the subject? Why were these commitments necessary? Behind this Convention lay a long and complicated history of women’s loss of citizenship as a consequence of marriage or change in their husband’s nationality. In asking such questions and considering this history, I therefore turn the lens away from the rights that come, or should come, from being a citizen, and I look, instead, at how citizenship is acquired in the first place. How does a person become a citizen under law? What are the qualities or attributes that allow a person to be legally defined? What are the consequences of loss of citizenship? And are the legal rules surrounding the acquisition of citizenship gendered? This is what I call ‘constitutional citizenship’, in contrast to the ‘political citizenship’ (or even social citizenship) associated with rights. To conceptualise citizenship in terms of rights pre-supposes the acquisition and retention of citizenship – the legal capacity to exercise or enjoy these rights - in the first place. To identify the legal and conceptual rules for acquisition and retention of citizenship, however, is not only a matter of identifying those eligible to exercise rights. It is also to consider identity, personhood, and membership of the constitutional community.

Constitutional citizenship has been deeply gendered until the recent past, and there are ways in which it remains gendered. To understand this, we first need to consider the place of citizenship law in the modern state. The evolution of constitutional citizenship is a key element in the evolution of nation-state sovereignty and, in particular, in the development of international relations. This is a history in which the place of women – married women in particular – has largely been forgotten. It is also a history in which the shortcomings of an approach to citizenship, understood without reference to law that defines the citizen, is revealed.

This history can be stated very briefly, for our purposes. The modern constitutional state emerged from the revolutions at the end of the 18th century, and from the first modern, written
In place of the feudal, hereditary sovereign, the ‘people’ became identified as sovereign. We see this in the famous words in the Preamble to the American Constitution: ‘We the People … do ordain and establish this Constitution for the United States of America’. Once the idea of the people as sovereign became widespread and then constitutionally entrenched, a definition of the people – those who belonged to ‘We, the people’ – became necessary. Nation states began to define their members, both for their own purposes and as against each other. With the growth of modern international relations and international law, the modern state drew lines between its members and those of other states; it needed to know what to do with other countries’ citizens, for reasons both of diplomacy and to control the character of its own population. Although an incipient idea of citizenship had been expressed in the law before this time – largely through laws governing the property rights of aliens - it was only in the nineteenth century that citizenship was first seriously defined under law. This process of definition continued well into the twentieth century.

Just as women were beginning to claim the political rights we associate with citizenship (in particular, the right to vote), the laws of constitutional citizenship were narrowing. Around the world, in almost every country, at some point between the mid-nineteenth century and the mid-twentieth century, up to the end of the Second World War, women were effectively treated under the own country’s law as aliens. This is starkly illustrated by the ‘problem’ of the nationality of married women. The legal rule that was finally repudiated by the 1958 United Nations Convention on the Nationality of Married Women was that a woman must take the citizenship of her husband. It was accompanied by the policy of single family citizenship, and a virtually uniform opposition to dual nationality. These policies were adopted in almost every country in the world, including Australia and Japan. In a history that is largely forgotten, the status of married women became the subject of progressively complex national politics and complicated legal responses, interwoven with international negotiations and issues of diplomacy and international comity. In particular during the world wars it was the subject of deep disquiet and policy confusion. Ultimately, as we have already noted, it became an international issue, to be resolved by an international convention.

What was behind this history? Historically, what distinguished a citizen (in the constitutional sense) from an alien, was allegiance. Allegiance to the sovereign was demonstrated principally, in military terms, by a person’s – a man’s – willingness to fight for his sovereign. In return, protection was offered to him by the sovereign. This history of military concepts of citizenship went hand in hand with often-belligerent nationalism, in which women found no place.1

The feudal principle of allegiance was recognised in common law up until the nineteenth century. In many countries, it was subsequently expressed in legislation. Indeed, although it is essentially a feudal notion, it is still found in modern citizenship law, as well as in theories of constitutional citizenship. Under the common law, nationality was acquired by the fact of birth within a territory. Allegiance, and the reciprocal duties of military service and protection, were assumed to arise from birth. These duties were not optional. At least in Britain, the United States, and Europe, it was not possible for a person, either voluntarily or involuntarily, to renounce his citizenship, or change his allegiance. It was only until well into the nineteenth century, and in many cases the twentieth century, that it was accepted, under law, that a person could voluntarily...
relinquish citizenship. (I note here a provision of the Japanese Constitution, Article 22, which illustrates this idea, protecting the ‘[f] reedom of all persons to move to a foreign country and to divest themselves of their nationality…’) Prior to the abandonment of the principle of perpetual or indelible allegiance, it was recognised that some aliens wanted or needed the citizenship of another country, usually the country in which they had made their home. Naturalization was conceded in principle. Once conceded, it became the field in which legislative definitions of citizenship first systematically emerged in the nineteenth century.

To illustrate these histories, this paper will now concentrate on legal developments in the British Empire and the United States (although such developments were not confined to those countries, and indeed were followed in most countries around the world at the relevant time). With the emergence of legislation regulating naturalisation, the law began to draw tighter distinctions between citizens and aliens, and with this, distinctions between the citizenship of men and women. Under the first British Naturalization Act of 1844, among other things, a foreign woman automatically acquired British nationality upon marriage to a British citizen (or subject). The United States law of 1855 mirrored this provision. Under the next British Naturalization Act, 1870, a British born woman who married a non-British national was assumed to take the citizenship of her husband and automatically lost her British citizenship. Further, if a man became naturalized in a foreign citizenship, even without his wife’s consent or knowledge, she too was automatically naturalized in his new citizenship. The United States followed, with similar provisions in the ‘Expatriation Act’ of 1907.

The impact of ‘marital denaturalization’ was widespread, and for many married women, unfortunate. Married women had previously been assumed to hold citizenship or nationality in their own right, although conceptually, the idea of citizenship did not extend to women, because the core test of allegiance was masculine. (This is probably the main reason few people seemed to notice when these 19th century Acts were passed that they included provisions for marital naturalization and denaturalization.) These laws were based on the assumption that the true citizen was a man and the definition of citizenship was masculine. A woman’s constitutional identity was thus, subsumed under a man’s. This was not noticeable for women married to men of the same nationality, but its effect was strongly felt in cases where a woman married a foreign citizen. If she lived in her own country, she lost not only the political rights she would have previously enjoyed – including the right to vote in those countries where it had been granted - but her very identity as part of the constitutional community. To be a married woman was, by legal definition, to be ‘under disability’, a legal status that was shared with minors, infants and ‘lunatics’.

Early in the 20th century, women’s groups began a campaign in protest against these laws, at the same time as they were campaigning for political rights. Nevertheless, marital denaturalization continued, even, as noted, in the United States despite the apparent guarantee of the right to citizenship for all persons born in the United States found in the 14th Amendment of its Constitution. When Britain first defined its own citizenship under legislation, in 1914, its new Nationality Act retained the principle that a husband and wife must have a single citizenship - the husband’s. Thus, a British woman would still lose her citizenship if she married a foreigner. This policy, in force in almost every country in the world at that time, including in the British Empire, endured until the end of the Second World War.

The principle of single family citizenship and
the automatic acquisition of a husband’s citizenship by his wife were no doubt advantageous, in a practical sense at least, for many women, especially those who lived in their husband’s country where they could enjoy whatever political and social rights came with a woman’s formal citizenship. However, there were also countless hardships. Women who had been deserted by their foreign husbands remained aliens in their own country, and, until the British pension and social welfare laws were amended, could not receive the benefits reserved for legal citizens. Women whose husbands became naturalised in another country lost their citizenship, even in cases where the wife did not know of her husband’s action and/or her husband had naturalised in order to avoid legal obligations in his own country, including the obligation to support his wife and family. The hardships were particularly severe during wartime. Wives of ‘enemy alien’ men, even if they lived in the country of their own original citizenship, were also classified as enemy aliens and subjected to restrictions, including regular reporting to the police and limits on their freedom to move around what had previously been their own country. The property of enemy aliens was also confiscated or held in ‘custodianhip’: despite the 19th century reform of laws in many countries that had formerly prohibited married women from holding property, women’s entitlement to their own property became again dependent upon their marital status.

British nationality laws were amended, progressively, in response to these hardships: the 1914 Nationality and Status of Aliens Act included a provision allowing women who had divorced or whose foreign husbands had died, to apply to regain their British citizenship, but the provision provided no relief for deserted wives. The Act was amended in 1918, permitting women whose husbands were citizens of a country at war with Britain similarly to apply for citizenship, but it was subject to executive discretion, and in practice, it applied only in cases where the marriage had effectively ended. Respect for the masculine institution of marriage prevailed over the recognition of independent citizenship. Again and again, in response to the campaigns of women’s organisations seeking reform of the marital denaturalization laws, policy-makers (especially in Catholic countries) affirmed the primacy of single family nationality and the importance of family harmony, and asserted that disharmony would necessarily follow if the wife were permitted to retain her own nationality. A second argument (more commonly stressed in non-religious countries), presumed that diplomatic complications and embarrassments would necessarily follow if a husband and wife held different nationalities or if the woman enjoyed dual nationality. These outcomes – different nationalities and dual nationality - are now commonplace and uncontroversial in many countries, and are accepted under both national and international law. Families and diplomats, it seems, have adjusted, and (as so often in history) what appeared impossible in the past has been accommodated.

The first signs of an international willingness to give way on the principle of single marital nationality arose around the issue of statelessness. Statelessness was the most dramatic effect of the martial citizenship laws, and was most significantly related to changes in American law. In 1922, with the passage of the ‘Cable Act’, the United States partially repealed both its marital denaturalisation law and the law that automatically conferred American citizenship upon foreign women who married American men. Under this Act, women who had lost their American citizenship upon marriage became entitled to apply for its return. This benefitted many America women, and many took advantage of it. The
benefit depended, however, on the individual woman’s eligibility for naturalization under existing American law: until the latter law was amended in 1934, coloured women and women of Japanese or Chinese ethnicity were ineligible to naturalize, despite their having acquired American citizenship by birth. Women who married men of colour or ‘undesirable’ ethnicity were also barred from naturalization, as were ‘immoral’ women, and those (including for religious reasons) who refused to swear to defend America. In the international context, the Act had serious consequences. As noted, non-American women who married American men no longer automatically acquired their husbands’ citizenship. At the same time, such women, if their own country practised marital denaturalization, lost their original citizenship. The result was statelessness. The problem was particularly acute in Canada, where British denaturalization law applied, given the large number of marriages between Canadian women and American men.

This situation served, at last, as the trigger for reform. Over the years, marital denaturalization laws had been challenged in the courts, but the results were uniformly adverse to the women. The laws were discussed, again and again, at Imperial and other trans-national Conferences. Women’s groups had campaigned against the laws for even longer. By the 1920s, the hardships and complexities had become so well recognised internationally (thanks to the campaigns of women’s groups) that the question of married women’s nationality emerged as one of the most important at the League of Nations Conference on Nationality in 1930, and was addressed – albeit unsatisfactorily – in the Hague Convention on Nationality. The international community, however, could not agree to dismantle the principle of single family nationality or abandon its opposition to dual nationality, but the problem of statelessness attracted sympathy.

The ‘solution’ adopted in this Convention was that a woman should not lose her nationality upon marriage in cases where she did not automatically acquire her husband’s. Otherwise, her nationality followed his. The women’s groups were far from satisfied; the Convention, they maintained, perpetuated the assumption that a woman did not have independent selfhood, and that her identity remained merged with that of her husband. While they recognised the importance of reducing the number of cases of statelessness, women campaigned against ratification of the Convention, which, in their view reinforced the psychological harm caused by the marital denaturalization laws. Little by little in the inter-war period, countries around the world began to follow the American example and repeal or amend their laws, but, only after the international community had given way on the principle of single family nationality after the Second World War was the policy of forced marital naturalization and denaturalization widely abandoned.

Why, under this law – which lasted well into what we consider to be the era of women’s ‘citizenship rights’ - did an alien woman acquire the citizenship of her husband, and a non-alien woman lose her citizenship? Embedded in this law was the same principle of allegiance that informed the masculine idea of citizenship. But here, the assumption was that a woman’s allegiance was owed, not to her country, but to her husband. Women – who did not take part in military service - were assumed to be incapable of independent allegiance to a state: their allegiance was to their husband, and their husband was the family sovereign. In 1915 an American-born woman, resident in San Francisco and married to a British man, challenged the constitutional validity of her country’s marital denaturalization law. She was unsuccessful. The United States Supreme Court
concluded that the ‘[m] arriage of an American
woman with a foreigner is tantamount to voluntary
expatriation.’

Women’s groups, as noted, urged their
governments not to ratify the Hague Convention,
or to incorporate its principles into domestic law. They continued their campaign. In the mid-1930s, the Australian and New Zealand parliaments offered a compromise – one which illustrates the difference between so-called ‘citizens rights’ and ‘constitutional citizenship’ - by amending the law to allow women who had lost citizenship upon marriage to retain the political rights they would have enjoyed prior to their marriage, so long as they remained resident in their country. While the value of this provision is not to be underestimated, the assumption was again perpetuated that a woman’s personal status and identity were co-mingled with that of her husband.

Slowly, across the twentieth century, citizenship laws that were gender neutral, on their face at least, were adopted. Despite a preference in domestic and international law for single nationality, and for common family nationality, it was conceded that a woman might retain her own nationality upon marriage, even if she also acquired that of her husband. Tolerance of dual nationality finally facilitated the idea that a woman’s citizenship could be an attribute of her person, independently of her relational status. The 1958 UN Convention, as noted, expressed this principle in international law.

So, have women now acquired equal constitutional citizenship? Not fully. It is striking to find in modern theories of constitutional citizenship or related concepts, such as ‘constitutional patriotism’, that the question of constitutional identity is still posed in terms that assume a test of allegiance. Many, if not most, modern theories of constitutional citizenship or patriotism address the phenomenon of pluralism, and attempt to offer a solution to the problems they perceive to arise in a pluralist state. Ethnic, religious and cultural sub-national communities are treated, essentially, as the core descriptors of modern pluralism. These communities are assumed to lack allegiance to the nation-state, and with this, fragmentation or disunity are believed to arise. Jurgen Habermas, the most celebrated and influential of the theorists of constitutional citizenship, offers allegiance to the constitutional state as a way of unifying sub-national groups, under a shared commitment to liberal democratic constitutional principles and practices. Habermas’s work has much to commend it, but neither he, or his followers, appears to recognise the troubling history of allegiance as a test of citizenship, nor acknowledge its military and masculine character. None recognises the history of women’s loss of constitutional citizenship, nor do they attempt to incorporate gender into the theoretical resolution of the tension between plurality and unity.

The problem is not a shortage of theoretical studies of citizenship and gender. Many feminists, indeed, have considered the history of women’s citizenship, but most, as noted, have concentrated on the acquisition or rights – political or social - and have ignored constitutional citizenship. Many also have rejected (or questioned) a focus on the legal parameters of citizenship. For example, leading English feminists have called for a ‘broad analysis of diversity and social divisions … [of] patterns of inclusion and exclusion which shape [the] membership’ of a community, as an alternative to studying the formal relationship between an individual and the state. This rejection of the legal record has, I suggest, been an impoverishment of understanding. It has neglected the lived experience of women whose citizenship has been taken from them, or changed without their consent, often with drastic consequences, and who have effectively been forced to choose
between love and nationality.

How then, can constitutional citizenship be understood with respect to women’s experience? How can it be protected? One approach is to look at whether a country’s constitution itself makes provision, either directly or indirectly, for the acquisition of citizenship, and if it does, whether this reflects the principle of gender equality.

The Australian Constitution, which was written in the 1890s, says nothing about the acquisition of citizenship, but leaves this to the parliament to regulate by law. There is no constitutional provision recognising gender equality, or prohibiting laws that are discriminatory with respect to sex or gender. Gender inequality in citizenship laws would, therefore, not be unconstitutional – and indeed, as we have seen, for several decades citizenship laws operated in Australia which were discriminatory, specifically against women who married foreign citizens. Men, on the other hand, were free to marry whomever they wished, without loss of citizenship. Although it is extremely unlikely that gender discriminatory citizenship laws would be permitted in Australia today (indeed, it is likely that, according to modern interpretive reasoning, they would be held unconstitutional), the historical validity of these discriminatory laws remains as both a legal and conceptual hurdle.

The Japanese Constitution also lacks a definition of Japanese citizenship, and it does not state how nationality is acquired. Like the Australian, it leaves this up to legislation (Article 10 of the Japanese Constitution states: ‘The conditions necessary for being a Japanese national shall be determined by law.’) However, the Japanese Constitution does include a sex equality and anti-discrimination provision (Article 14), and although this does not extend specifically to citizenship laws, there is a marriage equality provision (Article 24) which may help. This has not, it seems, excluded all gender discriminatory citizenship laws since 1947.

The United States Constitution includes a provision governing the acquisition of citizenship, and some modern constitutions go further and guarantee citizenship, although very few extend this guarantee expressly to women as well as men (the 2005 Iraqi Constitution, Article 18, is a surprising exception).

As we have seen from the history, however, the guarantee of citizenship in a constitution does not necessarily protect women from discriminatory citizenship laws, or from laws that cause the loss of citizenship. A constitution, itself, cannot provide a guarantee of equality. This requires a culture in which claims for equality and independent personhood are recognised and respected. We need to reconceptualise citizenship, including through understanding and remembering these histories.

We need to think of constitutional citizenship both legally and theoretically as an essential aspect of a person’s self-hood and autonomy, as well as being vital to their life chances. Citizenship, while governed by law, is existential, an aspect of one’s identity.

Currently, as I have noted, we take notice of, and factor cultural pluralism into accounts of constitutional citizenship. We seek ways of accommodating religious and cultural communities in a shared citizenship, under which their claims for recognition are respected. Similar considerations can and should apply with respect to gender. The validity of claims for recognizing minority interests and cultural pluralism rests on the centrality of citizen ‘consent’ in establishing constitutional legitimacy, and the recognition that a requirement of consent is unrealistic and/or unreasonable where the constitution is based on principles of exclusion. Similar considerations apply to gender.

Secondly, we need to recognize that constitutional narratives are often gendered,
embedded in heroic stories of constitutional ‘founding fathers’, and accounts of allegiance conceptualized as military service. So, too, are judgments of constitutional courts. We need to understand the residual impact of past deprivations, as well as the impact on women’s experience of the privileging of the traditional public sphere as the site of (virtuous) citizenship. We need to remember the histories of gender oppression and resist the trivializing of women’s political and legal victories. We need to recognize the importance of law, and extend to women the recognition of equal citizenship that we offer – at least theoretically - to cultural minorities. We need to re-tell the story of married women’s denaturalization and the campaign to reverse this. And we need to recognize that women’s experience as real, embodied persons is central to the experience of constitutional citizenship.

Notes
A COMMENT ON PROFESSOR IRVING’S PAPER, “GENDER AND CONSTITUTIONAL CITIZENSHIP: COMBINING HISTORICAL, THEORETICAL AND DOCTRINAL PERSPECTIVES”

OKANO Yayo

I . Introduction

First of all, I would like to thank all who invited me as a commentator on Professor Helen Irving’s lecture at University of Tohoku, Sendai, Japan. It is a great honor to be offered such an opportunity to make comments on Professor Irving’s insightful, provocative and very rich paper. My special thanks go to Professor Miyoko Tsujimura who kindly invited me here and to Ms. Misumi Taeko, whose support and administrative work allowed me this opportunity to respond to Professor Irving’s essay.

The structure of my comments is as follows: First I introduce my academic interest, especially the theory of citizenship. Although my research field of political philosophy is different from Professor Irving’s, I believe that I share with Professor Irving something both significant and challenging to mainstream arguments about citizenship. Therefore, I hope I can approach from a different point of view one of her main arguments about “how citizenship is acquired in the first place.” Next, I would like focus on what makes her paper very provocative and to try to respond to her questions about the Japanese constitutional situation of citizenship as best I can. Finally I conclude my comment with a couple of questions for her.

II . A Right to Have Rights

I started my academic career by studying the political thought of Hannah Arendt. I was therefore pleased to see in her book Gender and the Constitution (p. 97), that Professor Irving points out Arendt’s concern about the harm of statelessness. Arendt, a German Jewish scholar living under the Nazi’ regime, and who herself experienced stateless as a refugee, took seriously the perplexities of Human Rights in her masterpiece, The Origins of Totalitarianism. In one of its famous passages, Arendt argued:
The fundamental deprivation of human rights is manifested first and above all in the deprivation of a place in the world which makes opinions significant and actions effective. Something much more fundamental than freedom and justice, which are rights of citizens, is at stake when belonging to the community into which one is born is no longer a matter of course and not belonging no longer a matter of choice [...]. This extremity, and nothing else, is the situation of people deprived of human rights. [...] We became aware of the existence of a right to have rights [Arendt 1973: 296-7. Italics are mine].

Arendt even emphasized that being deprived of a right to have rights was identical with exclusion from humanity altogether.

Studying both her personal history and her political theory interested me in the situation and history of Korean permanent residents in Japan. When in the 1980s the issue of whether Japan should receive more immigrants as foreign workers or not gained public attention, Korean residents started to claim their political rights, especially local voting rights. During this period, there was an unforgettable phrase written by a Korean scholar living in Japan who insisted that “we don’t have voting rights since we have not acquired voting rights, yet.” The ironic, circular reasoning of his claim has been the enigma surrounding theories of citizenship to me. The enigma can be rephrased by referring back to Professor Irving’s fundamental question: “How is citizenship acquired in the first place?”

This fundamental question of how citizenship is acquired tends to be ignored also in the field of political theory, one of whose main arguments is about citizenship. When we argue about citizenship, we tend to focus on what rights should be included in citizenship and how to fairly distribute social goods “among” citizens. On the other hand, following Arendt’s penetrating question about the relationship between citizenship and human rights, very few political philosophers asked the fundamental question of citizenship when they discuss about what social justice means.

Let me take another example. In his 80s book Spheres of Justice, Michael Walzer suggested that the best way to create a just, pluralistic and equal society is to allocate political membership to everyone who shares the same territory. Obviously he recommended Jus Soli over Jus Sanguinis. According to his argument, permanent Korean residents in Japan, especially third or fourth generation Koreans, are suffering from a tyranny of Japanese citizens. He also mentioned the difficulty of examining the principle of membership within the framework of justice.

Membership as a social good is constituted by our understanding; its value is fixed by our work and conversation; and then we are in charge (who else would be in charge?) of its distribution. But we don’t distribute it among ourselves; it is already ours [Walzer 1984: 32].

Since after World War II, the law of citizenship in Japan has been based on Jus Sanguinis. The process of naturalization is unclear and sometimes criticized for its arbitrariness. A right to have rights in Japan is not recognized as a right to claim but one permitted by the Ministry of Justice (Article 4, The Nationality Law). As Professor Irving has already mentioned, citizenship in Japan has never been thought of as a constitutional right. Only when Japanese citizens are willing to stop being Japanese by divesting themselves of their Japanese citizenship, does the Constitution recognize a right to divest nationality as inviolable (Article 22, Constitution 1946).

Although some political philosophers have
pointed out the fundamental question of citizenship, that is, “how citizenship is acquired in the first place,” their perspectives have thus far ignored gender. On the other hand, although many feminist scholars have criticized the exclusive, that is, masculine character of citizenship, they tend to claim for equal political and social rights and therefore miss the core meaning of citizenship as a status. That is, I think, the most significant insight of Professor Irving’s arguments.

While Professor Irving quite carefully cautioned against minimizing the importance of political rights, she is also aware of the problem of focusing on “normative citizenship.” This caution is understandable in the context of a masculinized republican and traditional ideal of citizenship that feminists have been criticizing as both demeaning and discriminatory for women. The dichotomy of public and private spheres forms the basic assumption of this ideal and has prevented women from being considered first class citizens. Unless the masculine and public character of citizenship is changed, women who have been expected to take feminine responsibilities in the private sphere remain second class citizens. Iris Young once regarded this problem as the paradox of citizenship. “Paradoxically,” she has written,

[S] uch autonomy and personal independence is thought to require the loving attention of particularist mothers who devote themselves to fostering this sense of self in their children. Attentive love disqualifies the nurturers of the individuality and autonomy of citizens from the exercise of citizenship, however, because the character of mothers tends to be emotional and oriented to particular needs and interests instead of to the general good [Young 1997: 124].

Therefore Young criticized and tried to transform the ideal itself of autonomy and independence as the conditions necessary to attaining citizenship. However, feminist challenges from Young and others for transforming the norm or conditions of citizenship have led feminists to another kind of dilemma: “Are we seeking a gender-neutral conception of citizenship […] or a gender-differentiated conception?” [cf. Irving 2008: 93].

I believe that significant implication of Professor Irving’s essay is a key to way out of the argument about “either equality or difference,” which has troubled feminists for a long time. Professor Irving’s suggestion is that we should first stop taking our citizenship for granted and then, look at what we are denied when we lose our citizenship. Citizenship is more than a bundle of rights. It is the recognition of “independent selfhood.” Without such recognition, people are placed “in a state of personal, and physical vulnerability.” (p. 39). Therefore, Professor Irving turns her attention from the problem of rights to the question about “how citizenship is acquired in the first place.” (p. 38)

### III. Another History of Citizenship

Here her interest in citizenship meets the historical experiences of women, especially married women, and she tries to keep some distance from normative discourse of citizenship. The birth of the modern notion of citizenship is closely related the development of sovereign nation-states in the context of international relations in seventeenth-century Western Europe. Sovereign
states are characterized as “the entity which holds a monopoly on the legitimate use of violence” according to Max Weber. Following the political revolution of the eighteenth century, sovereign power came to mean the people’s power. Then, who can share the allocation of sovereign power, or in other words, who can use legitimate violence became a matter requiring an urgent decision. Within these contexts, only soldiers of the fatherland were allowed to use legitimate violence. So the origin of citizenship as a status was basically masculine and militant, and according to Professor Irving, it was a residue of the “feudal principle of allegiance.” (p. 41).

Surprisingly this principle of allegiance remained viable up until the middle of the twentieth century. So the perspective of citizenship as a status showed another kind of history of citizenship different from T.H. Marshall’s famous history of developing citizenship as rights. From this historical point of view, women, even if they already gained voting rights, are not recognized as an independent self as long as their citizenship is dependent on her husband’s nationality. Because of “the principle that a husband and wife must have a single citizenship,” (p. 42) only women were forced to choose to either love her husband or her allegiance to fatherland.

When we look back at the history of the Japanese Nationality Law, we see that it followed the same path as Professor Irving’s story. The first Nationality Law during the Meiji era rigidly kept the principle of single family citizenship and then was modified by making an exception that wives could maintain their Japanese nationality just in the case of wives who could not automatically acquire her foreign husband nationality. These histories of citizenship lead us to rethink the concept of citizenship radically. Citizenship regarded as public status cannot be conceptualized without considering about how the family is legally recognized. As long as citizenship is regarded as a status for taking part in sovereign power or violence and needs allegiance to the state, we could say that the husband whether literally or symbolically might remain the sovereign of family.

Now I would like to think about the current situation of Japan by responding to Professor Irving’s question in her presentation about “whether there have been gender discriminatory citizenship laws in Japan, and if so, whether there have been any constitutional challenges”.

As I already mentioned shortly, under the Meiji Constitution, women’s nationality was subsumed under her husband’s. Under the current Constitution, a new Nationality Act was enacted still based on Jus Sanguinis, relinquishing the principle of single family citizenship. However, until ratification of Convention on Elimination of All Forms Discrimination Against Women (CEDAW) in 1984, citizenship to a new born child came from only Japanese father. Therefore, for example, children born in Japan between Japanese mothers and American soldiers quite often became stateless. The nationality Act of those days was obviously unconstitutional and discriminatory based on gender. In 1985 the Nationality Act was amended and now its second article reads that” a child shall be a Japanese national when, at the time of birth, the father or the mother is a Japanese national.”

Now there is no such principle of single family citizenship nor are there any gender-differentiated conditions for naturalization. So at first glance CEDAW has overcome the masculinity of citizenship. As Professor Irving interestingly pointed out, the Japanese Constitution provides “the freedom of all persons to move to a foreign country and to divest themselves of their nationality.” (p. 42). Are there no elements of allegiance any more in Japanese citizenship?
This question is very interesting because the current Nationality Law in Japan cannot be fully understood without understanding the Household or Family Registration Law (Koseki hou). Unfortunately, because I am not a legal specialist, I cannot explain the problem of the Household Registration Law from the viewpoint of the Constitution, but only generally explain the extraordinarily anachronistic and highly masculine as well as nationalistic character of the Household Registration Law.

Unlike the Western world, the Asian world has of course been heavily influenced by Chinese culture in developing systems of controlling its population. Since the seventh century, the system of Household Registration has endured through the course of Japanese history, albeit with numerous changes. The Household Registration Law of 1871 played an important role in the creation modern nation-state. To be registered legally in the household meant to be a Japanese subject. Therefore one’s position either outside or inside of the legal household also decided the boundary of nationality. In the Meiji era, the Household Registration Law allowed the head of family to exercise absolute power over other family members and ensure the preservation of a patrilineal society. The Household Registration Law reflected the Emperor system, which unified the whole nation at the same time that it stratified the society into proper subjects, dependent subjects (female Japanese), second class citizens, such as colonials in the Korean Peninsula, and foreigners outside the Household Registration Law.

Even though the current Household Registration Law changed its character, it still remains the essential law to authenticate the status of an individual and detail birth, marriage, death, divorce, family lineage and adoption, and ultimately, of course, nationality. Although several problems can be pointed out, I would like to mention one of the most problematic for women. The existence of the Household Registration Law shows that Japan does not regard individuals but families as a unit of society. The Current law requires that whenever a new family is created by marriage, one person must assume position of first person (Hittousha). This makes it almost impossible for a woman to maintain her maiden name after marriage, because the Household Registration Law demands that all register under the single family name of the first person. Moreover, because the Family Registration Law is linked with Japanese nationality, no foreign spouse can be registered as first person, even though his or her spouse chooses his or her surname.

With the rigid adherence to the single nationality against plural citizenship, the highly exclusive Household Registration Law in Japan forces children of Japanese born in the country of Jus Soli to choose which citizenship they want to maintain. Article 12 of the Nationality Law proclaims: “A Japanese national who was born in a foreign country and has acquired a foreign nationality by birth shall lose Japanese nationality retroactively as from the time of birth, unless the Japanese national clearly indicates his or her volition to reserve Japanese nationality according to the provisions of the Household Registration Law.” According to the Household Registration Law, parents have to file a notice to reserve their children’s Japanese nationality within three months after the birth. If they do not, new-born children are regarded as having excised their “freedom” and Constitutional right to divest themselves of their Japanese nationality.

The Household Registration Law, I believe, is unconstitutional, especially because of Article 24.
IV. Conclusion

To conclude, I would like to ask Professor Irving a couple of questions. Firstly, I would like to know more about the positive implication of regarding citizenship as “constitutional” not “political.” We could learn a lot of exclusive and discriminatory elements if we looked back to the history of citizenship as “constitutional.” However, I think that “constitutional citizenship” hints at much more positive aspects to overcome the ideology of allegiance. If Arendt was right to say that deprivation of citizenship was the same as denial of humanity, should we, citizens, accept foreigners who claim “our” citizenship? Does it lead to arguments for the opening of national borders? As you discussed in *Gender and the Constitution*, the Constitution itself has closing, finalizing moments as well as opening, transformative ones. So is there any limitation, that is, exclusionary elements of “constitutional citizenship”?

Secondly, as I tried to show, and Professor Irving clearly showed us, members of a family and those of a nation are not identical. In the case of Japan, being members of a nation seems to surpass or oppress the tie of family because of the existence of the Household Registration Law. On the other hand, I came to realize that the diversity of nationalities within a family has some possibilities to go beyond or at least make unstable the current ultra-nationalism in Japan. I would like to know what Professor Irving thinks about not only multi-cultures but also multi-nations within a family? Is the recognition of plural citizenship a solution to the conflict between family and nation?

Finally, I would like to hear more about Professor Irving’s ideas about embodied persons from the perspective of the Constitution. Although Professor Irving did not mention reproductive rights, I think we could associate Professor Irving’s essay with the importance of recognition of reproductive rights as a constitutional right. If I am right, the Constitution should reflect the significance of experiences of embodied persons and women.

References


Notes

1 Ayelet Shachar, however points out the exclusiveness and therefore inequality of both *Jus Soli* and *Jus Sanguinis*. She argues that “[w] hile jus soli and jus sanguinis are typically presented as antipodes, it is important to note that both rely upon, and sustain, a conception of bounded membership.” To resolve a difficult question about how to allocate the scarce resource of citizenship, both rely on “birthright transfer of entitlement.” [Shachar 2009: 7]. Professor Irving kindly mentioned Shachar’s book to me.


3 In 2005 the Constitutional Court of South Korea decided that the House Head (호주 [Hoju in Korean]) system was unconstitutional because it was against the constitutional philosophies of individual dignity and gender equality. In 2007, the new civil law was introduced and the Korean family registry system was abolished. It transformed the family registration into the individual registration system. Although the Japanese household registration does not
demand the family head and patrilineage anymore, the household registration should be still criticized for its vestiges of patriarchy. See for example, [Sakakibara 1993].
Part III Invitational Papers

THE AGENDA AND POTENTIAL OF THE EAST ASIAN COMMUNITY:
A Critical Historical Sociological Analysis of Imperialism in Asia
IKEGAMI Masako

WHO WANTED THE PUBLIC CHILD CARE SUPPORT?:
Organization of “Work” of Female Weavers, Mill Managers and Families
in Northern Fukushima during High Growth Era
HAGIWARA Kumiko

STRATEGIC CONTRIBUTION OF GENDER EQUALITY
AND DIVERSITY IN A COMPANY
MIZUNO Yukari

THE EFFECT OF WIVES’ CONTRIBUTIONS TO FAMILY INCOME
ON HUSBANDS’ GENDER ROLE ATTITUDES:
Analyzing Data of the National Family Research of Japan 2003 and 2008
SHIMA Naoko
During the Cold War, while Europe was frozen with the fear of nuclear annihilation, Asia suffered from a series of hot wars and massacres. In the post-1945 era, Asia has been continuously destructed by highly intensive and severe wars, massacres and famines, with a death toll in the tens of millions. Except for the case of Pol Pot’s massacre, none of these large-scale atrocities have been legally settled by domestic or international law.

While state-to-state conflict is unthinkable in Europe, Asia is still burdened by the risk of anachronistic conflicts, typically over borders. The Korean War has not yet legally ended, but rather paused with an armistice signed in 1953. In post-Cold War Europe, the risk of major armed conflicts has been reduced to a quite low level, while non-traditional threats, such as terrorism and energy shortage, currently dominate European security concerns. In Asia, by contrast, the picture is much gloomier—there is still a high risk of interstate armed conflict as a result of excessive power struggle, as well as non-traditional security threats. Two flashpoints remain in East Asia, namely the Korean Peninsula and the Taiwan Strait, where the risk of interstate conflict involving weapons of mass destruction (WMD) cannot be ruled out as the conflicts escalate. Additionally, the East China Sea and Spratly Islands remain risk zones for armed conflicts over territory and natural resources, as China is intensifying its natural resources hunting with expanding military power. China’s rapid military build-up is a challenge to many countries in the region. Meanwhile, the U.S. overseas forces are undergoing global re-deployment and reorganization, which affects the Asia-Pacific region, adding another uncertain factor to the regional security balance in the coming years. The lack of credible regional confidence and security-building measures in East Asia is only making the current situation more
volatile.

According to the Uppsala Conflict Data Program (UCDP), Asia is one of the most conflict-burdened regions in the world. The UCDP defines an armed conflict as “a contested incompatibility which concerns government and/or territory where the use of armed force between two parties, of which at least one is the government of a state, results in at least 25 battle-related deaths”; if a conflict involves at least 1,000 battle-related deaths in a year, it is regarded as having the intensity level of war. From the UCDP data on aggregated armed conflicts 1946–2007, Asia can be identified as having the second largest number of conflicts after Africa, and the greatest number of “wars,” i.e. conflicts of high intensity with over 1000 battle-related deaths per year. Noteworthy is that conflicts in Asia are dominated by territory-related disputes. In the aggregate data for armed conflicts in 1946–2007, Asia has been most prone to major conflicts, and as of 2007 Asia had the greatest number of active armed conflicts. Furthermore, it should be recalled that the UCDP does not cover large-scale atrocities caused by political power struggles, such as Mao Zedong’s Great Leap Forward (1958-61) and the North Korean famines that occurred during the 1990s. In addition to major armed conflicts and atrocities, Asia is most vulnerable to large-scale natural catastrophes—such as the 2004 tsunami (nearly 0.3 million killed), Cyclone Nargis in Burma in 2008, and the 2008 Sichuan earthquake in China—due to the region’s high density of population, poverty and unequal socioeconomic structure.

Such negative trends in Asia continue well into the post–Cold War period; this is well reflected in the trend of military expenditures by region since 1988, as shown by the Stockholm International Peace Research Institute (SIPRI) data. In terms of U.S. dollar at constant 2005 prices and exchange rates, military expenditure in East Asia has been constantly increasing even during the post–Cold War period, which is in stark contrast to Western Europe, whose military expenditure has stagnated during the same period. China’s double-digit military expenditure growth is the major reason behind the region’s military expenditure increase. Such data clearly show that Asia has suffered greatly from many severe wars and major armed conflicts after 1945; even after the Cold War, Asia has not benefited from the so-called peace dividend. Rather, as the next section shows, Asia has many signs of potentially highly destructive conflicts which may have global consequences.

In East Asia, there remain many territorial disputes due to the legacy of war, involving the major countries of China, Japan, Korea and Russia. China’s rapidly growing military power and its tendency to resort to force to further its interests (as seen in the East China Sea and the South China Sea) increase the risk of conflict. According to a quantitative analysis of the militarized interstate dispute data (1816–1992) by Vaequez and Henehan (2001), territorial disputes increase the probability of war and have a higher probability of triggering war than other kinds of disputes, such as struggles over policy and regime. With its legacy of war, colonialism and complicated ethnicity, Asia is prone to territorial disputes, and this has to be addressed in a more proactive way.

II. Beyond the Official History of the War Legacy

The arms race in East Asia is fuelled by the abuse of arbitrary offensive defense, which has largely originated from the war legacy, i.e. the Second World War, the Korean War, and the Cold War,
affecting the psychology and the threat perceptions of the nations involved. If such perceptions deriving from historical trauma are converted and hardened into military doctrine and national consciousness, they can be transmitted and amplified through political discourse, education and the media; this can in turn narrow policy options and exclude alternatives. Therefore, it is highly important for the East Asian regional powers to thoroughly and critically review their war history to achieve a common understanding of existing, highly controversial historical issues.

In East Asia, the war legacy continues to generate negative psychology and perceptions among nations in the region. Legally, Japan’s war reparations issues were settled by the 1951 San Francisco Peace Treaty and other bilateral treaties. However, the war legacy problem remains as an issue of psychology, perception and a twist of the state-individual nexus of war compensation. Indeed, in recent international legal discourse, the concept of war compensation is extended as follows: “any damage or losses, whether physical or psychological, must be compensated by a state involved in a war, regardless of victory or defeat of the state in question.” According to this, war compensation includes not only material reparation, but also apology, probing truth, recovering honor and even history education. Regarding Japan’s war reparation, the 1951 San Francisco Peace Treaty settled the issues of Japanese overseas territories (albeit with some ambiguity) to be renounced by Japan, Japanese overseas assets to be confiscated by the Allied forces, compensation to Allied civilians and prisoners of war (POWs) and compensation to Allied territories occupied by Japan (Burma, Philippines, Indonesia and Vietnam). Toward other afflicted countries, bilateral treaties were applied to settle the de facto reparation issue in the form of economic cooperation, in return for those claimant countries abandoning of their rights to claim war reparations. This is exemplified in the cases of the 1965 Japan-South Korea normalization treaty, the 1972 Japan-China normalization treaty, and other bilateral treaties between Japan and Cambodia, Laos, Malaysia, Singapore and Micronesia. Although the war reparations issue was settled at a government-to-government level, the lack of direct individual compensation to the Asian victims—albeit agreed upon by Japan and the respective recipient governments—has caused the widespread sentiment that Japan has not compensated for the war damage sufficiently. Meanwhile, some Japanese politicians’ occasional insensitive remarks, the Yasukuni shrine issue, the Japanese history textbook issue and the reignited issue of the comfort women, non-Japanese soldiers and personnel mobilized for the Japanese military, are fuelling such sentiment, politicizing the war legacy issue.

The Sino-Japanese relationship is heavily burdened by the historical controversy, and has been seriously depressed by a number of problems and neo-nationalism prevalent in both countries. A series of insensitive remarks by the Japanese cabinet members and violent anti-Japan mass demonstration in China in 2005 are merely the tip of the iceberg. The problem is that the war history has not yet been thoroughly scrutinized in a strictly academic/scientific manner either in Japan or in China. In the case of Japan, interestingly, there are many historical studies coming out 60 years after the war on how the war ended, who exactly was responsible for the fatal decisions of the Pearl Harbor attack in the war-time cabinet (group dynamics inside the Imperial Headquarter) and whether Emperor Showa was responsible for the war decision. For instance, in the midst of the controversy over the Yasukuni Shrine issue, a memo by Tomita Tomohiko, a grand steward of the Imperial Household Agency, which recorded remarks Emperor Showa [Hirohito] made in April
1988 was disclosed in Nikkei Newspaper on July 20, 2006.\textsuperscript{16} The memo suggests that the emperor had stopped paying visits to Yasukuni Shrine (the last visit was November 1975) where the spirits of Japan’s war dead are honored, after the chief priest of the shrine decided to include in the enshrined spirits those A-class war criminals executed after the Tokyo trial in 1978.\textsuperscript{17} The disclosure of the “Tomita memo” had a significant impact on the domestic debate on the Yasukuni Shrine issue, which is in favor of the liberals opposing the enshrinement of the A-class criminals in the shrine, particularly in connection with the repeated visits to Yasukuni Shrine by Prime Minister Koizumi Junichiro. A number of books on the Yasukuni Shrine issue have been published in Japan both by opponents and advocates concerning public officials’ visit to the shrine. Such active debate will enhance the understanding of the problem domestically and internationally, and eventually a reasonable solution acceptable to all parties concerned with the Yasukuni controversy can be sought.

For improving Sino-Japanese relations, which is a vital factor for peace in East Asia, there are many agendas that China could also tackle positively. For instance, the Chinese government used to accuse Japan of “not paying the war compensation” by concealing the very fact that Mao Zedong had opted for economic assistance while abandoning the right to claim individual war compensation at the time of Sino-Japanese rapprochement in 1972. This was a mutually agreed-upon compromise: Beijing was badly in need of funds and infrastructure for development, while Tokyo wanted to normalize the bilateral relations for political and economic calculations without touching upon the sensitive war history issue. Based on such agreement, Japan has provided large-scale official development assistance (ODA) and favorable yen-loan to China since 1979, amounting to over 80 billion USD (1USD=80JPY) in total: The aggregate ODA since 1979 is 3.1331 trillion yen (JPY) in loan aid, 145.7 billion yen in grant aid, and 144.6 billion yen in technical cooperation.\textsuperscript{18} Besides the ODA, Japan has also provided favorable yen-loans from the Japan Export-Import Bank worth 3.224 trillion yen in total. Such large sums of Japanese economic assistance have contributed to the construction of a number of important social and economic infrastructures in China. The following are a few examples of the many projects that have been initiated (data from the Japanese Ministry of Foreign Affairs, op. cit.):

- The Tianshengqiao Hydroelectric Power Project (118.0 billion yen);
- The Beijing-Qinhuangdao Railway Expansion Project (87.0 billion yen);
- The Guiyang-Loudi Railway Construction Project (30.0 billion yen);
- The Shanghai Pudong International Airport Construction Project (40.0 billion yen);
- The Beijing Capital Airport Terminal Area Expansion Project (30.0 billion yen);
- The Chongqing Urban Railway Construction Project (27.1 billion yen);
- The Beijing Subway Construction Project (19.7 billion yen);
- The Datong-Qinhuangdao Railway Construction Project (18.4 billion yen);
- The Hangzhou-Quzhou Expressway Construction Project (30.0 billion yen);
- The Liangping-Changshou Highway Construction Project (24.0 billion yen); and
- The Xinxiang-Zhengzhou Highway Construction Project (23.5 billion yen).

Thus, it is no exaggeration to state that Japanese funds have contributed to a large part of China’s lifelines and social/economic/industrial infrastructures since the 1980s, when China was still starved for capital and much less developed...
in infrastructure. If such simple and basic facts were properly told to the common Chinese people, their hostile feelings toward Japan stemming from misunderstanding and lack of knowledge could be reduced significantly.

Another major myth of the war history is the atomic bomb. According to the prevalent idea, using the atomic bomb was the only way to avoid an invasion of Japan and force Japan to surrender due to A-bomb terror, thereby saving “half a million or a million of American lives.”19 According to Gar Alperovitz,20 an outstanding scholar of Cold War diplomatic history, using the atomic bomb was not necessary to end the war against Japan; rather, it was the genesis of the Cold War confrontation between the U.S. and the Soviet Union. Based on thorough intelligence analysis, Truman and his advisers knew the alternatives to using the bomb was 1) to clarify the surrender formula to provide assurances for Japan’s emperor, and 2) to inform the Japanese about the Soviet attack scheduled three months after Nazi Germany’s defeat (around August 8) that Stalin had pledged to Roosevelt at the Yalta Summit.21 Although Truman understood that using the bomb was not necessary to end the war before an invasion, he opted for its use in order to impress the Soviets, as a new “master card to make Russia more manageable.”22 Militarily, the use of the atomic bomb was not necessary, but was rather used as a “master card” of diplomacy. Thus, Gar Alperovitz points to the genesis of the Cold War in the U.S.’s atomic bomb decision making. History shows that the atomic bomb ceased to be a “master card” for the U.S. only four years later: The Soviet Union conducted its first nuclear weapon test in 1949, followed shortly by the U.K. in 1952, France in 1960 and China in 1964.

War legacy is part of national memory, and it passes on via education and media. Because national memory is so important to national identity (and even the legitimacy of regime in the case of an authoritarian regime), the war legacy issue is liable to be politicized through manipulation and propaganda purposes. Thus, the history textbook issue is particularly sensitive. As long as the war legacy problem is exploited by state power for political manipulation and propaganda, Asia cannot achieve authentic regional cooperation based on the consensus of “community” and common ground of humanity as the Europeans did after 1945 and again after the Cold War. Most experts agree that European integration was not possible without the reconciliation between Germany and other nations such as France and Poland. While European politicians were sincere in the war legacy issue, European scholars made serious efforts to achieve a shared understanding of the most brutal wars and atrocities of the 20th century. In East Asia, due to the lack of maturity of civil society, such efforts could not have been made until recently. In Japan since the 1980s, surging external criticism of a new Japanese history textbook promoting a revisionist view of Japanese history, prompted a serious review of war history with the consciousness of “war responsibility”; hundreds of serious studies have been published, some of them even in English, such as From Marco Polo Bridge to Pearl Harbour: Who Was Responsible? compiled by the Yomiuri Shimbun War Responsibility Re-examination Committee.24 Even contentious issues such as the Nanjing incident have been thoroughly scrutinized by hundreds of serious Japanese scholars, together with several academic associations focusing on the subject.23 If such solid war studies by serious scholars are encouraged, the war legacy issue will become a promising ground for mutual (not necessarily “shared” due to formidable perception gaps) understanding, rather than an area of political manipulation and propaganda. The Japanese and South Korean
governments launched “the Japan-ROK Joint History Research Committee” (first phase, 2002–05; second phase, from 2007 onwards) for “promoting mutual understanding concerning accurate facts and recognition of history.”

The Japanese and Chinese governments also launched “the Japan-China Joint History Research Committee” in December 2006, hoping to submit a concluding report by 2008; this, however, was largely delayed due to irreconcilable views, and eventually they issued their respective reports in January 2010. While the Japanese and Chinese experts agreed to include different views and analyses on contentious issues such as the Nanjing incident, reportedly the Chinese side is resisting the inclusion of any description of the 1989 Tiananmen incident or the anti-Japan Patriotism Education Law (imposed by Jiang Zemin in 1994) in the articles produced by the Japanese. Unless a mature civil society with freedom of press and expression ensuring solid and objective research is found in China, there is no chance for Japan and China to reach mutual understanding of history by overcoming the war legacy.

III. The Root Causes of the Conflicts in Asia: Ethno-Nationalism and Chauvinism

In East Asia, the war legacy is the major root cause of many territorial disputes and political/diplomatic frictions. The war legacy has not only remained with the wars waged by Japan, i.e. the Sino-Japanese Wars (1894–95 and 1937–45), the Russo-Japanese War (1904–05) and the Pacific War (1941–45), but also with the wars triggered by China, i.e. the protracted Chinese Civil War (1927–37, 1946–50), the Korean War (1950–53), the Vietnam War, and many other armed conflicts and insurgencies that claimed massive casualties in post-1945 Asia, as detailed in the first section of this chapter. The previous sections note that most of the conflicts in Asia derived from territorial disputes, a distinct feature compared with other regions such as Europe and Africa, and that East Asian states tend to resort to the arbitrary “offensive-defense” rhetoric, fuelling the arms race in the region. North Korea’s two nuclear tests (October 2006 and May 2009) and test fires of long-range missiles (1993, 1998, 2006, 2009), all carried out under the name of “deterrence and defense,” present an extreme case of such problem in East Asia.

Johnston (1998) analyzed China’s militarized interstate dispute behavior between 1949 and 1992, concluding that “China will be more likely to resort to force—and relatively high levels of force—when disputes involve territory and occur in periods where the perceived gap between desired and ascribed status is growing or large.” The study finds that China was the most dispute/violence-prone among the major powers, i.e. the U.S., USSR, U.K., France and India until 1992, and China tends to resort to the highest scale of military action (clashes) in territorial disputes. This study also finds that once in a militarized dispute, China tends to escalate to a relatively high level of force, and in the absence of alternative forms of crisis management, tends to opt for the use of force in a militarily offensive manner, even for politically “defensive” purposes, with doctrinal changes that stress the offensive, even pre-emptive, use of military power. Japan in the pre-1945 period also showed excessive emphasis on the use of force even for “defensive” purposes. From the Japanese point of view, both the Sino-Japanese War (1894–95) and the Russo-Japanese
War (1904–05) were basically for “defense” against the threat of Imperial Russia’s expanding power in the Far East. For the Japanese, even the 1931 Manchurian incident was initially for defending Japanese economic interests (the South-Manchurian railway and large industrial infrastructure investment for extracting oil, iron, coals etc.), and for “the first defense line” by the military. The Manchurian incident triggered the Sino-Japanese War (1937–45) and the Pacific War (1941–45), which eventually ruined the whole nation. Most of the armed conflicts in East Asia in the post-1945 period also derive from territorial/border disputes.

A question persists as to why East Asian countries stick to such anachronistic values and concepts in the 21st century. One possible explanation is found in a peculiar modern nation-state building process in East Asia. Japan was the first country in Asia that achieved modernization. Japanese feudalism since the 17th century had been stable without any disturbance of wars/battles under Tokugawa Shogun’s hegemony (the Tokugawa Bakufu, 1603–1867). While the Tokugawa Bakufu introduced national seclusion policy (1635–1854) to control the influence from the West, the Tokugawa period saw significant development in terms of social economy, bureaucratic institutions, culture and even science through rangaku (蘭学 Dutch/Western learning). However, such domestic tranquility under isolationism was abruptly challenged when U.S. Commodore Perry, with a fleet of four warships (“kurofune [black ships]”) arrived off the coast of Edo (Tokyo) to convey the U.S. claim for Japan to open for shipping supplies to and trading with the U.S. Under the threat of the overwhelming American military power, the Tokugawa Bakufu had to concede to the U.S. claim to abandon its seclusion policy, open two ports, and sign a treaty of trade including the most-favored-nation clause with the U.S. in 1854. From then on, similar agreements were concluded between Japan and Britain, France, Russia and the Netherlands (Hane, 2001). Such traumatic experience of Western pressure triggered strong domestic challenges against the Bakufu (the old regime) among the Japanese opponents (reformists) advocating the sonno-jo (尊王攘夷 to revere the Emperor and repel the barbarians). This eventually led to the fall of the Tokugawa Bakufu in 1867, thus starting the modern nation-state building with the 1868 Meiji Restoration. Noteworthy is that the modern Japanese nation-state building was initially triggered by “the Western threat”; thus, the rebellion against the ancien régime (Tokugawa Bakufu) was initially accentuated and driven by a strong sentiment of xenophobia and national chauvinism. This initial momentum of modernization as a counter-force against “the Western threat” remained as a peculiar characteristic of modern Japanese nationalism, although during the Meiji period, the reformists driving the modernization of Japan turned the guideline to wakon-yosai (和魂洋才 Japanese spirit combined with Western learning).

Many Asian intellectuals, inspired by the Japanese modernization experience, attempted to save their nations. Sun Yat-sen, the “Father of modern China,” frequently came to Japan and stayed there in exile over 10 years in total during his decades-long struggle for Chinese revolution, where he received strong support in terms of financial grants, weapons (for the failed 1895 coup), politics and ideology, among them from Miyazaki Toten (宮崎滔天), a Japanese democratic revolutionary, and Umeya Shokichi (梅屋庄吉) who were Sun’s life-time supporters and friends. In Korea, Kim Ok-kyun, a reformist who attempted to modernize Korea through the Japanese experience and instigated the Gapsin/Kapsin Coup in 1894 with Japanese
support, was influenced by top modern Japanese intellectuals such as Yukichi Fukuzawa (福澤諭吉), a pragmatist and the “Benjamin Franklin of Japan.” The coup failed only after three days due to China’s military intervention led by Qing Empire General Yuan Shi-kai upon Queen Min’s request.

These examples demonstrate the extensive impact of the Japanese modernization experience on other Asian nations. One can assume that the overall modern nation-state building process and nationalism in Asia retained the characteristics of Japanese modernization. The international and domestic political conditions those Asian nations faced were also similar to those of Japan before the Meiji restoration: “Western threat” and severe confrontation between the old/existing regime and reformists/modernists. Therefore, it is not surprising to find a strong sentiment of xenophobia and national chauvinism in other East Asian countries. Examples of this include the Donghak (東学 Eastern Learning) Peasant Revolution (1894), an anti-government, anti-yangban (両班 the traditional ruling class of dynastical Korea) and anti-foreign uprising in 1894 in Korea which eventually catalyzed the First Sino-Japanese War; the Boxer Rebellion/Uprising (義和団 1898-1901), a brutal anti-foreign, anti-Christian movement against the imperialist expansion, missionary evangelism, domestic crisis and disasters in China; and the May Fourth Movement (1919), an anti-imperialist, cultural, and political movement growing out of student demonstrations in Beijing, protesting the Chinese government’s weak response to the Treaty of Versailles. In such cases, reaction to the Western threat and imperialism triggered the uprisings, and the movements were accentuated with xenophobia and strong ethno-centric nationalism. In the cases of Japan, China and Korea, the modern nation-state building was prompted as a reaction to “the Western threat”, which possibly resulted in the characterization of Asian nationalism as involving offensive defense, xenophobia and ethnocentrism. This could explain why East Asian countries are still troubled by the recurrent eruption of incidents driven by anti-foreign, ethnocentric nationalism and anachronistic border frictions.

East Asia has been heavily burdened by the war legacy, and sincere reconciliation is vitally important to regional peace and prosperity. However, the Asian-style ethnocentric nationalism aggravates the war legacy problem. Serious and objective study on the war history of the region conducted jointly by international scholars would be helpful to overcome the war legacy in the promotion of mutual understanding. Such objective and impartial study of history and its dissemination requires a sound academic milieu, i.e. freedom of information and expression. Eventually, whether East Asia is able to overcome the war legacy problem in a constructive way or not hinges on the degree of maturity of civil society in the region.

IV. Old and New Imperialism in Asia

The rise of China brings up many questions, foremost of which is as follows: Will powerful China be a responsible member of the international community, complying with established rules and norms of the current global system? Or will it defy global standards, and strive instead to project its own rules and norms, thereby challenging the world order established by the United States? China is eager to dispel vigilance about its rise by trumpeting rhetoric such as “peaceful rise”
or “peaceful development.” The connotation is that China has learnt from history that emerging Nazi Germany and Imperial Japan directly challenged Anglo-American hegemony, which in turn triggered the Second World War and resulted in the ruin of both nations. Instead, China will progressively acquire global influence without clashing with the United States. However, since his consolidation of power in 2003, Chinese president Hu Jintao has successfully implemented a proactive foreign policy to secure Chinese footholds globally in strategically important countries in terms of natural resources and geopolitics, from Africa and Central Asia to Latin America. The intention is to build up an international coalition, mostly consisting of non-democratic states, which challenge U.S. hegemony.

China is also pursuing a highly sophisticated strategy towards geo-strategically important neighboring countries, including North Korea and Burma, which are rich in natural resources yet domestically politically repressive. If Imperial Japan’s Manchukuo policy during the 1930s is interpreted as 1) significant investments in economic infrastructure for extracting natural resources, 2) military interventions for protecting economic interests and 3) social-political absorption/annexation via installation of puppet governments, then China’s current strategy towards these countries could also be explained with such a model, namely the quasi-Manchukuo model. China’s current trajectory shares elements with Imperial Japan’s Manchuria strategy in terms of the incremental and discreet expansion of its strategic front, initially disguised as industrial infrastructure investment or “economic cooperation.” This suggests that China could be becoming a new imperial power, notwithstanding its rhetoric of “peaceful rise” or “peaceful development.”

Taking advantage of North Korea’s isolation, China is steadily enclosing this country. China is the chief food supplier for North Korea, and accounts for nearly 90 percent of its energy imports and 80 percent of its consumer goods imports. China–North Korea bilateral trade continues to increase, including Chinese transfer of luxury goods which are banned by UN Security Council Resolution 1874, implemented after North Korea’s nuclear test in 2009. Overall, China accounts for over 70 percent of North Korea’s trade, and nearly 90 percent of foreign direct investment, of which almost 70 percent is for mineral resource extraction, including coal, iron, gold, copper, zinc and lead. China has acquired exclusive rights to develop the Musan iron ore mine, originally developed by Mitsubishi in the 1930s and the largest open-air iron mine in Asia, as well as Rajing Port, a strategically important gateway to the Sea of Japan, originally developed by Imperial Japan in tandem with its development of Manchuria. Through robust targeted infrastructure investment, China is now integrating North Korean natural resources as a part of its own north-eastern industrial zone. This area overlaps with Manchuria, where Imperial Japan invested heavily in industrial infrastructure, heavy industry and munitions manufacturing during the 1930s.

Upon acquisition of the South Manchuria Railway in Northeast China following the Japanese victory in the Russo-Japanese War (1904–05), Japan deployed the Kwantung Railway Garrison in 1906 to defend the railway and its economic interests. In 1919, this railway garrison evolved into the Kwantung Army that later triggered the Manchurian Incident of 1931, where Japanese forces staged an explosion along the railway line, which was blamed upon the Chinese, and resulted in the creation of the Japanese puppet state Manchukuo (1932), leading to the second Sino-Japanese War (1937–45). The South Manchuria Railway Company became the heart of industrial development in the region.
of Imperial Japan’s political, economic, industrial and military activities in Manchuria, accompanied by a large-scale Japanese migration program along the gradually extending railway. The 1931 Manchurian Incident was a result of the Kwantung Army’s long-term strategy and careful planning to secure mineral resources. Indeed, without the abundant mineral resources and heavy industry in Manchuria, the Imperial Japanese Army could not have pursued or even contemplated a war with the Anglo-American imperial powers. Manchuria was the military-economic prerequisite for Imperial Japan to wage the Pacific War.

China’s recent investment in large-scale industrial infrastructures—roads, railways and pipelines—in strategically important but internationally and domestically weak countries, such as North Korea and Burma, is similar to Japan’s Manchuria’s policy of old: a platform of economic activities to secure natural resources exclusively. China’s policy, often under the cover of “development” or “cooperation,” has solely strategic purposes such as establishing military bases, as in the case of Burma’s Coco Islands. In addition, just as dual-use civilian-paramilitary Han-Chinese workers have migrated to the Tibet and Xinjiang provinces, such as through the Xinjiang Production and Construction Corps, the same could occur in Burma and other locations. In retrospect, Japan’s Manchukuo policy was a sophisticated strategic measure of stealth imperialism for a relatively weak latecomer imperial power trying to expand its own interests discreetly and incrementally, avoiding direct confrontation with established imperial powers such as Great Britain and the United States. Likewise, China’s quasi-Manchukuo strategy is a measure of stealth imperialism for latecomer China to expand its footholds in its vested interests while avoiding immediate confrontation with other major powers over strategically vital countries such as North Korea and Burma.

China’s increasingly aggressive territorial claims in the Yellow, East- and South China Seas betray its imperialistic nature, and provide evidence that China does not abide by the basic international Westphalian system by which states’ borders are respected by international rule of law and mutual recognition of sovereignty. Instead, according to prominent Chinese military analyst Hiramatsu Shigeo, China adapts the People’s Liberation Army’s doctrine of “strategic frontier.” This is a denial of the Westphalian system based on geopolitical landscape, and is potentially aggressive and expansionistic, implying that strategic frontiers can be expanded corresponding to an individual state’s national power and force. Accordingly, the Chinese military has adapted the “Offshore Defense Strategy” for offensive operations along the First- and Second-Island Chains that cover the entire Yellow, East- and South China Seas, Taiwan, and Okinawa (Ryukyu Islands), as far as the Japanese archipelago, and expanding to the Philippines and Guam.

Being driven by its rapidly expanding national power and strong self-confidence, China has started acting as a new imperial power, while trying to disguise its imperialistic ambition behind its self-invented rhetoric of “peaceful rise” or “peaceful development” (for details on this argument, see Ikegami 2009). China’s quasi-Manchukuo strategy is a measure of “stealth imperialism” to expand footholds of its vested interests while avoiding immediate confrontation with other major powers over strategically vital countries such as North Korea and Burma. On the one hand, China’s political and economic institutions still maintain characteristics of Leninism, which makes China virtually the successor of the Soviet Union, in spite of its careful introduction of a market economy. On the other hand, China is learning from the U.S. know-how when it comes to “soft power” such as...
extensive utilization of mass media, cultural and academic activities for sophisticated propaganda. In this regard, China is a new hybrid empire of the 21st century. The history did not end, even though the Cold War ended with the decay of the Soviet Union. We might be witnessing a new age of empires. Does this mean a prelude to a new Cold War?

If the Cold War of the 20th century is interpreted as confrontation between two empires, the United States and the Soviet Union, there might well be another Cold War in the 21st century between the United States and PRC China. Indeed, Hu Jintao’s proactive diplomacy in Africa, Central Asi, and Latin America and elsewhere can be viewed as assimilate block formation, countering the other coalition making led by the United States. As China, out of its strategic calculation, incorporates states of concern, failed states and other authoritarian states, this will inevitably lead to block formation (for details, see Ikegami 2009-a). As the Soviet Empire needed satellite states in the Eastern block to maintain the empire, the PRC is possibly also building a block of satellite states in order to maintain its own empire. This explains well why China is trying to protect and sustain the North Korean and Myanmar regimes by all means, even at the expense of massive criticism and friction with the international community.

V. The East Asian Community against Imperialism

Asia’s modern history has suffered from imperialism, including colonization by Western imperialist nations, great power games among old and new imperial powers (Western imperial powers, Russia and Imperial Japan), which triggered the Second World War in the Asia Pacific. Even the Cold War can be interpreted as confrontation between two “empires,” i.e. the United States and Soviet Union. After the Cold War ended, China has risen by increasingly challenging the U.S. hegemony economically, militarily and diplomatically in terms of international “block” making. The emerging U.S.-China rivalry can be understood with the analogy of a “new Cold War.” On the other hand, as discussed at length in the above, China’s current approach to its strategically important neighboring countries has many parallels with Imperial Japan’s Manchukuo strategy in the 1930s, as a measure of “stealth imperialism.”

As the worst case scenario, high tension may emerge relating to the territorial disputes in the Asia Pacific region if China takes an aggressive stance by employing quasi-Manchukuo strategy of “stealth imperialism” to expand its strategic frontiers. This expansion of strategic frontier in the Asia Pacific region would inevitably challenge the U.S. hegemony in the area, just as Japan’s Manchukuo strategy inevitably collided with the U.S. and U.K. interests in China, thereby increasing the risk of conflict. China might well review carefully Japan’s pre-war Manchukuo strategy that triggered the catastrophic war to ruin Imperial Japan in the end. International relations theory teaches us that the risk of large-scale war is high at times of hegemony shift. Do we want to see another age of empires in the 21st century? This guides us to ponder and envision a new fair world free of coercive systems of empire or imperialism.

In 1924, Sun Yat-sen made his last visit to Japan and delivered the speech titled “Greater Asianism” in Kobe. While Sun Yat-sen praised Japan’s victory in the Russo-Japanese war (1904–05) as “a new hope to all Asiatic peoples,” he
requested Japan’s self-restraint. Sun Yat-sen argued that “European civilization is nothing but the rule of Might (霸道),” while characteristics of Oriental civilization are “benevolence, justice and morality, the rule of Right or the Kingly Way (王道),” and inquired the enthusiastic Japanese audience:

Which civilization, the rule of Might or the rule of Right, will prove to be beneficial to justice and humanity, to nations and countries? You can give your own answer to this question … Pan-Asianism is based on the principle of the rule of Right, and justifies the avenging of the wrongs done to others … Japan today has become acquainted with the Western civilization of the rule of Might, but retains the characteristics of the Oriental civilization of the rule of Right. Now the question remains whether Japan will be the hawk of the Western civilization of the rule of Might, or the tower of strength of the Orient. This is the choice which lies before the people of Japan. (Sun Yat-sen’s “Greater Asianism” address, Kobe, 28 November 1924, ibid.)

Sun Yat-sen emphasized the importance of justice, humanity and morality as the rule of the Kingly Way. Ironically, at that time, Japan was increasingly acting as a new imperial power, while Sun Yat-sen was being conciliated by the Soviet Union, another empire, causing the Japanese leaders to distance themselves from Sun Yat-sen. Once, through Sun Yat-sen and his powerful Japanese supporters’ friendship and collaboration, Japan and China intended to counter the threat of Western imperialism to defend and restore Asia. Sadly, this critical collaboration against Western imperialism was ruined by their own inclination to imperialism. Now the East Asian community of the 21st century must learn from the failed collaboration between Sun Yat-sen and his Japanese supporters, and adhere to the stance of anti-imperialism, as well as justice, humanity, and morality.

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Notes
* This paper is based on my presentations at the Hagi Seminar, Tohoku University, October 16, 2011, and the East Asia Community Conference, Sun Yat-sen University, Guangzhou, September 6, 2011.

1 Murakami 2009 (emphasis added by the author).


3 Amidst the tension following its second nuclear test,
on May 27, 2009, North Korea announced its intent to withdraw from the armistice.

4 “Europe has been the region that annually experienced the lowest number of major armed conflicts, and since 2000 after the conflicts in the Balkans in the early 1990’s, the only active conflict in Europe has been that between Russia and Chechnya” (Appendix 2A. Patterns of major armed conflicts, 1990–2005. SIPRI Yearbook 2006, pp. 109-111).

5 The Uppsala Conflict Data Project was established at the Department of Peace & Conflict Research, Uppsala University, Sweden in the mid-1980s. The data have been published, with respect to major armed conflicts, in the SIPRI Yearbook (Stockholm International Peace Research Institute) since 1988. See http://www.pcr.uu.se/research/UCDP/index.htm.

6 http://www.pcr.uu.se/research/UCDP/data_and_publications/definitions_all.htm.

7 SIPRI 2008.


9 See, for instance, Funabashi 2005.


11 Ibid.

12 In January 2005, the South Korean government released its detailed, behind-the-scenes negotiations with Japan over the reparations to Korean victims of Japan’s colonial rule and other issues prior to the normalization of bilateral ties in 1965. The document revealed that Seoul pledged not to demand any further compensation to wartime victims, thereby depriving individuals of the right to seek reparations from Japan: Seoul agreed to demand no compensation, either at the government or individual level, after receiving USD 800 million in grants and soft loans from Japan as compensation for its 1910–1945 colonial rule in the treaty. The South Korean government claimed that it would handle individual compensation to its citizens who had suffered during Japan’s colonial rule, rejecting Japan’s proposal to directly compensate individual victims. South Korea, however, received the whole grant on behalf of the victims (Kyodo, August 26, 2005; UPI, January 17, 2005; Mainichi Shimbun, January 17, 2005). http://en.wikipedia.org/wiki/Treaty_on_Basic_Relations_between_Japan_and_the_Republic_of_Korea.


14 Even Mongolia and Thailand, which were involved marginally with the war with Japan, received economic assistance in this context (Asahi Shimbun War Compensation Study Group, 1999, pp. 16-19).

15 The 2005 anti-Japanese demonstration, sparked by issues such as a Japanese history textbooks and the proposal that Japan might be granted a permanent seat in the UN Security Council, spread rampantly in China. Businesses with connections to the Japanese were vandalized, while Japanese goods/products were boycotted. Chinese mobs attacked and damaged the Japanese embassy and diplomatic installations and injured several Japanese, while the Chinese government refused to apologize or compensate for these actions (BBC, April 10, 2005, Khan 2005, Cody 2005).

16 Japan Echo 2007.

17 “[Emperor Hirohito] learned at some point that A-class [convicts] had been enshrined, including even Matsuoka [Yosuke] and Shiratori [Toshi]. I had heard that Tsukuba [Fujimaro, the previous chief priest] had shown circumspection in handling the matter [holding out against the suggestion to enshrine the A-class criminals]. What could have been on the mind of [former Imperial Household Minister] Matsudaira’s [Yoshitami] son [the current chief priest], lightly [agreeing to do such a thing]? Matsudaira felt strongly about peace; I think this is a case where ‘the child doesn’t know the parent’s heart.’ For that reason, I have not made a visit since then. This is my heart” (Memo 2007).

18 “Past ODA projects in China included large-scale economic infrastructure projects, i.e. the building of roads, airports, and power stations, as well as infrastructure projects in medical and environmental areas. These projects have played a significant role in the realization of China’s current economic growth” (Ministry of Foreign Affairs of Japan 2005).

19 According to Barton Bernstein, the claim of a half million American lives was a post-war creation. During his presidency, Truman usually placed the number at about a quarter million or at only 200,000. But after leaving the White House, Truman began raising this number, 300,000 in the first draft of his memoir, then “half a million” by the time the book came out in 1955; and occasionally he doubled it to a million. In reality, U.S. military planners had estimated at most 46,000 or possibly lower number of American lives would cost for an invasion of Japan (Barton J. Bernstein, ’A Postwar Myth: 500,000 U.S. lives saved’, Bulletin of the Atomic Scientists (June/July 1986), pp. 38-40).


21 “All separately examined World War II U.S. military planning documents […] indicate that if an initial November 1945 landing on Kyushu had gone forward, estimates of the number of lives that would have been lost (and therefore possibly saved by use of the atomic bombs) were in the range of 20,000–26,000” (ibid., p. 25).

22 According to Alperovitz, as early as April 29, 1945, the Joint Intelligence Committee (JIC), in a report titled Unconditional Surrender of Japan , informed the Joint Chiefs of Staff (JCS) that “the entry of the USSR into the war would, together with the foregoing factors, convince most Japanese at once of the inevitability of complete defeat.” (Ibid., pp. 20f). Alperovitz also reiterates that by mid-June 1945, George Marshall (then U.S. Chief of Army) advised Truman directly that “the impact of Russian entry [into the war] on the already hopeless Japanese may well be the decisive action levering them into capitulation at the time or shortly thereafter if we land in Japan” (ibid., p. 21). More noteworthy is Dwight Eisenhower’s remarks in his 1963 Mandate for Change when Secretary of War Stimson informed him that the atomic bomb would be used: “first on the basis of my belief that Japan was already defeated and that dropping

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the bomb was completely unnecessary, and secondly because I thought that our country should avoid shocking world opinion by the use of a weapon whose employment was, I thought, no longer mandatory as a measure to save American lives” (quoted in ibid., p. 230).

23 According to a concerned scientist Leo Szilard, State Secretary James Byrnes explained to him that, “Russia might be more manageable if impressed by American military might” (Alperovitz, op. cit., p. 32).


25 One of the most solid studies, conducted by a top expert who somehow remains ideologically neutral, is Hata 2007. Good references available in English are, “An Overview of the Nanjing Debate: Reprints of articles from Japan Echo, 1998 to 2007 with new commentaries”, Tokyo: Japan Echo (2008), and “Nanjing Incident,” Japan Echo, Vol. 34, No. 6 (December 2007), D. Askew “New Research on the Nanjing Incident”, Japan Focus <http://www.japanfocus.org/-David-Askew/1729 >. According to these studies, among serious scholars, including Chinese historians, there is a consensus that the PRC government’s claim of “300,000 killed” is “a political figure.” The actual number of the victims would be up to around 40,000 (see Hata 2007). Hata notes that the Chinese government’s recent official number of the Sino-Japan war casualties (“35 million”) also deviates considerably (more than 10 times) from “3.2 million military casualties” testified by the then Chinese defence minister Ho Ying-chin at the Tokyo War Crimes Tribunal (ibid., p. 318).

26 The Japan-ROK Joint History Research was launched based on the understanding regarding the history textbook issue shared by Prime Minister Junichiro Koizumi and the then President Kim Dae Jung of the Republic of Korea (ROK) at the Japan-ROK Summit Meeting held in October 2001 (“Disclosure of the Report by the Japan-ROK Joint History Research Committee,” http://www.mofa.go.jp/ region/asia-paci/korea/report0506.html).

27 The research project was agreed upon between the Chinese and Japanese leaders in October 2006 when Shinzo Abe, the then Japanese Prime Minister, visited China (http://www.mofa.go.jp/region/asia-paci/china/meet0612.html; http://www.mofa.go.jp/mofaj/area/china/rekishi_kk.html).


29 For the necessity of an objective study on history see, for example, Hiatt 2005.


31 Ibid., p. 17.

32 Ibid.

33 The death toll of Japanese during the Second World War was over 3.1 million; military 2.3 million and civilian nearing1 million (Shakai-jitsujo date) <http://www2.ttcn.ne.jp/honkawa/5227.html>. Robert McNamara, former U.S. Secretary of Defense, who was assigned to the U.S. Air Force as an architect of the B-29s incendiary bombs against Japanese cities during the Pacific War, asserted “Why was it necessary to drop the nuclear bomb if LeMay was burning up Japan? And he went on from Tokyo to firebomb other cities. 58% of Yokohama. Yokohama is roughly the size of Cleveland. 58% of Cleveland destroyed. Tokyo is roughly the size of New York. 51% percent of New York destroyed. 99% of the equivalent of Chattanooga, which was Toyama. 40% of the equivalent of Los Angeles, which was Nagoya. This was all done before the dropping of the nuclear bomb, which by the way was dropped by LeMay's command. Proportionality should be a guideline in war. Killing 50% to 90% of the people of 67 Japanese cities and then bombing them with two nuclear bombs is not proportional, in the minds of some people, to the objectives we were trying to achieve.” (The Fog of War: Transcript <http://www.errolmorris.com/film/fow_transcript.html>).

34 For details, see Hane 2001.

35 According to Hirama 2008, after the Russo-Japanese War, as many as 12,000 Chinese students came to Japan, being fascinated by “the Asian’s victory over Western imperialism,” and tried to learn from Japanese modernization. There was extensive Japanese support for enhancing modernization in China, including modern science education and military training. More than 30 per cent of the Chinese military officers involved in the revolutionary uprisings during 1913–15 had been educated and trained at the Japanese military academy. Chiang Kai-shek met Sun Yat-sen at the Tokyo-based Chinese Allies Association (中国同盟会), when Chiang was in Japan for military training. Behind the Japanese strong support for Chinese revolution might have been their grand strategic consideration to counter expanding Russian presence in the Far East.

36 Initially, Fukuzawa tried to inspire Korean reformists to encourage Korea’s modernization and gain independence from Qing China. However, when the Gapsin Coup failed, Fukuzawa wrote an essay titled “Datsu-A Ron” [Good-bye Asia] in 1885 as a response to a failed attempt by Koreans to organize an effective reform faction.


38 “For the first time in the history of the last several hundred years, an Asiatic country has defeated a European Power. The effect of this victory immediately spread over the whole Asia, and gave a new hope to all Asiatic peoples ... We regarded that Russian defeat by Japan as the defeat of the West by the East. We regarded the Japanese victory as our own victory” <http://en.wikisource.org/wiki/Sun_Yat-sen%27s_speech_on_Pan-Asianism>.
WHO WANTED THE PUBLIC CHILD CARE SUPPORT?:
Organization of “Work” of Female Weavers, Mill Managers and Families in Northern Fukushima during High Growth Era

HAGIWARA Kumiko

I. Introduction

1. Regional Differences in the Female Labor Force Participation Rate and Welfare-Employment Regime

The low labor force participation rate of women around the age of thirty in the child-bearing and child-rearing cohort, which recovered between the latter half of the 1970s to the early 1990s in other major OECD countries (Fukazawa 2003), remains low in Japan even today. This phenomenon is inseparably linked to the characteristics of Japan’s welfare-employment regime, i.e. “familialism” that relies on families for production and provision of care (Esping-Andersen 1999), or “a male breadwinner type” built into the employment system centered around stable employment of males (Osawa 2007). In other words, this system situates women in the reproductive sphere, and
include women as citizens through employment of male breadwinners who are their husbands. It is possible to view the M-shaped employment pattern of women as resulting from constraints placed on the work activities of women in the productive sphere by their roles and burdens in the reproductive sphere.

However, it is known that regional differences in the labor force participation rate of Japanese women have consistently existed since the end of the Second World War, with that of prefectures with large major metropolitan areas such as Tokyo and the Kyoto-Osaka-Kobe area tending to be relatively lower and that of other prefectures in the Tohoku (northeastern) and Hokuriku (northern) regions tending to be relatively higher. Previous research based on quantitative analysis has identified high ratios of three-generation families and high ratios of regular employment of women workers as factors promoting women’s labor force participation and high ratios of children on waiting lists for nursery centers as a factor hindering women’s labor force participation (Sakanishi 2004, Danjyo-Kyodo-Sannkaku ni kansuru Senmon Chosakai (Expert Committee on Declining Birth Rates and Gender Equality) 2006). It goes without saying, however, that high rates of labor force participation by women do not necessarily indicate the degree to which gender equality has been achieved. Furthermore, the maintenance of labor participation by women in the childbearing and childrearing cohort in the Tohoku (northeastern) and Hokuriku (northern) regions is not necessarily accompanied by a gender equal pattern of the division of productive and reproductive work activities.

For example, it has been reported that men in the Hokuriku (northern) region, where the labor force participation rates of women have exhibited a trapezoid pattern since the latter half of the 1980s, spend essentially the same amount of time engaged in housework and childrearing activities as their counterparts in the Minamikanto (south-central) region and, rather, spend their excess time on leisure activities (Hashimoto and Miyagawa 2008). If, in these regions where the ratio of three-generational families is relatively higher, it is expected that housework and childrearing will be performed by grandmothers, this represents a situation in which unpaid care work and paid work is performed within the private sphere according to generational division of labor among women and does not necessarily mean that the work is performed on the condition of fair exchange. Furthermore, such allocation of productive and reproductive work among women members of the household has been historically observed; in an investigation of women in agricultural households conducted in the early 1950s, women identified their housewife role in productive work, i.e. farming, activities and not in reproductive work activities such as cooking, housecleaning, childrearing, and sewing (Watanabe 1999). Thereafter, the traditional “working bride” norm became linked to employment in factories that began to appear in farming villages during Japan’s high-growth era (Sechiyama 1996). This resulted, in many cases, in a shift to a care work arrangement among women associated by kinship, workplace, and community that presumes the employment of women in the productive sphere. In reality, in regions dominated by the textile industry, it was still common in the 1970s for middle-aged and elderly women to be engaged in paid informal care work. In such regions, there was nothing unusual about a married woman continuing to work, not only in the textile industry but in other industries as well (Hagiwara 2008: 251-253).

2. Issues Raised and Objectives of This Paper

How, then, should we understand the relationships
between the regional differences in labor force participation by women, social and cultural aspects of regional differences in women’s employment, and Japan’s male breadwinner type welfare-employment regime? During the process by which Japan’s male-breadwinner-type regime was formed, how were the regions in which women’s labor force participation remained 10 points or more above the national average or where the M-shaped employment pattern did not take hold linked to the regime at national level? How have the gender relations that have been historically and socially embedded in the local organization of labor been rearranged?

In order to understand this process, it is essential to elucidate the particular gender pattern in the division of labor that underlies the phenomenon of women’s continuity of employment. This means analyzing the local context that is manifested in the women’s labor force participation rate and looking into the power relations based on gender that formulate the particular organization of productive and reproductive “work” activities. The purpose of such analysis is not simply to point out the simultaneous existence of local diversities and multiple gender relations. Such a standpoint is especially important now because of the potential for gender inequalities in the existing organization of work activities, which are differentiated and categorized as production/reproduction, public/private, paid/unpaid, to be ignored in policy given the context of a declining working population in which increasing women’s labor force participation of women is of political interest and a high participation by women in productive work activities is considered desirable. I would also like to emphasize that the regional disparities of the women’s labor force participation can provide some perspectives in understanding the hierarchy of space, economy, and politics, with Tokyo at its apex, that has resulted from regional development has influenced the formation of Japan’s welfare-employment regime (Machimura 1994, 1999). Such spatial division of labor that positions rural areas at the bottom of the hierarchy not only constrains the social structure of production (Massey 1995) but also establishes a corresponding gender arrangement in the spatial organization of “work.” By examining regional differences in women’s labor force participation from such a standpoint, it will be possible to gain a clearer understanding of the process by which the spatial and hierarchical structure of Japan’s “male bread winner” type welfare-employment regime was formed.

With the above issues in mind, in this paper, I focus on the case of Kawamata Town, located

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**Figure 1. Female Labor Force Participation**

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![Graph showing female labor force participation in Kawamata and Japan in 1965 and 1975](image)

Source: Population Census of Japan
in northern Fukushima Prefecture. As a result of its main local industry being weaving, the town has historically experienced a female-type labor market, with women’s labor force participation rates of approximately 70% in the 1960s and 1970s, more than 15 points greater than the national average, and in which the M-shaped employment pattern is not observed (Figure 1). I will attempt to address the issues raised above through an analysis of the life stories of women who worked in weaving mills during Japan’s high-growth era.

Kawamata Town was among the first to introduce public child care services during the high growth era and thereby to develop its local industry. How did implementation in the local context of national regulations related to public child care services – the temporal constraint of eight-hour daycare as principle and the limitation of eligibility to infants and toddlers lacking daycare – sort and differentiate “work activities” and “families” and lead to the rearrangement of gender relations embedded in the existing inter-relations of “work” in the productive and reproductive spheres in Kawamata. With regard to the relationship between female weavers, weaving mill managers and their wives, and the nationally regulated system of public child care, how did the female weavers, weaving mill managers, and families organize the two “work activities.” How much discretion were the female weavers as agencies of work able to exercise over the organization of employment and care work. In addition to examining the concrete impacts of the “male breadwinner type” welfare-employment regime on the micro level of day-to-day life and local gender division of productive and reproductive activities, I will briefly touch on the significance to the women weaver workers of continued labor force participation and their experience in the welfare state.

II. Study Samples and Analytical Framework

1. Life Stories of Kawamata Weavers, Situated in Socio-Economic Relations in High Growth Era

The data used in my analyses were collected during field interviews conducted in Kawamata Town in Fukushima Prefecture in 2008 and 2009, as well as from documents and supplementary interviews with individuals involved in government or parliament, individuals involved in nurseries or guardians of children, former weaving mill managers, and individuals involved in labor unions conducted in 2010 and later. The primary focus of this paper is the life story data of 22 women weavers with experience working in weaving industry between the 1950s and the early 1970s (Table 1). The majority of these women began working in their mid-teens, immediately after completing compulsory education. The women, who were born in the 1920s to the 1940s, belong to the generation that witnessed the demographic transition from a high-birth-and-high-death-rate society to a low-birth-and-low-death-rate society.3 The average age of the women at marriage was 23.2, and the average number of children was 2.3, while the average number of their siblings was 5.8.

First, I would like to review the history and standing of Kawamata Town in Fukushima Prefecture, whose women workers and their stories are the subject of this study, within the social-economic relations during the high-growth era.
Table 1. The List of the Weavers and Their Life Course Events

<table>
<thead>
<tr>
<th>Year of Birth</th>
<th>Father’s occupation</th>
<th>Numbers of Siblings</th>
<th>Educational Background</th>
<th>1st Employment by Weaving Mills</th>
<th>Age of marriage</th>
<th>the 1st Child Bearing</th>
<th>the 2nd Child Bearing</th>
<th>the 3rd Child Bearing</th>
<th>the 4th Child Bearing</th>
<th>Leaving Weaving Related Jobs</th>
<th>Final Retirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>K-1 1923</td>
<td>Farmer</td>
<td>5</td>
<td>primary education graduate</td>
<td>1935 Age:12</td>
<td>1947 Age:24</td>
<td>1949 Age:26</td>
<td>1958 Age:37</td>
<td>1959 Age:38</td>
<td>Approx. 1986 Approx. age:63</td>
<td>Same as on the left</td>
<td></td>
</tr>
<tr>
<td>K-2 1924</td>
<td>Farmer</td>
<td>7</td>
<td>primary education graduate</td>
<td>1936 Age:12</td>
<td>1948 Age:24</td>
<td>1949 Age:25</td>
<td>1950 Age:26</td>
<td>Dead</td>
<td>? ?</td>
<td>Approx. late 70s Approx. age: late 50s</td>
<td>Same as on the left</td>
</tr>
<tr>
<td>K-3 1925</td>
<td>Farmer</td>
<td>6</td>
<td>primary education graduate</td>
<td>1937 Age:12</td>
<td>1947 Age:26</td>
<td>1948 Age:23</td>
<td>1952 Age:27</td>
<td>1955 Age:30</td>
<td>Age:49</td>
<td>1974 Same as on the left</td>
<td></td>
</tr>
<tr>
<td>K-4 1926</td>
<td>NA</td>
<td>4</td>
<td>higher elementary school graduate</td>
<td>1938 Age:12</td>
<td>1958 Age:24</td>
<td>1951 Age:25</td>
<td>1954 Age:28</td>
<td>1959 Age:33</td>
<td>Age:52</td>
<td>1978 Age:75 (Food factory worker)</td>
<td></td>
</tr>
<tr>
<td>K-7 1930</td>
<td>Weaving mill worker</td>
<td>5</td>
<td>girls’ high school graduate</td>
<td>1950 Age:20</td>
<td>1952 Age:22</td>
<td>1953 Age:23</td>
<td>1956 Age:26</td>
<td>1957 Age:27</td>
<td>Age:42</td>
<td>1972 Same as on the left</td>
<td></td>
</tr>
<tr>
<td>K-8 1930</td>
<td>Farmer</td>
<td>6</td>
<td>higher elementary school graduate</td>
<td>1957 Age:27</td>
<td>1955 Age:25</td>
<td>1955 Age:25</td>
<td>1957 Age:27</td>
<td>Age:65</td>
<td>Same as on the left</td>
<td></td>
<td></td>
</tr>
<tr>
<td>K-9 1930</td>
<td>Farmer</td>
<td>6</td>
<td>higher elementary school graduate</td>
<td>1949 Age:19</td>
<td>1950 Age:20</td>
<td>1952 Age:22</td>
<td>1955 Age:30</td>
<td>Approx. 1985 Approx. age: 55</td>
<td>Same as on the left</td>
<td></td>
<td></td>
</tr>
<tr>
<td>K-10 1933</td>
<td>Death in action</td>
<td>3</td>
<td>higher elementary school graduate</td>
<td>1947 Age:14</td>
<td>1955 Age:22</td>
<td>1956 Age:23</td>
<td>1960 Age:27</td>
<td>Age:64</td>
<td>1997 Same as on the left</td>
<td></td>
<td></td>
</tr>
<tr>
<td>K-15 1938</td>
<td>Farmer</td>
<td>7</td>
<td>junior high school graduate</td>
<td>1955 Age:17</td>
<td>1957 Age:19</td>
<td>1963 Age:25</td>
<td>1963 Age:30</td>
<td>Age:45</td>
<td>1983 Same as on the left</td>
<td></td>
<td></td>
</tr>
<tr>
<td>K-17 1940</td>
<td>Farmer</td>
<td>8</td>
<td>junior high school graduate</td>
<td>1955 Age:15</td>
<td>1963 Age:23</td>
<td>1965 Age:25</td>
<td>1967 Age:30</td>
<td>Age:30</td>
<td>-- same side work at home, as of 2008</td>
<td></td>
<td></td>
</tr>
<tr>
<td>K-18 1941</td>
<td>Missing (mother,sewing worker)</td>
<td>4</td>
<td>junior high school graduate</td>
<td>1956 Age:15</td>
<td>1966 Age:25</td>
<td>1967 Age:26</td>
<td>1972 Age:30</td>
<td>Approx. 1998 Approx. age:57</td>
<td>Same as on the left</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: The data summarized in this table is based on the interviews conducted in 2008-2009 by the members of the research project, “Case Study on the Processes of the Formation and Establishment of the Women’s Job in the Post War Era in Japan”, and is shared and used by the members for the respective purpose of the study.

Kawamata Town, which is the focus of this study, is perhaps best known as a city that has been designated for partial systematic evacuation as a result of the Fukushima nuclear accident following the Great East Japan Earthquake. However, at the time the field work was conducted, it was a town with a population of approximately 16,000 that, despite its epithet “Town of Silk,” had few remaining textile factories and, having failed to develop another major industry to replace textiles and experiencing depopulation and rapidly aging demographic, had received recognition under
the Act on Special Measures for Promotion for Independence for Under-populated Areas.

This, however, was not how the town looked when the women who are the subject of this study were working while raising children in the late 1950s to the early 1970s. The present day Kawamata Town was formed in 1955, as a part of the “municipal mergers during the Showa era,” as a result of the merger of the old Kawamata Town and seven neighboring villages. The old Kawamata Town, known as the machiuchi (inside of town), where commerce and industry had developed with the weaving industry as its core, accounted for approximately 40% of the population, approximately half of the households, and approximately 84% of the population involved in commerce and industry. The shopping street of the central area, which today is lined with shuttered buildings, was where the women working in the textile factories would buy dishes for dinner and the newest electronic goods could be found. In the 1960s, Kawamata Town, boasting a population of approximately 26,000, was one of the major cities in the northern Fukushima Prefecture.

Naturally, the textile industry in which these women worked also prospered. During the 1950s, which marks the period of post-war recovery, silk textiles for export became the town’s major product and, by 1959, the number of factories had increased to 164 from 97 prior to the war (Kawamata Town 1982: 993). According to Census of Manufactures, at its peak in 1970, there were 262 textile factories, accounting for approximately 80% of all manufacturing businesses in Kawamata; the number individuals involved in the textile industry reached its peak in 1969 at 2,971, accounting for approximately 70% of all employees in manufacturing businesses in Kawamata. However, as the majority of textile factories in Kawamata Town employed the owner’s wife and daughters on the shop floor plus a few other hired employees, few mills had more than 30 employees. In the mid-1960s, roughly equal proportions (25%) of female textile workers in Japan were employed in factories with more than 500 employees, more than 100 employees, more than 30 employees, and less than 30 employees (Monthly Labor Survey). The female textile workers in Kawamata Town, then, constituted part of the under-30-employee cohort. As discussed in greater detail below, the small scale of the mills is linked with the paternalistic employment system based on the relationship between the female weaver workers and the owner and the owner’s wife and is, naturally, one reason the factories became sites of care provision in the local community.

At the same time, during the high growth era, the economy and female labor force of Kawamata Town were progressively assimilated into production relationships known as keiretsu, i.e. vertically-integrated affiliated companies within a hierarchal structure. By the 1960s, along with a shift from silk to synthetic fibers, keiretsu had been established by the major synthetic textile manufacturing and trading companies, and the majority of textile factories in town had become subcontractors of the town’s major textile factories that were affiliated with these keiretsu (Yamakawa et al. 1984). Thus, while Kawamata Town was a major manufacturing area, seen in the national context, the majority of textile businesses were at the end of the manufacturing system.

Meanwhile, it is possible to identify several unique characteristics of Kawamata Town’s female weavers in comparison to other workers at both the national and Fukushima Prefecture level. First, considering the breakdown of employees by industry in 1965, in Fukushima Prefecture overall, 52% and 12.3% of employees were engaged in the agriculture and manufacturing, respectively. In contrast, in Kawamata Town, where the textile
industry had been a continual presence since before the war, the labor force comprised a large proportion of women and was concentrated in the manufacturing industry (Figure 2). At the national level, while the absolute number of married women participating in the labor force increased dramatically in the 1960s, they still only accounted for 16.9% of the married labor force in 1968 (Labor Force Survey). While this figure reflects the M-shaped employment pattern of that time period, as is evident from the above discussion on women’s labor force participation rate, in Kawamata Town, the labor force participation rate of the childbearing and childrearing cohort did not fall. Looking at individual keiretsu-affiliated textile factories, in all cases, approximately one half of the labor force comprised married women (Fukushima Prefecture 1964).

![Figure 2. Population by Industry in Kawamata, 1965](image)

**Source:** Population Census of Japan

However, if we only look at women in farming households, the trend observed in Kawamata Town cannot be said to be unique. In the 1960s, the labor force participation rate of women in farming households was over 70% across Japan; further, it has been pointed out that the breakdown in labor force participation of this group of women by age is similar to that of men (Koyo-Sokushin Jigyo-Dan Fujin Koyo Chosa-Shitsu (Employment Promotion Corporation Female Employment Survey Division) 1968). Many of women included in this study came from farming households. According to a survey conducted in the 1950s, while many of the weavers living in the old Kawamata district came from families involved in the textile industry, workers living in the nearby villages came from farming families (Nakamura 1954). It should be noted that Kawamata Town was not an especially affluent town, even in Fukushima Prefecture. If the average per capita annual income of prefectural residents is arbitrarily set at 100, average annual income of Kawamata residents would have been 88.5 in 1965, and 79.2 in 1980 (Fukushima Prefecture 2008). Furthermore, there was economic disparity between residents of the old Kawamata district and residents of the neighboring villages. The earning of cash through employment of women was an essential activity directly related to maintenance of family life and escape from poverty.
2. Public Child Care Service and Organization of “Work” by Weavers

The women included in the study continued to work even during the time that their children were infants or just entering school. As mentioned earlier, this was not particularly unique to Kawamata. However, the continuous employment experienced by these women—“I worked my whole life”—was not the same as the continuous employment at a single workplace with longer careers that was the model for the so-called measures to support work-family balance that began to be implemented in the 1990s (Hagiwara 2010). For these women, “I worked my whole life” meant that they continued to work as weavers, repeatedly moving from one factory to another depending on which factory would best suit their needs at a particular point in time and, whenever possible, finding regular employment that would enable them to receive social insurance. It was not unusual for these women to engage in full-time work including a double early-morning and late-evening shift even while they were raising their children.

The employment-related public support measures that these were women were able to take advantage of included, in addition to maternity leave and time for child care guaranteed by the Labor Standards Act, public child care services provided under the Child Welfare Act. In the 1950s and 1960s, during which time the women in this study bore children or raised preschool-aged children, three public nursery centers—the A nursery center (1953), B nursery center (1955), and the nursery center for infants (1967)—were established in center of the old Kawamata district where textile factories and their employees were concentrated. Even within Fukushima, Kawamata Town was an extremely early adopter of measures establishing, maintaining, and expanding such public nursery centers, and its establishment of the infant nursery center geared for infants between the ages of zero and two was a precocious even at the national level.

The history of adoption and development of public child care services in Kawamata also represents the process by which national regulations regarding child care have filtered down to the local context. In so far as public child care services function to promote de-familialization of child care (Leira 2002), the degree to which public child care policy limits de-familialization reflects the society’s stance on mothers’ employment and gender division of labor. In Japan, limits have been placed on the eligibility and duration of such care. The wording “infants and toddlers lacking daycare” serves to the limit eligibility for public child care service leaving the interpretation of which children are “lacking daycare” as a result of which kinds of “family” and “work” situations to directives from the State. Furthermore, the Ministry of Health and Welfare has been cautious about providing child care to infants under the age of three, and, in Kawamata Town, prior to establishment of the infant nursery center, child care was provided only for children three and older. Meanwhile, the stipulation of the ministerial ordinance of “eight hour daycare as principle” serves, on both the national and local levels, to differentiate time spent working and time spent with family and is a temporal regime that structures these two “lives” (Glucksmann 2005). In compliance with this principle, the official nursery school day hour in Kawamata Town until the early 1980s started at 8 a.m. and ended at 4 p.m. Needless to say, the institutional practices according to nationwide regulations did not coincide with the work schedules of the female textile workers.

How, then, did the women spatially and temporally integrate their employment and care
Table 2-1. Organization of “Work” by the Weavers without Daycare Provision by the Public Nursery Center

<table>
<thead>
<tr>
<th>Period of the preschool child-rearing</th>
<th>Care Resources</th>
<th>1950s-the early 60s</th>
<th>the late 1950s-60s</th>
<th>1960s-the early 70s</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Family / Kinship network</td>
<td>Community</td>
<td>Workplace</td>
<td>Husband/other</td>
</tr>
<tr>
<td></td>
<td>Coresidence with parents in law</td>
<td>Care provider in the household</td>
<td>Illness of the member of the household</td>
<td>Kinship Care Providers/Supporters</td>
</tr>
<tr>
<td>k-1</td>
<td>x</td>
<td>Mother-in-law</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>k-2</td>
<td>o</td>
<td>Parents-in-law, only for the first son</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>k-3</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>k-7</td>
<td>o</td>
<td>Parents-in-law</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>k-12</td>
<td>o</td>
<td>Mother-in-law</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>k-13</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>k-14</td>
<td>o</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>k-15</td>
<td>o</td>
<td>Mother-in-law, The 2nd son</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>k-17</td>
<td>o</td>
<td>Parents-in-law, only for the first son</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>k-19</td>
<td>o</td>
<td>Partially, mother-in-law</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>k-21</td>
<td>o</td>
<td>Parents-in-law</td>
<td>NA</td>
<td>x</td>
</tr>
</tbody>
</table>

Note 1: K-5 and K-9 listed in Table 1 are dropped in Table 2-1 and Table 2-2 as they did not work at the weaving mills in their child rearing period. K-5 was already an owner of beauty parlor and K-9 took on a job of heddle preparation at home.

Note 2: Table 2-1, 2-2 are originally presented by the author at the 82nd meeting of the Japan Sociological Society on November 6, 2010 and published later in Hagiwara (2011).
work in relation to such public child care service? Tables 2-1 and 2-2 list and summarize the care resources (family and kin network, community, and workplace) mobilized to spatially and temporarily accommodate the employment of female mill workers who were (Table 2-2) or were not (Table 2-1) provided daycare by the nursery center.

First, eight of the nine families that used the nursery centers were conjugal families, whereas eight of the 11 families that did not use nursery centers were three-generation families. If we exclude cases of elderly care, it has been found in quantitative studies that co-residence with grandmothers promotes employment of other female household members (Nishimoto and Shichijo 2004; Maeda, 1998); and the conclusion that there is no particular need to rely on nursery care because there is help available for housework and child care is, at first glance, reasonable. However, if we take a closer look, it becomes apparent that the non-use of public child care services is not only a function of care support provided by members of the households but also a result of the “lacking daycare” eligibility requirement of the public child care system.

During the 1950s and 1960s, there was substantial interest in utilizing the nursery centers in Kawamata Town, and enrollment decisions were made by a district welfare officer familiar with the circumstances of households and family members. Three-generational households or households with the grandparents were taken as containing potential caregivers other than the parents, leading to the situation of “if there’s a grandma, they won’t let you in.” (K-21). However, if “grandma is sick,” (K-4, K-10), the co-residing father-in-law is not considered a potential “caregiver,” and it is possible to enroll in the nursery center. In reality, of the 10 women who lived with their parents, nine brought their children with them to work. As post-delivery maternity leave was designated by law to be eight weeks, the mothers also took their infants who were still nursing to work, partly as a matter of practicality. However, one mother (K-19) took her child to work with her because of concerns that the child would fight with the child of brother-in-law with whom they cohabitated. Comments such as “the sound of the weaving machines are like a lullaby” (K-3) and “children that are taken to the mill everyday have difficulty getting to sleep on Sundays” (K-21) give some indication of the regularity with which some children were taken to work. The mere fact that there were grandparents in the household did not necessarily mean that they provided child care.

To jump to the conclusion, it was the mill managers and their wives that played the critical role in integrating and organizing these women’s employment and care work during this era. Prior to the introduction of public child care services, the practice of “taking children to the factory” was built into the local organization of “work” that presumed women’s participation in the productive sphere (Kawamata Cho-shi 1982: 1083). The introduction of public child care services was accompanied by the demand that weaving mill managers provide child care as a complement or substitute for the public child care services, which was considered by the women to be an element of the informal working conditions.

Below, considering the overall context of the public child care services and focusing on the factory as the arena of the productive sphere, I examine the negotiations between weavers and weaving mill managers (and the resulting actions) with regard to the spatial and temporal integration and organization of employment and care work. I also clarify the impact this integration and organization has had on child care policy and the defamilialization of child care. At the same time, I examine the degree of discretion exercised by the women who integrate and organize employment
and care work as agencies who “work their whole lives” from the standpoint of home life that is the arena of the reproductive sphere. To this end, I focus on household arrangements of labor, and particularly gender division of labor, in conjugal and three-generation households. While attempting to determine the meaning of “continuous employment” to these women, I conclude with a brief examination of the relationship between women’s employment in the local context and the “male bread winner-type” model.

III. Female Weavers and Weaving Mill Managers – Negotiations Regarding Productive and Reproductive Spaces

It has been pointed out in research employing time geography methodology that the geographical area comprising the labor market of married women is smaller than that of men because the commuting practices and residence selection of married women are constrained by gender division of labor (Yoshida 2007: 40-41, 74-76). For married women workers who move between productive and reproductive spaces, living near one’s place of employment represents a practical and efficient organization of the two spaces. The women included in this study were no exception, with some commuting from as far away as a 30-minute or 1-hour walk before marriage; for the women who changed employment during the time they raised their children, proximity of workplace to residence and/or nursery center was one of the important criteria for employment selection.

In their cases, the spatial organization of productive and reproductive spheres by proximity of workplace is to generate the space to organize both of productive and reproductive “work”, by overlapping public and private spaces and by blurring or intersecting borders between productive and reproductive, public and private spheres. As commutation area was limited to the range that was walkable while carrying a child, this often meant the distance that the co-residing mother-in-law could walk with the child. Such proximity allowed the women to go home during lunch break and nurse while eating lunch or to work the night shift after finishing their housework. In cases where proximity of the workplace to the nursery center was prioritized, the mothers could slip out of the factory at 4 p. m., nursery closing time, to pick up their children and continue working while their children played at the factory.

The weavers proactively inserted the private space of child-rearing into the public space of wage work. Women who were temporarily at home after giving birth would, if asked to do so, often help out at various mills, bringing their child and a small mattress to work (K-11). For weavers employed on a regular, fulltime basis, the space between weaving looms and aisles, along with the warm sizing rooms, factory meal areas were often used as places for children to sleep. The women would often say laughingly, “the supervisor’s coming, I need to get my laundry,” as they headed for thread dryer rooms which were ideal for drying diapers (K-16).

Even prior to the Second World War, such practice of “taking children to work” was considered in this region to be part and parcel to women working at weaving mills. However, it was not the case that the mill managers allowed and encouraged this practice as a form of employment support. Some larger factories with over 100 employees prohibited workers from bringing their children to work. However, in Kawamata, where,
as mentioned above, the majority of mills were small-scale, most mill managers tacitly allowed the women to “bring their children without asking” (K-3).

The women recall feeling gratitude towards the managers and their wives who willingly helped to care for their children, citing such examples as “When my child was sick, they went out and found a baby bed for my child to sleep in” (K-21), “My child slept in the bed that was set up in the looming room… the manager made a fenced off area for the children” (K-17), “The manager’s wife often went in my place to pick my child up from the nursery center” (K-20), “When my child came to the factory after nursery school, the manager’s wife let them sit in the kotatsu [heated table] and watch TV” (K-8).

However, one female mill manager had a different take on the situation, explaining, “We never said that it was okay to bring children to the mill. We knew that they had no other choice. If we didn’t let them do it, then no one would come to work. In truth, we at the mill weren’t happy with the situation. We had to watch the children and we were constantly worried that they would get hurt.”

Underlying this tacit acceptance of the practice of bringing children to work were a chronic shortage of labor and high worker turnover rate during the high-growth era. In 1950, the turnover rate in the weaving mills in Kawamata was as high as 60.9% for male workers and 59.6% for female worker (Nakamura 1954). As mentioned above, the women included in this study also repeatedly moved from mill to mill, and it was only in one case that a woman continued to work at the mill where she was first hired until retirement. Information regarding wages and work conditions at the various mills was exchanged among the female weavers and their families. At times, when mill managers heard that female weavers were about to leave a firm because of problems with other workers or unsatisfactory working conditions, they would visit their homes bearing a box of cakes with the hopes of dissuading them from leaving and end up being asked to negotiate working conditions. Furthermore, with increasing numbers of students continuing on to high school starting in the latter half of the 1960s, it became increasingly more difficult to secure female workers right after graduation from junior high school. In mills where there were “fewer young people every year” (K-16), married women who were hired by 1960 or so had come to constitute the core of the “weaver” labor force. In this way, the mill managers, or, more specifically, the wives and daughters of mill managers, were involuntarily put in a position of having to provide free, informal child care in order to secure and retain workers. One of the wives of the mill managers reported that she would never forget being told, “you can eat, because we work.”

In fact, the women’s dedication to work was also high. Even during meals and nursing, the women’s hands, eyes, and ears tended to the moving shuttles and tension on the threads. Without stopping the weaving machines to which they were assigned, the mothers ate rice cakes while nursing their child (K-1) or nursed while working by strapping the child to their bodies with a wide white cotton cloth (K-11). On hot days, the mothers would work while both they and the sleeping infants they carried on their backs were drenched with sweat (K-13). “No one slacked off, because it was a piece work pay system. Everyone worked hard, just like Oshin (the main character of an NHK TV drama). We didn’t feel pity for them. They didn’t have any other choice and we couldn’t have done anything about it, even if we knew better” (a female weaving mill manager).

The women who proactively inserted the private space of child-rearing into the public space of mills where they engaged in wage work. The
mill managers, their wives and family members who watched the children of these women not only in the mills but also in the private space of their homes. Mills, however, did not present the best environment for these children to grow up in. During this time, the movement in urban areas to establish nursery centers was led by working mothers in local communities who, working with labor unions and nursery care organizations, pushed for establishment of greater numbers of licensed nursery centers in accordance with the Child Welfare Act. However, in Kawamata Town, there was no such movement to promote nursery care nor any appeal to parliament in which female weavers themselves played a central role. It was the mill managers who demanded public child care services and, in particular, the wives of mill managers who called for the establishment of the infant nursery center. While the stated purpose for doing so was to secure stable employment for development of the town’s main industry, weaving, it was really an attempt by the wives and families of mill managers to transfer the private space of child rearing, which had been inserted into the mills, to public space established under the public child care system and to replace the unpaid, informal care work provided by mill managers’ wives and families with paid work performed by female nursery teachers certified in early childhood education and care.

In reality, for the women working in the weaving mills, commuting and working with their children was onerous, and the mothers able to send their children to the nursery centers were grateful for the developmental and educational benefits provided and spoke of the importance of such facilities as livelihood support for dual-income households. However, this did not lead to a collective demand for defamilialization of child care. Mothers often cited the fact that while there was a cost associated with using nursery care services, there was no such cost at the mills, explaining that, “the manager and his wife took care of the children” and “there was no need to extend the nursery center hours, because I could just bring my child to the mill.” Furthermore, in three-generation families in the local context, child care was not provided by the grand parents in exchange for income. In seven of the 10 households with co-resident in-laws, the household economy was controlled by either the mother-in-law or the father-in-law. While the daughters were the breadwinners in terms of cash income, they turned over the entirety of their earnings and received an allowance and money to buy groceries, etc. Even if a child were found to be “lacking daycare” and therefore eligible for enrollment in a nursery center, the decision of whether or not to replace the free care that was potentially available due to the presence of “grandma” in the household economy with paid early childhood education by qualified teachers would lie, not with the parents as “the main guardians,” but with the in-laws who controlled the family budget.

As it turns out, during this era, the child care-related needs of the weavers did not lead directly to dissatisfaction with the public child care system or demands for expanded service but rather were met through personal negotiation based on the individual weavers’ relationships with the mill managers and their wives. Through personal negotiations with the weaving mill managers, the women were able to achieve more favorable working conditions such as more family-friendly working hours by switching from a double weaving shift to a single day-time shift of fabric inspection; on their part, the mill managers would pick up the workers’ children from nursery centers or pay daycare allowances. The women workers took such responses by mill managers as indications of their status as “essential personnel” in the mills, which bolstered their sense of self-
worth and motivation to work.

Although the infant nursery center was established as a result of the efforts of the mill managers’ wives, the majority of the potential demand for infant, toddler and school age children care continued to be provided for free by the mill managers and their wives. The fact that the potential demand for child care was resolved within the private employment relationship also meant that the opportunity to address the inadequacies of the public child care system in terms of service hours, enrollment numbers, etc. was lost. The unpaid care work provided by the mill managers’ wives and daughters was rendered increasingly invisible. Moreover, in the context of the nationally regulated public child care system, the potential need for child care that existed de facto in “households with grandparents” was also rendered invisible.

IV. Why Did You Keep Working?: Household Arrangement of Labor and Discretion of Women Workers

The role played by female weavers and their position in families differed between conjugal and three-generation households, and this difference was manifested in the organization of employment and care work. In the present-day analysis mentioned earlier, co-residence of grandparents is a promoting factor for the mothers’ employment and is considered within the context of convenience achieved through reduction of housework and child care burden in situations where the mothers’ employment is prioritized or as a strategy for maintaining career continuity. However, such interpretation is not applicable to the situation of the female weavers in Kawamata Town during the high-growth era when co-residence with grandparents was not a proactive choice made for the purpose of “continuing employment” but was simply the institutional norm of Japanese stem families at the time.

The primary role of women in households with co-resident grandparents was to earn cash income and to contribute that income to the household. Local mothers-in-law gossiped about “whose daughter earns how much,” and, in some cases, it was the mother-in-law or father-in-law who decided where the daughters should work (K-2, K-15, K-19). The role of the daughters-in-law in the household is evident from the following descriptions of their daily routine: “I woke up at five and, after finishing all the housework, went to work with lunch and child in hand by seven, and prepared dinner after I got back home from work at seven in the evening” (K-14). “I would get up at five in the morning, before my in-laws and, after doing all the cleaning and laundry, leave for work around 6:40” (K-15). “I used to get up at five and, after preparing breakfast, cleaning, and doing laundry, leave for work. After I got back from work, I would prepare dinner…and do farm work on my days off” (K-19).

There is no doubt that these “daughters” would have found the labor saving appliances that began to emerge during the high-growth era quite appealing. Indeed, washing machines were welcomed by the female weavers in conjugal households as a means of reducing housework when their children were young, and, as explained by one weaver, “we bought everything if it was convenient” (K-18). However, in households with co-resident in-laws, with a few exceptions, the first electronic appliance purchased was a television (K-14, K-15, K-19), and labor-saving devices were
only purchased later. In one case, the daughter “did laundry by hand with [her] mother-in-law” when her children were young and it was only just before her youngest child entered school that they bought a washing machine.

It would be incorrect to conclude, based on the situation of these women in households with co-resident in-laws, that they did not seek to exercise discretion as agencies of work or independence in their continued employment. What meaning, then, did “work” hold for these women? The answer to this question becomes apparent when we compare the situation of these women to that of the women in conjugal households, in particular with regard to their position within their respective kinship networks.

The nuclear family of today, consisting only of the parents and children, is said to be a firmly closed system that places excessive burdens of housework and child rearing on the mother (Kashiwagi 1996). However, the “demographic transition” generation of the 1960s had many siblings and experienced demographic conditions in which they were able, despite residing in conjugal households, to receive abundant support through their kinship networks (Ochiai 1993). This was also the case in Kawamata Town. Women from conjugal families were able to freely mobilize various care resources provided through their kinship networks and social networks based in the community in organizing their employed work and care work.

Upon returning to work after taking maternity leave for her first child, K-16 asked the wife of a prefectoral worker who lived nearby to be a *morikko* (baby sitting lady), saying that “the factory, you know, is loud and dangerous.” She left work after the birth of her second child but returned to work when her husband’s younger sister moved in with them. Along with her husband’s sister, who also worked in a weaving mill, the three made arrangements so that they could work double shifts, drop off and pick up her children from the nursery center, and do housework. After getting married, the younger sister (K-20) herself received child care support and help to continue working from her own elder sister’s family. Reporting that she confided more in her sister’s family than her husband, she related that “they treat my child as their own and spend their own money on my child wherever they go out” and explained that it was because of her sister’s emotional and material support that she decided to continue working. Similarly, although her husband (stone worker) returned home only once a month, K-6 recounted that her youngest child would “come and play at my younger brother’s company after getting home from the nursery center;” in this way K-6’s unreserved younger brother and his similarly-aged children constituted her support network, and were her partners both in child care and employed work.

Further, the women from conjugal families who gave birth to and raised children between the latter half of the 1960s to the first half of the 1970s referred to “fathers that did housework and raised children.” There were even a husband who took his children to get vaccinated and to the hospital, saying, “I was the only man around” (K-18). “My husband took care of the children and made dinner as if that was the normal thing to do” (K-22). “Because he was trained as a soldier, he can do everything, from cooking to even sewing. He would go shopping (during work) and leave groceries on the front doorstep with a note telling me what I should make” (K-8). Especially in cases where the husband also worked in the weaving mill, many women would coordinate their work schedules with their husbands. When their children were still infants, the couples managed housework and child care by their staggering shifts so that the wife would work from 4:30 in the morning to 1:30...
In the afternoon and the husband would work from 1:30 in the afternoon to 10 in the evening.

In such conjugal households we can see proactive organization of employment and care work by both the husband and wife with an assumption of the wife’s employment. As controllers of the household budget, these women were able to spend money on whatever was deemed necessary, be it nursery care, a morikko, or electrical appliances. If the husband was thought to be unreliable, the women would, at their own discretion, turn to their kinship network—not necessarily their own mothers but rather to horizontal kinship relations including siblings and cousins—for support. In answer to the question “Why did you keep working?” while talking about, among other things, their sense of being valued and sense of purpose at work and the fact that “they aren’t cut out to be a housewife,” the women also had simpler answers: “I wanted my children to go to high school (which I couldn’t do)” and “I wanted to have a house of my own as quickly as possible.”

In contrast, in households with co-resident in-laws, references to “fathers doing housework and caring for the children” were limited to statements such as “my husband was diligent about preparing food for his lunch box” (K-12) or “my husband, who used to help clean the entryway, still carries on the family farm work” (K-15). The women talked about housework and child rearing in relation to their mothers-in-law, and the husbands appeared in such narratives as “someone who didn’t do housework or contribute to child care.” The presence of the mother-in-laws made it unnecessary for husbands to adjust their work during the child rearing period and few female weavers requested a change in jobs, assignments within the factory, or work schedules. In such households, there was little evidence that women reached out beyond co-resident family members to kinship networks or social networks in the community for help with child care. While there were naturally some exceptions, the expectation of the co-resident family members that the daughters-in-law would earn cash income restricted child care and housework to the vertical relationship among household members, which, incidentally, also constituted a power relationship. Why do you keep working? This question undoubtedly stirred up a wellspring of complicated thoughts and feelings deep in the hearts of these women.

Asked about memories of their children when they were little, these mothers, who would hand over all their earnings to their fathers-in-law after working from five in the morning to ten at night, explained, “I forgot. I fell asleep as soon as I saw their sleeping faces.” However, concealed behind those words, was the strong belief that “I wanted to do everything for my child, but money comes first. I thought that’s the way it was” (K-2). Who was paying attention to these hopes and desires? And where were these mothers given the discretion to fulfill these aspirations themselves? “It feels like it was one endurance test after the other, whether you’re talking about interpersonal relationships or work, whether you’re looking at the generation above or the generation below.” (K-21). “I had to work because my father-in-law was there. I worked hard to be considerate of my father-in-law” (K-14). The mill managers’ wives, who were also daughters in households with co-resident in-laws, likely understood the struggles of these women without having to ask or speak. A certain mill manager’s wife said that after starting to work elsewhere after the closing of their mill, “it’s not good that one can tolerate something as long as one can endure it. I’ve come this far avoiding conflict, but that’s not good.” Those sound like the words of a woman who worked while locked in a closed-off world of personal relationships as the “daughter” of a household with co-resident in-
laws and who is confirming that she has just been released from this world.

If we continue on this line of thought, it becomes evident that, in contrast to the reproductive work space where these “daughters” had no discretionary power, they were able to exercise some discretion, albeit limited, in the productive work space, where their abilities were appreciated by the managers. Although they handed over their income to their mothers-in-law, they were still able to use the overtime pay paid directly to them by the mill managers to pay for their children’s various lessons, including penmanship, the abacus, English, or Kumon. As K-14 proudly relates, “I couldn’t do anything for my children, so I let them do whatever they wanted to do. As a result, they do everything on their own. My oldest daughter now teaches at Kumon,” one gets a sense of the significance of such freedom and discretion, however meager, that these women earned through their employment. This point is also illustrated by K-2’s comment that, despite the fact that she had to hand over her earnings to her father-in-law no matter how hard she worked, “the boss’s wife was a good person. The boss was a good person, too. It was better to be out working than to be at home.”

Under the rubric of the public child care system, women in households with co-resident in-laws, which were considered to contain “other members able to provide child care,” had to work while also carrying the immense burden of their role as “daughters-in-law,” and conflicts within the household regarding care work were rendered invisible. It is for this reason, that these women sought their identity as “weavers,” their sense of worth from being appreciated by others, and escape from co-resident family members in the mills. They engaged in work life with the joy of “being able to do something for their children,” however meager that might be, and the promise of future income in the form of a “pension.”

V. Discussion: Gendered Spatial Organization of Labor and Welfare-Employment Regime

During the high-growth era, Kawamata Town experienced a female-type labor market with the textiles as the core local industry. The primary constituent of the labor force was married women in their 20s and 30s with a junior high school education. These women continued to work proactively and independently, moving from mill to mill as necessary, without a decline in employment rate during the childbirth and child-rearing ages. The primary reason for this was that they were able, to a certain degree, to both spatially and temporally organize their two spheres of “work,” (employed work and care work) to their advantage. As a result of their employment, these women were included in the nation’s male breadwinner-type welfare-employment regime, not as “wives,” but as “workers.” However, their experiences were by no means disconnected from the processes by which the male breadwinner-type employment-welfare regime was formed. These women were employed against the backdrop of an extremely gendered employment structure in which care work and those who preformed it were rendered socially invisible.

The women working in weaving mills overlapped and blurred the boundaries of their productive and reproductive spaces to create “work” spaces that were to their advantage. This was possible because of the high turnover rate in the weaving mills and the custom of “bringing children
to work” that existed prior to the Second World War and continued into the post-war period of the 1950s. This was followed in the 1960s by increasing numbers of students opting to continue on to high school education, chronic labor shortages, and a local labor market with little competition from neighboring towns and villages. Another important development was the fact that, although a public child care system had been established at the request of the mill managers as a means to secure employment and to reduce their own care burdens, the limitations of “eight hour daycare in principle” and eligibility of only children “lacking daycare” imposed by national regulations and policies forced weaving mill managers and their wives to provide informal care as a complement and substitute for formal, public care as an essential service for attracting and retaining female weavers. This was ironic because, the mill managers and their wives, who had sought to secure workers and stabilize their production bases, were obliged to continue to provide care spaces and informal, unpaid care, which, in some respects, the female weavers considered as part of the informal working conditions. Furthermore, under the rubric of the public child care system, households with co-resident in-laws were considered to contain other family members capable of providing child care, with the result that the organization of “work” within households and those performing the “work” were rendered invisible.

The organization of “work” by these women during the high-growth era was made possible by conditions and structures within the community that enabled the deficiencies of the public child care system and the potential demand for child care to be shifted privately to informal child care provided by mill managers’ wives and other women in the community. However, the supply of public child care services was increasingly constrained for demand in the 1970s and the 1980s, and both national and local governments did not have strong will to intervene in such an unfair division of labor among women and gendered “work” organization. On the regional level, the conditions for the local labor market during the high-growth eras, which was the subject of the study, were rapidly lost with collapse of the local industry and increasing numbers of workers leaving the town to work elsewhere in the service industry. Failing to shift to a male-type labor market, the town’s financial situation continued to deteriorate due to a series of public works projects starting in the latter half of the 1970s and decentralization of power starting in the 1990s, leading to the unavoidable restructuring and scaling back of the public nursery centers (Hagiwara 2011). Is it off the mark to argue that these local productive and reproductive spaces, which emerged in the context of Japan’s national welfare-employment regime, are what structure the gender inequality of labor?

In this process, in Kawamata, nuclear families account for a decreasing ratio of households with members under the ages of 6 and 18, while the ratio of three-generation families is on the rise.10 The demographic transition from generations with many siblings to generations with few siblings is complete, resulting in the phenomenon where children’s kinship networks are reduced to their parents (Ochiai 1994). Further, a qualitative change in households with co-resident in-laws has been observed. Namely, young couples are choosing to live with their parents, partly with the idea of caring for them in the future in mind, but also as a lifestyle choice with the expectation that the grandmother will not only help with the housework and child care but also contribute financially. Let us return once again to the comments of a woman weaver living with her children: “It feels like it was one endurance test after the other, whether you’re talking about interpersonal relationships or work, whether you’re looking at the generation
above or the generation below.”

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References
WHO WANTED THE PUBLIC CHILD CARE SUPPORT?

Orimoto no Keiretsu-tekki Seisan to Kigyo-Keiei no Genjyo,” in Fukushima Chiri Gakkai, Vol. 28, No. 2, pp. 31-37.

Notes
1 This paper is based on the following research presentations and papers by the author: Kumiko Hagiwara “Kawamata no kodoseichoki no shokko ni totte no shokugyoseikatsu to kazokuseikatsu ‘hoiku’ wo meguru jomaru, infonaran na joken wo iku ni [Formal and informal relations related to “child care” in the work life and family life of weavers in Kawamata Town during the high-growth era]” [paper presented for the project meeting of “Case Study on the Processes of the Formation and Establishment of the Women’s Job in the Post War Era in Japan” (FY2007-2009 funded by Grants-in Aid Scientific Research, Principal researcher, Kimiko Kimoto) on December 14, 2008, at the Hitotsubashi University National Center of Sciences] and “Kindai kozokushikan to josei rodo (4) orimono ko ni yoru koyo-rodo to kea-rodo no soshiki [The modern family norm and women’s work (4) : The organization of employed work and care work by female weavers in the context of “child care”]” (presented at the 82nd meeting of the Japan Sociological Society on November 6, 2010).
2 “Work” is embedded in the historical, spatial and socio-economic relations. “Work” is also differentiated and instituted as unpaid/paid, public/private, informal/formal, work/non-work. From this relational aspect of “work”, Glucksman arrived the analytical framework called Total Social Organization of Labor, in which organization of work is comprehended and analyzed as the structure of the particular society, or the linkage, intersection, configuration, pattern, network of the work activities (Glucksman 2005: 21-22). The relational concept of work is found as the effective tool for my analysis of weavers and organization of work activities in Kawamata (Hagiwara 2011).
3 Instead of the impact of the demographic transition mentioned in this paper, Kimoto focused the female weaver’s experience as the permeation process of the modern family norm of the post-war period. Using the same female weaver data, Kimoto examined the weavers’ perceptions of “full-time housewives” and “maternal responsibilities” (Kimiko Kimoto, “Sengo no zairyugata sangyo ni okeru joseitachi no rodo—seikatsu katei (2) josei rodo to kazoku seikatsu tenkai [labor by women in existing factories after the war – life processes (2) the development of women’s employment and family life]” paper presented at the Society for the Study of Social Policy on May 22, 2011.
4 If average per capita annual income of prefectural residents is arbitrarily set at 100, average annual income in the nearby Date and Fukushima Cities would have been 102.9 and 139.2, respectively. This result is also related to local wage rates, and from the standpoint of competing with other regions, it would have been difficult for Kawamata Town to expand its labor market.
5 A computer assembly plant established in 1975, in a nearby town had to scrap plans for an assembly line consisting only of part-timeworkers due to a lack of workers. In 1993, the plant completely stopped the practice of hiring workers on a part time basis due to lack of interest in part-time work among local married women.
6 While I was able to confirm in the interviews that the mothers had taken advantage of maternity leave, I was unable to confirm their use of “time for child care” in the article 67 of Labor Standard Act. Based on their relationships with the textile factory owners discussed in greater detail below, rather than asking for statutory time for child care, the mothers were able to make informal arrangements that allowed them to nurse, pick up their children from nurseries, etc.
7 At the time the Child Welfare Act was established, the wording “lacking daycare” was interpreted including not only cases in which caregivers were engaged in paid work but also cases in which they were “engaged broadly in domestic work and self-employment” (Matsuzaki 1948: 131). Since the mid-1950s, however, the definition of “work” has narrowed as a result of the deficit in child care service supply; in 1975, a report by the Administrative Management Agency regarding the term “lacking daycare” criticized the fact that families that did not fall under the rubric of “lacking daycare” were using the nursery centers as Yoshien, educational facilities for preschool children.
8 Looking at historical census data, in 1975, of the households in Kawamata Town with a child under the age of six, 55.2% were three-generation families, and 46.7% of three-generation families had a child under the age of 18. However, in households in the machiuchi (old Kawamata) district, where the majority textile factories were found and the workers that worked in the factories resided, the average number of family members remained around four during the 1950s and 1960s. Among the women who were the subject of this study, many of the women from the countryside established conjugal households in the machiuchi district after marrying.
9 Some mill managers reported that their greatest concern was the applicability of health insurance. Among female weavers eligibility for social insurance was an important concern, leading some mill managers to encourage workers to “work hard toward your pensions.”
10 While nuclear families accounted for 46.5% of households with members less than 18 years of age in 1980, the same figure in 1995 was 37%. Three-generation families accounted for 50.1% of such households in 1980 and 57.9% in 1995.
I. Introduction

The female labor participation ratio in Japan over the past 20 years (considering both full-time and part-time labor) shows an M-shaped curve, indicating that women leave the labor force when they get married or give birth and stay out of the workforce due to the resultant childcare needs. However, female participation in the labor force has recently increased after the Japanese Government implemented the Equal Employment Opportunity Law (the basic law for a gender-equal society) in 1985.

Research strongly suggests that it is beneficial for women to expand their opportunities to work and create diversity in the labor market; however, there remain many “subliminal” issues yet to be resolved. For example, statistics indicate that women’s salaries are lower than men’s, and women’s training opportunities are fewer than those for men. “Off-JT” (training at training facilities) for women, for example, is lower than that of men. Training for both genders should be equal; however, in reality, it is not. Thus, it is imperative for companies to implement affirmative action policies, or some other forms of positive action to favor those who tend to suffer from discrimination, especially in the workplace (Yamaguchi, 2011).

This paper focuses on the differentiation of the labor market for women, and the companies that implement gender-equality strategies.

In this paper, we first review existing studies of the labor market and working women. Second, we analyze the facts and figures, especially focusing on the M-shaped curve. Third, we consider case studies, based on published books, papers and reports, in which existing companies adopt gender-equality strategies. Then, we analyze a few examples from the perspective of the labor market. Finally, we conclude the paper with a synopsis of the data and the results of the study.
II. Reviews

It was Kerr (1954) who first pointed out the existence of two types of labor markets in economics: the internal labor market and the external labor market. Doeringer and Piore (1971) followed Kerr’s research achievements by developing the labor economics theory. This theory presents the concept of “dualism,” which consists of small- and medium-sized firms that constitute the external labor market and large-sized firms that form the internal labor market. An employee who is in the internal labor market is guaranteed longer-term employment, higher wages, and more promotions than those in the external labor market. On the other hand, the external labor market, as a buffer for uncertainty in the market, drastically influences economic change. It is easy for workers to move from internal to external labor markets; however, it is very difficult for them to move from external to internal labor markets. A huge and discontinuous wall stands before workers seeking to move from external to internal labor markets. This is called the “port of entry” (Kerr, 1954).

Recently, a number of papers have argued that the labor market is not divided into two types but has become diverse (Takeishi, 2006; Hirano, 2010; Morishima, 2011; Asano, Ito, and Kawaguchi, 2011; Tsuru, 2011).

Hirano (2010) insists that labor markets are divided into three layers: “internal labor market,” “external labor market,” and “intermediate labor market.” The “intermediate labor market” is a hybrid, encompassing principles of both the external labor market and the internal labor organization. Laborers working in this market have fixed-term or part-time contracts. More relevant to the internal market is the relation-specific investment from laborers (Williamson, 1985). The longer the non-regular employees work, the more skill and work experience they acquire, and the higher the productivity for the company. The longer their careers, the more time and money invested by the company for their training. Continuing the relationship involves incurring costs to each other. These costs are called “relation-specific investment.” It means that the companies increase the degree of task uncertainty and relation-specific investment. In this case, it is necessary for managers that employment patterns should be shifted from fixed-term or part-time contracts to non-fixed term ones. Hirano (2010) points out that we should discuss labor in each layer with qualitative research.

Previous studies pointed out that non-regular employment increased in the Japanese labor market (Asano, Ito, and Kawaguchi, 2011; Tsuru, 2011) in the last two decades. The ratio of non-regular employment was 17% in 1986, but the rate increased to 34% in 2008 (Asano at el.: 2011), which means that the rate of the external labor market has expanded in the last two decades. Asano, Ito, and Kawaguchi (2011) found the following reasons for the increasing non-regular employment.

The first reason is the changed industrial structure. The wholesale, retail, restaurant, and other service sectors now hire more employees than in the past. This type of business involves a great difference between busy and quiet times. This is the reason these sectors hire employees as non-regular employees.

The second reason is the uncertainty of product demand. The business environment has changed drastically in the short term, directly affecting the company. In this situation, the company considers its non-regular employees as a buffer.

The third reason is the introduction of
information and communication technology. With the standardization of duties in the company, the specificity of human capital and productivity decreases.

These three reasons explained a 60% increase in non-regular employment. To these can be added the supply-side factors and the legal system. With regard to the former, female labor participants increased, and working women requested more flexible schedules. As a result of the latter, it was difficult to discharge regular employees with non-fixed-term contracts, and the company hired non-regular employment as a “buffer.”

In fact, a 2010 white paper on gender equality shows that the ratio of non-regular workers is higher than that of male workers. This can be interpreted in two ways. First, working women requested more flexible schedules (Asano at el., 2011). Second, a company tended to realize that women’s working period in a company is shorter than that of men, so it did not try to appoint and/or promote women (Takeishi, 2006; Tachibanaki ed., 2005; Yamaguchi, 2010, 2011). This is directly linked to the situation in which women leave the labor market at an early stage.

Although equal opportunities should be given to men and women, this is not the case. Because of statistical discrimination, since women’s working period may be shortened, companies sometimes do not invest in women’s training and tend to neglect women’s appointments and promotions (Yamaguchi 2011).

To break through such a situation, Yamaguchi (2011) strongly suggests companies take positive action (or affirmative action). The concrete measures are as follows: First, reduce the trend of women quitting a job when they get married, when they have children, and when they care for the children. Second, maintain women employee candidates in the company’s managerial strata.

As for companies, it is important that they systematically work on the promotion of the work-life balance of employees, including childbirth and child and family health-care support. Additionally, the purpose of promoting work-life balance is not to advance welfare but to produce a dedicated, talented workforce (Yamaguchi, 2011).

Takeishi (2006) maintains that fixed-term or part-time contracts increased the opportunities for women to work, and the company should pay more attention to different ways of working. There is usually a pay gap between fixed-term or part-time contracts and non-fixed term contracts, which must be corrected with a qualification and grading system. These studies suggest that we recognize the variety and choices of the working styles of women. It might be one of the keys to coping with three coexisting labor markets: internal, intermediate, and external.

To continue the discussions, it may be helpful to begin with a consideration of the facts and figures relating to working women’s ratio by age group. Through case studies, we would like to identify measures that a company needs to adopt in order to cope with the workforce.

III. Facts and Figures

Considering figure 1, which shows the trend of the labor participation ratio for women by age group since 1975, we observe an M-shaped curve. It means that many women decided to work after graduating from high school or university, but they discontinued their work at marriage or childbirth, and for childcare. But we also observe the M-shaped curve had changed over the last 30
years. The first finding is that the M-shaped curve is now shallower than in the past. The second finding is that the bottom of the M-shaped curve has moved from age 25–29 years in 1975 to age 30–34 in 1985 and 1995 to 35–39 in 2010. The third finding is that the second curve was found in age 45–49 years. The fourth finding is that women retired at 50–54 years.

The facts suggest the data can be interpreted in three ways. First, large numbers of women were late getting married, or did not marry; hence, the M-shaped curve moved to a later age range and produced a shallow curve. In this case, even if the M-shaped curve is eliminated, the essential problems that hinder a gender-equal society cannot be resolved.

Another interpretation is that, for some reason, large numbers of women did not quit their job because of marriage, childbirth, and/or childcare. In this case, something happened in the internal labor market. We must seek the cause, because this may hold the clue to resolve the problem impeding a gender-equal society.

The third interpretation is even if they quit their job, they could return to work. In this case as well, we need to find out the cause, because, obviously, the women had exited from the internal labor market once they had a chance and, for some reason, came back to work afterward.

From figure 2, we can determine the rate of married women who work and of those who do not, but the figure does not identify working situation (full-time worker or not); however, we can observe how many married women worked over the last 30 years.

Figure 2 shows that the number of married women having jobs (called “dual-income households” in this figure) gradually increased, surpassing the married women who didn’t have jobs (called “households consisting of an employed husband and a non-working wife” in this figure) in the 1990s. It appears there are two types of married working women. One type does not quit her job for marriage, childbirth, and/or childcare. Working women in the internal labor market belong to this category. The other type includes those who, even if they quit their job, could return to work.
Working women in the external labor market or in the intermediate labor market belong to this class. Married women can keep their job during marriage, childbirth, and/or childcare or return to work afterward.

Figure 2 Changes in the number of dual-income households


Figure 3 shows employee composition rates of women since 1985. A comparison of figures 3 and 4 reveals the difference between employee composition rates of women and men. The figures indicate the declining proportion of regular staff in the last 25 years for both men and women; the rate of temporary workers for women is much higher than that for men. The ratio of temporary female workers increases from 28.4% in 1985 to 40.3% in 2009 (White paper on gender equality 2011). The increase in the ratio of temporary workers might be one of the reasons that the M-shaped curve is shallower than in the past. Takeishi’s (2006) argument is also defended by this conjecture.

A review of the figures involves a comparison between two phases of women’s careers with one of men’s. Working women live through one phase of their career in the internal labor market in spite of marriage, childbirth, and/or childcare, as seen in Figure 2. The other aspect of working women is their second career. They quit their job once for marriage, childbirth, and/or childcare. When they settle down for the time being, they return to work and try to move from the external labor market to the intermediate labor market or to the internal labor market. It means that the community needs to support these two types of working styles to be a gender-equal society.

Next, we consider case studies that support working women and a variety of working styles, not to achieve corporate social responsibility but to utilize talented people to improve a company’s productivity.
Figure 3 Changes in employee composition ratio by employment status, excluding female company executives (in all industries, except agriculture and forestry)

![Diagram showing changes in employee composition ratio from 1985 to 2009.]

Notes: Figures are from “White Paper on Gender Equality 2011” by Cabinet Office Government of Japan (Raw data are based on the “Special Survey of the Labour Force Survey” and “Labour Force Survey [Detailed Tabulation]” by Ministry of Internal Affairs and Communications.).

Figure 4 Changes in employee composition ratio by employment status, excluding female company executives (in all industries, except agriculture and forestry)

![Diagram showing changes in employee composition ratio from 1985 to 2009.]

Notes: Figures are from “White Paper on Gender Equality 2011” by Cabinet Office Government of Japan (Raw data are based on the “Special Survey of the Labour Force Survey” and “Labour Force Survey [Detailed Tabulation]” by Ministry of Internal Affairs and Communications.).
IV. Case Study

We take case studies of IBM Japan, Ltd. (hereafter, IBM Japan); SHIMAMURA Co., Ltd. (hereafter, Shimamura); and YAOKO Co., Ltd (hereafter, Yaoko). The example of IBM Japan is a case in support of working women to continue working in the internal labor market, despite marriage, childbirth, and/or childcare. The examples of Shimamura and Yaoko are cases of support of working women who quit their job once for marriage, childbirth, and/or childcare. These descriptions of case studies are based on published books, papers, and reports.

1. IBM Japan

IBM Japan started to support working women in 1998. One of the reasons for doing so was that IBM Japan’s business was declining. Top managers of IBM Japan realized the cause of that situation. Bound by bright success experiments, they could not cope with business environmental change due to monoculture. Then, they started a project called, “Diversity and Inclusion,” which opened the door to minorities. The first idea was to promote the positive utilization of diverse human resources with different senses of values and different cultural backgrounds, based on their race or gender, which heretofore were not given much chance to prove their true potential (Uchinaga, 2005).

When Yukako Uchinaga was general manager of Asia Pacific Technical Operations for IBM Japan, she appointed a leader of the Women’s Council in IBM Japan. The Women’s Council realized that the ratio of women to all employees was 13.6% in IBM Japan and the ratio of women with an administrative post to all managers was only 1.8%. These ratios are the lowest for all of IBM, worldwide. In addition, one of the serious problems was the high rate of women’s resignations. As a result, IBM Japan implemented a five-year program that set numerical goals for the ratio of working women to all employees and for the ratio of women managers to all managers. Ms. Uchinaga established the Japan IBM Women’s Network for networking among working women in IBM Japan to share their workplace-related challenges and difficulties.

Through these programs, they found three themes. The first theme is that working women could not imagine themselves involved in the company’s future, because of a lack of role models. The second theme is to maintain a balance among work, households, and childcare for working women. The third theme is called the “old boy network.” Old boy networks are unique cultural, social, and business relationships common among male workers. Male workers derive a high degree of information through this informal network; however, working women do not have access to such a network (Uchinaga, 2007).

IBM Japan explored these themes, and to rectify these issues, the Women’s Council took such forward-thinking strategic measures as a work-at-home system, holding Women’s Forums for women’s networks, and a system of mentoring. IBM Japan also took measures for working women not only inside IBM but outside IBM, as well. IBM Japan started the Japan Women’s Innovation Network (J-Win) to support the women’s message across the boundaries into other organizations.

The reason for IBM Japan taking these steps is clearly one of the company’s strategic issues. IBM Japan realized that accommodating diversity in the workforce would be of ever-increasing importance (Umeda, 2009) to its company’s bottom line—and working women are considered a minority in
the old boy network. On this point, IBM Japan’s measurement of diversity encompassed a wide range of issues, such as gender, race, religion, physical ability, and sexual orientation to become a “globally integrated enterprise” (Umeda, 2009).

IBM Japan took measures to accommodate working women, such as a system for working at home, the reduction of working hours, and childcare leave. There was a subsidiary effect: some working men gradually adopted these systems (Uchinaga, 2007).

The details and accomplishments of Diversity of IBM Japan, based on our interview, will be reported as the Yoshida Global Center of Excellence (GCOE) project.

2. Shimamura

Shimamura is a well-established multi-brand/fashion Japanese clothing retailer. Ogawa (2011) explains why Shimamura (and Yaoko [a large supermarket chain in Japan]) had developed the business. Ogawa (2011) stated that one of reasons of Shimamura’s success was its focus on the positive utilization of part-time workers, called “middle staff.” Shimamura provides multiple duty forms for staffs, and delegates authority for accomplishments of their tasks. That is why middle staffs continue to be willing to work with a high degree of motivation. Many middle staffs working in Shimamura stores are working in their second career. However, Shimamura provides middle staffs a chance to maintain work-life balance. There is a chance of promotion to a full-time job on regular employment with non-fixed-time contract for middle staff. This type of employment is introduced in Ogawa (2011). Alternatively, they can select a working time similar to part-time jobs. If one is willing to work hard at a second career, Shimamura improves one’s working conditions, such as offering a paid vacation, providing a chance to join an on-the-job study and training program, and paying several allowances, similar to regular employment with non-fixed-time contracts.

One of Shimamura’s features is that it produces manuals for working systematically and rationally. These manuals are rewritten day by day, because working women suggest points of “KAIZEN” (a Japanese business philosophy of continuous improvement of working practices and personal efficiency). There is a reward for suggesting a “KAIZEN” point. If the “KAIZEN” point is good, the reward is 500 yen for each idea. If the point is good enough to be added to the manual, the reward is 1,000 yen for each idea. The total number of “KAIZEN” points suggested is about 50,000 every year (Ogawa, 2011). This number is one example of the evidence that working women in Shimamura are willing—and motivated—to work.

If possible, we would further investigate this case as a Yoshida project of the GCOE.

3. Yaoko

Yaoko runs a chain of supermarkets in Japan. The management is adept at adjusting and catering to their customers’ needs and wishes, views customers as the company’s wealth, and makes sure they spend their life happily. To achieve this aim, Yaoko not only sells food materials but also offers recipe and menu books of ingredients during customers’ lunch- and dinnertime and supports customers’ cooking. For example, some employees in the stores give cooking demonstrations for customers; others set the table for customers to stimulate their ideas on the lunch and dinner table, and inspire cooking ideas. These ideas and plans are suggested by part-time working women who are called “partners” or “helpers” in Yaoko. The difference between the two is one of working time during the week. Their motivations are very high...
and produce high performance and results for Yaoko. Ogawa (2011) explained their motivation. Yaoko provided partners and helpers opportunities to practice what they are attempting to do, and offer them time and a budget to practice their ideas and conduct cooking classes. Yaoko maintains profit and loss statements for each of their stores, and if their sales and profits exceeded 4% in an accounting period, partners and helpers were paid a bonus as a settlement of accounts. In addition, Yaoko holds a competition called the “Festival of Impressions and Smiles,” which is a chance for partners and helpers to make a presentation of their activities and demonstrate how they are improving their performance. Yaoko provides a prize for bright ideas and offers the winner an invitation for a world tour (Ogawa, 2011). This is also another opportunity for the partners and helpers to maintain high motivation levels.

In these cases, Yaoko provides multiple duty forms for partners and helpers, and delegates authority to accomplish tasks, just as Shimamura does. That is why partners and helpers are willing to continue to work and maintain a high motivation level. A number of partners and helpers in Yaoko’s store are working in their second careers. However, Yaoko provides partners and helpers a chance to maintain work-life balance. There is a chance of promotion to a full-time job on regular employment with non-fixed-time contract for partners and helpers. Alternatively, they can select the working time, as with part-time jobs. If one is willing to work hard at a second career, Yaoko improves one’s working conditions, such as offering a paid vacation, providing a chance to join an on-the-job study and training program, and paying several allowances similar to regular employment with non-fixed-time contract.

If possible, we would investigate this case further as a Yoshida project of the GCOE.

V. Analysis of the Case Studies

From the case studies, we can confirm that there are merits for the company to appoint and promote working women, whether they have regular employment with a non-fixed-time contract or non-regular employment with a fixed-time contract. It is important that the company support programs for providing assistance to women in the workplace. Uchinaga (2005) pointed out that women had many choices of their own; however, at times their choices might produce negative results. Being irresolute among their choices, women’s decisions might be delayed, causing risk and uncertainty for the company. That is why women have to expeditiously decide what they would choose at an early stage in the decision-making process—for the company, as well as for themselves. Once they decide to have a career, they must demonstrate strength in order to appropriately forge ahead (Uchinaga, 2005).

In the cases analyzed we have seen that while one woman decided to stay in the labor market, others decided to exit from the market. It follows that women decide either to stay in the internal labor market or leave it in their early career. However, women who still had a chance to come back have decided to leave the internal labor market. In this case, they start working in the external labor market; then, if they make a good mark, they have a chance to enter the intermediate labor market or re-enter the internal labor market, as the Shimamura and Yaoko cases show. It is time to accept various way of working.

The case of IBM Japan is an example of working women deciding to stay in the internal
labor market in spite of marriage, childbirth, and/or childcare. From the case of IBM Japan, we confirm that the measures to support working women are not intended as a welfare program but for the utility of human resources, as Yamaguchi (2011) says. The company has expended much money and time for hiring employees and training them. It is generally said that it takes about five years to recoup the amount of money invested for hiring and training human resources. Working women are not unique in this instance. It means that the company has made human asset-specific investments in human resources (Williamson, 1985), while men and women working at IBM Japan have made dedicated asset-specific investment in IBM Japan (Williamson 1985). Both investments would be useless if employees in IBM Japan resign their office. There is an equilibrium at the company as long as it takes measures to keep working for human resources, such as a system for working at home, reduction of working hours, a system of days off, childcare leave, and so on, and human resources use these measures to attain high performance of the job in return.

VI. Conclusion

We saw cases that accepted various ways of working. There is one strong, pervasive message that the measurement for retaining women in the workplace is not the welfare system but the utility of a company’s human resources. These human resource measures (system for working at home, reducing work hours, offering time off, and implementing childcare opportunities) were first established to induce women to continue to work; the measures were also offered to, and gradually used by, working men. It means that working men and women who use these measures are attaining high job performance in return. In this context, appointing and promoting working women is a viable strategy for a company to survive keen competition.

Porter (2011) mentioned the importance of changing one’s mind to survive this environment, and the emergence of promising elements of a new model. The new model lies in the principle of “Creating Shared Value,” not the principle of “Corporate Social Responsibility.” The principle of Creating Shared Value involves not only creating economic value for the company but also creating value for the society. This is the new way to achieve economic success and to drive the next...
wave of innovation and productivity growth in the global economy (Porter, 2011). Porter (2011) gave us a very important message: the company takes measures not as a duty, but as a chance. This model’s basic concept is the same as the topic of seeking gender equality and “diversity and inclusion”. The companies that support and implement such a practice will succeed. Is this statement true or not? This topic will be followed by a report of the Yoshida project of the GCOE.

References


Notes
1 The description of the case study of IBM Japan is based on Uchinaga (2005, 2007) and Umeda (2009). The description of the case studies of Shimamura and Yaoko are based on Ogawa (2011).
2 Uchinaga (2007) said that half of those engaged in a system of working at home are working men.
I. Introduction

In recent years, married women in Japan have been breaking new ground in the workforce. According to the Ministry of Internal Affairs and Communications’ “Annual Report on the Labor Force Survey,” the proportion of women within the overall employed population rose from 31.7% in 1965 to 42.6% in 2010. Furthermore, the proportion of married women among the female workforce exceeded that of unmarried women in the mid-1970s. A large portion of women still discontinue employment due to marriage and child rearing, and in 2010, 41.8% of female employees were short-term workers. However, the absolute number of the constantly increasing category of “husband as company employee and wife as full-time homemaker” reached a peak in the mid-1980s and the labor force participation rate of company-employed wives is continuing to rise (Hattori 2005). Further, it has been made clear through substantial quantitative research that among husbands whose wives are employed, there is a tendency for the husband to support the wife’s employment and the husband’s sharing responsibility for household chores and childcare. The entry of women with spouses into the workforce shatters the very base of the modern family system and economic system which is premised upon the division of labor by gender. Consequently, the massive increase in the number of women who are employed has been termed “a subtle revolution” and has drawn considerable attention (Meguro 1991).

According to research that employed interview data investigating in depth the power relations of married couples and their gender perceptions, the influence of the gender role attitude of husbands whose wives work differs discernibly depending on the husbands’ socioeconomic status. On the basis of this view, Zuo and Tang contended that to husbands of low socioeconomic status, the wife’s employment posed a “threat.” In order to maintain male-dominant gender relations—which were threatened by the wife’s employment—these husbands adhered to gender role attitudes, which the researchers postulated as the “threat hypothesis” (Zuo and Tang 2000). If one examines
this argument closely, the wife’s employment does not necessarily become a motivation for a weakening of gender role attitudes among all men. For instance, where the husband’s income is insufficient and the wife finds employment to supplement it, it is conceivable that the husband’s gender role attitude would be somewhat reinforced.

However, to the degree that the present researcher has been able to ascertain, there appears to be no quantitative research, in Japan or in other countries, that seeks to verify whether or not there is a social status gap in terms of the influence exerted by the wife’s employment on gender role attitudes. That is, in regard to the possibility of generalizing from knowledge obtained from qualitative research, there has been insufficient support based on quantitative research. In addition, most qualitative research, such as that just mentioned, has taken American couples as subjects, and there has been almost no investigation of the disparity within social status levels when examining Japanese men’s gender role attitudes or the significance attached to wives’ employment.

Therefore, the present study employs the data of the National Family Research of Japan 2003 and the National Family Research of Japan 20081 to investigate whether, in the influence born from the gender role attitudes of the husband whose wife has employment, there is interaction resulting from the husband’s socioeconomic status. National Family Research is an ongoing project which began in 1998 as an activity of the Japan Society of Family Sociology. It is implemented for the following reasons: (1) to accurately grasp the present circumstances of the Japanese family, (2) to create a data set that, through consecutive surveys, makes possible the analysis of changes and trends, and (3) to expand a mutually shared analytical foundation by means of making data public and using it in collaboration, as well as to publicize statistical data regarding the family.

II. Factors influencing male gender role attitudes

According to research to date, the gender role attitudes of married men are strongly influenced by the conditions under which the wife is employed. According to most quantitative research, the husbands of working wives, in comparison with husbands whose wives are not employed, tend to support their wives’ employment and men’s sharing in household chores and child rearing. This tendency has been shown to be even stronger among those whose wives work full time, in comparison with those whose wives work part time (Cassidy and Warren 1996; Coltrane 1996; Ferber 1982; Mason and Lu 1988; Shirahase 2005; Smith 1985; Wilkie 1993; Yamazaki 1998; Zuo 1997). It is important to note, however, that according to research based on interviews investigating married couples’ power relations and the deep levels of gender perceptions, the impact of the wife’s employment on the gender role attitudes of the husband differs according to the socioeconomic status of the husband. On the basis of this knowledge, Zuo and Tang (2000) put forth their “threat hypothesis,” which suggests that to the husband of low socioeconomic status the wife’s employment presented a “threat.”

Among those aspects that are raised as “threats” are the wounding of “male pride” by the wife’s employment, symbolizing the inability of the husband to fulfill his role as the family breadwinner and the strengthening of the
wife’s power vis-à-vis her husband as a result of obtaining income (Mirowsky 1987). It is conceivable that when the wife’s employment produces such a “threat,” the husband, in order to maintain male-dominant gender relations by adhering to the gender role model, and it has been reported that such examples have often been observed among husbands of comparatively low socioeconomic status. For example, according to qualitative research on married couples of the working class, it is more difficult for the working-class husband to maintain status and power as the “breadwinner” due to his low income. Due to the fact that his position in the workplace is low and the only place he can exert authority is in the home, there is a tendency for him to grow greatly dissatisfied because he loses his identity as a “man” because his wife is employed and the wife’s power increases. Hence, working-class married couples, as a strategy for maintaining the husband’s pride and authority, which is lost as a result of the wife’s employment, elect to strengthen behavior that strengthens male-dominant gender relations. For example, the married couple’s relationship develops in ways in which the husband is treated both inside and outside the house as the “breadwinner” and the wife’s employment is presented as being merely a supplement to the household budget, where the husband’s income provides for fundamental living expenses and the wife’s income is earmarked for savings or as money for reserve, where the wife single-handedly bears responsibility for household chores and child rearing in order not to threaten the husband’s identity by doing “women’s work,” and where the wife acts more submissive and obedient in order to strengthen the self-respect of the husband and maintain his authority (Hochschild 1989=1990; Komarovsky 1962; Rosen 1987; Rubin 1976).

In contrast, it is speculated that in the case of husbands of higher socioeconomic strata, the wife’s employment would not tend to “threaten” the husband’s pride as the “breadwinner.” This is because, according to interview surveys which take as their subjects middle-class husbands and husbands who are professionally successful, the majority attach importance to the wife’s working not as supplementing the household budget but as working for her own benefit, for example, as a means of self-actualization. Further, because the husband sees it as his responsibility as a spouse to support his wife’s psychological enrichment, he supports his wife’s employment and shares responsibility for housework and child rearing (Hood 1983; Weiss 1987).

From this view, as a reason for the difference that appears between socioeconomic classes in how the wife’s employment affects the husband’s gender role attitudes, attention is paid to the degree of stability of the husband as the breadwinner. In looking at this mechanism, Zuo contends that it is necessary to examine the relationship between the husband and wife and employs as an indicator the ratio of the husband’s or wife’s income to the total income of the couple, or what could be called their respective “contribution to family income.” The reason for this is that it is necessary to specify the various gender relations involved in men’s experience. Seen from this perspective, it is insufficient to measure the status of the husband as “breadwinner” solely on the basis of the husband’s or wife’s earnings. Employing the husband’s or wife’s “contribution to family income,” it is necessary to consider the rise or fall of the husband’s status as breadwinner and the wife’s relation to that. That the wife’s employment becomes a “threat” is not simply because the wife earns a high income. It is conjectured, rather, that the husband’s contribution to family income declines and his status and power as breadwinner is threatened (Zuo 1997; Zuo and Tang 2000).

From the argument above, it is possible to
deduce the following hypothesis regarding the influence exerted by a wife’s employment on her husband’s gender role attitudes.

Hypothesis: The effect that the wife’s employment has on the husband’s gender role attitudes varies according to the husband’s socioeconomic status. In the comparatively low socioeconomic strata, the greater the wife’s contribution to family income, the stronger the maintenance of gender roles is.

Previous research also shows that in addition to the wife’s employment, factors such as the following also affect men’s gender role attitudes. First, the tendency to maintain gender roles is stronger the older the man is (Azuma and Suzuki 1991; Powell and Steelman 1982; Shirahase 2005; Ulbrich 1988; Wilkie 1993; Willinger 1993; Zuo 1997). Second, the tendency to maintain gender roles is stronger the lower the man’s educational background is (Azuma and Suzuki 1991; Ferber 1982; Powell and Steelman 1982; Mason and Lu 1988; Wilkie 1993; Zuo 1997). Third, factors related to occupation also affect the man’s gender role consciousness. Occupational category is one such factor, and middle-class males engaged in white-collar occupations have been shown to view participation in household chores and child rearing as a matter of course and to support their wives’ employment (Connell 1995; Hochschild 1989=1990). In Japan, regarding the idea that “men should work and women should stay in the home,” in the blue-collar stratum it has been reported that those who reject this are in the minority while those affirming this view are somewhat numerous (Yamazaki 1998). One further element is income. It has been found that the higher the income of the male, the greater the tendency to think “the best all-round situation is for the man to support the family and the wife to take care of the household” and “as a rule, if the wife works full time, it has a negative impact on family life” (Furuya 1994).

III. Methodology

1. Analytical method and data

First, employing “husband’s gender role attitude” as a dependent variable and “wife’s contribution to family income” as an independent variable, multiple regression analysis was implemented for control variables on factors reported to affect men’s gender role attitudes: husband’s age, husband’s educational background, husband’s occupational category, and husband’s annual income. Next, “wife’s contribution to family income” was examined for interaction with each of the other factors: “husband’s educational background,” “husband’s occupational category,” and “husband’s annual income.”

The data employed was that of the National Family Research of Japan 2003 (carried out from January to February 2004) and the National Family Research of Japan 2008 (carried out from January to February 2009), hereafter referred to respectively as NFRJ03 and NFRJ08. The subjects of NFRJ03 are resident Japanese nationals born between 1926 and 1975, and 10,000 subjects were surveyed by stratified two-stage random sampling. Collected surveys totaled 6,302, an effective response rate of 63.0%. The subjects of NFRJ08 are resident Japanese nationals born between 1936 and 1980. Some 9,400 subjects were surveyed by the same stratified two-stage random sampling method. Collected surveys totaled 5,203, an
effective response rate of 55.4%. Of these, the present article takes as subjects for analysis employed men 65 years old or younger who have spouses, and this means 1,744 from NFRJ03 and 1,468 from NFRJ08.

2. Variables employed in analysis

“Husband’s age” was taken to mean the biological age at the time of the survey, while “husband’s educational background” was converted to years of education received on the basis of the final level of education received. “Husband’s occupational category” was converted to a “blue-collar dummy” variable, whose value was assigned as 1 for “retail or service occupation,” “skill, physical, or manual work,” and “agricultural, forestry, or fishing.”

“Husband’s annual income” was divided into 15 categories from “did not earn any income” to “more than ¥12,000,000.” “Did not earn any income” was established as “0” and “more than ¥12,000,000” was established as “1250,” and the others were set as medians. “Wife’s contribution to family income” was calculated by dividing “wife’s annual income” by “total of wife’s annual income and husband’s annual income.” Concerning “wife’s annual income,” the same categories established for the husband’s income were applied. Therefore, the “wife’s annual income” and “husband’s annual income” are established with “did not earn any income” set at “0” and “more than ¥12,000,000” set at “1250.” The others are calculated on the basis of the median values.

We established a scale of husband’s gender role attitudes using principal component analysis with the three variables of “Men should earn the living and women should take care of the home,” “Mothers should not be in the labor force but should concentrate on childcare until the children turn three years old,” and “It is a man’s role to financially support his family.” The choices provided for the questions were “agree,” “somewhat agree,” “somewhat disagree,” and “disagree,” with points descending respectively from 4 to 1 for these responses in order to indicate the level of support for gender roles. The correlations between these three variables were high for both NFRJ03 and NFRJ08 (NFRJ03 $\alpha=.718$; NFRJ08 $\alpha=.758$). The principal component analysis yielded one marked component. For NFRJ03, eigenvalue of the component was 1.920 and the contribution was 64.0%, while for NFRJ08, eigenvalue was 2.023 and the contribution was 67.4%. In neither NFRJ03 nor NFRJ08 did other components reach an eigenvalue of 1. Therefore in the analysis that follows, the principal component score is used to measure “attitudes supporting gender role in the division of labor.”

IV. Analysis Results

1. Descriptive features of subjects analyzed

Descriptive features of the subjects are as follows (the former figures are for NFRJ03, and the latter in parentheses are for NFRJ08). Categorization by age groups is as follows: 2.6% (2.4%) for the 20s, 22.7% (21.7%) for the 30s, 27.2% (26.7%) for the 40s, 33.5% (32.9%) for the 50s, and 14.0% (16.3%) for the 60s (NFRJ03 $n=1744$; NFRJ08 $n=1468$). The educational background categories were junior high school 10.4% (8.3%), high school 41.1% (43.5%), vocational school for high school graduates 8.5% (9.5%), junior college 5.4% (3.4%), college 32.2% (32.1%), and graduate school 2.4% (3.2%) (NFRJ03 $n=1732$; NFRJ08 $n=1468$).
n=1456). The breakdown of the annual income for the previous year was 30.0% (32.8%) for less than ¥4,000,000, 32.2% (30.5%) for ¥4,000,000 to less than ¥6,000,000, 18.9% (19.3%) for ¥6,000,000 to less than ¥8,000,000, and 19.9% (18.4%) over ¥8,000,000 (NFRJ03 n=1655; NFRJ08 n=1444).

In terms of occupational category, professional or technical occupations account for 16.5% (20.6%); administrative occupations for 13.3% (12.4%); office work or business for 18.2% (15.2%); retail or service occupations for 14.9% (13.4%); skill, physical, or manual work for 34.9% (35.0%); agriculture, forestry, or fishing for 1.9% (3.2%); and others for 0.2% (0.2%) (NFRJ03 n =1717; NFRJ08 n =1464). From these results, there is virtually no difference between NFRJ03 and NFRJ08 in terms of the husband's age, educational background, annual income or occupational category.

The annual income of wives for the previous year, no income accounted for 32.6% (28.9%); less than ¥1,000,000 accounted for 30.4% (29.4%); ¥1,000,000 to less than ¥2,000,000 for 17.3% (18.7%); ¥2,000,000 to less than ¥4,000,000 for 11.8% (13.9%); ¥4,000,000 to less than ¥6,000,000 for 4.0% (5.5%); and more than ¥6,000,000 for 3.9% (3.6%) (NFRJ03 n =1653; NFRJ08 n =1414). In both NFRJ03 and NFRJ08 in approximately 30% of the analyzed subjects, the wife earned no income, and in only 20% of the cases did the wife earn more than ¥2,000,000. For this reason, the proportion of the wife’s contribution to family income are 32.9% (28.9%) for 0% contribution; 39.7% (42.4%) for contribution of less than 25%; 17.9% (18.7%) for contribution of 25% up to 50%; and 9.5% (9.9%) for contribution of 50% or more (NFRJ03 n =1634; NFRJ08 n =1410). That is, in both NFRJ03 and NFRJ08, among approximately 70% of the subjects analyzed, the proportion of the married couple’s total income contributed by the wife was less than 1/4th. Further, there was approximately 10% in which the wife’s contribution exceeded 50%, meaning that the wife earned more than the husband.

The gender role attitudes shown are as follows. In response to the statement “Men should earn the living and women should take care of the home,” those answering “agree” account for 11.6% (11.8%), “somewhat agree” account for 37.0% (41.8%), “somewhat disagree” account for 25.4% (23.7%), and “disagree” account for 26.0% (22.6%) (NFRJ03 n=1741; NFRJ08 n=1458). In response to the statement “Mothers should not be in the labor force and should concentrate on childcare until children are 3 years old,” those answering “agree” account for 37.6% (35.7%); “somewhat agree” account for 36.9% (38.0%); “somewhat disagree” account for 14.2% (14.5%); and “disagree” account for 11.3% (11.8%) (NFRJ03 n=1732; NFRJ08 n=1460). In response to the statement “It is a man’s role to financially support his family,” those answering “agree” account for 36.3% (39.3%); “somewhat agree” account for 43.5% (42.1%); “somewhat disagree” account for 11.1% (10.1%) and “disagree” account for 9.1% (8.5%) (NFRJ03 n=1737; NFRJ08 n=1457). The distribution of answers are almost the same for NFRJ03 and NFRJ08, with about 10% agreeing that men should earn the living and women should take care of the home, while close to 40% agree that mothers should not be in the labor force but should concentrate on childcare until children are 3 years old and that it is a man’s role to financially support his family. Particularly in regard to “It is a man’s role to financially support his family,” there is a high rate of support, with some 80% answering either “agree” or “somewhat agree.”
2. Influence of the wife’s contribution to family income on the husband’s gender role attitudes

By employing multiple regression analysis to identify factors that influence men’s gender role attitudes, results were obtained as shown in Table 1.

From the results in models 1 to 4, one can say that in both NFRJ03 and NFRJ08, the older the husband’s age, the more likely he is to support gender roles, and the higher the wife’s contribution to family income, the greater the tendency for the husband to reject gender roles. Regarding the main effect of educational background, in just NFRJ08, a tendency can be found among husbands with low educational background to support gender roles. On the other hand, when occupational category and annual income are taken as the main effect, there is no significance in either NFRJ03 or NFRJ08. In regard to interaction, both NFRJ03 and NFRJ08 revealed significance in interaction between the wife’s contribution to family income and both the husband’s occupational category (Model 3, note that in NFRJ08 p<.10) and the husband’s annual income (Model 4). The interaction between the wife’s contribution to family income and the husband’s occupation category was significant only in NFRJ03 (Model 2, note that p<.10).

Next, let us examine the direction of the interactions that proved significant.

In order to identify the direction of the interaction between the wife’s contribution to family income and the husband’s educational background in NFRJ03, the husband’s educational background was divided into the two parts “high school graduate or less” (n=892, 51.6%) and “junior college or more” (n=840, 48.4%). Two-factor ANOVA was performed with this variable and four groups for the degree of the wife’s contributions: 0%, less than 25%, 25% to less than 50%, and 50% or more. As a result, the interaction between the wife’s contribution to family income and the husband’s educational background was not statistically significant (F = 1.859, df=3, p>.10); but within the group in which the wife’s contribution to family income was 50% or higher, there was a comparatively large difference in gender role attitudes depending upon educational background. In other words, the tendency for husbands with high school education or less to support gender

| Table 1 Factors affecting husband’s consciousness of gender role division of labor |
|---------------------------------|-----|-----|-----|-----|-----|-----|-----|
|                                | NFRJ03 | NFRJ08 | NFRJ03 | NFRJ08 | NFRJ03 | NFRJ08 | NFRJ03 | NFRJ08 |
| Age of husband                 | .166*** | .163*** | .165*** | .163*** | .164 *** | .161 *** | .161 *** | .161 *** |
| Number of years of husband’s education (A) | .012 | .063* | .029 | .060 | .014 | .063* | .012 | .066* |
| Category of husband’s occupation (Blue-Collar Dummy) (B) | .021 | .021 | .024 | .021 | .034 | .064 | .024 | .023 |
| Annual income of husband (C)   | -.028 | -.020 | -.026 | -.020 | -.027 | -.023 | -.020 | .045 |
| Wife’s contribution to family income (D) (D) × (A) | .275*** | .293*** | .272+ | .246+ | .272+ | .246+ | .272+ | .246+ |
| (D) × (B)                      | .111* | .077  | .103  | -.153** | .103  | -.153** | .103  | -.153** |
| R2                             | .093 | .110 | .095 | .110 | .097 | .112 | .096 | .117 |
| Adjusted R2                    | .090 | .107 | .091 | .106 | .093 | .108 | .093 | .113 |
| Observations                   | 1564 | 1372 | 1564 | 1372 | 1564 | 1372 | 1564 | 1372 |
| F                              | p<.001 | p<.001 | p<.001 | p<.001 | p<.001 | p<.001 | p<.001 | p<.001 |

(+<.10, * p<.05, ** p<.01, *** p<.001)
roles more than husbands with junior college education or higher was especially noticeable in the group in which the wife contributed 50% or more to the family income (Figure 1).\textsuperscript{5}

In order to investigate the direction of the interaction between the wife’s contribution to family income and the husband’s occupational category in NFRJ03/08, retail or service; skill, physical, or manual work; and agriculture, forestry, or fishing were classified as “blue collar” (NFRJ03 n = 888, 51.8%; NFRJ08 n = 756, 51.7%), and professional or technical; administrative; and office work or business were classified as “white collar” (NFRJ03 n = 826, 48.2%; NFRJ08 n = 705, 48.3%). Two-factor ANOVA was performed with this variable and four groups for the degree of the wife’s contribution to family income: 0%, less than 25%, 25% to less than 50%, and 50% or more. As a result, the interaction between the wife’s contribution to family income and the husband’s occupational category was significant (NFRJ03 $F = 3.321$, df = 3, $p < .05$; NFRJ08 $F = 2.576$, df = 3, $p < .10$). When one looks at the mean value according to ANOVA (Figure 2), in NFRJ03 in the groups where the wife’s contribution is 0% or less than 25% and in NFRJ08 in the groups where the wife’s contribution is 0%, less than 25%, and over 25% but less than 50%, there is not much difference in the husband’s attitude toward gender roles based on occupational category. In comparison, in NFRJ03 where the wife’s contribution is in the group over 25% but less than 50% and the group which is 50% or more, and in NFRJ08 where the wife’s contribution is 50% or more, there is a relatively pronounced tendency for the husbands in a blue-collar occupation to support gender role division of labor more than those husbands in white-collar occupations.

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\textbf{Figure 1} Interaction between wife’s contribution to family income and husband’s educational background on husband’s gender role division of labor consciousness (NFRJ03)
In order to investigate the direction of interaction between the wife’s contribution to family income and the husband’s annual income in NFRJ03/08, the husband’s annual income was classified into two groups: “less than ¥4,000,000” (NFRJ03 n = 497, 30.0%; NFRJ08 n = 459, 31.8%) and “¥4,000,000 or more” (NFRJ03 n = 1158, 70%; NFRJ08 n = 985, 68.2%). Two-factor ANOVA was performed with this variable and four groups for the degree of the wife’s contribution to family income: 0%, less than 25%, 25% to less than 50%, and 50% or more. As a result, the interaction between the wife’s contribution to family income and the husband’s annual income was found to be significant (NFRJ03 F = 6.359, df = 3, p < .001; NFRJ08 F = 6.723, df = 3, p < .001). When one looks at the mean value according to ANOVA (Figure 3), in NFRJ03, in the group where the wife’s contribution is 0% and the group where it is less than 25%, husbands with annual incomes less than ¥4,000,000 support gender role labor division. In similar fashion, in NFRJ08, one finds a tendency to support gender role labor division among husbands with annual incomes of less than ¥4,000,000 when the wife’s contribution falls in the group of more than 25% and less than 50% and the group of more than 50%. This is particularly notable in the group of those whose contributions are 50% or more.
As a result of this analysis, the following is established regarding the factors that influence men’s attitudes toward gender role division of labor.

As has been reported by previous researchers, the older the husband is, the stronger the tendency to support gender role labor division is. Previous research shows the effect of educational background, but in our analysis only NFRJ08 data demonstrate a statistically significant tendency for lower educational level to increase support of gender role division of labor. In contrast, no significant main effect was found regarding occupational category and annual income.

Regarding the impact of the wife’s contribution to family income on the husband’s gender role attitudes, which is the central focus of this analysis, the following results were observed. First, the higher the wife’s contribution to family income is, the greater the tendency for the husband to reject gender role division of labor. The degree of the wife’s contribution to family income has a significant negative effect, and the influence is comparatively large. In other words, in line with the views that have come from prior quantitative research, it can be said that the husbands of working wives are more opposed to gender role division of labor. Second, however, regarding the influence of the degree of the wife’s contribution to family income on the husband’s attitudes toward gender role division of labor, the following new viewpoint was obtained.

Based on the “threat hypothesis” (Zuo and Tang 2000), which argues that the wife’s employment poses a “threat” to a husband of low socioeconomic status, the present study takes as its hypothesis their assertion that the influence the wife’s employment exerted on the husband’s attitude toward gender role division of labor differs with the husband’s socioeconomic status. Within
the comparatively low socioeconomic strata, the greater the wife’s contribution to family finances, the greater the tendency to support gender role division of labor. The results of this study’s analysis clarifies that the impact of the wife’s employment on the husband’s attitudes toward gender role division of labor does indeed differ according to his socioeconomic status. The tendency for the husband to reject gender role division of labor to increase among husbands whose wives make large contributions to family income is shown to be more conspicuous among husbands who are graduates of junior college or higher, who are white-collar workers with annual incomes of ¥4,000,000 or more. However, regarding their contention that within the comparatively lower socioeconomic strata the greater the wife’s contribution to family finances the stronger the husband supported gender role division of labor, no such tendency was found. Even among the low socioeconomic strata of blue-collar families, with educational background of high school or less and annual incomes of less than ¥4,000,000, there is a tendency for the husband whose wife makes a major contribution to family income to reject gender role division of labor.

In other words, the present analysis shows that regarding the contention that “the influence the wife’s employment has on the husband’s attitudes toward gender role division of labor differs according to the husband’s socioeconomic status,” the disparity in attitudes might more accurately be expressed as follows: “Among husbands of the comparatively lower socioeconomic strata, the greater the wives’ contribution the more flexible the husbands are in rejecting gender role division of labor.” Further, it is particularly pronounced, across all strata, in groups where the wife’s contribution is greater than that of the husband, that is, where her contribution exceeds 50%.

From such results, it may be surmised that in the future, as married women proceed into the workforce, even if there is an increase in the number of wives who earn more than their husbands, the impact of the view that the wife is working “because her husband’s income is insufficient” on the husband’s attitudes toward gender roles will be comparatively small. Based on the arguments of Zuo and Tang regarding the reasons for this, the wife’s earning a larger income than the husband could possibly be interpreted by the husband of low socioeconomic status as a “threat.” According to the present data, the belief that “It is a man’s role to financially support his family” is highly supported, and judging from the fact that there are only a small number of wives contributing more than 50% of the family income, it can be inferred that the model of “the husband should earn greater income than the wife” remains strong. The present results suggest the possibility that among Japanese men who engage in spousal relations that run counter to such a model, the meaning of “the wife’s earning a higher income than the husband himself” may differ depending on socioeconomic status.

Actually, Zuo and Tang indicate that for a husband who earns less than the wife, the wife’s working may pose a greater threat, and they contend that the “threat hypothesis” is particularly applicable to such husbands. In other words, they suggest this as a special characteristic of gender role division of labor attitudes of men whose socioeconomic status is low and whose wives, in addition, earn more than they do. Unfortunately, however, at the stage of verifying their hypothesis, the researchers gave almost no consideration to the factors of social strata. By employing panel data that they obtained by tracing married men and women, they investigated how changes in family income contribution affected gender role attitudes. As a result, they found that even controlling for variables of age and education, the lower the husband’s contribution to family income or the
higher the wife’s contribution to family income, the tendency was toward a rejection of traditional gender patterns. They therefore concluded that the reduction of the male’s family income contribution brought about egalitarian tendencies in the gender attitudes of both husband and wife. On the basis of these results, they rejected the “threat hypothesis,” which argued that the employment of the wife was seen by the husband as a “threat,” and to the contrary argued that the husband gained “benefit” from the wife’s employment. In other words, as a result of the improvement in economic level that results from the wife’s income, the husband is relieved of shouldering the heavy responsibility of being the sole breadwinner. The researchers thus contend that when one adopts an egalitarian gender attitude as a result of the employment of the wife, the “benefit hypothesis” is given support (Zuo and Tang 2000). Their analysis can be seen as a major contribution in that by employing panel data it eliminates the reverse causal relationship in which the husband’s egalitarian attitude encourages the wife’s employment; it clearly states that the employment of the wife makes the husband’s gender role division of labor egalitarian. However, in the end, they confirmed the accumulation of previous quantitative research which concluded that husbands with employed wives were more likely to reject gender role division of labor than husbands whose wives did not work. Further, they did not carry out sufficient investigation regarding the possibility that the wife’s employment might be seen by the husband as a “threat.”

To be sure, even the present analysis does show that the wife’s contribution to family income has a major negative effect on the husband’s gender role division of labor attitudes, and even within the comparatively low socioeconomic strata, there is a tendency for the husband to reject gender role division of labor the higher the wife’s contribution to family income rises. But it is of considerable interest that where the husband’s socioeconomic status is within comparatively low strata, the wife’s contribution to family finances has a relatively low effect on the husband’s gender role division of labor attitudes, and especially conspicuous is the group where the gap is large, especially in the group where the wife’s contribution is 50% or more. The knowledge that there is a strata gap in the impact that the wife’s employment has on the husband’s gender role division of labor attitudes can be taken as including valuable suggestions for deepening the understanding of Japanese men’s gender consciousness.6

In concluding, allow me to mention the limitations of this article and topics for future consideration.

First, I would like to carry out similar investigations of men’s gender role division of labor attitudes in various other countries, in order to determine whether similar class disparities can be found in other countries. There is reason to believe that by carrying out such international comparisons, the distinctive features of Japanese men’s attitudes toward gender roles might be clarified further.

Second, in order to further deepen understanding of the disparity among social strata that appears in Japanese men’s gender role attitudes, quantitative research on married couples is required. The reason for this is that in the present analysis, only the effect of the “husband’s attributes” were used as factors in differentiating “influences affecting the gender role division of labor attitudes.” However, as argued in section II, qualitative research investigating the deep levels of the married couple’s power relations and gender consciousness among couples of comparatively low strata have shown that to support the husband’s pride and authority, which has been diminished as a result of the employment of the wife, as a strategy, not only the husbands but also the wives strengthen...
Gender relationships based on male dominance (Hochschild 1989 =1990; Komarovsky 1962; Rosen 1987; Rubin 1976). From this view, the husband’s gender role division of labor attitudes are not only specific to the husband but are also to a large degree influenced by the wife’s attitudes. It is therefore conjectured that interactivity depends not only on the husband’s attributes but also by those of the wife. In order to reach the deepest levels of this mechanism, qualitative research is vital. On the basis of the current findings, there is reason to believe that in order to do this, it would be most effective to focus on couples in which the wife’s contribution to family finances is 50% or more.

Supplementary note
In employing National Family Research of Japan 2003 (NFRJ03) data, individual sample data was provided by the SSJ Data Archive affiliated with the Center for Social Research and Data Archives, University of Tokyo. In employing National Family Research of Japan 2008 (NFRJ08) data, permission was received from the NFRJ Committee of the Japan Society of Family Research.

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Notes
1 In regard to the National Family Research of Japan 1998 (NFRJ98) survey, items dealing with gender roles and the division of labor as well as the categories of the married couple’s income differed from those of the National Family Research of Japan 2003 (NFRJ03) survey and the National Family Research of Japan 2008 (NFRJ08) survey. Therefore, the former was not used for analysis in the present research. All of the variables used in this analysis taken from NFRJ03 and NFRJ08, however, are identical in terms of items and categories.
2 One can presume that both “scale of city” and “existence or non-existence of children” would also influence men’s attitudes toward gender roles. However, in the models described below, when “14 Major City Dummy (NFRJ03) / 18 Major City Dummy (NFRJ08),” “Town and Village Dummy,” and “Child Exists Dummy” were input, the results did not yield statistical significance, and coefficients were small, therefore they were excluded from analysis.
3 As discussed in section II, regarding the influence of men’s socioeconomic status on gender role attitudes, it has been reported that the lower the men’s educational background, whether the men held blue-collar occupations, and the higher the men’s income, the tendency was toward support for gender role division of labor. Therefore, investigation is carried out on interaction effects with educational background, occupational category, and income, respectively. In general, there is a strong relationship between educational background, occupational category, and income. Therefore, Variance Inflation Factor (VIF), which is an indicator that estimates the degree of multicollinearity, was less than 2 for every coefficient in Model 1. This suggests there was no substantial multicollinearity between these variables.
4 It is conceivable that in the case of subjects 66 years or older a large number were included who, by becoming reemployed following mandatory retirement, have taken up conspicuously low-paying or blue-collar jobs. Because a similar possibility exists for the 61 to 65 age group, by limiting analysis to employed married men 60 or younger, the results are almost identical. (Restricting consideration to those aged 60 and under, within the NFRJ03 data, the only point that differed in the results was there was no significant interaction effect between the wife’s contribution to family finances and the husband’s educational background.) Accordingly, the age limit for subjects for analysis was set at 65 years or less.
5 When two-factor ANOVA was applied to the two groups of wives contributing less than 50% to the family income and 50% or more to the family income, it was found that there was significant interaction between the wives’ contribution to family income and the husbands’ educational background (F=4.292, df=1, p<.05).
6 In the analysis of the NFRJ03 and NFRJ08, the same was found to be true for wives. Among wives with husbands of comparatively lower socioeconomic strata, the greater the wives’ contribution, the more flexible the wives are in rejecting gender role division of labor (Shima 2011).
Part IV  Submitted Paper

AN UNEASY BUT DURABLE BROTHERHOOD?:
Revisiting China's Alliance Strategy and North Korea
LEE Dongjun
AN UNEASY BUT DURABLE BROTHERHOOD?:
Revisiting China’s Alliance Strategy and North Korea

LEE Dongjun

Abstract
This article aims to reexamine the formation of the 1961 Sino-North Korean alliance treaty from the Chinese perspective. The existing literature has explained the formation of the treaty mainly in the given circumstantial context or from the view of North Korea’s diplomatic initiative in the Sino-Soviet dispute. However, this article argues that the treaty was a product of China’s strategic behavior based on its national interest rather than that of Kim Il-sung’s diplomatic ability. In order to overcome the internal and external troubles, the Chinese leadership adjusted its foreign policy more pragmatically in 1960, anticipating the conclusion of the alliance treaty with North Korea. Especially after the Soviet-North Korean treaty came into view, under severe security pressure China hastened to co-opt North Korea by heightening its level of commitment to the treaty. In this way, North Korea tactfully jumped on the Chinese bandwagon. This implies that as long as North Korea has strategic value in the Chinese perspective, China would maintain its special relationship with North Korea in the context of the 1961 alliance treaty. Although recently the Sino-North Korean alliance looks like a one-sided alliance for ensuring North Korea’s regime survival, China tends to secure significant collateral benefits by maintaining that alliance with North Korea.

Key Words
Sino-North Korean alliance treaty in 1961, Sino-North Korean Relations, Sino-Soviet dispute, China’s Foreign Policy, China’s National Interest.

I. Introduction
July 11, 2011 marked the 50th anniversary of the Sino-North Korean “Treaty of Friendship, Cooperation and Mutual Assistance” signed in 1961. Without a lavish commemoration parade in Beijing and Pyongyang, Chinese President Hu Jintao and the Democratic People’s Republic of Korea (DPRK) leader Kim Jong-il vowed to further strengthen ties between the two states in an exchange of letters. Of course, since the end of Cold War, the Sino-North Korean “blood-shared alliance” has been branded as a “relic of a bygone age,” and some Chinese officers even argued for scrapping the treaty and treating North Korea as a “normal” state. However, despite many
unforeseen challenges caused by the changing international structure and the conflict of alliance interests between them, China and North Korea have retained their unchanged solidarity in recent years. Considering that since 1994 China has annually provided large amounts of fuel and food aid, which served as a lifeline to North Korea, the relationship is not one of minor significance. After Kim Jong-il’s sudden death in December 2011, China has behaved as expected, trying to prop up the regime in order to ensure stability in its nuclear-armed neighbor. China’s foreign ministry sent a message of strong support for Kim Jong-un, Kim Jong-il’s successor and encouraged North Koreans to unite under the new leader. China sees its alliance with the DPRK as crucial, just as both Premier Zhou Enlai and People’s Liberation Army commander-in-chief Marshal Zhu De used the metaphor, “as close as lips to teeth,” to delineate the strategic importance of North Korea to China. An old friend is still a friend.

From the viewpoint of the stronger ally (China), it is an advantage to leave its commitment somewhat ambiguous in the alliance treaty in order to avoid manipulation by the weaker state (North Korea). However, the Sino-North Korean alliance treaty was seen as a very special one in that China explicitly pledged its support to the defense of the DPRK, including automatically sending troops if the DPRK was attacked by third state(s). This treaty is the only military one that China signed formally with a weaker state.

Then, why did China conclude the alliance treaty with DPRK? How does the 1961 alliance treaty figure into Beijing’s continuing support for North Korea politically, economically and militarily? The purpose of this article is to reexamine the origin of the Sino-North Korean alliance treaty from the Chinese perspective, which would shed light on the contemporary Sino-North Korean relations, given that the basic features of the bilateral relationship stemmed from the Chinese strategic thinking of the 1961 treaty.

The formation of the Sino-North Korean alliance treaty has been explained so far mainly as a response to the threat of the American “imperialists,” or from the view of North Korea’s diplomatic initiative in the politics of the DPRK-China-Soviet triangle. China’s role as a driving force, however, has largely gone unnoticed. The main argument in this article is that the Sino-North Korean alliance treaty was concluded by China’s strategic calculations based on its national interest rather than by Kim Il-Sung’s diplomatic leadership. Contrary to popular belief, China wanted to conclude that treaty first, while North Korea showed more interest in the signing of an alliance treaty with the Soviet Union than that with China. This assessment is derived from the historical analysis of newly declassified materials as well as specific policies enacted by Beijing and Pyongyang.

In the same vein, this article contends that as long as North Korea has strategic value in the Chinese perspective, China would retain its special relationship with North Korea and make best use of its historical and geopolitical position in the Korean Peninsula. Numerous studies have predicted that the Sino-North Korean treaty does not serve as a security alliance any more, mainly due to the change of security environment. However, Beijing still has a number of reasons to maintain its alliance with Pyongyang. In lieu of a conclusion, this article briefly refers to the implications of the Sino-North Korean alliance treaty from the view of today’s international politics.
Analyzing the Sino-North Korean relationship is always a challenging task. As socialist brethrens and divided states, both China and North Korea, at least in principle, still pursue the benefits of preventing an uncontrolled leak of information on their own relations. In addition, existing alliance theories, based on the perceived threats from adversaries and the shifting international structure, cannot adequately explain the realities of the Sino-North Korean alliance.

1. Power or Threat Based Theory

When it comes to alliance, realists agree that alliance formation is caused by an unequal distribution and shifting constellation of power in the international system. Given the desire to survive and prosper in the international system, known as anarchy, every state strives to increase its own power independently or in combination with other like-minded states. Because other states may cause potential threats and there is no higher authority to come to its rescue, each state tends to maintain the balance of power for its survival. “Balancing” refers to an act of deterring a state from securing a dominant position.

On the other hand, bandwagoning is to align with the threatening state or coalition. By doing so, the bandwagoner may hope to avoid an attack on itself by diverting threats elsewhere. Stephen M. Walt argues that balancing is more common than bandwagoning, when states are more secure, because aggressors will face combined opposition. Therefore, it is safer to balance against potential threats than to hope that strong states will remain benevolent.

There is another additional argument related to alliance formation. Walt said that “although power is an important part of the equation, it is not the only part. It is more accurate to say that states tend to ally with or against the foreign power that poses the greatest threat.” Namely, the immediate threat that offensive capabilities pose may create a strong incentive for others to balance. In this so-called “threat-based theory,” balancing and bandwagoning are more accurately viewed as a response to threats. It is important to consider other factors that will affect the level of threat that states may pose.

Kenneth N. Waltz also argues that the alliance choices are decided by a degree of potential threat, which is evaluated by the opposition’s “aggregate power, geographic proximity, offensive capability, and the perceived intentions.” In this context, Waltz redefines balancing as “allying in opposition to the principal source of danger,” and bandwagoning as “allying with the state that poses the major threat.” In other words, alliances are formed when states perceive threats from their common enemies.

Other significant assertions regarding a balance of power in alliance formation are found in John J. Mearsheimer’s The Tragedy of Great Power Politics and Hans J. Morgenthau’s Politics Among Nations. In these books, the authors argue that alliances are often formed based on the “function of preserving the status quo,” and balance of power logic often causes great powers to form alliances and cooperate against common enemies. For this reason, when power is unbalanced, such circumstance stimulates states to form alliances to restore a balance. That is, as Barry Hughes explains, when opposition power weakens, old disagreements among alliance partners will resurface, causing either dissension in the alliance or coalition breakdown as in case of
However, power or threat based theory does not explain why China and North Korea form and maintain their alliance. First, the fact that the Sino-North Korean alliance continues to be evaluated as a firm alliance—even though no other power threatens both allies and there is no common foe opposing them—shows the limitations of the power or threat based theory. In actuality, the Sino-North Korean alliance was created not only by the need to defend the DPRK, but also by the need to defend China in a “lips and teeth” relationship. Second, this is because Beijing’s motive for forming and maintaining the alliance with the DPRK is not just threats from the U.S.-South Korean alliance, but the desire to create a stable security environment for China.

2. Self-Interest-Based Theory

Realists posit that states are the key actors in world politics. They further argue that states pursue key interests; realists claim that those interests provide the only legitimate basis for state action. Balance of power and balance of threat theories are criticized because these theories fail to provide appropriate explanation for a state’s self-interests.

George Liska proposes that alliances aim at maximizing gains and sharing liabilities and all association depends on the existence of identical interests. Therefore, in terms of internal and international security interests, states are directly acting based on their self-interests when they form alliances. In addition, states choose alignment in order to accomplish specific security goals more easily. In other words, the aim of balancing is self-preservation and the protection of values already possessed, while the goal of bandwagoning is usually self-extension: to obtain values coveted. Simply put, “balancing is driven by the desire to avoid losses; bandwagoning by the opportunity for gain,” as Randall L. Schweller noted.

The distribution of benefits is likely to reflect the distribution of power within an alliance, as does the determination of policies. A great power has a good chance to have its way with a weak ally as concerns benefits and policies. A weak nation may be able to exploit its relations with a strong ally by persuading the latter making a commitment to the support of its vital interests, which may mean nothing to the strong ally or may even run counter to its interests. The relationship between the U.S. and South Korea exemplifies this situation. Namely, some states are willing to give up their sovereignty to preserve security by allying with a strong state, while other states are willing to give up security to preserve sovereignty by allying with weak states.

Meanwhile, Michael Barnett and Jack Levy find that realism is “relatively silent concerning the Third World alliances in general or how state-society relations in particular might give rise to distinctive patterns of alignment behavior.” They stress the resource-providing function of alliances and the impact on the domestic political economy. They conclude that Third World leaders form alliances “to secure urgently needed economic and military resources to promote domestic goals.”

Glenn H. Snyder also argues that states form or join alliances if the benefits of doing so are greater than the costs. The benefits are counted chiefly in terms of the increased security resulting from the partner’s commitment, and the costs largely in terms of the autonomy sacrificed in the commitment to the partner. Snyder suggests security benefits of alliance, including deterrence of attack, capability for defense against attack, deterrence of attack on the ally, preclusion of alliance or alignment between the partner and the opponent, and increased control or influence over the allied state. Snyder refers to the risk of
having to come to the aid of the ally, the risk of entrapment in war by the ally, the risk of a counter-alliance, and foreclosure of alternative alliance options, and general constraints on freedom of action, as the principal costs of alliance\(^6\). In interest-based theories, alliance is decided by how allies increase their interests more than the costs they pay. Therefore, allies make an effort to keep the alliance valid by increasing their self-interests in the context of alliance.

In short, in the interest-based theory, states could transform their alliance policy depending on national interests. Thus, a typical alliance is imbedded in a dynamic field of diverse interests and purposes. Namely, the value and the chances of an alliance must be considered in the context of the overall policies within which it is expected to operate.

This article assesses the utility of these international relations theories in explaining the formation and continuing value of the Sino-North Korean security alliance for the Chinese perspective. This article hypothesizes that the Sino-North Korean alliance is based not solely on the traditional relationship of two states, but also more centrally on the Chinese national security objectives to expand its external influence. In particular, this article will focus on the China’s foreign policy as a key variable to explain the formation of the alliance treaty with North Korea.

III. China’s Foreign Policy Adjustment of 1960

Despite Sino-North Korean strong military relationship, including the China’s massive intervention in the Korean War, China had not signed a military treaty with the DPRK for more than 10 years after the war\(^7\). Mao Zedong said clearly to the North Korean side in 1949 that “We have a negative stance against the conclusion of the military alliance, because it could provoke America.”\(^8\) Then, why did China conclude the alliance treaty with DPRK in 1961? To understand the historical context of the Sino-North Korean alliance treaty from the Chinese perspective, it is first necessary to examine the basic contours of Chinese foreign policy in those days, especially in 1960.

As recent studies emphasize, Chinese foreign policy was revised more pragmatically in 1960 before the sharp left turn in 1962\(^9\). The reasons for a shift in foreign policy embarked in 1960 are two-fold. First, China faced serious economic recession and the Chinese leadership even differed over how to assess the Great Leap Forward unfolding in the summer of 1959\(^10\). Internal regime insecurity demanded an adjustment of foreign policy in the direction of securing more stability. Second, the decay of the Sino-Soviet alliance and the aggravation of the border issues, such as the Sino-Indian conflict, forced the Chinese leadership to revise its foreign policy. While labeling such deteriorating strategic environment as “the rising international anti-China tide,”\(^11\) Beijing sought to overcome these crises in a more pragmatic way\(^12\). Wu Lengxi, then editor of *Renmin Ribao* recalled that the Politburo of the Chinese Communist Party (CCP) Central Committee (CC) presided over by Mao from 7 to 17 January 1960 reached the conclusion that “new initiatives should be adopted vigorously in order to create a new situation in diplomacy.”\(^13\) Guided by this new principle, pragmatism emerged in the Chinese diplomacy.

In terms of Sino-Soviet relations, the Chinese leadership was determined not only to avoid a split, but also to try to “reach unity based on new foundations,” even “to reach unity with him (Nikita
Khrushchev) and not split shamelessly.” This is why even after several months of disputes with the Soviet Union, including the severe clash at the Romanian Workers Party Congress in Bucharest in June 1960 and the withdrawal of all Soviet experts from China in July 1960, China still reached an understanding with its Soviet ally at the Moscow Conference of 81 Communist and Workers’ Parties in December 1960, where they agreed “to confer together on anything that may come up so as to avoid conflict.” Bilateral relations further improved after Chairman Liu Shaoqi made a follow-up state visit to the Soviet Union in December 1960. By 1961 Moscow had again decided to transfer to China advanced military technology, such as equipment for producing the MiG-21 jet fighter. Of course, as is well known, the momentum for this direction did not last long and the Sino-Soviet relations had been worsening beyond recall thereafter.

At the Standing Committee meeting of the CCPCC in January 1960, the leadership also outlined its guideline for handling the Sino-American relations as “to talk but not in haste, to talk but not break off.” In other words, Beijing wanted to negotiate with the Americans and not to break off the talks, but also not establish a diplomatic relationship with the U.S. too hastily. Mao Zedong himself showed interest in a report of January 1960 that suggested a possible change in Washington’s China policy. The report concluded that the U.S. might increase contacts with China in the future, and use the Warsaw talks to make further probes.

Another key adjustment in Chinese foreign policy was the effort to defuse tensions on the border. With the rebellion in Tibet and the rise of border skirmishes, the Sino-Indian relations had deteriorated dramatically during 1959. Chinese leaders believed that Indian policy had severely suppressed the China’s security itself and that New Delhi was using the border conflicts to coordinate its policy with the West’s “anti-China tide.” Under these assumptions Beijing decided to strike back firmly in August 1959. However, after this border clash, the Chinese leadership did not want its relations with India to deteriorate further, nor did it allow the Sino-Indian border conflict to become the focal point of the policy agenda. The Chinese leadership decided in September 1960 to try to resolve the conflict through negotiation.

As an extension, at the same meeting of the CCPCC in January 1960, the Chinese leadership established a guideline to resolve another border issues with neighboring states: North Korea and Mongolia, Burma (Myanmar), Nepal, and Laos. The rough order was to try to settle through step-by-step negotiations, but as quickly as possible. For example, previously, in the early 1950s, China had declined North Korean attempts to discuss their disputed border. However, in the early 1960s it moved to hold negotiations with North Korea. In June 1962, Zhou Enlai met with the North Korean ambassador to discuss their border dispute.

In short, Chinese leaders decided to promote a moderate foreign policy in 1960 for creating a “new situation in diplomacy.” Its alliance policy was also adjusted in this direction, which was also based on its national interest. The Chinese leadership made a decision to construct the alliance system with neighboring socialist states, including the DPRK. It was a big shift of the strategic thinking on alliance policy since the establishment of People’s Republic of China (PRC) in October 1949. In other words, it also suggests that the strategic environment China faced in those days was serious enough to overhaul the foreign policy line.
IV. China’s Unrequited Overture and the Soviet Factor

China’s initiative to open out the alliance network was carried out one by one. Concluding an alliance treaty with the DPRK was also a part of efforts to improve the strategic environment in aforementioned more pragmatic way. As a first step China signed the treaty of friendship with the Burma in 28 January 1960, and pushed ahead with the conclusion of a treaty with Mongolia. After the Mongolian Government consented to Chinese suggestion of signing the “Treaty of Friendship and Cooperation,” Mao Zedong ordered CCPCC on March 21, 1960 to examine thoroughly the possibility of signing the alliance treaty with North Korea and Vietnam, saying that “If North Korea and Vietnam want to conclude alliance treaty, including an article about Chinese military aid, I think that it will be practicable.” This is the origin of the idea of concluding the military alliance with North Korea, which had been carefully pushed forward afterward.

On May 30, just before signing the treaty with Mongolia, then Chinese Vice-Minister of Foreign Affairs, Luo Guibo, sent a draft of the treaty to ambassadors of Soviet Union and North Korea, North Vietnam in Beijing, and explained the purpose of it. At the same time, Chinese Foreign Ministry ordered its ambassador to DPRK and Vietnam that “If they voluntarily mention this issue, take a chance and say that if DPRK (and Vietnam) want to conclude a treaty, we also highly approve of it and immediately prepare to exchange opinions on it.”

Furthermore, China made a significant increase in economic aid to North Korea, apparently for the purpose of winning the DPRK’s favor. For example, the aid agreement concluded in Beijing on October 13 1960, under which China extended credits of 105 million dollars to DPRK for use over the 1961-64 period, raised the total of Chinese economic aid to DPRK since the end of the Korean War slightly above the level of that granted by the Soviet Union. Given that millions of Chinese died of hunger resulting from the disastrous aftermath of the Great Leap Forward, it suggests that China had proactively pursued the formal establishment of an alliance with North Korea.

Interestingly, however, China’s conciliatory gesture was not well received by the DPRK for a fairly long time. According to the diplomatic archives declassified so far, despite the Chinese active love call, the North Korean leader had not shown any interest in the alliance treaty. On the contrary, by 1960, Kim Il-sung concluded that Mao’s commitment to the “people’s commune” seemed too adventurous and the Chinese-style socialism would fail. Actually the Great Leap Forward was a catastrophic failure, forcing some Korean-Chinese to flee to the DPRK illegally to escape a famine in China.

The declassified documents reveal that North Korea put the conclusion of an alliance treaty with Soviet Union as a top priority rather than that with China. As mentioned below, North Korea narrowly accepted the Chinese request to sign the treaty after the schedule for signing a treaty with the Soviet Union was fixed. Unlike the Sino-North Korean treaty, the Soviet-North Korean treaty was a long-standing desire for the DPRK. Between 1958 and 1961, Kim Il-sung’s three visits to Moscow always preceded his visits to Beijing. Apparently this was motivated by Kim’s calculated behavior to invite Khrushchev to Pyongyang and win the alliance treaty from the Soviet Union.

However, Soviet leaders had been skeptical of any alliance treaty with North Korea, despite
the fact that the U. S. had concluded the Mutual Defense Treaty with South Korea in October 1953. Khrushchev might have an optimistic view of the viability of “peaceful coexistence” in this region. Nevertheless, he did not at least answer negatively to the conclusion of a Soviet-North Korean joint defense treaty against a South Korea’s “surprise attack.”

According to Vadim Tkachenko, an officer of the Communist Party of the Soviet Union (CPSU) in charge of the DPRK, when Kim requested the signing of an alliance treaty during his visit to Moscow in January 1959, Khrushchev was positively disposed toward it and promised his visit to Pyongyang the next year. However, the expected visit of Khrushchev to Pyongyang had been canceled by the Soviet side referring to the change of an “international situation.”

Later in 1963, Kim Il-sung confided to the Romanian ambassador that he twice invited Khrushchev to Pyongyang, but the Soviet leader never came. Thus, Kim took Khrushchev’s unwillingness to come to Pyongyang as a sign that Moscow’s attitude toward the alliance treaty was insincere.

Yet, North Korea still put a priority on the conclusion of the treaty with the Soviet Union while practically disregarding China’s proposal. The reasons could be considered largely at two levels. First, from Kim’s point of view, it was the Soviet Union rather than China that guaranteed the security of DPRK (especially in the aspect of the provision of a nuclear umbrella). Kim’s leaning toward Moscow was also necessitated by North Korea’s need for Soviet economic assistance. Despite his Juche campaign, Kim Il-sung definitely needed Soviet technology and resources as he pursued his Five-Year Plan (1957-61). Second, despite the Sino-Soviet split having changed the rules of the game in the socialist bloc, North Korea could not ignore the Soviet’s leading position in the inter-socialist state hierarchy, while maintaining equal distance between Beijing and Moscow. For Kim Il-sung, it was next to impossible to conclude an alliance treaty with China preceding that with Soviet, because it was a kind of political suicide to disrupt the order of ranks in the socialist bloc.

Nevertheless, as the Sino-Soviet rivalry for leadership continued to grow, but before it had turned into an open split, the DPRK enjoyed the comfortable position of being politically wooed by both socialist neighbors. While Khrushchev’s visit to Pyongyang had not been made yet, Beijing never missed a chance to take the initiative to shore up the Sino-North Korean relationship. In October 1960, on the tenth anniversary of the intervention of the Chinese volunteer army in the Korean War, Beijing sent a high-ranking delegation to Pyongyang, headed by Marshal and Vice Premier He Long. DPRK began to drift slightly toward China. Kim did not go to Moscow and did not even come to the Soviet Embassy in Pyongyang to commemorate the anniversary of the 1917 Revolution on pretense of “sickness.” Furthermore, Vice Prime Minister Cheon Il-young, who attended the October Revolution anniversary event, harshly criticized the “revisionist tendency” within the socialist movement. These changes influenced Soviet’s stance toward the pending alliance treaty with DPRK. To appease Kim Il-sung and repair the damage done to their relationship, the Soviet delegation headed by Aleksei Kosygin, then Deputy Prime Minister, visited Pyongyang on May 5, 1961 and formally invited Kim to visit Moscow to sign an alliance treaty.
V. Snap Decision: The Establishment of Sino-North Korean Treaty in 1961

Despite receiving the assurance from the Soviet Union, North Korea had kept it secret from China and even displayed indifference toward a Chinese proposal to conclude an alliance treaty. According to Chinese materials, the Chinese embassy in Pyongyang could not grasp the precise intention of Kosygin’s visit to Pyongyang. It was just before Kim Il-sung’s departure for Moscow that China noticed the evolution of the Soviet-North Korean treaty.

On June 26, 1961, taking the opportunity to say farewell, Qiao Xiaoguang, Chinese Ambassador to Pyongyang, seriously questioned Park Sung-chul, then DPRK foreign minister, about the conclusion of the treaty with China. Chinese diplomatic materials reveal that this suggestion was performed based on “the plan on the signing the treaty of friendship and mutual assistance with DPRK in 1961 and asking North Korea’s intention of it.” Considering the fact that the Chinese Embassy in Pyongyang did not get a hint of the real purpose of Kosygin’s visit to DPRK one month ago, it appears that China hastened to conclude the treaty after grasping somehow the information about the Soviet-North Korean treaty thereafter.

Anyway, the negotiation between them was going smoothly without a hitch afterwards. On June 28, a day before his departure for Moscow, Kim Il-sung met with Ambassador Qiao and agreed to sign the treaty with China, while this time Aleksandr Puzanov, the Soviet ambassador to North Korea, was totally uninformed of these negotiations. Verifying the plan of signing the treaty with Soviet for the first time, Kim Il-sung told Qiao as follows.

If Chinese Government brought up this issue, we will highly approve of it—the sooner the better. As we will conclude a treaty with Soviet Union, there is no reason not to make a treaty with China who had fought together shoulder to shoulder. Concluding treaties with China and the Soviet Union simultaneously would be a blow to the war preparation of the American imperialists and South Koreans, and would give our Korean people opportunities to have self-confidence for focusing harder on its construction. Therefore it is very good to conclude the treaty of friendship and mutual assistance together.

Additionally, about the signing timing of the Sino-North Korean treaty, Kim said that “It will be adequate to sign on it immediately after signing the treaty with Soviet.” The details of China’s response to it are not yet known, but China was likely to be somewhat annoyed about Kim’s condescending attitude. On the contrary, China expedited the process of finalizing a treaty with the DPRK. Therefore, in appearance, Kim Il-sung was likely to take advantage of the Chinese nervousness and managed to fish in troubled waters. On the other hand, it also suggests that although Kim had wanted an alliance treaty with China, he had maintained a facade of indifference to it, giving priority to the conclusion of the alliance treaty with the Soviet Union.

There seems to be no heated dispute over the text of the treaty between China and North Korea. On June 29, the following day of Kim-Qiao meeting, the Chinese side accepted Kim’s suggestion at face value, saying that “Our Party and Government will welcome Prime Minister
Kim Il-Sung’s July 10 visit to China after his visit to Soviet Union and the signing of the Sino-North Korean treaty of friendship and mutual assistance. Furthermore, on the same day the Chinese side requested North Korea to hand over the draft of the Soviet-North Korean alliance treaty, and began to discuss it at the CCPCC. This suggests that the Sino-North Korean treaty was prepared mainly by Chinese side, based on the draft of the Soviet-North Korean treaty.

More interestingly, not knowing that Kim Il-sung secretly negotiated with Beijing, Khrushchev signed the alliance treaty with DPRK on July 6. According to Tkachenko’s reminiscence, Khrushchev bluntly told Kim that once U.S.-Soviet relations improved, the Soviet-North Korean treaty might be annulled. On the other hand, Kim did not give any hint about his planned visit to China and signing another alliance treaty with China to Khrushchev. On July 7, the next day of the signing of the Soviet-North Korean alliance treaty, China made a public statement about Kim’s visit to China. However, Ambassador Puzanov, accompanying Kim’s Soviet visit, was not likely to know this fact. According to Puzanov’s report, Kim’s original schedule was to visit Moscow and Kiev from June 29 through July 12, but Kim notified him only on July 10 in Kiev that he would go directly to Beijing, without saying overtly that he had planned to sign the alliance treaty with China.

Anyway, Kim finished his Soviet visit two days earlier than scheduled, and arrived in Beijing. It seems that there were also no serious negotiations on the treaty itself during Kim’s visit to Beijing from July 10 to July 15. According to Chinese materials, Kim engaged in totally four meetings with Chinese leaders: 1) Sino-North Korean Party-Governmental delegation meeting (on the afternoon of July 10); 2) Zhou-Kim meeting (on the morning of July 11); 3) Mao-Kim meeting (in Hangzhou on the morning of July 13); and 4) Mao-Kim meeting (on July 14). The treaty was signed in the afternoon of July 11 after a Zhou-Kim meeting in that morning. In short, the negotiation on the Sino-North Korean alliance treaty had been finalized only two weeks after North Korea agreed on it.

China gave a North Korean delegation a red-carpet welcome. It was the first time for Kim to visit China in the capacity of the head of the joint Party-Governmental delegation, while he had visited China just in the capacity of the Government delegation till then. Furthermore, Mao paid a reciprocal visit to Kim’s accommodations in Hangzhou on July 14. It was also the first time for Mao himself to visit Kim till then. The Chinese leadership and media began to pay compliments openly, such as “the Workers’ Party of Korea (WPK) centered on Kim Il-sung”.

China’s active stance for the alliance treaty was also expressed in the treaty itself. First, while the Soviet-North Korean treaty advocated only the Marx-Leninism and the principle of proletarian internationalism, the Sino-North Korean treaty added the “fraternal” cooperation between two states additionally to it. The major source of the Sino-North Korean military alliance included an automatic military intervention clause to defend each other, just if one of them was subject to an armed attack by a state or allied states (Article II). Both China and North Korea committed themselves to immediate assistance by all means at their disposal, which had been evaluated as “a more direct and categorical commitment” than that of the Soviet-North Korean treaty and that of the U.S.-South Korean treaty. Moreover, China’s successful insertion of the “consult on all international question” clause (Article IV) and “amendment by mutual agreement” clause (Article VII) in the treaty enabled China to promote a greater sense of stability and permanency in its alliance with North Korea.
military and political relations with North Korea. Needless to say, this was the result of China’s strategic decisions.

VI. Reconsidering the Motivations for the Sino-North Korean Alliance Treaty

Then, what were the driving forces that had pushed China to conclude an alliance treaty with North Korea? Most scholars, despite some disagreement, have emphasized mainly two points as the major motivations for the conclusion of the Sino-North Korean treaty: 1) sharing the “common threat,” especially against the American “imperialists,” 2) a series of disruptive events in South Korea, in particular the anti-government student uprising in April 1960 and Park Chung Hee’s military coup in May 1961. However, these factors would be insufficient to explain the formation of the Sino-North Korean treaty.

First, although China and North Korea had regarded the U.S.-Japan-South Korea military triangle as a primary security threat, there were some discrepancies in the threat perception between them. For example, as mentioned above, the Chinese leadership sought reconciliation with the U.S. in 1960, while criticizing the U.S. offensive policy in Indochina. On the other hand, Kim Il-sung also proposed to South Korea at the fifteenth anniversary of the liberation of the Korean Peninsula on August 15, 1960 that a “confederation” should become the model for unification, which was interpreted as an extension of Soviet’s “peaceful coexistence” strategy with the U.S. Of course, considering the fact that North Korea was vigorously campaigning against the revision of the U.S.-Japanese security treaty in 1960, Kim’s proposal for a confederation was intended to pay a lip service to the Soviet Union. Nevertheless, it was also true that North Korea emphasized the slogans of “peace” and refrained from military provocations in those days. Anyway, in short, sharing the “common threat” perception against the American “imperialists” could not be a decisive variable for explaining the formation of the Sino-North Korean alliance treaty, because China and North Korea also put more emphasis on stability rather than on the change of the status quo.

Second, in the same vein, the political instabilities in South Korea could also not explain sufficiently the reason of the formation of the Sino-North Korean Treaty in 1961. As mentioned above, at that time, North Korea had supported the Soviet Union’s “peaceful coexistence” strategy, albeit nominally, and assumed a strong peace offensive against South Korea. According to Szalontai’s research, North Korea even attempted to be seated with South Korea simultaneously in the UN in 1960 and early in 1961. This suggests that North Korea admitted the reality of the “two Koreas.” Furthermore, North Korea had taken secret talks with South Korea’s military agent eight times from October 1960 to August of the next year. In brief, political instability in South Korea could not be a persuasive factor in explaining the formation of the Sino-North Korean treaty, because North Korea itself did not regard it as a threat.

However, from the then Chinese perspective, the Sino-North Korean treaty was an important strategic choice to overcome the aforementioned internal and external troubles and to create a “new situation in diplomacy.” From the viewpoint of the Chinese external environment, the formation of an alliance relationship with North Korea was
an essential matter. First, the Chinese leadership thought that North Korea’s diplomatic support was the strategic necessity to create a “new situation in diplomacy,” especially for its Soviet policy. Therefore, Mao changed his way of thinking about alliance and decided to conclude a military alliance treaty with North Korea in March 1960. The greater Sino-Soviet conflicts intensified, the more Beijing wanted to draw North Korea into its camp. After all, as mentioned above, just after the Soviet-North Korean treaty came into view, under severe pressure China hastened to co-opt North Korea to its side by providing more compelling commitments than the Soviet-North Korean treaty.

Secondly, in the view of its security situation, China could no longer leave the relationship with North Korea unsettled. The full withdrawal of Chinese volunteer army in November 1958 meant the loss of the Chinese leverage over the DPRK, which contributed to Kim Il-sung’s greater autonomy vis-à-vis China and leaning to the Soviet Union. Furthermore, as is well known, emotional strains of the “Factionalists Incident in August 1956” when China had intervened in North Korea’s internal affairs and failed, remained just beneath the surface. For China, an uneasy relationship with North Korea was the same one that made a new enemy of an old brother, which of course would not be in its security interest. The Sino-North Korean alliance was more tightened in 1960 by the Chinese pro-active initiative, based on its national objectives.

VII. Conclusion: Durability of the Sino-North Korean Alliance

This article argued that the Sino-North Korean alliance treaty in 1961 was a product of the China’s strategic behavior based on its national interest rather than North Korea’s leadership. Of course, this conclusion is not to underestimate North Korea’s “calculated behavior” demonstrated in the Sino-Soviet rift. The treaty could be concluded because North Korea also had a national interest in it. Nonetheless, reexamining the process of the treaty formation, it is clear that the treaty reflects the Chinese strategic thinking more strongly. It suggests that China’s perspective on North Korea’s strategic value according to transitions in international environment and China’s national interests could be a key barometer of the durability of their alliance.

Over the years since the end of the Cold War, however, China has adjusted its foreign policy to new domestic and international conditions, and as a result the Sino-North Korean alliance has been evaluated to lose its original strategic importance in the implementation of security commitment. Especially, the latest round of North Korea’s provocations made Beijing’s balancing act between supporting a traditional ally and responding to its dangerous brinkmanship more difficult.

Nonetheless, it is also true that the Sino-North Korean alliance still remains legally binding as a symbol for the continuity of the bilateral relationship. Moreover, Beijing’s economic and political support for Pyongyang appears to have waved little, in spite of increasingly provocative and risky actions taken by Pyongyang. This means that Beijing still has a wide variety of reasons to maintain its alliance with Pyongyang.

There could be all kinds of explanations, but the Sino-North Korean alliance based on their treaty are expected to last for quite a long time. First, in view of treaty itself, it would be not easy for China to revise or terminate the treaty. According to Article Ⅶ of the treaty, China cannot legally...
amend or abolish the treaty without prior mutual agreement. Furthermore, China should “continue to consult with each other on all important international questions of common interest to the two states” in accordance with the provision of Article IV.

Second, what’s more important is that as China contemplates the future, North Korea’s strategic value has increased. Even though economic aid to North Korea is a burden for China, and political support for North Korea places China in challenging circumstances, China seeks greater influence beyond simply a patron’s role; it has become an active player in a wide variety of diplomatic and economic areas and holds a strategic stake in the Korean Peninsula. China knows that its severance or at least modification of the bilateral alliance could undermine its diplomatic leverage vis-à-vis North Korea, which could destabilize the delicate balance of power in Northeast Asia. Furthermore, According to Shen Dingli, North Korea acts as a guard post for China, keeping at bay the tens of thousands of U.S. troops stationed in South Korea. This allows China to reduce its military deployment in Northeast China and focus more directly on the issue of Taiwanese independence.

On the other hand, China also knows that a conflict on the peninsula is problematic for its economic growth. Beijing thus wants desperately to maintain stability in North Korea, and has adopted a proactive posture with a foreign policy wish list of five “no’s”: No instability, no collapse, no nuclear weapons, no refugees, and no conflict escalation. By doing so, China is able to formulate its own favorable security environment to achieve its national objective.

In brief, although the Sino-North Korean alliance looks like a unilateral alliance for ensuring North Korea’s regime survival, China gets significant collateral benefits by maintaining it. Therefore, when it comes to security issues on the Korean Peninsula, China will continue to seek to act as the most important player to guarantee its interests. As long as North Korea has strategic values in Northeast Asia, China will maintain its special relationship based on the Sino-North Korean alliance treaty.

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1 Hu’s letter said that “It is the firm strategic policy of the Chinese party and government to steadily consolidate and develop the Sino-DPRK friendly and cooperative relations.” The Yonhap News, “N. Korea, China Celebrate 50th Anniversary of Friendship Treaty,” North Korea Newsletter, No. 166 (July 14, 2011).

2 This was well-illustrated in that Wang Yi, then Deputy Minister of Chinese Foreign Affairs, suggested the transformation of the Sino-North Korean treaty in the process of reformulating China’s foreign policy. Yoichi Funabashi, The Last Gamble of Kim Jong Il, (in Korean), (Seoul: JoongAng Dailynews Media, 2007), pp. 396, 398. Not only that, some scholars have speculated that Beijing may ignore its commitments to Pyongyang by entering a “grand bargain” with Washington in the Korean problems and so break the Sino-DPRK alliance. Of late, Chu Shulong (Tsinghua University) asserted that China and DPRK were certainly not allies at all and China would not come to North Korea’s help militarily in any case. Chu Shulong, “The ROK-DPRK-PRC Three-Party Relations,” Manuscript Presented at the 2nd NEAR-Tsinghua Workshop on Korea-China Security and Strategic Dialogue (October 17, 2011).


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16 Morgenthau, Politics Among Nations, p. 43.


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24 Michael Barnett and Jack Levy, “Domestic Sources of Alliances and Alignments: The Case of Egypt,”
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59 Tkachenko, Koreiskii Poluostrov i Interesy Rossi, p. 20.
60 Shimotomai, “Kim Il Sung’s Balancing Act between 
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Chaoxian he Hanguo zhengce wenjian huibian 1949-
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63 Kim visited China in 1953 and 54, 58, 59 (1960 visit was a 
secret visit), which was all in the capacity of government 
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p. 164. Meanwhile, Kim told Puzanov how hot the weather 
was in Beijing and that he “signed the treaty with Mao 
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p. 136.
64 For a full text of the Sino-North Korean Treaty and the 
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Vol. 4, No. 28 (July 1961), p. 5; Yong-hyong Lee ed. The 
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armed attack by any state or several states jointly and thus 
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Guidelines for Submission to the GEMC journal

"GEMC journal" is a scholarly journal published as part of the activities of Tohoku University’s Global COE Program, “Gender Equality and Multicultural Conviviality in the Age of Globalization” (for further details please visit our homepage at http://www.law.tohoku.ac.jp/gcoe/). The journal consists of two parts, “invitational papers” and “submitted papers”. Invitational papers are requested by Editorial Committee for publication and subject to a review process and are either based on presentations given at occasions either sponsored or co-hosted by the GCOE which the Editorial Committee considers as appropriate for publishing in the GEMC journal, or articles which correspond with the aims of the Journal designated by the Editorial Committee in accordance with the purpose of the GCOE program. The contents of submitted papers should be related to the GCOE’s theme and purpose. Papers are welcomed from scholars of all disciplines. All submitted papers will be subject to an anonymous review procedure and will be evaluated based on their academic quality and value. The following are the instructions to authors who wish to submit their manuscripts to our journal:

I. Editorial Policy

1. The journal welcomes individual submissions of unsolicited manuscripts. All submissions should be accompanied by a letter of recommendation from at least one professor or one associate professor of the institution which the author belongs and at least one professor or one associate professor of an outside institution(s). As an exception, the journal accepts submissions accompanied by a letter of recommendation provided by a GCOE program member.

2. The journal only publishes articles that will contribute to scholarly study in accordance with the GCOE’s mission.

3. The Editorial Board decides whether the papers submitted to the journal are to be accepted or rejected for publication based on the evaluation provided by the Referee Board appointed by the Editorial Board. The Editorial Board may also request the author whose paper is considered for publication to present the paper’s contents at an event sponsored or co-hosted by the GCOE.

4. The Referee Board selects reviewers with expertise in fields relevant of submitted manuscripts if required. The Referee Board requests the reviewers to evaluate the manuscripts before announcing the final decision based on the evaluation provided by the reviewers. The decision will be communicated to the author in person by the Editorial Board swiftly after the decision has been made. The Editorial Board may request authors to revise their manuscript before publication. The reviewers of each article are anonymous to the author and appointed by the Referee Board and the Editor-in-Chief.

5. Authors objecting to the review result may submit a written objection to the Editorial Board during a period of time specified by the Editorial Board. The Editor-in-Chief should promptly call for an Editorial Board meeting to discuss the objections. Whether a paper will be reconsidered for publication depends on the decision of the Editorial Board meeting.

II. Article Submission

1. The journal accepts only articles written in either Japanese or English. Submission of articles written in languages other than Japanese or English requires a special decision by the Editorial Board.

2. Articles prepared for submission should either be written in MS Word format or Ichitaro Word Soft Data format. The maximum length of articles including references, footnotes, illustrations, tables and headings should be 15,000 words. Please note that the number of characters per page for the main text body is 2,256 (24 letters x 47 lines x double column layout) and for headings 768.

3. Authors are requested to use English one byte characters instead of Chinese numerals to indicate more than double figures given the journal’s double column layout. This rule applies to manuscripts written in English and Japanese.

4. We request authors to attach tables included in the manuscript in the form of a MS Excel file or to provide links showing the original data.
5. All articles should include the manuscript’s title and the author(s) name written in the same language as the articles are written. Articles written in Japanese should be accompanied by a separate file which includes the articles title and the author(s) name written in English.

6. Authors should compile the main body of the manuscript beginning with an “I. Introduction” followed by a “subheading level 1.” and eventually an additional “subheading level (1)”.

7. For including footnotes authors should employ the relevant functions of the word-processing software and these should be included at the right shoulder of the relevant words before punctuation. Footnotes should be collected at the end of the manuscript in numerical order in form of endnotes.

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9. Authors are requested to pay particular attention to the accuracy and correct presentation of references cited in the articles. References cited in the text should provide the author’s name and year of publication (Bull, 1977), as well as specific page numbers after a direct quotation. In-text references should be in chronological order with a reference list included at the end of the text. Examples:


**Edited Book:** Evans, Peter B., Dietrich Rueschemeyer and Theda Skocpol (eds.) (1985) *Bringing the State Back In*, Cambridge: Cambridge University Press.


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