

## “JAFONSAP”: Legal and In Japan’s National Interest

James E. Auer  
Director of the Center for U.S.-Japan Studies and Cooperation  
Vanderbilt University

“I don’t think the U.S. would fight for the Senkaku Islands” a Middle Eastern scholar said at a recent seminar I attended in Tokyo. I said he was wrong and mentioned that Secretary of State Hillary Clinton had made clear that the Senkakus are clearly covered under Article V of the Japan – U.S. alliance.

But would the U.S. alone defend the Senkakus if Japan took no means to defend them?” the Middle Eastern specialist said. I had to admit that the U.S. would have difficulty taking action in defense of an ally if the ally itself did nothing.

Japan has a strong legal case in that the Senkakus are Japanese; however, one of the tell tale signs of a nation’s determination to maintain its own territory is a demonstrated willingness to shed blood in the territory’s defense.

As important as the Senkakus are, the Kan Administration should take even more seriously the Chinese statement that the South China Sea is “China’s core interest,” clearly signaling its perceived right to control access to that sea which is vital to the prosperity of Pacific countries including Japan and the U.S.

Accordingly, not as a threat to China, but as a demonstration of bilateral dedication to freedom of navigation, Tokyo and Washington should seriously consider a Japanese American Freedom of Navigation Reconnaissance Air and Sea Patrol (JAFONSAP) over the sea-lane from Osaka to the Bashi Channel and over the shipping lanes of the South China Sea.

China might complain about such an effort but Japan and the U.S. could make clear that they make no type of claim other than free passage. There would be no attempt to control or restrict Chinese or other nations’ access to the sea-lanes.

Japan desires the U.S. be to be its partner in defending an armed threat to the Senkakus and other Japanese territory, and Japan’s interest in the South China Sea is relatively as great as or is greater than that of the U.S. Thus Japan should be willing to participate in a South China Sea reconnaissance effort, which Japan can legally do and which is within the capability of the Japan Self-Defense Forces, especially in cooperation with the U.S. Seventh Fleet. I believe Japan wants to be a partner with the U.S.; but, to be a true partner, Japan must be willing to participate.