

## CIVILIAN CONTROL AND CIVIL-MILITARY GAPS IN THE UNITED STATES, JAPAN, AND CHINA

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*Three questions loom large in the study of civil-military relations, and are fruitfully asked of the United States, Japan, and China. What accounts for the subordination of the military to political authority? To what extent is the military reflective of societal values? How do civilian and military leaders think about and manage the central function of the military, namely the use of force? We find that despite the very different record of civil-military relations across these three cases, models and conceptual tools originally developed to explain American civil-military relations do have analytical leverage over the Japanese and Chinese cases. These tools, however, must be modified to adjust to the cultural and historical context of each case, and lead to different conclusions about prevailing civil-military relations in each setting.*

**Key words:** (American, Japanese, and/or Chinese) civil-military relations, civilian control, use of force, civil-military gap, public opinion and the military

### **Introduction**

Three questions loom large in the study of civil-military relations. What accounts for the subordination of the military to

political authority? To what extent is the military reflective of societal values? How do civilian and military leaders think about and manage the central function of the military, namely the use of force? The first question has a distinctly theoretical focus, the second more of an empirical one, whereas the third is of obvious direct policy significance. In this article, we pose these questions to three critically important cases: the United States, Japan, and the People's Republic of China (PRC). These cases were chosen in part for their intrinsic importance—all are major players in international affairs and constitute the dominant actors in East Asian security—and in part because each has an especially distinct political-military history that collectively poses a significant challenge for any interpretive framework aspiring to general applicability.

### The Case of the United States

The world's only superpower has a distinctive and in many ways enviable history of civil-military relations. The country was founded upon a military victory—an upset—and ever since the military has played a vital role in the expansion of state power. The formidable strength of the U.S. armed forces, coupled with and dependent upon vast economic strength, positions the United States as perhaps the most powerful country in human history. Yet the United States has never suffered an attempted military coup, let alone a successful coup. Even before the events of 9/11 seared the public consciousness, the military was one of the most respected institutions in society. Despite (or perhaps because of) this apparently harmonious record, the United States has been a focus of interest for theoretical development, with particularly lively debates over the nature of civilian control, the nature and meaning of the civil-military “gap,” and the use of force.

#### *Civilian Control in the United States*

Formally, the United States has assured civilian control in the Constitution by vesting the democratically elected president as a civilian commander in chief with full authority over all the

armed forces. The president has sole operational authority over the military in wartime, but shares power in peacetime with a democratically elected legislative branch, Congress, that has a constitutional mandate both to “declare war” and to “raise and support” armies. As part of their oath of office, military officers swear to “support and defend the Constitution against all enemies, foreign and domestic,” and thereby pledge allegiance to the principle of civilian control.

As a practical matter, of course, these formal institutional rules only lay out the broad contours of the principles by which American civil-military relations are supposed to be conducted. All theoretical approaches to American civil-military relations recognize that practice may diverge from these principles. Indeed, Huntington's original insight was that the principles, by themselves, did not address what he considered in the mid-1950s to be a “crisis” in American civil-military relations, namely, a disconnect between the civil-military configuration demanded by the cold war threat and the configuration that emerged from American history.

With the vantage point of post-cold war hindsight, we can see that Huntington's theory did not, in fact, work as he maintained. He warned that the United States would need to adopt objective civilian control in order to provide for adequate military security in the face of the daunting Soviet threat. He further warned that the United States could only do so if civilian society rejected its classical liberal bent and embraced a conservative ideology.<sup>1</sup> However, the United States prevailed during the cold war, despite rejecting objective civilian control and despite embracing and indeed deepening its commitment to the classical liberal ideology of individuality, civil rights, and anti-statism.<sup>2</sup>

Because Huntington's theory does not work well on his own home turf, agency theory, as described in the previous article, seems to offer a more compelling interpretation of how civilian control plays out on a day-to-day basis.<sup>3</sup> Agency theory captures

1. Samuel Huntington, *The Soldier and the State* (Cambridge, Mass: Belknap, 1957), p. 464.

2. Peter D. Feaver, *Armed Servants: Agency, Oversight, and Civil Military Relations* (Cambridge, Mass.: Harvard University Press, 2003), pp. 36-37.

3. *Ibid.*

well the pulling and hauling that has characterized American civil-military relations since World War II. For while there has never been a question of an outright military coup, nevertheless, civil-military relations have occasionally been very stormy with intermittent episodes that rise to the level of shirking. The most famous cold-war case was General Douglas MacArthur's resistance to the constraints President Harry S. Truman sought to impose on the Korean War. As a consequence, MacArthur was relieved of command, setting down an "expectation of punishment" that arguably influenced American civil-military relations for decades.

The post-cold war election of President Bill Clinton, however, markedly shifted the values of the factors that determined civil-military relations. At least along some crucial dimensions, the civil-military gap widened with a liberal-leaning Democratic president facing a conservative-leaning, Republican-oriented military. Of even greater consequence, Clinton brought to the office unique civil-military baggage; he famously avoided any kind of military service during the Vietnam War, dissembled about those efforts in the campaign, and then was obliged to confront an extremely popular military leader, General Colin Powell, whom many considered to be a likely future electoral rival. When Clinton challenged the military on lifting the ban on gays serving openly in the ranks, he was met with vigorous objections; he backed down, paid an enormous political cost for doing so, and subsequently signaled repeatedly that he was reluctant ever to challenge the military again. Observers warned of a "crisis" in American civil-military relations.<sup>4</sup>

With the wide gaps and low expectations of punishment, civil-military relations during the Clinton era were considerably stormy. Interestingly, the transition itself from Clinton to George W. Bush was, in civil-military terms, stormier still because of the extraordinary electoral standoff. State Republican officials in Florida believed the large number of military personnel with residency in the state were a potentially lucrative source of votes, and had focused on getting out the military vote.<sup>5</sup> A substantial

number of the Florida military personnel were deployed overseas and so were "absentee" voters—i.e., their votes were mailed in and not counted until after election day. When the initial vote counts in Florida produced a virtual tie, these absentee ballots became a central preoccupation of the media and of the contending parties because they had the potential to determine the final outcome. Accordingly, Democrats sought to restrict the number of absentee ballots that would be counted, and thereby minimize the number of presumably Republican votes to be counted, by applying standards as strict as possible to the military ballots.<sup>6</sup> Not surprisingly, these efforts produced a firestorm of criticism along the lines of "Democrats trying to block the wishes of the men and women serving to defend the country," and the Democrats abandoned their effort.

The arrival of Republican President Bush, himself enjoying considerably more personal popularity among the military, dampened for a time the level of civil-military conflict. However, the honeymoon proved short-lived, for Bush had a very ambitious agenda of transforming what he considered to be hide-bound military and his secretary of defense, Donald Rumsfeld, entered office with a conviction that there had been inadequate civilian control during the Clinton era. Rumsfeld seemed to have an intuitive appreciation of agency theory and some senior military figures speculated that Rumsfeld might take dramatic steps to restore an "expectation of punishment."<sup>7</sup> Consequently, Rumsfeld faced enormous criticism as he pushed the transformation agenda, mostly from outside critics who claimed to have

4. Richard Kohn, "Out of Control: The Crisis in Civil-Military Relations," *The National Interest*, vol. 35 (Spring, 1994), pp. 3 ff.; Feaver, *Armed Servants*, pp. 180-233.

5. Nancy Dunne, "The Americas: Republicans' Strategy for the Military Vote May Backfire; Election Supervisor Lawsuit Over Amending of Forms Puts Majority in Doubt," *Financial Times*, November 30, 2000; Dan Keating, "Absentee Voting Practices Vary Widely Despite Florida Law; Heavily Military Okaloosa County Sent Ballots Without Resident's Request," *Washington Post*, December 12, 2000.

6. Eric Bailey, "Bush Lawsuit Irks Those Rejecting Absentee Votes," *Los Angeles Times*, December 1, 2000; Dunne, "The Americas"; Keating, "Absentee Voting Practices"; Paul Richter and Eric Bailey, "Pentagon Reacts to Absentee Ballot Outcry for the Record," *Los Angeles Times*, November 29, 2000.

7. Paul Richter, "For the Military, Bush Is Not Yet All That He Can Be," *Los Angeles Times*, February 10, 2001.

uniformed military sources who were too intimidated to speak.<sup>8</sup>

The administration won a civil-military reprieve with the shift to a war footing after the September 11 attacks, and President Bush and Secretary Rumsfeld persuaded the military to accept a bold but risky military response in the form of Operation *Enduring Freedom* in Afghanistan.<sup>9</sup> The even more controversial Iraq war, however, revived civil-military tensions with civilian hawks wrestling with military doves about the wisdom of pursuing a military option in Iraq.<sup>10</sup> The extensive behind-the-scenes debates, however, rarely bubbled up into the open and, in contrast to the Clinton years, open shirking, in the form of direct leaks from senior officers aimed at sabotaging policy, was exceedingly rare. As the agency theory approach would expect, the civil-military tension was largely sustained by retired officers, who thus were beyond the reach of the administration's punishment arm.

### *The Civil-Military "Gap" in the United States*

The post-cold war "crisis" in American civil-military relations also revived interest in the so-called "gap" between the military and American society. In response to the growing interest, the Triangle Institute for Security Studies (TISS) embarked on an ambitious study of the gap, a centerpiece of which was a series of paired opinion surveys of active duty officers, reserve officers, officer candidates, civilian elites, and the general public conducted in 1998-1999. The study was limited in various ways—it was principally a snapshot in time with only limited cross-time leverage, and it omitted the enlisted ranks (the largest portion of the armed forces)—but the research design nevertheless allowed for the most comprehensive and systematic comparison of civilian and military opinion ever undertaken.<sup>11</sup>

The results of this study defy easy summary, but viewed as a whole three broad findings emerged. First, the civil-military "gap" was multidimensional, comprised of many smaller "gaps." Second, contrary to the conventional wisdom, those gaps were not all moving in tandem; some were converging (i.e., civilian and military attitudes were similar) and others were diverging. Third, some of the gaps were helpful to civil-military relations while others posed challenges that warranted policy attention.

With some exceptions, the survey responses tended to fit a liberal-conservative pattern. Civilian elites tended to give the most liberal responses and the general public tended to give the most conservative responses. Military responses fell somewhere in between, but often closer to the conservative end with the general public. In some predictable cases, military attitudes were an outlier, for instance on support for higher defense spending. A more significant example was the so-called "republicanization" of the force. Comparatively few officers reported "independent" or "no party" affiliation and correspondingly large numbers reported "Republican"; in tandem this made officers eight times as likely to be Republican as Democrat, in contrast to the general public, where the split is approximately even, but with a slight Democratic advantage.

The TISS project confirmed what many other polls had found: The American public professes a high degree of confidence in the military. Indeed, the military is the public institution in which the public has the highest trust.<sup>12</sup> The extensive TISS survey showed, however, that underneath this optimistic finding public support appears more brittle. The high confidence was side-by-side with a public belief that the military engaged in unprofessional behavior when it did not like civilian direction; in other words, the military acted like a self-interested, strategic bureaucracy. An analogous pattern emerged on the

8. Richard H. Kohn, "The Erosion of Civilian Control of the Military in the United States Today," Harmon Memorial Lecture, U.S. Air Force Academy, 2002.

9. Eric Schmitt, "Seeking a Blend of Military and Civilian Decision-Making," *New York Times*, October 24, 2001.

10. Thomas Ricks, "Military Bids to Postpone Iraq Invasion," *Washington Post*, May 24, 2002.

11. Peter D. Feaver and Richard H. Kohn, *Soldiers and Civilians: The Civil-Military Gap and What It Means for National Security* (Cambridge, Mass.: MIT University Press, 2001).

12. David King and Zachary Karabell, *The Generation of Trust: How the U.S. Military Has Regained the Public's Confidence Since Vietnam* (Washington, D.C.: American Enterprise Institute, 2003).

military side. Military officers evinced strong support for the principle of civilian control but when probed deeper revealed views that were at odds with the norms of civilian control.

The TISS study also uncovered a growing “experience gap,” resulting from the passing of the draft-era generations.<sup>13</sup> The gap was particularly evident in the political elite. For most of the twentieth century, there was a “veterans premium” among elected representatives and senators—more veterans in Congress than in the comparable demographic cohort in the general public. Since the mid-1970s, however, that premium had gradually evaporated, and now veterans more or less matched the declining veterans’ profile of the civilian population.

There appear to be numerous factors at work in shaping all of these gaps over time, beginning with the central factor of a shift from a conscripted force to an all-volunteer force. This shift interacted with other changes, including the erosion of the pro-defense wing of the Democratic Party, the end of the cold war, and, of course, the pivotal role played by the Clinton presidency itself.

While there has not been a systematic evaluation since the 9/11 attacks, it seems likely that the “gap” has changed in profound ways along with the rest of American society. The shift to a war-footing has probably narrowed many of the gaps, making national security seem real and personal even for those civilians who do not have a friend or loved one serving in the military. Arguably, the “risk gap” has changed with the emergence of terrorist attacks on U.S. soil; to this day, more American civilians than uniformed military personnel have died as victims in the “global war on terror.” The military is far more prominent in civilian society than it used to be, and not merely in symbolic settings. It is more likely that the heightened salience is bringing about something of a convergence of civilian and military attitudes across the board rather than a “familiarity-breeds-contempt-fed” divergence. But confirmation of this awaits future research in this area.

13. William Bianco and Jamie Markham, “Vanishing Veterans: The Decline in Military Experience in the U.S. Congress,” in Feaver and Kohn, eds., *Soldiers and Civilians*, pp. 275-88.

### *American Civil-Military Attitudes and the Use of Force*

The TISS project also allowed for systematic study of the third issue of focus for this article: comparing civilian and the military attitudes toward the central function of the military, the use of force.<sup>14</sup> On this question, the traditional theories of Huntington and Janowitz fared much better empirically. The study did, however, challenge the conventional wisdom on one crucial point: The American public was far more willing to tolerate casualties than popularly believed.

As Huntington and Janowitz might expect, civilian and military attitudes on the use of force do diverge, though not sharply, and these divergences conform to a fairly predictable pattern. On the question of “when to use force,” military officers were more inclined to what might be considered a “realpolitik” approach to the use force: “willing to use force for traditional national security threats like defense of allies or geostrategic access to vital markets but more hesitant about using force for humanitarian missions and the ‘less-than-vital-interest’ scenarios of intervening in foreign civil wars . . .”<sup>15</sup> Civilian elites who have not served in the military, on the other hand, were more “interventionist,” that is they were willing to advocate a wider range of missions for the military. Military and civilian attitudes diverged again on the question of how to use force. Civilian elites who have not served in the military were more willing to use force incrementally, while military officers were more in favor of the decisive use of force. Interestingly, in each of these cases, veterans seemed to fit a profile that was closer to that of the active military force than to their civilian counterparts.

This civil-military attitudinal profile appears to have shaped American political behavior, if the presence of veterans in the political elite can be taken as a proxy for the degree of influence of the military view on policy. Since 1816, the more veterans there are in the political elite (Congress and the cabinet), the less likely the United States is to initiate the use of force. But once

14. Peter D. Feaver and Christopher Gelpi, *Choosing Your Battles: American Civil-Military Relations and the Use of Force* (Princeton, N.J.: Princeton University Press, 2004).

15. Ibid.

force is used, the more likely is it that it will be used “decisively,” at a higher level of escalation.<sup>16</sup> In other words, the historical record yields precisely the pattern one would predict from an extrapolation of the civilian and military views recorded in the TISS surveys. As other scholars have found, a similar pattern appeared to hold in bureaucratic policymaking during cold-war crises, suggesting something of a stable pattern in U.S. civil-military relations.<sup>17</sup>

While the finding that the military is more cautious about the use of force might not surprise (at least not American military audiences), the finding that the American people will support military operations even if casualties mount does indeed challenge the conventional wisdom. Ever since the Vietnam War, it has been axiomatic that the public is casualty phobic, only willing to support military operations where the human costs of the war are trivially small.<sup>18</sup> This is something of a misreading of Vietnam polling, however, since Mueller found that support for the Vietnam War hardened over time: Early on it dropped with small numbers of casualties, but as the war progressed it took larger numbers of casualties to produce a similar drop.<sup>19</sup>

The TISS survey suggested otherwise, that the public was willing to accept casualties even in pursuit of missions that were less-than-vital, provided that the public had an expectation that the mission would be successful.<sup>20</sup> These findings reinforced the findings of other scholars, notably Larson, Kull and Destler, and Burk, who argued that the public’s rational ends-means calculus

was not as constrained by a “body-bag syndrome” as popularly thought.<sup>21</sup> To be sure, a portion of the public was casualty phobic—maybe as much as 20 percent—and another group generally opposed all military missions regardless of casualties; but these groups were balanced by a segment that was largely indifferent to casualties and, critically, a segment that supported the mission so long as the expectation of victory remained solid.<sup>22</sup> This willingness to accept casualties stands somewhat in contrast to the views of the American military, who on less-than-vital missions reported casualty tolerances considerably below those reported by civilian respondents.<sup>23</sup> Moreover, the military itself (as well as political elites) accept the conventional view that the American public has very little casualty tolerance.<sup>24</sup>

The ongoing Iraq war throws the question of the American public’s casualty tolerance in sharp relief. President Bush’s poll numbers dropped sharply after the heady days in the immediate aftermath of the collapse of the Hussein regime, raising again the possibility that the American public will only accept low-cost conflicts. Nevertheless, a new research project involving a series of extensive public opinion polls and building on the earlier TISS findings appears to confirm that the public’s willingness to bear the human costs of the war in Iraq are, indeed, dependent on public expectations of success in the endeavor.<sup>25</sup> Bush’s successful reelection bid likewise reinforces this view that the public has more staying power even in a costly war than conventional wisdom might expect.

16. Feaver and Gelpi, *Choosing Your Battles*, p. 185.

17. Richard K. Betts, *Soldiers, Statesmen, and Cold War Crises* (New York: Columbia University Press, Morningside Edition, 1991); David H. Petraeus, *The American Military and the Lessons of Vietnam*, Ph.D. dissertation, Princeton University, 1987.

18. Richard K. Betts, “What Will It Take to Deter the United States,” *Parameters*, vol. 25, No. 4 (1995), pp. 70-79; John Mueller, “Public Support for Military Ventures Abroad: Evidence from the Polls,” in John Norton Moore and Robert F. Turner, eds. *The Real Lessons of the Vietnam War: Reflections Twenty-Five Years After the Fall of Saigon* (Durham, N.C.: Carolina Academic Press, 2002).

19. John Mueller, *War, Presidents, and Public Opinion* (New York: John Wiley and Sons, 1973).

20. Feaver and Gelpi, *Choosing Your Battles*, pp. 185-86.

21. James Burk, “Public Support for Peacekeeping in Lebanon and Somalia: Assessing the Casualties Hypothesis,” *Political Science Quarterly*, vol. 114, No. 1 (1999), pp. 53-78; Eric V. Larson, *Casualties and Consensus: The Historical Role of Casualties in Domestic Support for U.S. Military Operations* (Santa Monica, Calif.: RAND Corp., 1996); Steven Kull and I. M. Destler, *Misreading the Public: The Myth of a New Isolationism* (Washington, D.C.: Brookings, 1999).

22. Feaver and Gelpi, *Choosing Your Battles*, p. 186.

23. *Ibid.*, p. 185.

24. Feaver and Gelpi, *Choosing Your Battles*; Kull and Destler, *Misreading the Public*.

25. Christopher Gelpi, Peter D. Feaver, and Jason Reifler, “Paying the Human Costs of War,” paper prepared for the Duke-TISS Project on “Wielding American Power,” Duke University, Durham, North Carolina, 2004.

## The Case of Japan

Previous studies of post-World War II civil-military relations in Japan tended to emphasize its unique nature, treating it as largely not comparable with other countries.<sup>26</sup> Furthermore, most studies focused exclusively on the civilian side of the relationship, and very little attention was given to the military (the Self-Defense Forces, SDF). Two assumptions prevail regarding the SDF: that its officers have militaristic tendencies, but that they are insignificant actors in the defense policymaking process. In this section, we will challenge these assumptions, and show that a modification of the agency theory model, which we call the “nested delegation model,” which treats civilian control as a game of bureaucratic strategic interaction, helps us understand why the system of civilian control in Japan emerged the way it did, and how it changed in the past decade.

### *Civilian Control in Japan*

Civil-military relations in Japan are characterized by an excessive concern among its people about ensuring protection from its own military, and inattention to the protection provided by the military. As Mataka Kamiya has suggested, the Japanese public has been reluctant to acknowledge the possibility that the military can play a constructive and positive role in providing peace and security.<sup>27</sup> As a result, no consensus exists among the Japanese about the role the SDF plays in providing security in Japan, or about its possible role in maintaining international order.

Why did such thinking become prevalent? The obvious answer is Japan’s historical background. The pre-WWII experience led to a strong sense of regret among politicians and government officials about their inability to control the military.

26. Peter J. Katzenstein, *Cultural Norms and National Security* (Ithaca, N.Y.: Cornell University Press, 1996); Thomas U. Berger, *Cultures of Antimilitarism: National Security in Germany and Japan* (Baltimore, Md.: Johns Hopkins University Press, 1998).

27. Mataka Kamiya, “Gunjiryoku e no Kyohi Hanno wo Kokufuku Surunoga Sakida” (Japan Should First Stop Rejecting All Things Military), *Chuō Kōron*, vol. 7 (2003), pp. 54-57.

This experience led naturally to a desire to constrain the role that the military can play, hence to the “restrictive” approach to maintaining control over the military.

However, history alone does not explain why such restrictive thinking continued for so long after the end of the world war. Two additional factors need to be considered. First, Japan’s security was not provided by the SDF alone but was made possible by its alliance relationship with and the nuclear umbrella provided by the United States. Thus, the SDF was not considered to be the independent provider of security and protection for the Japanese public. Consequently, even for those who had positive views of the SDF, the SDF was neither the essential nor the quintessential provider of their security. Second, the perceived predictability of the cold war solidified an enduring national consensus on three points: limited military power under constitutional restrictions, bilateral alliance with the United States (the exchange of protection for bases), and prosperity through economic growth.<sup>28</sup> In other words, there was no major change in the external environment for the Japanese public and politicians to pay attention to whether and how the SDF provides security. Thus the paradox: While protection provided by the SDF was barely appreciated, concern over protection from the military persisted. This led to the mistaken notion that the purpose of civilian control was only to restrict the military, not to ensure that civilian preferences prevail in decisions over the use of the military.

Civilian control of the SDF consists of control at three levels: in the Diet, in the cabinet, and within the Japan Defense Agency (JDA).

The Diet, representing the people, makes legislative and budgetary decisions on matters such as the force structure, organization, and size of the SDF. The constitution as well as the Law on the Establishment of the Defense Agency and the Law on the Self-Defense Forces, both enacted in 1954, make functional provisions for the structure, the scope, and the location of the authority. In case of external aggression (or when there is a danger of such aggression), the prime minister, in issuing orders to mobi-

28. Kazuya Sakamoto, *Nichibei Dōmei no Kizuna* (The Bond of the U.S.-Japan Alliance) (Tokyo: Yuhikaku, 2000).

lize all or part of the SDF, must obtain prior (or *ex post facto*) approval of the Diet (*Bōei-shutsudō*).

The cabinet is responsible for administrative work related to defense issues. The prime minister, on behalf of the cabinet, exercises supreme control and supervision of the SDF. The prime minister gives orders to the director-general of the JDA (the minister of state for defense, a cabinet-level post), who in turn gives the orders to the chiefs of staff of the three services. The Security Council of Japan, which is established within the cabinet, must be consulted in the case of important decision making. The constitution requires the prime minister and other ministers of state who make up the cabinet to be civilians.

At the JDA level, the defense minister is assisted in planning, administration, and management of the SDF by the state secretary for defense (Fukudaijin) and two parliamentary secretaries for defense. The Internal Bureau (naikyoku), which consists of civilian defense bureaucrats, the Joint Staff Council (JSC), the Ground Staff Office (GSO), the Maritime Staff Office (MSO), and the Air Staff Office (ASO), support the minister of state for defense. The Internal Bureau is responsible for basic matters related the work of the SDF.

The third level, bureaucratic control within the Japan Defense Agency, has been the center of attention among scholars and is said to be the source of frustration among the uniformed officers of the SDF.<sup>29</sup> General staff officers of the JSC and the three service staff offices were for a long time prohibited from making direct contacts with the Diet members and officials of other government agencies without the presence of a civilian JDA official.<sup>30</sup> The Internal Bureau further controlled the military through the system of civilian counselors (*sanjikan*) consisting of JDA civilians who, together with the administrative vice minister, assisted the defense minister.<sup>31</sup>

29. Katsuya Hirose, *Kanryō to Gunjin* (Bureaucrats and Soldiers) (Tokyo: Iwanami Shoten, 1989).

30. JDA Hoanchō Kunrei (Directive of the Safety Agency No. 9). This provision was abolished in 1997.

31. This system was originally modeled after the U.S. system of political appointee positions within the department of defense, but since JDA civilians came to fill those positions, it became a major source of bureaucratic control.

### *From Control by Bureaucrats to Control by Politicians*

Why did this sort of bureaucratic control emerge? The common explanation of “anti-militarism” is inadequate since fear of a resurgence of the military could have been expressed in other forms of control, e.g., more direct monitoring by politicians, or by “civilianizing” the military, as in Germany. Another common explanation is a “misinterpretation” by those who were in charge of post-war rearmament, namely that the civilian officials misinterpreted what was meant by General MacArthur’s general headquarters’ Civilian Affairs Section Annex, when GHQ demanded that civilian control be guaranteed in the establishment of the Police Reserve Force. Officials wrongly thought that the meaning of civilian was limited to “civilian bureaucrats,” and created a system based on such misinterpretations. The “misinterpretation” explanation, however, does not explain why politicians left the bureaucratic control system in place for so long. In the mid-1950s, calls for a more direct and active role of the Diet in controlling the military did take place between the ruling party and the opposition.

Another important question is whether such bureaucratic, restrictive control of the military was in fact effective. Did the SDF simply passively accept its subordinate role vis-à-vis the civilian bureaucrats of the JDA? Or did the preferences of the SDF actually differ from that of civilian officials as it is commonly assumed? Is it possible that the SDF’s preferences might not have been so different from the civilians’ (they got what they wanted anyway), or that while preferences diverged, the uniformed officers were actually more reluctant (or restrictive) about the use of force?

Agency theory can be adapted to shed light on these questions. The civil-military relationship, in the case of Japan, is a nested game: The interaction between the civilian bureaucrats (principal) and uniformed officers (agent) is nested within the larger game of politicians (principal) and bureaucrats (agent). Viewed this way, bureaucratic control of the military was a political decision to delegate to bureaucrats. This suggests that bureaucratic control will be replaced by political control if the politicians decide to do so. This also suggests that the bureaucrats have had the power to control the military because they

were entrusted to do so; that is, their leverage would wane if the politicians delegated less.

The level of delegation from the politicians to the bureaucracy is determined by the political cost of delegating versus not delegating, which is determined by institutions (electoral and executive-legislative) and external events. For starters, with the single-nontransferable vote (SNTV) system, two or more people from the same party compete in the same district, which in turn encourages distributive issues while minimizing the salience of broadly based issues.<sup>32</sup> Hence, defense policy became a “residual” issue, and dealing with defense issues became relatively costly, in terms of time and effort, from the point of view of individual politicians in the legislature.<sup>33</sup> Moreover, in a parliamentary system, delegation of power to the bureaucracy occurs more often than in a presidential system; delegation became even more extensive in the case of Japan because a single party (the Liberal Democratic Party) controlled the government for an extensive period of time.

In the case of military matters, this delegation was further affected by the internal party rules of the LDP, which required all legislation and policy initiatives to be approved by the party before being presented to the Diet. Since matters concerning the SDF were considered to be potentially politically explosive, the LDP introduced a series of ex-ante controls or “tripwires” that set the boundaries of defense policy and consequently limited the freedom of action for the SDF. This includes the *senshu bōei* (exclusively defense-oriented) policy, the ban on sending SDF units into combat abroad, denial of the right of collective self-defense, political constraints on defense spending, the ban on conscription, the ban on the export of arms, the three non-nuclear principles that prohibit Japan from possessing, manufacturing, and introducing nuclear weapons into Japan, and the

commitment to the peaceful use of space.<sup>34</sup>

These control mechanisms let politicians exercise control over the SDF almost cost-free, and thus accelerated the level of delegation of control from politicians to bureaucrats. Interestingly, however, the institutions of control turned out to be self-binding for politicians themselves. In the short term, it increased the political cost for controlling the military in a proactive sense. In the long term, the reliance on bureaucrats to enforce the restrictions (legal, budgetary, industrial, diplomatic) led to loss of leverage of politicians over bureaucrats in terms of expertise, and created a huge bureaucratic inertia for keeping the status quo.

All this is fine if the politicians’ and the general public’s interest was in keeping the status quo. This delegated bureaucratic control also works fine if the SDF is expected to exist only for deterrent purposes, and if military attack on Japan remains highly unlikely. In other words, the predictability of the cold war made the political risk involved in delegating to bureaucrats relatively low. Delegating to bureaucrats was “safe,” because during the cold war actual “use” of the SDF was considered unlikely.<sup>35</sup> However, external events in the 1990s caused the political cost of delegation to rise. First, the so-called “traumatic experience of the Gulf War,” that is, Japanese failure to respond quickly to an international crisis, and the sense of under-appreciation by the international community despite Japan’s significant financial contributions, reinforced two lessons: the importance of political leadership in order to decide quickly and the importance of including military (SDF) options as a form of international contribution. As a result, politicians became aware of the cost of delegation, and the price they had paid for their relative inattention to military matters.

32. Peter Cowhey, “The Politics of Foreign Policy in Japan and the United States,” in Peter Cowhey and Matthew McCubbins, eds., *Structure and Policy in Japan and the United States* (Cambridge: Cambridge University Press, 1995); and Hisao Nagahisa, *Gemu Riron no Seiji Keizaigaku: Senkyo seido to Bōei seisaku* (Game Theoretic Approach to Political Economy: Electoral System and Defense Policy) (Tokyo: PHP Kenkyujo, 1995).

33. Kent E. Calder, *Crisis and Compensation: Public Policy and Political Stability in Japan, 1949-1986* (Princeton, N.J.: Princeton University Press, 1989).

34. Ei’ichi Katahara, “Japan: From Containment to Normalization,” in Muthiah Alagappa, ed., *Coercion and Governance: The Declining Political Role of the Military in Asia* (Stanford, Calif.: Stanford University Press, 2001), pp. 69-91.

35. Some SDF officers voiced concern that the SDF would have to resort to extralegal measures in case of actual attack, since politicians would be hamstrung by the self-imposed restrictions and would not be able to command. General Kurisu, who made that claim, was forced to step down.

Second, the LDP's fall from power in 1993 led to a series of institutional reforms that changed the executive-legislative relationship, and the political cost of delegating to bureaucrats. Institutional reforms took place at three levels: electoral reform, Diet reform, and bureaucratic reform. In short, in the past decade or so politicians have started to "take back" control over policy formulation. While these reforms involve all areas of policy (and not just defense policy,) consequences of the reform should be most significant in the case of defense, where previously very few politicians took an interest.

First, the SNTV system was replaced with a combination of a single-member system and proportional representation. Since this reform, policy differences between parties, including defense issues, have become important. Evidence of this change in incentives can be seen among younger generation politicians, who have become more vocal on defense-related matters. Second, two reforms within the Diet are also changing the incentives of politicians, by raising the cost of delegation to bureaucrats as well as the benefit of being informed. The elimination of the government committee member system prohibited bureaucrats from answering questions directed to the government at the Diet. Only ministers, state secretaries, and parliamentary secretaries are now allowed to take part in debates in the Diet. Another reform is to introduce the National Basic Policy Committee. This reform, modeled after Great Britain's, requires the prime minister to respond to questions from opposition leaders on a weekly basis. Both of these reforms will enhance the role of politicians in policy-making, and at the same time force them to become knowledgeable about policy issues, not just distributive ones but broader public policy issues such as defense. Third, the expansion of political positions within the cabinet offices means the political leadership will rely less on bureaucrats in individual ministries for expert advice in making decisions on security matters.

The agency theory perspective also directs attention to the activity of the SDF officers who, as strategic agents, can take advantage of the delegation dynamic between the politicians and bureaucrats. When the government and party positions on an issue are divided (due to the lack of leadership from the prime minister), and the government position is against the SDF's interest, officers can appeal to sympathetic politicians for

support. For instance, in case of budget cuts, officers can appeal to politicians whose district hosts a SDF base, and ask for help in not cutting the budget so as to keep the base. Officers also can gain leverage over bureaucrats through cooperation among the three services, rendering "divide and rule" strategies of civilian control less viable. The SDF can also appeal to outside actors, the most significant being the U.S. forces. The Maritime Self Defense Forces (MSDF) have been most noted for their strong ties with the U.S. Navy, originating from immediately after the war, and have been able to use their ties effectively.<sup>36</sup> Finally, SDF officers have leverage over bureaucrats and politicians in areas where military expertise is important, especially procurement, personnel (recruitment and promotion), education and training, and defense planning.

All this suggests that although the JDA bureaucracy, along with other ministries (those of finance, foreign affairs, and international trade and industry, along with the Cabinet Legislative Office), have kept a watchful eye over the SDF, in fact, within the constitutional, legal, and budgetary limits, the SDF has had considerable freedom.

### *The Civil-Military "Gap" in Japan*

The "gap" issue in Japan is particularly interesting because there are two contradictory forces at work: one to professional-

36. On May 6, 2002, *Asahi Shinbun* (Tokyo) reported on its front page that the Maritime Self Defense Force Staff Office attempted to influence the decision-making process within the Japanese government, by asking the U.S. Navy commander in Yokosuka to suggest to the U.S. government that it request the Japanese government to send *Aegis*-equipped vessels and P3C aircraft to the Indian Ocean in support of U.S. operations in Afghanistan. Whether or not this was true is still uncertain, but this news was received with a sense of "what's new?" among people who follow defense issues in Japan. It seemed like a recurring pattern—and perhaps the MSDF did not even have to ask, since the U.S. Navy might have requested what it wanted anyway. See also Peter J. Wooley, *Japan's Navy: Politics and Paradox, 1971-2000* (Boulder, Colo.: Lynne Rienner, 2000); and Takako Hikotani, "Civilian Control no Shorai (Civilian Control in Japan: Past, Present and Future)," *Kokusai Anzen Hoshō* (The Journal of International Security), vol. 32, No. 1 (2004), pp. 21-48.

ize the SDF, the other to civilianize it. On the one hand, the lifetime employment system in the society at large affects the military profession as well: 80 percent of SDF officers who are commissioned through officer candidate schools remain in the SDF until their retirement age, between 53 and 60 depending on rank.<sup>37</sup> Furthermore, SDF facilities tend to be located in less populated areas, limiting the interaction with civilians especially in urban areas.<sup>38</sup> Together, these suggest the presence of a Huntingtonian civil-military gap.

On the other hand, as part of an effort to improve public perception of the SDF, soldiers have been actively involved in community service, such as disaster relief and lifesaving, building snow statues for the annual snow festival in Hokkaido, and plowing snow for preparing ski courses during the Nagano Olympics. In the past, they had even helped out with planting rice in areas where the young labor force has left to find work in urban areas. It has also been noted that servicemen generally do not wear uniforms outside of bases, in an effort to blend in with the rest of the community. The prevalence of these “civilian” activities, a Janowitzian prescription, may minimize the gap between civilians and the SDF.

A preliminary assessment of the impact of these contradictory forces is found in a first-time ever opinion survey among SDF officers, titled “Japanese Self Defense Forces and the Japanese Society after the Cold War.” This survey was modeled after the TISS survey of U.S. civil-military relations discussed earlier, both in terms of the questions asked as well as the selection of respondents. Eighty-four questions were asked, about half of which were Japanese translations of the TISS survey. The remaining half was taken from the annual opinion poll on public attitudes toward the SDF conducted by the cabinet secretaries office. These questions permitted several comparisons—of the attitudes of SDF officers and U.S. officers, and also officers of other countries

similarly surveyed; of SDF officers’ attitudes with those of the Japanese general public; and of the attitudes of the military elite and the civilian elite.

Unfortunately, we are unable to discuss the results of this survey at this point since its results have not been finalized. A tentative assessment can be made, however, that there are wide differences in attitudes within the SDF, and that the widely held assumption that military officers are more militaristic is misguided. There are some differences, but the perception of the differences seems to be larger than the real differences in views between uniformed officers and civilians.

#### *Japanese Civil-Military Attitudes and the Use of Force*

Based on Article 9 of the constitution, the Japanese government has taken a highly restrictive approach to utilizing the SDF. Japan’s self-imposed restraints on the SDF, such as *senshu bōei* and other policies mentioned above, for a long time made it almost unthinkable to dispatch SDF troops abroad. The 1991 Gulf War was a turning point; from then on, various laws enabled the SDF to be deployed. Accordingly, the SDF has engaged in international peacekeeping and disaster relief operations, and has participated in the recent war on terrorism. Two points are important in our discussion of use-of-force issues.

First, the SDF activities abroad are still within the “self-imposed restraints” listed above. That is to say, the constitutional provision to “renounce war and the use of force as a means to settle international disputes” is firmly in place. Contrary to western press reports, Japanese troops have not entered a combat zone in Iraq, nor has the MSDF engaged in collective action with the United States, even though it is supplying fuel to U.S. Navy vessels. Accordingly, while restrictions on the use of arms by SDF personnel have been relaxed, it was only by broadening the definition of self-defense, not by allowing for collective defense.

Second, the expansion of the roles and missions of the SDF took place in an “outside-in” order: The enactment of the Peacekeeping Operations (PKO) legislation in 1992 and the revision in the international disaster relief legislation in 1994 came first, then redefinition of the U.S.-Japan alliance and Law Concerning Measures to Enhance the Peace and Security of Japan in Situa-

37. Noboru Yamaguchi, “Japan: Completing Military Professionalism,” in Muthiah Alagappa, ed., *Military Professionalism in Asia: Conceptual and Empirical Perspectives* (Honolulu: East-West Center, 2001).

38. Sabine Fruhstuck and Eyal Ben-Ari, “‘Now We Show It All!’ Normalization and Management of Violence in Japan’s Armed Forces,” *Journal of Japanese Studies*, vol. 28 (2002), pp. 1-39.

tions in Areas Surrounding Japan (SASJ Law) in 1999, and finally in 2003 the Emergency Situation Law for defense of Japan. It may seem odd that the expansion of the SDFs' roles and missions for domestic contingencies came last, but this "outside-in" ordering shows the differences in the height of the political hurdles: Winning public support for dispatching the SDF for international cooperation was easier than utilizing the SDF closer to home, or so the politicians believed about public opinion. This may be because the Japanese public is more supportive of SDF activities abroad for international or altruistic purposes, than for the purposes directly related to national security.

As collected in the Defense White Paper of 2003, public opinion polls taken by various newspapers and television stations during the discussion leading up to the current SDF operations in Iraq bear out this assessment. Public support for sending SDF troops abroad for non-combat missions have been steadily increasing in the past decade. Support for UN peacekeeping activities was 46 percent in 1990, but increased to 70 percent in 2003. Similarly, in 1990, 31 percent said war was unlikely while 22 percent said that it was likely. This trend reversed in 2003, with 11 percent saying "unlikely" while 43 percent believes war is a possibility.

The decision to send SDF troops to Iraq was made in the context of such public opinion. While public support started at about 50/50 in June 2003 and dipped to 23 percent in November, it recovered to 50 percent in January. Two factors are worth noting here: first, very few respondents approved or disapproved of the mission altogether, and most viewed support as conditional. This suggests that there are far fewer "solid doves" or "solid hawks" on the issue of sending SDF troops than in the past. Second, it is important to look at why support for the mission increased. The government, in garnering public support for the Iraq mission, emphasized the importance of the alliance relationship with the United States in light of the missile threat from North Korea. This seems to be an appropriate strategy for the government, in light of the public opinion poll result that shows increased concern among the public over the security of Japan. However, when we look at the polls that directly asked the supporters of the mission the reason for their support, a much higher percentage consistently cited "international contribution" or

"help rebuild Iraq" as the primary reasons for support, at a much higher percentage than "for the sake of the U.S.-Japan alliance."

What does this apparent gap suggest? On the one hand, it may suggest why public support did not wane initially despite the increased doubts over the legitimacy of the war. If the SDF activities were seen to be for the Iraqi people and not primarily linked with U.S. policy, ups and downs in public support may be determined by the success of the mission itself, and the costs involved, including the risk of casualties for the SDF troops. Whether altruistic motivations (doing good for other countries) or security motivations (for the safe of security of Japan) provide "stronger" support is uncertain, but the important test would be if and when the public sees the first casualties.

### The Case of China

The Chinese Communist Party (CCP) and the People's Liberation Army (PLA) have, traditionally, shared a *symbiotic* relationship. The PLA is an instrument of the CCP, not the Chinese state. As Zheng explains: "the party and the military enjoy an interlocking power-sharing relationship . . . [i]n many ways, the army is in the party and the party is in the army. It is seemingly unnecessary for the military to seize political power from the Chinese Communist Party."<sup>39</sup> Military elites are generally also party elites.<sup>40</sup> The CCP determines the shape of the military even as the military helps to shape the party. Thus, as one observer has argued: "The question mark surrounding Party leadership so effectively obfuscates civil-military relations in China as to render Huntington's model of professionalism as an index of civilian control all but meaningless."<sup>41</sup> Others argue, however, that while this "symbiosis" between the party and the military may

39. Shiping Zheng, "Party-Military Relations in China, EAI Background Briefing," No. 107 (East Asian Institute, National University of Singapore, 2001), p. 1.

40. Jeremy T. Paltiel, "PLA Allegiance on Parade: Civil-Military Relations in Transition," *The China Quarterly*, No. 143 (September, 1995), pp. 784-800.

41. *Ibid.*, pp. 788-89.

have existed in the past, growing professionalism within the PLA and the demands of a technologically-advanced military have forced changes in China's civil-military relations.<sup>42</sup> Moreover, "political control has not prevented the PLA from forming a separate organizational identity."<sup>43</sup>

The demands of modernizing the military, economic and political changes within China itself, and the passing away of the revolutionary generation of leaders have combined to create substantial pressures in the direction of a more "professional" PLA. However, a number of important caveats merit attention. First, civilian control of the military remains based on the personal authority of the political leadership (though the recent transfer of power from Jiang Zemin to Hu Jintao may bode well for the forces of institutionalism). Second, the development of a more professional military does not preclude the possibility of military intervention in political affairs. Indeed, a military that considers itself separate from the party and its interests may be more inclined toward intervention. Third, the relationship between the party and the state is still symbiotic, but is increasingly fragile as the ideological underpinnings of the Chinese state disintegrate. Right now, the PLA's acceptance of civilian leadership may be based on "conditional compliance"—i.e., the military supports the leadership so long as the leadership is sensitive to military needs and demands.<sup>44</sup>

Agency theory may work better than the Huntington or Janowitz models in illuminating current Chinese civil-military relations. Agency theory does not equate military "professionalism" with military subordination to civilian authority, but allows for military obedience to vary depending on circumstances and the relative strengths of the bureaucracies involved in the bargaining process. The "working" or "shirking" continu-

42. Ellis Joffe, "Party-Army Relations in China: Retrospect and Prospect," *The China Quarterly*, No. 146 (June, 1996), p. 300; Ji You, "China: From Revolutionary Tool to Professional Military," in Alagappa, ed., *Military Professionalism in Asia*, pp. 111-36.

43. Mel Gurtov and Byong-Moo Hwang, *China's Security: The New Roles of the Military* (Boulder, Colo.: Lynne Rienner, 1998), p. 25.

44. James Mulvenon, "China: Conditional Compliance," in Muthiah Alagappa, ed., *Coercion and Governance: The Declining Political Role of the Military in Asia* (Stanford, Calif.: Stanford University Press, 2001).

um captures the ongoing evolution of civil-military relations in China, and allows for the possibility of the PLA becoming both more "professional" and more assertive of its own emerging interests.

Our three questions—the theoretical lens of modeling civilian control, the empirical lens of the civil-military gap, and the policy question about the use of force—are interesting, but particularly challenging in the Chinese context.

### "Civilian" Control in China

In China, the PLA General Headquarters, not the ministry of defense, commands the military. The General Headquarters consists of four departments: General Staff, General Political, General Logistics, and General Armaments. These departments handle the routine work of the ministry of defense. All four of the departments are staffed by a small group of about 100 people who serve the leadership of the Central Military Commission (CMC) of the CCP. It is the CMC that is "the pinnacle of the military high command in China."<sup>45</sup>

The four general departments of the PLA accept orders from the CMC, not the institutions of the Chinese state. The PLA is constitutionally committed to serving the communist party, not the institutional state. In 1982, a revised state constitution established a CMC in the state structure to go along with the party's CMC, but this did not signal the shift of military command from the party to the state because the membership of the two committees is the same. The members of the party CMC are selected by the party, then later confirmed as members of the state CMC. The CMC is largely free of the CCP's organizational control. The four departments handle most PLA matters.

The chairman of the CMC is the most powerful post in the Chinese political system—even more powerful than the party general secretary and state president.<sup>46</sup> The CMC chairman has the power to appoint or remove military officials and, in theory, must be obeyed by the generals in the CMC. Historically, however, this institutional position has been no guarantee of real

45. Zheng, "Party-Military Relations in China," p. 4.

46. *Ibid.*, p. 9.

power. Personal leadership and credibility with the military mattered more in ensuring its obedience.

Mao Zedong and Deng Xiaoping controlled the PLA through their personal prestige within the military leadership.<sup>47</sup> From 1935 to his death in 1976, Mao was the effective commander of the PLA. Mao was briefly succeeded by Hua Guofeng, who did not enjoy the PLA's support. Hua was replaced by Deng Xiaoping, who effectively controlled or influenced the PLA until his death in 1997. During this period, the military was clearly obedient to the party leadership.<sup>48</sup> Indeed, many authorities argue that the PLA is historically disposed toward staying out of politics and has only become involved in political issues when forced to by elements in the party.<sup>49</sup>

In the modern era, the civilian leadership of the CCP has tried to reform the PLA both to ensure its loyalty to the new generation of CCP leadership and to make it an effective modern fighting force. Throughout the 1990s, Jiang Zemin, with the support of Deng, worked to professionalize and regularize the PLA while establishing his credentials as commander in chief. Jiang is an engineer by training, and was the first CCP leader who had not served in the military and did not enjoy personal prestige with the PLA leadership. This deficiency provided the military with considerable leverage over Jiang's decisions and policies. At the same time, however, the "professionalization of the officer corps and an unprecedented generational shift . . . led to an effective separation of military and civilian elites . . . [and] constrained the extent to which the PLA [could] exploit this leverage."<sup>50</sup>

In 1999, Jiang made Hu Jintao the vice-chairman of the CMC. Hu had been chosen by Deng to succeed Jiang. In November 2002 Hu assumed the office of general secretary of the CCP, and on March 15, 2003, he was elected the president of the PRC. Jiang retained the chairmanship of the CMC, however. This

meant that even though Hu was the president of China and general secretary of the CCP Central Committee, he still could not claim to be the undisputed leader of China.<sup>51</sup> In September 2004, Jiang retired from the chairmanship of the CMC, ceding the post to Hu. This point is addressed in more detail, below.

The party maintains its presence in the military through a complex system of political oversight. A political commissar functions at all unit levels, from regiment to platoon and squad. All of these political functionaries are controlled by the PLA General Political Department.<sup>52</sup> The military is also well-represented in the party.

The military operates under a strict series of checks and controls. In peacetime, without the prior authorization of the CMC, a division commander can only move a platoon (thirty men), a group commander can only move a company, and a regional commander can only move a battalion. If troop movement does occur without prior approval, every political department within a military unit will scrutinize the action. In addition, the PLA General Staff Department maintains listening posts and agents throughout the country to watch the military.

The role of the political mechanisms in the military has been the focus of considerable debate. Kolkowicz argues that the political commissar system is a deliberate check against the development of Western/Soviet-style professionalism in the military. Colton disputes this, arguing that the commissar system is integral to the Chinese form of military professionalism. Cheng Hsiao-shih argues that the political mechanisms in the military actually extend military control and influence into the CCP and the state, rather than the reverse.<sup>53</sup> However, the significance and effectiveness of these party organs has declined in recent years.<sup>54</sup> These political instruments are now much less ideological and are promoting, instead, the principle that the military must obey the party. Mulvenon argues that

47. Joffe, "Party-Army Relations in China," p. 301.

48. Mulvenon, "China: Conditional Compliance," p. 318.

49. Harlan W. Jencks, "China's Civil-Military Relations, 1949-1980," in Morris Janowitz, ed., *Civil-Military Relations: Regional Perspectives* (London: Sage Publications, 1981), p. 153; Joffe, "Party-Army Relations in China," pp. 301-2; You, "China: From Revolutionary Tool to Professional Military," p. 116; Gurtov and Hwang, *China's Security*, pp. 26-27.

50. Mulvenon, "China: Conditional Compliance," p. 318.

51. Wei-Chin Lee, "China's Military After the Sixteenth Party Congress: Long March to Eternity," *Journal of Asian and African Studies*, vol. 48, Nos. 4-5 (2003), p. 432.

52. Zheng, "Party-Military Relations in China," p. 5.

53. Paltiel, "PLA Allegiance on Parade," pp. 789-91.

54. Mulvenon, "China: Conditional Compliance," p. 323.

this development suggests that future PLA compliance with party authority will not be based, as in the past, on the party's ability to interpret the "truth" but on the military's satisfaction with the job performance of the top leadership, as well as the extent to which the preferences of military and civilian leaders remain congruent.<sup>55</sup>

It took Jiang most of a decade, with Deng's support, to establish his authority within the PLA. Jiang enhanced his personal standing with the military by enforcing the military retirement system and promoting junior officers. By late 1997, all of the generals who were older than Jiang had been retired, making it easier for him to consolidate his power. Most of the top military leaders on active duty in 2001-2002 were promoted to general in 1998-2000 and owe their status to Jiang, though it cannot be argued that he controls them.<sup>56</sup> Even so, You emphasizes the importance of Jiang's institutional power as CMC chairman in building his base of support.<sup>57</sup>

### *Reforming the PLA*

Since 1988, numerous laws and regulations regarding the military have been created or amended. This is part of an effort to modernize and regularize the PLA. For most of its history, the PLA has operated on the basis of very few regulations, reflecting its origins as a guerilla army.<sup>58</sup> The PLA's earliest and most important legal principle is that it follows the leadership of the CCP and no other body. Mao was very distrustful of a military based around Western or Soviet ideas of professionalism and "wanted a military that had extensive economic and social roles to go along with competence in military affairs."<sup>59</sup> The lack of clear, PLA-wide regulations and a uniform code, however, made interoperability between different units difficult. Deng came to power in 1978 determined to reform the military. Since 1978,

55. Ibid.

56. David Shambaugh, "China's Military in Transition," *The China Quarterly*, No. 146 (June, 1996), p. 270.

57. You, "China: From Revolutionary Tool to Professional Military," p. 124.

58. Jencks, "China's Civil-Military Relations," pp. 120-60.

59. Thomas J. Bickford, "Regularization and the Chinese People's Liberation Army," *Asian Survey*, vol. 40, No. 3 (2000), p. 462.

China has "promulgated 13 sections of military law, over 100 military and administrative laws and regulations, and more than 1,000 military regulations."<sup>60</sup> Most of this has been done since 1988, including the development of twelve of the thirteen sections of military law. In 1999, China significantly revised its military service law and issued regulations that "for the first time created the basis for standard organization, equipment and combat operations."<sup>61</sup> Nonetheless, the legal regime governing the PLA remains very basic.<sup>62</sup>

Efforts at reform of the PLA in the past have often been unsuccessful. The PLA's experience in business and the corruption associated with those endeavors have undermined efforts to create a sense of law within the military. On the other hand, exposure to Western militaries has created a constituency within the PLA that would like to see the military separated from the party and run by the state.

Jiang pursued his quest for personal legitimacy with the military by being particularly sensitive to military needs and wants. Deng had the personal authority to frequently cut China's military spending in order to pursue other economic priorities. Since 1989, however, the PLA has been awarded steadily growing military budgets. Jiang increased the salaries and benefits of PLA officers and supported the technological upgrading of the military, gaining considerable political capital with the PLA. Jiang spent some of that capital—and asserted his authority over the PLA—in 1998, when he made the important decision to order the

60. Bickford, "Regularization and the Chinese People's Liberation Army," p. 463.

61. Ibid.

62. It is important to note that the laws passed by the National People's Congress (NPC) and its standing committee—which are instruments of the state—take legal precedence over the edicts of all other decision-making bodies, including both CMCs. This creates the potential for a conflict between an instrument of the state and instruments of the party. As Paltiel says "Only the dominance of the CCP in the NPC avoids ambiguity" ("PLA Allegiance on Parade," p. 787). The constitutional theory of the NPC assumes a monopoly of political power by the CCP, and that the PLA has a special role in maintaining that monopoly (ibid. and Bickford, "Regularization and the Chinese People's Liberation Army," p. 463).

military to divest itself of its business holdings.

From its inception in 1927, the PLA has been involved in economic activities within China. These activities provided the PLA with operational funds and a social safety net for its retired members and PLA family members. By the 1980s, the military was faced with declining budgets, a radical cut in its size, declining standards of living for its soldiers, and pressures to modernize. In response, between 1978 and 1998, the PLA created a multi-billion dollar business empire, consisting of more than 20,000 enterprises.<sup>63</sup> PLA business activities provided billions of dollars to sustain the military. However, the system created corruption and compromised the PLA's ability to perform its duties. Military units frequently spent far more time on business operations than training. Criminal activities and the military's use of intimidation against civilian competitors were rampant. In 1994, the CMC had to issue an order demanding that soldiers not assault auditors sent to review their unit's finances.<sup>64</sup>

The party leadership had made earlier, unsuccessful attempts to curb the PLA's activities. Unless it could find funds to replace the revenues that the military was earning from business, however, the party felt unable to act. Nonetheless, on July 22, 1998, Jiang ordered the divestiture of the military economy by mid-December. Jiang's decision was an indication that he was confident enough in the consolidation of his power to take potentially unpopular measures against the military.<sup>65</sup>

Why the military agreed to divest is not entirely clear. Jiang may simply have been able to assert civilian authority over the military. If so, then his control of the military was more solid than many observers realized. Mulvenon concludes that the PLA leadership, concerned with the degeneration of the military, agreed with the need to divest, but is now unhappy with the financial compensation it has received and the aggressive anti-corruption campaigns that the government has launched

against the military. Moreover, it is still not clear how successful the divestiture has been, though indications are that an enormous number of military enterprises have been abolished or transferred to local control.<sup>66</sup>

The issue of PLA divestiture indicates the potential fragility of the party-military relationship. The party was unwilling to take the risk to simply order the military to divest, but it was eventually forced to issue those orders with the promise that the military would be provided with adequate compensation. Thus, it apparently needed to bargain over its assertion of authority. Even now, however, the consequences of the divestiture remain unclear. Inadequate PLA compensation would certainly provoke greater restiveness within the military as a whole.

The relationship between the party and the military in modern China is thus something of a "negotiated partnership" based on "conditional compliance"—a situation fully in keeping with agency theory.<sup>67</sup> The military accepts the leadership and legitimacy of the CCP and supports the party on "major political, ideological and economic issues."<sup>68</sup> In the new China, the PLA has accepted a more limited role for itself in the Chinese state.<sup>69</sup> However, it expects to be consulted in some specific policy-areas, including defense budgets, security, intelligence, and relations with Taiwan, the United States, Japan, Russia, and the South China Sea. The civilian leadership of the CCP must be prepared to offer concessions or rewards to the PLA to gain its compliance or support.

Jiang's legal, political, and technical reforms to the PLA are gradually reducing the influence of personal authority and enhancing institutional authority in the Chinese system, but relations between civilians and the military continue to be dependent upon the ties of personal authority.<sup>70</sup> A more professional, united military may also be more difficult for civilian leaders to control, particularly given the importance of the military to CCP

63. Thomas J. Bickford, "The Business Operations of the Chinese People's Liberation Army," *Problems of Post-Communism* (November-December, 1999), p. 28; Mulvenon, "China: Conditional Compliance," p. 328.

64. Bickford, "The Business Operations of the Chinese People's Liberation Army," p. 33.

65. Mulvenon, "China: Conditional Compliance," p. 329.

66. Bickford, "The Business Operations of the Chinese People's Liberation Army," p. 34.

67. Zheng, "Party-Military Relations in China," p. 14; Mulvenon, "China: Conditional Compliance."

68. Zheng, "Party-Military Relations in China," p. 14 and Mulvenon, "China: Conditional Compliance."

69. Mulvenon, "China: Conditional Compliance," p. 317.

70. Gurtov and Hwang, *China's Security*, p. 31.

authority and the decreasing importance of ideology in China.

Even so, there are signs that the institutionalization of civil-military relations in China may have crossed an important threshold, symbolized by Jiang's resignation in September 2004 from the chairmanship of the CMC and his apparent retirement from public life.<sup>71</sup> Hu Jintao is now faced with the task of building up his own personal credibility with the PLA. Significantly, the transfer of power from Jiang to Hu was the smoothest leadership transition in the history of the People's Republic of China, and may indicate the growing strength of governmental institutions. Nonetheless, while the military is averse to involvement in politics, it remains committed to preserving its privileged position.<sup>72</sup>

### *The Civil-Military Gap in China*

As China becomes a less ideological society, the indoctrination process in the military has focused on convincing the military of the need to obey whatever decisions the party makes, regardless of ideological content. In 2001, the PLA's official newspaper firmly opposed the notion of "depoliticizing the military" or trying to separate the military from the party. As Paltiel notes, "the corporate identity of the PLA is still bound up with a special political mission"—i.e., the support and defense of the CCP.<sup>73</sup> Nonetheless, it is no longer clear what values the CCP represents and, therefore, what values the PLA is supposed to reflect.

The gap in values between the military and the civilian population in China may be more potential than real. The PLA occupies a revered role within Chinese society, though this image was somewhat tarnished by the outcome of the Tiananmen Square uprising and the corruption associated with PLA business practices.<sup>74</sup> Even so, the PLA's obsession with business and

71. Li Yong Yan, "Power Struggle: Will Jiang Step Down?" *Asia Times Online*, September 11, 2004, online at [www.atimes.com](http://www.atimes.com); Yu Bin, "Hu-Jiang Struggle: Not a Shooting War," *Asia Times Online*, September 16, 2004, online at [www.atimes.com](http://www.atimes.com).

72. You, "China: From Revolutionary Tool to Professional Military," p. 112.

73. Paltiel, "PLA Allegiance on Parade," p. 797.

74. You, "China: From Revolutionary Tool to Professional Military," p. 117.

economic gain has reflected the same sentiments and attitudes within the general Chinese population.

The need to modernize the PLA alters the relationship between the military and the civilian base from which it draws its recruits. At present, most PLA enlisted personnel are from poor rural areas, of limited education, and readily susceptible to political indoctrination. A technically sophisticated army, however, will need well-educated individuals. The military needs to recruit enlisted personnel from the urban areas and will need to compete with the private sector for the best candidates. The PLA may not be able to attract the necessary candidates in sufficient numbers, or pay them adequately for their skills. More important, however, are the gaps in values that could develop between the military and its traditional constituency, the peasantry, and within the military between urban and rural recruits. According to Krawitz: "There is a tangible risk that modernization will introduce factors that could stimulate a reemergence of class distinctions and class frictions and subsequently alter traditional perceptions, both within the armed forces and between the armed forces and society at large."<sup>75</sup>

On the other hand, the military is one of the great defenders and beneficiaries of nationalism in China. Nationalism underpins many of the responses of the military to major foreign affairs issues, notably Taiwan. In a society experiencing an ideological vacuum, nationalism is a powerful binding force that can bring the military and the general society closer together.<sup>76</sup>

### *Chinese Civil-Military Attitudes and the Use of Force*

Since its creation in 1949, the PRC has been involved in nine outright wars and numerous border skirmishes. However, throughout the 1980s and 1990s, China began to adopt a much more conciliatory approach to its disputes, with some notable

75. Howard Krawitz, "Modernizing China's Military: A High-Stakes Gamble?" *Strategic Forum*, No. 204 (December, 2003), p. 4.

76. Yue Ren, "China's Dilemma in Cross-Strait Crisis Management," *Asian Affairs*, vol. 24, No. 3 (1997), pp. 147-48; Andrew Scobell, "Show of Force: Chinese Soldiers, Statesmen, and the 1995-1996 Taiwan Strait Crisis," *Political Science Quarterly*, vol. 115, No. 2 (2000), pp. 239-41.

exceptions. China wants to maintain a politically stable and peaceful environment in Asia in order to facilitate China's economic development. In recent years, China has worked hard to resolve most of its border conflicts and has signed an agreement prohibiting the use of force in the resolution of the South China Sea dispute.<sup>77</sup>

The military response to the 1989 Tiananmen protests, though an internal event, still stands as a defining moment for China's civil-military relations. First, the PLA was extremely reluctant to use force against the civilian protestors. The fact that the PLA ultimately followed the orders of its civilian masters is actually an indication of its professionalism.<sup>78</sup> Second, the party's efforts to ensure the indoctrination of the PLA after Tiananmen actually undermined the efficacy of the military and had to be reduced. This reinforced the PLA's move toward being a professional military.

As noted above, on certain key issues of national security and national interest, the PLA is determined to make itself heard. On Taiwan, in particular, the PLA has been quite pugnacious in its rhetoric and its actions. Johnston argues that cultural tendencies cause China to engage in displays of force even when the objective balance of force does not favor Chinese interests.<sup>79</sup> Whiting argues that China's traditional military doctrine has been that "the regime must be prepared militarily to seize the initiative, acting offensively and preferably through pre-emptive attack."<sup>80</sup> However, he also notes that China's handling of the 1995-96 Taiwan Crisis was significantly more restrained than

most past cases when China threatened the use of force. Yue Ren argues that the Taiwan Strait crisis of 1996 actually indicates "that the . . . Chinese leadership decision-making procedure is rational, not sensational, and its techniques reveal a tendency towards avoiding rather than risking war . . ."<sup>81</sup> Scobell concurs, and argues that while the PLA may be more "hawkish" on the question of Taiwan than civilian authorities, i.e. ready to practice coercive diplomacy and saber-rattling, it is not "bellicose" or "belligerent," i.e. ready to resort to war.<sup>82</sup> In contrast to Johnson, Adelman and Chih-Yu argue that China's traditional strategy has been to use dramatic displays to overawe the enemy, thereby avoiding combat.<sup>83</sup> China has been successful in making its concerns about Taiwan clear to the Taiwanese government and the United States without having to resort to the use of force. Nonetheless, it is clear that Taiwan is the one issue that has the greatest risk of provoking military conflict between China and the outside world.

Another factor acting as a brake on the PLA's use of force is China's "one-child" policy, which has greatly increased the importance of children—particularly male children—within the society. If the PLA is perceived within China as being careless with the lives of its troops, there could be significant political fallout. In addition, far fewer people will want to join the PLA. This consideration is particularly relevant for a military that needs to attract well-educated people.

### Three Cases, Three Questions, One Approach

Compared with the two other cases under study here, Japan and China, the United States has an enviable record. Civil-military relations in the United States have never deteriorated to the point of a coup. But neither have civil-military relations been placid. Even in the absence of a coup, American civil-military relations reflect the strategic interaction of groups engaged in the pulling and hauling of political activity, with military obedi-

77. Allen Carlson, "Constructing the Dragon's Scales: China's Approach to Territorial Sovereignty and Border Relations in the 1980s and 1990s," *Journal of Contemporary China*, vol. 12, No. 37 (2003), pp. 677-98; Eric Hyer, "The South China Sea Disputes: Implications of China's Earlier Territorial Settlements," *Pacific Affairs*, vol. 68, No. 1 (Spring, 1995), pp. 42-53; Leszek Buszynski, "ASEAN, the Declaration on Conduct, and the South China Sea," *Contemporary Southeast Asia*, vol. 25, No. 3 (2003), pp. 343-62.

78. Joffe, "Party-Army Relations in China," p. 305.

79. Alastair Iain Johnston, "China's New 'Old Thinking,'" *International Security*, vol. 20, No. 3 (1995-1996), pp. 5-42.

80. Allen Whiting, "China's Use of Force, 1950-96, and Taiwan," *International Security*, vol. 26, No. 2 (2001), p. 105.

81. Yue, "China's Dilemma in Cross-Strait Crisis Management," p. 132.

82. Scobell, "Show of Force," pp. 236-39.

83. *Ibid.*, p. 233.

ence as much shaped by prospects of punishment as by any reflexive norm. The United States has also wrestled with the challenge of having the military reflect civilian values, and the gap between the military and civilian society has ebbed and flowed over time. Civil-military relations have also played a profound role in shaping the use of the military in U.S. foreign policy. Decisions for and against the use of force are made against the backdrop of civil-military tension, alongside elite doubts, largely unfounded, about the public's willingness to bear the costs of the military's use.

In contrast, the history of the twentieth century casts a longer shadow over the Japanese case, though the events of the recent past suggest that this is a profound period of transition for Japanese civil-military relations. The Japanese government, for the first time since the end of World War II, made a conscious decision to send troops abroad, while being explicitly aware of the risk of casualties. The Iraq operation is both a reflection of the changes in civil-military relations as well as an accelerator of changes already underway. The nested delegation model predicts changes in the politicians' incentives and a more direct control of the SDF. From the perspective of this model, the Iraq mission is a true watershed case for politicians, bureaucrats, and the SDF alike. Evidence so far seems to suggest that politicians are quite happy to have control over the military back in their hands. Civil-military relations in Japan are becoming more like any other country. It remains to be seen, however, whether control by precarious politicians would be seen as more ideal than control by intrusive yet cautious bureaucrats, from the view of the SDF, and more importantly, from the view of the general public.

As for China, the basic questions of civilian control are perhaps most in play, and the dearth of systematic empirical data makes assessments of the gap and the use of force necessarily more speculative. The evidence suggests that the PLA is moving toward becoming a more "professional" military, but its relationship with the communist party remains the major unresolved issue. This issue can only be decided, however, as part of fundamental social and political reform within China. As the PLA becomes more distinctive and professional, it will move away from the CCP. However, it is developing a distinctive

identity at a time when the values of the Chinese state are in flux. Other than nationalism, it is not clear what values are represented by the party or must be defended by the PLA. As a result, the unified military will act out of self-interest. This is an unreliable and potentially dangerous basis on which to structure civilian-military relations. Under these conditions, the ties of personal obligation and prestige remain the most reliable guarantors of continued military loyalty to the party. Thus, the pressures pushing for a professional military may run up against the forces necessary to maintain civilian control.

The United States, Japan, and China have very different civil-military experiences. Nevertheless, we find that models and conceptual tools originally developed to explain American civil-military relations do, in fact, have analytical leverage over very different cases. These tools, however, must be modified to adjust to the cultural and historical context of each case. And, not surprisingly, the tools lead to different conclusions about prevailing civil-military relations in each setting. In other words, it makes sense to ask the same questions, even though one gets very different answers depending on country-specific conditions. Yet the cases are converging sufficiently to make common analytical frameworks a fruitful point of departure. As empirical research on civil-military relations in Japan and especially China yields the kind of data now fairly widely available in the United States, the prospects for even more extensive comparison and contrast will only improve.

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