

# Notes

## Chapter 1

1. Robert Gilpin, *The Political Economy of International Relations* (Princeton: Princeton University Press, 1987), p. 389.
2. Jim MacNeill, Pieter Winsemius, and Taizo Yakushiji, *Beyond Interdependence: The Meshing of the World's Economy and the Earth's Ecology* (Oxford: Oxford University Press, 1991), p. 4.
3. Linda Starke, *Signs of Hope: Working Towards Our Common Future* (Oxford: Oxford University Press, 1990), p. 14.
4. *Globe & Mail* (30 January 1990) (quoted in Ministry of Foreign Affairs, Overseas Public Relations Division, *Kankyō mondai hanron shokanshū* [Collection of Protest Letters regarding Environmental Issues] (Tokyo, 1991), p. 68).
5. Malcolm N. Shaw, *International Law*, 3rd edn (Cambridge: Grotius, 1991), pp. 93–5. Certain resolutions, such as those regarding budgets (see Article 17 of the UN Charter), have a legal effect on the UN organizations and member states of the United Nations.
6. Patricia Birnie, "International Environmental Law: Its Adequacy for Present and Future Needs," p. 53, in Andrew Hurrell and Benedict Kingsbury, eds, *The International Politics of the Environment* (Oxford: Clarendon Press, 1992), pp. 51–84. See also Kenneth W. Abbot and Duncan Snidal, "Hard and Soft Law in International Governance," *International Organization*, vol. 54, no. 3 (2000), pp. 37–72.
7. Blaine Sloan, *United Nations General Assembly Resolutions in Our Changing World* (New York: Transnational Publishers, 1991); W. E. Butler, ed., *International Law and the International System* (Dordrecht: Martinus Nijhoff Publishers, 1987), especially Chapters 1–4. It is true that the so-called "solidarist" theorists argue that a norm supported by consensus in the international community carries an international legal obligation. This argument, however, is a minority view in the legal literature. Sloan, *United Nations General Assembly Resolutions in Our Changing World*, pp. 87–8; Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: Columbia University Press, 1977), pp. 141–4.
8. Inis L. Claude, "Collective Legitimization as a Political Function of the United Nations," p. 367, *International Organization*, vol. 20 (1966), pp. 367–79.
9. *Ibid.*, p. 371.
10. *Ibid.*, p. 369.
11. *Ibid.*, pp. 367–70. Note that the term "political legitimacy" is often conceptualized as the domestic legitimacy of the government or the state.
12. For a brief account of the politics of international norms, see, for example, Martha Finnemore, *National Interests in International Society* (Ithaca: Cornell University Press, 1996), pp. 135–9.
13. Gary King, Robert O. Keohane, and Sidney Verba, *Designing Social Inquiry: Scientific Inference in Qualitative Research* (Princeton: Princeton University Press, 1994), p. 6.

14. Ann Florini, "The Evolution of International Norms," p. 376, *International Studies Quarterly*, vol. 40 (1996), pp. 363–89.
15. Hans J. Morgenthau, *Politics among Nations: The Struggle for Power and Peace*, 5th edn (New York: Alfred A Knopf, 1978), p. 12.
16. Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change," pp. 889–90, *International Organization*, vol. 52, no. 4 (1998), pp. 887–917.
17. Chris Brown, *International Relations Theory: New Normative Approaches* (New York: Columbia University Press, 1992), p. 3.
18. Ian Hurd, "Legitimacy and Authority in International Politics," p. 392, *International Organization*, vol. 53, no. 2 (1999), pp. 379–408.
19. Claude, "Collective Legitimization as a Political Function of the United Nations," p. 368.
20. This book does not directly address the legitimacy of governments and international organizations or that of an international order. As for state legitimacy, see, for example, Mlada Bukovansky, *Legitimacy and Power Politics: The American and French Revolutions in International Culture* (Princeton: Princeton University Press, 2002); John Williams, *Legitimacy in International Relations and the Rise and Fall of Yugoslavia* (Basingstoke: Macmillan, now Palgrave, 1998). On a legitimate political order, see Henry A. Kissinger, *A World Restored* (New York: Grosset and Dunlap, 1964); Markus Jachtenfuchs, Thomas Diez, and Sabine Jung, "Which Europe? Conflicting Models of a Legitimate European Political Order," *European Journal of International Relations*, vol. 4, no. 4 (1998), pp. 409–45.

## Chapter 2

1. Ian Hurd, "Legitimacy and Authority in International Politics," pp. 383–9, *International Organization*, vol. 53, no. 2 (1999), pp. 379–408; Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999), p. 268.
2. Hurd, "Legitimacy and Authority in International Politics," p. 386.
3. Friedrich Kratochwil, "The Force of Prescription," p. 686, *International Organization*, vol. 38, no. 4 (1984), pp. 685–708.
4. Andreas Hasenclever, Peter Mayer, and Volker Rittberger, *Theories of International Regimes* (Cambridge: Cambridge University Press, 1997), Chapter 1.
5. Wendt, *Social Theory of International Politics*, p. 101.
6. Peter J. Katzenstein, "Introduction," p. 20, in Peter J. Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996), pp. 1–32.
7. Judith Goldstein and Robert O. Keohane, "Ideas and Foreign Policy: An Analytical Framework," p. 3, in Judith Goldstein and Robert O. Keohane, eds, *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change* (Ithaca: Cornell University Press, 1993), pp. 3–30.
8. Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton: Princeton University Press, 1984), pp. 57–8.
9. John Ruggie, "What Makes the World Hang Together? Neo-Utilitarianism and the Social Constructivist Challenge," p. 870, *International Organization*, vol. 52, no. 4 (1998), pp. 855–85.

10. Janice E. Thomson, "Norms in International Relations: A Conceptual Analysis," p. 77, *International Journal of Group Tensions*, vol. 23, no. 1 (1993), pp. 67–83; Christopher Gelpi, "Crime and Punishment: The Role of Norms in Crisis Bargaining," p. 340, *American Political Science Review*, vol. 91, no. 2 (1997), pp. 339–60. See also Ruggie, "What Makes the World Hang Together?" pp. 862–74.
11. Katzenstein, "Introduction," p. 5; Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change," p. 891, *International Organization*, vol. 52, no. 4 (1998), pp. 887–917.
12. Wendt, *Social Theory of International Politics*, Chapter 1; Stephen D. Krasner, "Structural Causes and Regime Consequences: Regimes as Intervening Variables," in Stephen D. Krasner, ed., *International Regimes* (Ithaca: Cornell University Press, 1983), pp. 1–21.
13. Hasenclever, Mayer, and Rittberger, *Theories of International Regimes*, Chapter 4; John J. Mearsheimer, "The False Promise of International Institutions," p. 15, *International Security*, vol. 19, no. 3 (1995), pp. 5–49.
14. Hans J. Morgenthau, *Politics among Nations: The Struggle for Power and Peace*, 5th edn (New York: Alfred A. Knopf, 1978), Chapters 15, 16, 17, and 18.
15. Kenneth N. Waltz, *Theory of International Politics* (New York: McGraw-Hill, 1979), pp. 88–101.
16. Mearsheimer, "The False Promise of International Institutions," p. 15.
17. Robert Gilpin, *War and Change in World Politics* (Cambridge: Cambridge University Press, 1981), p. 36.
18. Keohane, *After Hegemony*, Chapter 6; Goldstein and Keohane, "Ideas and Foreign Policy."
19. Keohane defines the term "myopic self-interest" as "governments' perception of the relative costs and benefits to them of alternative courses of action with regard to a particular issue, when that issue is considered in isolation from others [emphasis in original]." Keohane, *After Hegemony*, p. 99.
20. Oran R. Young, *Compliance and Public Authority: A Theory with International Applications* (Baltimore: Johns Hopkins University Press, 1979), pp. 18–19.
21. Realism, on the other hand, pays attention to reputation for toughness or resolve. See, for example, Jonathan Mercer, *Reputation and International Politics* (Ithaca: Cornell University Press, 1996). Reputation for credibility should also be distinguished from a reputation for social approval, which is related to social pressure rather than self-interest.
22. Keohane, *After Hegemony*, pp. 98–106.
23. Philip B. Heymann, "The Problem of Coordination: Bargaining and Rules," pp. 822–3, *Harvard Law Review*, vol. 86 (March 1973), pp. 797–877.
24. James G. March and Johan P. Olsen, "The Institutional Dynamics of International Political Orders," p. 950, *International Organization*, vol. 52, no. 4 (1998), pp. 943–69. For a neoliberal approach to the prescriptive role of norms with a focus on this type of reputation, see Gelpi, "Crime and Punishment."
25. Andrew Moravcsik, "Taking Preferences Seriously: A Liberal Theory of International Politics," pp. 525–8, *International Organization*, vol. 51, no. 4 (1997), pp. 513–53. This reformulated liberalism, however, should not be regarded as a purely domestic theory since it assumes that the preferences of states are not only shaped by their respective domestic factors, but also are interdependent in the international system. *Ibid.*, pp. 520–4.

26. Martha Finnemore, *National Interests in International Society* (Ithaca: Cornell University Press, 1996), pp. 143–8.
27. Amy Gurowitz, "Mobilizing International Norms: Domestic Actors, Immigrants, and the Japanese State," *World Politics*, vol. 51 (April 1999), pp. 413–45.
28. Robert O. Keohane and Joseph S. Nye, *Power and Interdependence*, 2nd edn. (Harper Collins, 1989), p. 26; Stanley Hoffmann, *Janus and Minerva: Essays in the Theory and Practice of International Politics* (Boulder: Westview Press, 1987), p. 270.
29. Gareth Porter and Janet Welsh Brown, *Global Environmental Politics: Dilemmas in World Politics*, 2nd edn. (Oxford: Westview Press, 1996), p. 16; Andrew Hurrell and Benedict Kingsbury, "The International Politics of the Environment: An Introduction," p. 20, in Andrew Hurrell and Benedict Kingsbury, eds, *The International Politics of the Environment* (Oxford: Clarendon Press, 1992), pp. 1–47; Oran R. Young, "Global Environmental Change and International Governance," p. 14, in Ian Rowlands and Greene Malony, eds, *Global Environmental Change and International Relations* (Basingstoke: Macmillan, now Palgrave, 1991), pp. 6–18.
30. Hasenclever, Mayer, and Rittberger, *Theories of International Regimes*, p. 5 and p. 155. A role player "is not always a mechanical actor." Roles are not completely deterministic; various expected behaviors for a role may be in conflict, and there may be conflict among different roles possessed by a person. Martin Hollis and Steve Smith, *Explaining and Understanding International Relations* (Oxford: Clarendon Press, 1990), p. 156.
31. James G. March and Johan P. Olsen, *Rediscovering Institutions: The Organizational Basis of Politics* (New York: Columbia University Press, 1989), p. 23.
32. In this case, state actors are value-rational in the sense that they behave out of a sense of obligation, rather than goal-rational in the sense that they choose the best option for a certain goal. For a distinction between value rationality and goal rationality, see Max Weber, *The Theory of Social and Economic Organization*, ed. Talcott Parsons (New York: The Free Press, 1947), pp. 115–16. When I use the term "rational" without any adjectives, I mean goal-rational.
33. Hurd, "Legitimacy and Authority in International Politics," p. 387.
34. Hurd regards legitimacy as taken-for-grantedness or "cognitive" as well. For the term "cognitive legitimacy," see Mark C. Suchman, "Managing Legitimacy: Strategic and Institutional Approaches," *Academy of Management Review*, vol. 20, no. 3 (1995), pp. 571–610.
35. Hurd, "Legitimacy and Authority in International Politics," p. 389.
36. Alastair Lain Johnston, "Treating International Institutions as Social Environments," p. 495, *International Studies Quarterly*, vol. 45, no. 4 (2001), pp. 487–515.
37. Note that Oran Young lists six bases of compliance: self-interest; enforcement and inducement (coercion); social pressure; obligation and habit or practice. Young, *Compliance and Public Authority*, pp. 18–25.
38. Hurd, "Legitimacy and Authority in International Politics," p. 381.
39. Thomas M. Franck, *The Power of Legitimacy among Nations* (Oxford: Oxford University Press, 1990), p. 24.
40. Christopher Gelpi, *The Power of Legitimacy: Assessing the Role of Norms in Crisis Bargaining* (Princeton: Princeton University Press, 2003), p. 14.

41. Frank Schimmelfennig, "International Socialization in the New Europe: Rational Action in an Institutional Environment," p. 117, *European Journal of International Relations*, vol. 6, no. 1 (2000), pp. 109–39. Note that Schimmelfennig uses the term "legitimacy" as international reputation of a state. For a similar view, see Finnemore and Sikkink, "International Norm Dynamics and Political Change," pp. 903, 906.
42. Ruggie, "What Makes the World Hang Together?" p. 869. Modern constructivists, unlike postmodernists, adopt the notion of social causality. Albert S. Yee, "The Causal Effect of Ideas on Policies," *International Organization*, vol. 50, no. 1 (1996), pp. 69–108; Emanuel Adler, "Seizing the Middle Ground: Constructivism in World Politics," *European Journal of International Relations*, vol. 3, no. 3 (1997), pp. 319–63.
43. Donald Davidson, "Actions, Reasons, and Causes," p. 693, *The Journal of Philosophy*, vol. 60, no. 23 (1963), pp. 685–700.
44. Friedrich Kratochwil and John Ruggie, "International Organization: A State of the Art on an Art of the State," *International Organization*, vol. 40, no. 4 (1986), pp. 753–75.
45. Franck, *The Power of Legitimacy among Nations*, p. 43.
46. For a similar view, see David Beetham, *The Legitimation of Power* (Basingstoke: Macmillan, now Palgrave 1991), pp. 15–20.
47. Young, *Compliance and Public Authority*, pp. 24–5.
48. Finnemore and Sikkink, "International Norm Dynamics and Political Change," p. 892; Jeffrey W. Legro, "Which Norms Matter? Revising the 'Failure' of Internationalism," p. 33, *International Organization*, vol. 51, no. 1 (1997), pp. 31–63.
49. Yee, "The Causal Effect of Ideas on Policies"; Mark Neufeld, "Interpretation and the 'Science' of International Relations," *Review of International Studies*, vol. 19 (1993), pp. 39–61. Neufeld and Yee refer to this method as "meaning-oriented behaviorism."
50. For a rationalist approach to shared understandings, see James D. Morrow, "Modeling the Forms of International Cooperation: Distribution versus Information," *International Organization*, vol. 48, no. 3 (1994), pp. 387–423.
51. Goldstein and Keohane, "Ideas and Foreign Policy," p. 27.
52. Beetham, *The Legitimation of Power*, pp. 13–14.
53. *Ibid.*, p. 101.
54. Hollis and Smith, *Explaining and Understanding International Relations*, p. 87. This Winchian argument itself is based on Wittgenstein's idea on the rule. Peter Winch, *The Idea of a Social Science and its Relation to Philosophy* (London: Routledge and Kegan Paul, 1958), p. 35; Nicholas Greenwood Onuf, *World of Our Making: Rules and Rule in Social Theory and International Relations* (Columbia, South Carolina: University of South Carolina Press, 1989), Chapter 1.
55. Neta C. Crawford, "The Passion of World Politics: Propositions on Emotion and Emotional Relationships," p. 125, *International Security*, vol. 24, no. 4 (2000), pp. 116–56.
56. By Contrast, John Williams directly applies Beetham's approach to consider the ethical legitimacy of Yugoslavia as a state at both the domestic and the international levels. John Williams, *Legitimacy in International Relations and the Rise and Fall of Yugoslavia* (Basingstoke: Macmillan, now Palgrave, 1998).

57. Neufeld, "Interpretation and the 'Science' of International Relations," pp. 43–4.
58. On this topic, see Yee, "The Causal Effect of Ideas on Policies," pp. 96–8; J. Donald Moon, "The Logic of Political Inquiry: A Synthesis of Opposed Perspectives," pp. 186–91, in Fred I. Greenstein and Nelson W. Polsby, eds, *Political Science: Scope and Theory Vol. 1* (Reading, Mass.: Addison-Wesley, 1975), pp. 131–228.
59. That is Wendt's second principle of constructivism in his 1992 article. Alexander Wendt, "Anarchy is What States Make of It: the Social Construction of Power Politics," p. 403, *International Organization*, vol. 46, no. 2 (1992), pp. 391–425.
60. Michael A. Hogg and John C. Turner, "Social Identity and Conformity: A Theory of Referent Information Influence," *Current Issues in European Social Psychology*, vol. 2 (1987), pp. 139–82; Michael A. Hogg and Dominic Abrams, *Social Identifications: A Social Psychology of Intergroup Relations and Group Processes* (London: Routledge, 1988).
61. For the original terminology of normative and informational influence, see Morton Deutsch and Harold B. Gerard, "A Study of Normative and Informational Social Influence upon Individual Judgment," *Journal of Abnormal and Social Psychology*, vol. 51 (1955), pp. 629–36.
62. John C. Turner, "Towards a Cognitive Redefinition of the Social Group," in Henri Tajfel, ed., *Social Identity and Intergroup Relations* (Cambridge: Cambridge University Press, 1982).
63. Hogg and Turner, "Social Identity and Conformity," p. 142.
64. Social psychology also includes material coercion as a base of normative influence.
65. Charles A. Kiesler and Sara B. Kiesler, *Conformity* (Reading, Mass.: Addison-Wesley Pub. Co., 1969).
66. Johnston, "Treating International Institutions as Social Environments," pp. 505–6.
67. *Ibid.*, p. 495. Note that Johnston equates social influence with normative influence. See also Finnemore and Sikkink, "International Norm Dynamics and Political Change," pp. 902–4; Audie Klotz, *Norms in International Relations: The Struggle against Apartheid* (Ithaca: Cornell University Press, 1995), p. 166.
68. Jeffery T. Checkel, "The Constructivist Turn in International Relations Theory (A Review Essay)," p. 340, *World Politics*, vol. 50 (1998), pp. 324–48.
69. Ronald J. Jepperson, Alexander Wendt, and Peter J. Katzenstein, "Norms, Identity, and Culture in National Security," p. 54 n. 69, in Peter J. Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996), pp. 33–75; Felix E. Oppenheim, "The Language of Political Inquiry: Problems of Clarification," p. 322, in Fred I. Greenstein and Nelson W. Polsby, eds, *Political Science: Scope and Theory vol. 1* (Reading, Mass.: Addison-Wesley, 1975), pp. 283–335.
70. Schimmelfennig, "International Socialization in the New Europe," p. 116.
71. Jon Elster, *Nuts and Bolts for the Social Sciences* (Cambridge: Cambridge University Press, 1989), p. 120. Note that social sanctioning is usually less costly than material sanctioning. Johnston, "Treating International Institutions as Social Environments," p. 511.
72. H. L. A. Hart, *The Concept of Law*, 2nd edn (Oxford: Oxford University Press, 1994), p. 56.

73. Hogg and Turner, "Social Identity and Conformity," p. 143.
74. See, for example, Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, eds, *The Power of Human Rights: International Norms and Domestic Change* (Cambridge: Cambridge University Press, 1999); Thomas Risse, "'Let's argue!': Communicative Action in World Politics," *International Organization*, vol. 54, no. 1 (2000), pp. 1–39; Jeffrey T. Checkel, 'Why Comply? Social Learning and European Identity Change', *International Organization*, vol. 55, no. 3 (2001), pp. 553–88.
75. Risse, "'Let's argue!'," p. 7.
76. The term "externalism" refers to "the view that the content of at least some mental states is constituted by factors external to the mind." Wendt, *Social Theory of International Politics*, p. 173.
77. Hart, *The Concept of Law*, pp. 82–91.
78. Risse, "'Let's argue!'," pp. 10–11. Note that he argues that arguing affects both interests and identities of actors.
79. Hogg and Turner, "Social Identity and Conformity," pp. 139, 150.
80. Some recent explanations of domestic political obligation also rely on the logic of obligation as members of the domestic community. John Horton, *Political Obligation* (Basingstoke: Macmillan, now Palgrave, 1992); John Charvet, "Political Obligation: Individualism and Communitarianism," in Paul Harris, ed., *On Political Obligation* (New York: Routledge, 1990), pp. 65–88. For political obligation, see also A. John Simmons, *Moral Principles and Political Obligations* (Princeton: Princeton University Press, 1979).
81. Emanuel Adler and Michael Barnett, "A Framework for the Study of Security Communities," p. 31, in Emanuel Adler and Michael Barnett, eds, *Security Communities* (Cambridge: Cambridge University Press, 1998), pp. 29–65.
82. Hedley Bull, *The Anarchical Society: A Study of Order in World Politics* (New York: Columbia University Press, 1977), p. 13.
83. Timothy Dunne, "The Social Construction of International Society," *European Journal of International Relations*, vol. 1, no. 3 (1995), pp. 367–89. See also Hasenclever, Mayer, and Rittberger, *Theories of International Regimes*, pp. 169–76; Wendt, *Social Theory of International Politics*, p. 31; Jepperson, Wendt, and Katzenstein, "Norms, Identity, and Culture in National Security," p. 45; Finnemore, *National Interests in International Society*, pp. 17–19.
84. Franck, *The Power of Legitimacy among Nations*, pp. 200–2; Ronald Dworkin, *Law's Empire* (Cambridge: Belknap Press, 1986), pp. 195–202.
85. Franck, *The Power of Legitimacy among Nations*, p. 24. Judging from his definition of legitimacy, he places high priority on procedural legitimacy. Note that H. L. A. Hart does not recognize secondary rules in international society. Hart, *The Concept of Law*, p. 236.
86. Legal scholars used to think that the explicit or implicit consent of states was the only source of international law. Recently more scholars have come to challenge this traditional view. Hart, *The Concept of Law*, pp. 224–6.
87. Franck, *The Power of Legitimacy among Nations*, p. 190.
88. Hasenclever, Mayer, and Rittberger, *Theories of International Regimes*, p. 171.
89. Franck, *The Power of Legitimacy among Nations*, p. 196.
90. Here I draw partially on Beetham's "threefold structure of legitimacy as rule-derived validity, the justifiability of power rules, and expressed consent" and on Schoppa's three elements of the social context that can make coercive international bargaining legitimate: the principle of hierarchy, procedural

- rules, and trust. Beetham, *The Legitimation of Power*, p. 64; Leonard J. Schoppa, "The Social Context in Coercive International Bargaining," *International Organization*, vol. 53, no. 2 (1999), pp. 307–42.
91. See Beetham, *The Legitimation of Power*, pp. 90–7.
  92. Inis L. Claude, "Collective Legitimization as a Political Function of the United Nations," p. 375, *International Organization*, vol. 20 (1966), pp. 367–79. See also I. I. Lukashuk, "Recommendations of International Organizations in the International Normative System," p. 40, in W. E. Butler, ed., *International Law and the International System* (Dordrecht: Martinus Nijhoff Publishers, 1987), pp. 31–45; Jerome Slater, "The Limits of Legitimization in International Organizations: The Organization of American States and the Dominican Crisis," pp. 70–1, *International Organization*, vol. 23, no. 1 (1969), pp. 48–72.
  93. Lukashuk, "Recommendations of International Organizations in the International Normative System," p. 37.
  94. Finnemore and Sikkink, "International Norm Dynamics and Political Change," pp. 901.
  95. Johnston, "Treating International Institutions as Social Environments," pp. 511–2; Michael N. Barnett, "Bringing in the New World Order: Liberalism, Legitimacy, and the United Nations," p. 542, *World Politics*, vol. 49 (1997), pp. 526–51.
  96. Robert Axelrod and Robert O. Keohane, "Achieving Cooperation under Anarchy," pp. 234–8, in Kenneth A. Oye ed., *Cooperation under Anarchy* (Princeton: Princeton University Press, 1986), pp. 226–54; Kenneth Oye, "Explaining Cooperation under Anarchy: Hypotheses and Strategies," pp. 19–20, in Kenneth A. Oye, ed., *Cooperation under Anarchy* (Princeton: Princeton University Press, 1986), pp. 1–24.
  97. Leon Festinger, "A Theory of Social Comparison Processes," *Human Relations*, vol. 7 (1954), pp. 117–40.
  98. Claude, "Collective Legitimization as a Political Function of the United Nations," pp. 371–2.
  99. Barnett, "Bringing in the New World Order," pp. 539–45; Adam Roberts and Benedict Kingsbury, "Introduction: The UN's Roles in International Society since 1945," pp. 19–22, in Adam Roberts and Benedict Kingsbury, eds, *United Nations, Divided World: The UN's Roles in International Relations*, 2nd edn. (Oxford: Clarendon Press, 1993), pp. 1–62.
  100. Consensus does not necessarily mean unanimity. Abram Chayes and Antonia Handler Chayes, *The New Sovereignty: Compliance with International Regulatory Agreements* (Cambridge: Harvard University Press, 1995), p. 352 n. 93. Blaine Sloan defines consensus as "procedure by which decisions were taken when there was no strong opposition." Blaine Sloan, *United Nations General Assembly Resolutions in Our Changing World* (New York: Transnational Publishers, 1991), p. 87n.
  101. I use the terms "principles," "norms," "rules," and "views" interchangeably. For a distinction among the first three terms, see Krasner, "Structural Causes and Regime Consequences," p. 2.
  102. Franck, *The Power of Legitimacy among Nations*, Chapter 10. Note that Franck considers international rules social rather than legal in the domestic sense and thus that he covers non-legal international rules as well.



- He argues that domestic legal obligation is absolute while international social obligation is a matter of degree. *Ibid.*, pp. 37–42.
103. Andrew Hurrell, "International Society and the Study of Regimes: A Reflective Approach," in Volker Rittberger, ed., *Regime Theory and International Relations* (Oxford: Clarendon, 1993), pp. 49–72; Paul Kowert and Jeffery Legro, "Norms, Identity, and Their Limits," in Peter J. Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996), pp. 451–97.
  104. Yuen Foon Khong, *Analogies at War: Korea, Munich, Dien Bien Phu, and the Vietnam Decisions of 1965* (Princeton: Princeton University Press, 1992).
  105. Beetham, *The Legitimation of Power*, p. 73.
  106. Andrew P. Cortell and James W. Davis, Jr, "How Do International Institutions Matter? The Domestic Impact of International Rules and Norms," pp. 456–7, *International Studies Quarterly*, vol. 40 (1996), pp. 451–78; Andrew P. Cortell and James W. Davis, Jr, "Understanding the Domestic Impact of International Norms: A Research Agenda," *International Studies Review*, vol. 2, no. 1 (2000), pp. 65–87; Jeffery T. Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," *International Studies Quarterly*, vol. 43 (1999), pp. 83–114. Their argument does not pay attention to international ideational structure, however.
  107. Checkel, "Norms, Institutions, and National Identity in Contemporary Europe," p. 87. For similar arguments on the domestic impact of international norms, see, for example, Legro, "Which Norms Matter?"
  108. Elizabeth Kier, "Culture and French Military Doctrine before World War II," p. 202, in Peter J. Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics* (New York: Columbia University Press, 1996), pp. 186–215.
  109. Finnemore and Sikkink, "International Norm Dynamics and Political Change," p. 908.
  110. Richard Price, "Reversing the Gun Sights: Transnational Civil Society Targets Land Mines," pp. 628–9, *International Organization*, vol. 52, no. 3 (1998), pp. 613–44.
  111. Goldstein and Keohane, "Ideas and Foreign Policy," p. 10.
  112. Peter M. Haas, "Introduction: Epistemic Communities and International Policy Coordination," p. 3 in Peter M. Haas, ed., *Knowledge, Power, and International Policy Coordination* (Columbia, South Carolina: University of South Carolina Press, 1997), pp. 1–35.
  113. Causal beliefs can be intersubjective as well as cognitive. Peter Katzenstein views them only as cognitive. Katzenstein, "Introduction," p. 20 n. 63.
  114. I mention these kinds of identity, drawing on Wendt's identity typology. See Wendt, *Social Theory of International Politics*, Chapter 5.
  115. *Ibid.*, Chapter 6. Roles are structural while role identities are perceptual. Note that Wendt uses these role concepts limitedly as roles concerning the use of violence.
  116. Hogg and Abrams, *Social Identifications*, Chapter 8; Hogg and Turner, "Social Identity and Conformity."
  117. Hogg and Abrams, *Social Identifications*, Chapter 4.
  118. Adler and Barnett, "A Framework for the Study of Security Communities," p. 45.
  119. Crawford, "The Passion of World Politics," pp. 134–5, 144, 154.

120. The relationship between non-rationalist factors such as legitimacy and rationalist factors such as coercion and self-interest remains an important question to constructivism. Kowert and Legro, "Norms, Identity, and Their Limits," pp. 490–1; Peter J. Katzenstein, Robert O. Keohane, and Stephen D. Krasner, "International Organization and the Study of World Politics," pp. 680–2, *International Organization*, vol. 52, no. 4 (1998), pp. 645–85.
121. Johnston, "Treating International Institutions as Social Environments," p. 496.
122. Schimmelfennig, "International Socialization in the New Europe," p. 11.
123. March and Olsen, "The Institutional Dynamics of International Political Orders," p. 952.
124. Adler, "Seizing the Middle Ground," p. 326. For positivism and postpositivism, see Steve Smith, Ken Booth, and Marysia Zalewski, *International Theory: Positivism and Beyond* (Cambridge: Cambridge University Press, 1996).
125. Kratochwil and Ruggie, "International Organization," p. 764. See also Kratochwil, "The Force of Prescription," especially, pp. 703–7; Bull, *The Anarchical Society*, pp. 132–3; Chayes and Chayes, *The New Sovereignty*, pp. 113–14.
126. Jepperson, Wendt, and Katzenstein, "Norms, Identity, and Culture in National Security," pp. 67–8.
127. Kratochwil and Ruggie, "International Organization," pp. 764–8. For Kratochwil and Ruggie's list of representative interpretivist works, see *ibid.*, p. 771 n. 65.
128. Mark Hoffman, "Normative International Theory: Approaches and Issues," p. 28, in A. J. R. Groom and Margot Light, eds, *Contemporary International Relations: A Guide to Theory* (London: Pinter, 1994), pp. 27–44.
129. Moon, "The Logic of Political Inquiry," pp. 173–4. For a distinction between constitution and causation, see Alexander Wendt, "On Constitution and Causation in International Relations," *Review of International Studies*, vol. 19 (1998), pp. 321–47.
130. For the texts of relevant international conventions, I consulted the appendix entitled "Texts of Conventions" of Simon Lyster, *International Wildlife Law* (Cambridge: Grotius, 1985); Ministry of Foreign Affairs, Law of the Sea Division, *Kokuren kaiyôhô jôyaku: Eiwa taiyaku* [United Nations Convention on the Law of the Sea: Japanese Translation with the Original in English] (Tokyo: Nihon Kaiyô Kyôkai, 1987).
131. A good example is a book written by Akao Toshinobu as incumbent Ambassador for the Global Environment. Akao Toshinobu, *Chikyû wa uttaeru: Taikenteki chikyû kankyô gaikôron* [An Agenda for Global Survival: An Ambassador Reflects on Environmental Protection] (Tokyo: Sekai no Ugokisha, 1993).
132. Klotz, *Norms in International Relations*, p. 32 n. 39.
133. For a process tracing method, see Alexander L. George and Timothy McKeown, "Case Studies and Theories of Organization Decision Making," *Advances in Information Processing in Organizations*, vol. 2 (1985), pp. 21–58.
134. For single-country research, see James N. Rosenau, "Toward Single-Country Theories of Foreign Policy: The Case of the USSR," in Charles F. Hermann, Charles W. Kegley, Jr, and James N. Rosenau, eds, *New Directions in the Study of Foreign Policy* (Boston: Allen & Unwin, 1987), pp. 53–74.

135. For various examples of global prohibition norms, see Ethan A. Nadelmann, "Global Prohibition Regimes: the Evolution of Norms in International Society," *International Organization*, vol. 44, no. 4 (1990), pp. 479–526.
136. Kowert and Legro, "Norms, Identity, and Their Limits," p. 485.
137. For the replication logic, see Robert K. Yin, *Case Study Research: Design and Methods*, 2nd edn (Thousand Oaks, California: Sage, 1994), pp. 45–50.
138. See, for example, J. A. A. Stockwin, "Dynamic and Immobilist Aspects of Japanese Politics," p. 16, in J. A. A. Stockwin, Alan Rix, Aurelia George, James Horne, Daiichi Itô, and Martin Collick, eds, *Dynamic and Immobilist Politics in Japan* (Basingstoke: Macmillan now Palgrave, 1988), pp. 1–21.
139. For selection bias, see, for example, Gary King, Robert O. Keohane, and Sidney Verba, *Designing Social Inquiry: Scientific Inference in Qualitative Research* (Princeton: Princeton University Press, 1994), p. 128–49.
140. Hanns W. Maull, "Japan's Global Environmental Policies," p. 354, in Andrew Hurrell and Benedict Kingsbury, eds, *The International Politics of the Environment* (Oxford: Clarendon Press, 1992), pp. 354–72; Sharon Begley with Hedeko Takayama and Mary Hager, "The World's Eco-Outlaw?" *Newsweek* (May 1, 1989), p. 54.
141. Harry Eckstein, "Case Study and Theory in Political Science," pp. 104–13, in Fred I. Green and Nelson Polsby, eds, *Handbook of Political Science Volume 7: Strategies of Inquiry* (Reading: Addison-Wesley, 1975), pp. 79–137.

### Chapter 3

1. These regimes are linked to each other. Pelagic commercial whaling is part of high seas fishing; trade in endangered fish and whale (meat) is covered by the CITES regime.
2. Malcolm N. Shaw, *International Law*, 3rd edn (Cambridge: Grotius, 1991), pp. 337–8. The convention entered into force in 1962, and Japan became a party to the convention by accession in 1968.
3. World Commission on Environment and Development (WCED), *Our Common Future: The Report of the World Commission on Environment and Development* (Oxford: Oxford University Press, 1987), pp. 261–2.
4. For various international fisheries commissions, see, for example, M. J. Peterson, "International Fisheries Management," in Peter M. Haas, Robert O. Keohane, and Marc A. Levy, eds, *Institutions for the Earth: Sources of Effective International Environmental Protection* (Cambridge: The MIT Press, 1993), pp. 249–305.
5. New Zealand Ministry of External Relations and Trade, *The South Pacific Forum: 21 Years of Regional Cooperation* (Wellington, December 1991), pp. 9–10.
6. Ministry of Foreign Affairs and Environment Agency, eds, *Kokuren kankyô kaihatsu kaigi shiryôshû* [Collection of Materials for UNCED] (Tokyo: Ministry of Finance, Printing Bureau, 1993), pp. 190–4.
7. Andy Crump, *Dictionary of Environment and Development: People, Places, Ideas and Organizations* (London: Earthscan, 1991), pp. 100–1.
8. Shaw, *International Law*, pp. 339, 362–3; WCED, *Our Common Future*, p. 274; Peterson, "International Fisheries Management," p. 250.

9. For "archipelagic States," see Part IV of UNCLOS.
10. Japan Fisheries Association, *Fisheries of Japan 1991* (Tokyo, 1991), p. 24.
11. *Ibid.*, p. 15.
12. Fisheries Agency, *Gyogyô hakusho: Heisei 3 nendo* [White Paper on Fisheries: Fiscal Year 1991] (Tokyo: Nôrin Tôkei Kyôkai, 1992), p. 21.
13. *Ibid.*, p. 16. However, the production value was declining from 1984 because Japan stopped catching lucrative fish in foreign EEZs. Japan Fisheries Association, *Fisheries of Japan 1991*, p. 2.
14. UN General Assembly, 2nd Committee, 46th Session, Official Records, *Summary Record of the 52nd Meeting A/C.2/46/SR. 52* (December 11, 1991), para. 61; UN General Assembly, 46th Session, *Provisional Verbatim Record of the 79th Meeting A/46/PV.79* (January 8, 1992), pp. 64–6; *Nihon keizai shinbun* (December 21, 1991, evening edition), p. 2.
15. The IWC has lacked enforcement power. Melvyn Reader, "Profile: the International Whaling Commission (IWC)," pp. 82–3, *Environmental Politics*, vol. 2, no. 1 (1993), pp. 81–5.
16. Sakuramoto Kazumi, "Kujirarui shigen no kanri to IWC" [Management of Whale Resources and the IWC], pp. 98, 100, in Kitahara Takeshi, ed., *Kujira ni manabu* [Learning from Whales] (Tokyo: Naruyamadô Shoten, 1996), pp. 98–122.
17. Peter J. Stoett, *The International Politics of Whaling* (Vancouver: UBC Press, 1997), p. 157.
18. M. J. Peterson, "Whalers, Cetologists, Environmentalists, and the International Management of Whaling," p. 149, in Peter M. Haas, ed., *Knowledge, Power, and International Policy Coordination* (Columbia: University of South Carolina Press, 1997), pp. 147–86.
19. Julian Gresser, Koichiro Fujikura, and Akio Morishima, *Environmental Law in Japan* (Cambridge: MIT Press, 1981), p. 372.
20. Katô Yoshinobu, "Hogei to nihonjin" [Whaling and the Japanese], p. 82, *Dokkyô daigaku kyôyô shokagaku kenkyû*, vol. 28, no. 1 (September 1993), pp. 82–98.
21. Stoett, *The International Politics of Whaling*, p. 58.
22. Peterson, "Whalers, Cetologists, Environmentalists, and the International Management of Whaling," p. 182.
23. IWC, *Twenty-Fourth Meeting* (London, 1972), pp. 5–6.
24. Fukuzo Nagasaki, "The Case for Scientific Whaling," p. 189, *Nature*, vol. 344 (March 15, 1990), pp. 189–90.
25. Nakajima Keiichi, "Hogei mondai ni kansuru futatsu no sokumen" [Two Perspectives regarding the Whaling Issue], p. 20, *Refarensu* (May 1994), pp. 5–36; Kawashima Noboru, "Hogei saikai no michi kewashi" [A Long Way to Resumption of Whaling], p. 24, *Zen'ei* (July 1993), pp. 24–6.
26. House of Representatives, Secretariat, *Shûgiin nôrinsuisan iinkai kaigiroku* [Minutes of the Standing Committee on Agriculture, Forestry and Fisheries, House of Representatives] (July 29, 1987), p. 6.
27. *Ibid.*, (July 28, 1987), p. 3; Suisan Nenkan Henshû Inkaï, ed., *Suisan nenkan 1989* [Fisheries Yearbook 1989] (Tokyo: Suisansha, 1989), p. 23.
28. The IWC has granted observer status to a large number of intergovernmental and nongovernmental organizations. Nakajima, "Hogei mondai ni kansuru futatsu no sokumen," p. 32; Reader, "Profile," p. 84.

29. Sakuramoto, "Kujirarui shigen no kanri to IWC," pp. 98, 102–6.
30. Reader, "Profile," pp. 82–3; *The Independent* (July 2, 1990). On the other hand, Japan was allegedly also involved in political maneuvering. A Japanese Diet member Yamada Kôzaburô, who established the Japan-Seychelles Association, quoted Seychelles's Minister as saying that a Japanese ambassador conditioned its aid to Seychelles on taking the side of Japan in the IWC in the early 1980s. House of Councillors, Secretariat, *Sangiin nôrinsuisan iinkai kaigiroku* [Minutes of the Standing Committee on Agriculture, Forestry, and Fisheries, House of Councillors] (July 30, 1987), pp. 27–8.
31. House of Councillors, *Sangiin nôrinsuisan iinkai kaigiroku* (July 30, 1987), p. 7. See also House of Representatives, *Shûgiin nôrinsuisan iinkai kaigiroku* (July 29, 1987), p. 7.
32. Doi Zenjirô, *Saikin hogen hakusho* [White Paper on Recent Whaling] (Tokyo: Maruzen, 1992), p. 28.
33. IWC, *Thirty-Third Report of the International Whaling Commission* (Cambridge 1983), p. 21.
34. Komatsu Renpei, "Kujira to keizai masatsu" [Whales and Economic Friction], p. 93, *Chuô kôron* (April 1986), pp. 82–109.
35. House of Representatives, Secretariat, *Shûgiin yosan iinkai kaigiroku* [Minutes of the Standing Committee on Budget, House of Representatives] (February 20, 1992), p. 17; *The Japan Times* (8 November 1994); Komatsu, "Kujira to keizai masatsu," pp. 97–8; Umezaki Yoshito, "Shigen hogo dewanaku jinshu sabetu shisô da" [Not Resource Conservation but Racial Thought], p. 19, *Sekai shûhô* (July 21, 1987), p. 18–21.
36. *The Times* (June 26, 1987). See also Peterson, "Whalers, Cetologists, Environmentalists, and the International Management of Whaling," pp. 172–3.
37. Stoett, *The International Politics of Whaling*, p. 87; Akao Toshinobu, *Chikyû wa uttaeru: Taikenteki chikyû kankyô gaikôron* [An Agenda for Global Survival: An Ambassador Reflects on Environmental Protection] (Tokyo: Sekai no Ugokisha, 1993), p. 157.
38. Christopher S. Gibson, "Narrow Grounds for a Complex Decision: The Supreme Court's Review of an Agency's Statutory Construction in *Japan Whaling Association v. American Cetacean Society*," p. 486, *Ecology Law Quarterly*, vol. 14 (1987), pp. 485–516.
39. Komatsu, "Kujira to keizai masatsu," pp. 89–90; Nakajima, "Hogen mondai ni kansuru futatsu no sokumen," p. 20.
40. A former MOFA official, interview by author (Tokyo, July 8, 1999).
41. Meanwhile, environmentalists filed suit against him, arguing that the Secretary of Commerce must certify Japan as a nation diminishing the effectiveness of the ICRW. The Supreme Court held that the Secretary had discretion in certification under the Pelly Amendment and the Packwood-Magnuson Amendment. For more details of this case, see Gibson, "Narrow Grounds for a Complex Decision."
42. House of Representatives, *Shûgiin nôrinsuisan iinkai kaigiroku* (July 28, 1987), p. 3 and (July 29, 1987), p. 6; Suisan Nenkan Henshû Iinkai, ed., *Suisan nenkan 1989*, p. 22.
43. *Nihon keizai shinbun* (May 23, 1987, evening edition), p. 2; David Day, *The Whale War*, updated edn (London: Grafton, 1992), p. 125.

44. IWC, *Forty-First Report of the International Whaling Commission* (Cambridge, 1991), Table 1, pp. 59, 62; *Mainichi shinbun* (July 5, 1989), p. 3; *The Financial Times* (July 5, 1990).
45. IWC, *Forty-Second Report of the International Whaling Commission* (Cambridge, 1992), p. 25; Fisheries Agency, *Gyogyô hakusho: Heisei 3 nendo*, pp. 19–20; *Nihon keizai shinbun* (May 28, 1991), p. 9; *Mainichi shinbun* (June 1, 1991), p. 3.
46. IWC, *Forty-Third Report of the International Whaling Commission* (Cambridge, 1993), p. 40.
47. Arne Kalland, “Whose Whale is That? Diverting the Commodity Path,” p. 168, in Milton M. R. Freeman and Urs P. Kreuter, eds, *Elephants and Whales: Resources for Whom?* (Basel, Switzerland: Gordon and Breach Science Publishers, 1994), pp. 159–86.
48. Stoett, *The International Politics of Whaling*, pp. 38, 131, 160.
49. IWC, “Intersessional Meeting of the Working Group on the Revised Management Scheme” [cited August 20, 2001], available from <http://ourworld.com-putserve.com/homepages/iwcoffice/Monaco.htm>.
50. *The Financial Times* (June 30, 1992); *Asahi shinbun* (June 29, 1992, evening edition), p. 14. Although Japan, USSR, and Peru withdrew their opposition to the whaling moratorium in 1987, Norway did not do so. Thus, it was legal for Norway to resume commercial whaling.
51. *The Guardian* (July 4, 1992); *Asahi shinbun* (July 4, 1992), p. 3.
52. Fisheries Agency, *Gyogyô hakusho: Heisei 3 nendo*, p. 20.
53. Government of Japan, *Environment and Development: Japan's Experience and Achievement* (Tokyo, December 1991), p. 13; Shima Kazuo, “Hogei mondai wo kangaeru” [Consideration of the Whaling Issue], p. 395, *Sekai* (August 1990), pp. 395–9.
54. IWC, *Forty-First Report of the International Whaling Commission*, p. 15; *Asahi shinbun* (August 4, 1990), p. 4; *Asahi shinbun* (May 27, 1991), p. 22; *Asahi shinbun* (July 4, 1992), p. 3.
55. Gareth Porter and Janet Welsh Brown, *Global Environmental Politics: Dilemmas in World Politics*, 2nd edn. (Oxford: Westview Press, 1996), p. 81; *The Financial Times* (October 9, 1989).
56. Akao, *Chikyû wa uttaeru*, p. 171.
57. Porter and Brown, *Global Environmental Politics*, p. 82; Nishimiya Hiroshi, “Washinton jôyaku niokeru yasei dôshokubutsu no hogo” [Protection of Wild Fauna and Flora in the Washington Convention], p. 8, *Kankyô* (January 1988), pp. 6–9.
58. Kobayashi Tôru, “Mizugiwa kisei no gaiyô” [Outline on the Shoreline Regulations], p. 11, *Kankyô* (January 1988), pp. 10–12; Kaneko Yoshio, “Washinton jôyaku: Shu no hogo to eizokuteki riyô” [The Washington Convention: Species Protection and Sustainable Utilization], p. 25, *Kankyô* (January 1988), pp. 23–7. The seven ministries were the Environment Agency, the Ministry of International Trade and Industry, the Ministry of Foreign Affairs, the Ministry of Agriculture, Forestry, and Fisheries, the Ministry of Finance, the Ministry of Health and Welfare, and the Cabinet Councillors’ Office on Internal Affairs.
59. Nishimiya, “Washinton jôyaku niokeru yasei dôshokubutsu no hogo,” p. 8; Hirayama Yoshiyasu, “Dai 6 kai Washinton jôyaku teiyakukoku kaigi ni shusseki shite” [After Attendance at the sixth Conference for the Parties of the Washington Convention], *Kankyô* (January 1988), pp. 61–2.

60. Government of Japan, *Environment and Development*, p. 77. For more information on this law, see “Kishō yasei dôshokubutsu no kokunai torihiki kisei hō” [Law for the Regulation of the Transfer of Endangered Species of Wild Fauna and Flora], *Kankyō* (January 1988), pp. 6–27.
61. Akao, *Chikyū wa uttaeru*, p. 173.
62. Environment Agency, *Kankyō hakusho: Shōwa 63 nenban* [White Paper on the Environment: 1988] (Tokyo: Ministry of Finance, Printing Bureau, 1988), p. 97.
63. For a recent account of Japan in the CITES regime, see Phyllis Mofson, “The Behavior of States in an International Wildlife Conservation Regime: Japan, Zimbabwe and CITES” (PhD dissertation, Faculty of the Graduate School, University of Maryland, 1996).
64. Ministry of Foreign Affairs, *How Japan is Dealing with Global Environmental Issues* (Tokyo, 1990), p. 12.
65. *Asahi shinbun* (October 18, 1989), p. 3; *The Financial Times* (October 18, 1989).
66. Ministry of Foreign Affairs, *Japan’s Environmental Endeavors* (Tokyo, 1992), p. 15. See also Akao, *Chikyū wa uttaeru*, pp. 172–3.
67. Environment Agency, Nature Conservation Bureau, Wildlife Protection Division, *Wildlife Conservation in Japan* (Tokyo, 1997), p. 11.
68. *Nihon keizai shinbun* (March 2, 1992, evening edition), p. 15; *Osaka Yomiuri shinbun* (March 12, 1992, evening edition), p. 2; *The Japan Times* (March 14, 1992).
69. Hiraishi Takatoshi, “Dōbutsu kaihō no riron” [A Theory of Animal Liberation], in Kamo Naoki and Tanimoto Mitsuo, eds, *Kankyō shisō wo manabu hito no tameni* [For Learners of Environmental Philosophy], 4th edn (Tokyo: Sekai Shisōsha, 1998), pp. 184–98. For the topic of environmental ethics, see, for example, Robert Elliot, ed., *Environmental Ethics* (Oxford: Oxford University Press, 1995).
70. John Passmore, *Man’s Responsibility for Nature: Ecological Problems and Western Traditions*, 2nd edn. (London: Duckworth, 1980), pp. 73, 101.
71. *Ibid.*, pp. 3, 101, 125–6. See also John Passmore, “Attitude to Nature,” in Robert Elliot, ed., *Environmental Ethics* (Oxford: Oxford University Press, 1995), pp. 129–41.
72. J. Baird Callicott, “Animal Liberation: A Triangular Affair,” in Robert Elliot, ed., *Environmental Ethics* (Oxford: Oxford University Press, 1995), pp. 29–59.
73. Peter Singer, *Animal Liberation*, new revised edn. (New York: Avon, 1990), pp. 8–9.
74. Hiraishi, “Dōbutsu kaihō no riron,” p. 193.
75. Tom Regan, *The Case for Animal Rights* (Berkeley: University of California Press, 1983), p. 243. Note that Regan differentiates the concept of inherent value from that of intrinsic value such as pleasure and pain. See *ibid.*, pp. 235–9.
76. *Ibid.*, p. 239.
77. *Ibid.*, pp. 276–80.
78. *Ibid.*, p. 264. For moral patients, see *ibid.*, pp. 151–6. See also Hiraishi, “Dōbutsu kaihō no riron,” pp. 195–6.
79. Sudō Jiyūji, “Shizen hogo wa naniwo mezasunoka” [What is the Aim of Protecting Nature?], p. 159, in Katō Hisatake, ed., *Kankyō to rinri: Shizen to ningen no kyōsei wo mezashite* [Environment and Ethics: Toward Symbiosis between Nature and Humans] (Tokyo: Yūhikaku, 1998), pp. 149–67.
80. IUCN, UNEP, and WWF, *World Conservation Strategy: Living Resource Conservation for Sustainable Development* (Gland, Switzerland, 1980), p. iv.

81. *Ibid.*, Section 1.
82. The second report supports the continuation of the commercial whaling moratorium, but gives no reason for it. IUCN, UNEP, and WWF, *Caring for the Earth: A Strategy for Sustainable Living*, trans. WWF Japan (Tokyo: Shōgakukan, 1992), Chapters 4 and 16.
83. Akao, *Chikyū wa uttaeru*, p. 141.
84. The concept of animal rights is as old as the late nineteenth century. In 1892, Henry Salt published a book on animal rights, which was reprinted a century later. Henry Salt, *Animal's Rights Considered in Relation to Social Progress*, new edn (Clark's Summit, Pennsylvania: Society for Animal Rights, 1980).
85. On international environmental NGOs, see Thomas Princen and Matthias Finger, *Environmental NGOs in World Politics: Linking the Local and the Global* (London: Routledge, 1994); Margaret E. Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998), Chapter 4; Lasse Ringius, "Environmental NGOs and Regime Change: The Case of Ocean Dumping of Radioactive Waste," *European Journal of International Relations*, vol. 3, no. 1 (1997), pp. 61–104.
86. Andrew Hurrell, "International Society and the Study of Regimes: A Reflective Approach," p. 66, in Volker Rittberger, ed., *Regime Theory and International Relations* (Oxford: Clarendon, 1993), pp. 49–72.
87. Kalland, "Whose Whale is That?" p. 180.
88. A driftnet prohibition norm was also promoted by fishermen who were politically influential around the South Pacific Ocean and on the West Coast of the United States and Canada.
89. Arne Kalland and Brian Moeran, *Japanese Whaling: End of an Era* (London: Curzon Press, 1992), pp. 10–11.
90. Michael Brown and John May, *The Greenpeace Story*, 2nd edn, trans. Nakano Haruko (Tokyo: Yama-Kei Publishers, 1995), p. 331.
91. Milton M. R. Freeman, "Science and Trans-science in the Whaling Debate," p. 145, in Milton M. R. Freeman and Urs P. Kreuter, eds, *Elephants and Whales: Resources for Whom?* (Basel, Switzerland: Gordon and Breach Science Publishers, 1994), pp. 143–57.
92. Al Gore, *Earth in the Balance: Ecology and the Human Spirit* (New York: Houghton Mifflin Company, 1993), p. 24.
93. Linda Starke, *Signs of Hope: Working Towards Our Common Future* (Oxford: Oxford University Press, 1990), p. 25.
94. New Zealand Ministry of Environment and Ministry of External Relations and Trade, *New Zealand's National Report to the United Nations Conference on Environment and Development* (Wellington, 1992), p. 53.
95. Crump, *Dictionary of Environment and Development*, pp. 32–3.
96. Fuji Research Institute, *Kankyō yōran '92* [Handbook on the Environment, 1992] (Tokyo: Kokon Shoin, 1992), p. 31.
97. WCED, *Our Common Future*, p. 13
98. *Ibid.*, p. 43.
99. See, for example, Pratap Chatterjee and Matthias Finger, *The Earth Brokers: Power, Politics and World Development* (London: Routledge, 1994), pp. 13–29.
100. WCED, *Our Common Future*, pp. 29–31.
101. New Zealand Ministry of External Relations and Trade, *United Nations Conference on Environment and Development: Report* (Wellington, 1993), p. 43;



- New Zealand Ministry of External Relations and Trade, *International Whaling Commission Annual Meeting: Brief* (Wellington, 1992), p. 55. See also Akao, *Chikyū wa uttaeru*, pp. 166–7; Ministry of Foreign Affairs and Environment Agency, eds, *Kokuren kankyō kaiatsu kaigi shiryōshū*, pp. 192–4; New Zealand Ministry of External Relations and Trade, Environment Division, *UNCED '92 Information* (Wellington, 1992).
102. Sakuramoto, “Kujirarui shigen no kanri to IWC,” pp. 104–6; *The Independent* (May 28, 1991). Immediately, Japan filed an objection to the sanctuary under Article 5.3 of the Convention.
  103. Caroline Thomas, *The Environment in International Relations* (London: The Royal Institute of International Affairs, 1992), p. 73.
  104. Brendan F. D. Barrett and Riki Therivel, *Environmental Policy and Impact Assessment in Japan* (London: Routledge, 1991), Chapter 5; Helmut Weidner, “Japanese Environmental Policy in an International Perspective: Lessons for a Preventive Approach,” p. 494, in Shigetō Tsuru and Helmut Weidner, eds, *Environmental Policy in Japan* (Berlin: Edition Sigma, 1989), pp. 479–552. See also Government of Japan, *Environment and Development*, pp. 56–9.
  105. OECD, *OECD Environmental Performance Reviews: Japan* (Paris, 1994), p. 187.
  106. Arne Kalland and Pamela J. Asquith, “Japanese Perceptions of Nature: Ideals and Illusions,” p. 31, in Pamela J. Asquith and Arne Kalland, eds, *Japanese Images of Nature: Cultural Perspectives* (Surrey: Curzon, 1997), pp. 1–35.
  107. Government of Japan, *Environment and Development*, p. 67.
  108. Isao Miyaoka, “Policy Legacies: Japan’s Responses to Domestic and International Environmental Problems,” *Occasional Paper, Program on U.S.–Japan Relations*, Harvard University (September 2000).
  109. Government of Japan, *Environment and Development*, p. 77. In 1972, the Law for the Regulation of the Transfer of Special Birds was enacted to protect endangered birds in Japan and other countries.
  110. *Ibid.*, p. 59.
  111. Prime Minister’s Office, *Kankyō mondai ni kansuru chōsa* [Survey on Environmental Issues] (1988) and European Community, *The Europeans and Their Environment in 1986* (1986) (both quoted from Environment Agency, *Kankyō hakusho: Shōwa 63 nenban* [White Paper on the Environment, 1988] (Tokyo: Ministry of Finance, Printing Bureau, 1988), p. 119).
  112. Environment Agency, *Wildlife Conservation in Japan*, pp. 2–4.
  113. World Resources Institute, *World Resources 1992–93: A Guide to the Global Environment* (Oxford: Oxford University Press, 1992), pp. 237, 247.
  114. For an account of the impact of the agreement on Japanese economy, see, for example, Reinhard Drifte, *Japan’s Foreign Policy* (London: Routledge, 1990), Chapter 6. In September 1985, the exchange rate was 230 yen to the US dollar; by January 1989, it was just 128 yen. *Ibid.*, p. 71.
  115. Sharon Begley with Hedeko Takayama and Mary Hager, “The World’s Eco-Outlaw?” *Newsweek* (May 1, 1989), p. 54.
  116. Government of Japan, *Environment and Development*, p. 63.
  117. Hanns W. Maull, “Japan’s Global Environmental Policies,” p. 363, in Andrew Hurrell and Benedict Kingsbury, eds, *The International Politics of the Environment* (Oxford: Clarendon Press, 1992), pp. 354–72.
  118. Government of Japan, *Environment and Development*, p. 63.

119. Following calls for an international agreement on the world's forests at the Houston Summit in July 1990, an agreement on non-legally binding forest principles was reached at UNCED. Akao, *Chikyū wa uttaeru*, p. 212.
120. Mototani Isao, *Chikyū kankyō mondai dokuhon* [Textbook on Global Environmental Problem] (Tokyo: Tōyō Shoten, 1992), p. 139. See also Yuko Inoue, "Japan: A Thriving Market for Endangered Species," *The Japan Economic Journal* (July 15, 1989), p. 28.
121. Fuji Research Institute, *Kankyō yōran '92*, p. 309.
122. Environment Agency, Global Environment and Economy Study Group, *Chikyū kankyō no seiji keizaigaku* [Political Economics on the Global Environment] (Tokyo: Daiyamondosha, 1990), p. 223.
123. Day, *The Whale War*, p. 143; *The Guardian* (May 27, 1991); *The Times* (June 26, 1987). In 1991, however, Japan stopped the import of whale meat. Officially, the whale meat regulated under the IWC has entered the Japanese market from three sources since 1992: scientific whaling, frozen stocks from the pre-moratorium era and bycatch of whales by Japanese fishermen. *TRAFFIC Japan Newsletter*, vol. 11, no. 1 (November 8, 1995), pp. 8, 12; *Nihon keizai ryūtsū shinbun* (December 17, 1992), p. 13.
124. Although Japan was the world's largest exporter of fish products at one time, in 1987 Japan's exports accounted for only 5 percent of the world's total trade in fish thereby ranking tenth behind Canada, the United States, Denmark, Korea, Norway, Thailand, Iceland, the Netherlands, and China. In 1989, its exports of fish were valued at US \$1,354 million, US \$282 million of which was exported to the United States. Japan Fisheries Association, *Fisheries of Japan 1991*, pp. 5–7.
125. OECD, *OECD Environmental Indicators 1991* (Paris, 1991), p. 43. From 1984 to 1988, Japan maintained its annual marine catch (excluding fish farming) at about 11 million tons. Environment Agency, *Kankyō hakusho: Heisei 4 nenban sōron*, p. 90.
126. See Fisheries Agency, *Gyogyō hakusho: Heisei 3 nendo*.
127. Ishi Hiroyuki, Okajima Shigeyuki, and Hara Tsuyoshi, *Tettei tōron: Chikyū kankyō* [Thorough Discussion: The Global Environment] (Tokyo: Fukutake Shoten, 1992), p. 173.
128. World Resources Institute, *World Resources 1992–93*, p. 178.
129. *Ibid.*, p. 175.
130. Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1993*, pp. 292, 293, 300, 303.
131. Fisheries Agency, *Gyogyō hakusho: Heisei 3 nendo*, pp. 16–17, 24; Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1993*, pp. 89–90; *Yomiuri shinbun* (April 17, 1992, evening edition), p. 2; *The Japan Times* (April 18, 1992); *Asahi shinbun* (May 12, 1992), p. 5. Some Japanese argued that these fishing regulations reflected "Japan bashing." *Yomiuri shinbun* (December 19, 1991), p. 15.
132. Fisheries Agency, *Gyogyō hakusho: Heisei 3 nendo*, pp. 122, 130–1; *Nihon keizai shinbun* (May 11, 1991), p. 3. Japan ratified the UNCLOS in June 1996, and then set up its EEZ. *Asahi shinbun* (February 25, 1996), p. 5; *Asahi shinbun* (December 15, 1996), p. 8.
133. Government of Japan, *Environment and Development*, pp. 12–13. See also Fisheries Agency, *Gyogyō hakusho: Heisei 3 nendo*, p. 127.
134. Government of Japan, *Environment and Development*, p. 4.

135. Ministry of Foreign Affairs, *Japan's Environmental Endeavors*, p. 4.
136. *The Financial Times* (June 15, 1992).

## Chapter 4

1. UN General Assembly, 45th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas: Report of the Secretary-General A/45/663* (October 26, 1990), pp. 19–36.
2. *Asahi shinbun* (November 4, 1989), p. 3; *Nihon keizai shinbun* (November 4, 1989), p. 1; *The International Herald Tribune* (November 8, 1989).
3. *Nihon keizai shinbun* (November 26, 1989, evening edition), pp. 1, 19.
4. UN General Assembly Resolution 44/225: Large-scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas, in UN General Assembly, 44th Session, Official Records, Supplement 49, *Resolutions and Decisions Adopted by the General Assembly during its Forty-Fourth Session: Volume I A/44/49* (1989), pp. 147–8.
5. South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean – Issues and Impacts: The South Pacific Perspective* (submitted to the Secretary-General of the United Nations, August 1991), pp. 43–50.
6. World Resources Institute, *World Resources 1992–93: A Guide to the Global Environment* (Oxford: Oxford University Press, 1992), p. 181; *The Guardian* (September 27, 1991); *The Daily Telegraph* (October 5, 1991); *Asahi shinbun* (October 30, 1991), p. 11; *The Financial Times* (August 25, 1992).
7. Ono Seichirō, “Kōkai shigen no gōriteki riyō eno teigen” [Suggestions toward Rational Utilization of High Seas Resources], p. 209, in Kitahara Takeshi, ed., *Kujira ni manabu* [Learning from Whales] (Tokyo: Naruyamadō Shoten, 1996), pp. 208–24.
8. The fishing that expanded onto the high seas was placed under a limited entry licensing system in 1990, which allowed more than 200 boats. At the beginning of 1992, a ban was introduced in this fishing as well. In 1990, approximately, 2000 fishermen on 150 vessels produced a yield of 30,000 tons. Ministry of Foreign Affairs, Fisheries Division, “Kōkai nagashiami gyogyō mondai” [High Seas Driftnet Fishing Issue], (Tokyo, June 18, 1992), p. 1; *Yomiuri shinbun* (November 26, 1991, evening edition), p. 2.
9. Japan Fisheries Association, “The High Seas Driftnet Issue: What is Known and What is Not Known” (Tokyo, March 1991).
10. Japan Fisheries Association, “The High Seas Driftnet Issue”; *Asahi shinbun* (October 16, 1990), p. 29.
11. South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean*, p. 38.
12. *Ibid.*, p. 5; *Asahi shinbun* (July 29, 1989), p. 4.
13. Japan Fisheries Association, *Fisheries of Japan 1991* (Tokyo, 1991), p. 24.
14. *Yomiuri shinbun* (April 12, 1989), p. 13.
15. Fisheries Agency, *Gyogyō hakusho: Heisei 3 nendo* [White Paper on Fisheries: Fiscal Year 1991] (Tokyo: Nōrin Tōkei Kyōkai, 1992), p. 23; *The International Herald Tribune* (November 27, 1991).
16. Japan Fisheries Association, “The High Seas Driftnet Issue.”
17. *Yomiuri shinbun* (August 4, 1989), p. 11.
18. South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean*, p. 6.

19. *The Christian Science Monitor* (July 27, 1989).
20. *Nihon keizai shinbun* (September 29, 1989, evening edition), p. 2; *The International Herald Tribune* (September 25, 1989).
21. *Asahi shinbun* (April 15, 1989, evening edition), p. 2.
22. *Mainichi shinbun* (September 30, 1989, evening edition), p. 2.
23. South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean*, p. 8.
24. The numbers are based on estimates made by the SPF Fisheries Agency. *Asahi shinbun* (July 29, 1989), p. 4.
25. Kazuo Sumi, "International Legal Issues concerning the Use of Driftnets with Special Emphasis on Japanese Practices and Responses," p. 53, in Ellen Hey, William T. Burke, Doris Ponzoni, and Kazuo Sumi, eds, *The Regulation of Driftnet Fishing on the High Seas: Legal Issues* (Rome, Italy: Food and Agriculture Organization of the United Nations, 1991), pp. 45–73.
26. Edward E. Wolfe, "U.S. Responsibilities in International Fisheries Matters," a Statement in Washington DC on May 2, 1989 by Deputy Assistant Secretary for Oceans and International Environmental and Scientific Affairs, Current Policy No. 1172 (Washington DC: United States Department of State, 1989).
27. *Asahi shinbun* (November 1, 1989, evening edition), p. 2; *Yomiuri shinbun* (November 2, 1989, evening edition), p. 2.
28. South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean*, p. 10.
29. *The Economist* (August 5, 1989), p. 68; *The Christian Science Monitor* (July 27, 1989).
30. South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean*, p. 11; *Nihon keizai shinbun* (June 29, 1989), p. 8.
31. "Tarawa Declaration," in South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean*, pp. 41–2; Geoffrey Palmer, *Environmental Politics: A Greenprint for New Zealand* (Dunedin, New Zealand: John McIndoe, 1990), p. 36; *Yomiuri shinbun* (July 12, 1989), p. 7; *Yomiuri shinbun* (August 4, 1989), p. 11; *Asahi shinbun* (July 29, 1989), p. 4.
32. At the meeting, South Korea was praised for having vowed to stop driftnet fishing by its fishing fleet.
33. In September, the conference of the members of the SPF Fisheries Agency again called for a ban on Japan's driftnet fishing. *Nihon keizai shinbun* (September 28, 1989, evening edition), p. 2.
34. *Nihon keizai shinbun* (July 15, 1989), p. 4; *Asahi shinbun* (July 29, 1989), p. 4; *Yomiuri shinbun* (August 4, 1989), p. 11; *The Economist* (August 5, 1989), p. 68.
35. Suisan Nenkan Henshū Iinkai, ed., *Suisan nenkan 1990* [Fisheries Yearbook 1990] (Tokyo: Suisansha, 1990), p. 90; *Nihon keizai shinbun* (September 15, 1989), p. 5; *The International Herald Tribune* (September 20, 1989).
36. UN General Assembly, 45th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas*, pp. 4–6. The Governing Council of the United Nations Environmental Program (UNEP) discussed this issue in May 1989.
37. *The Economist* (October 21, 1989), p. 86; *Asahi shinbun* (October 14, 1989), p. 3.
38. *Nihon keizai shinbun* (September 29, 1989), p. 7; *Nihon keizai shinbun* (October 13, 1989), p. 7; *Yomiuri shinbun* (October 13, 1989, evening edition), p. 2.
39. *Nihon keizai shinbun* (December 24, 1989), p. 3.
40. *Mainichi shinbun* (October 26, 1989), p. 9; *Nihon keizai shinbun* (October 26, 1989), p. 5.

41. *Asahi shinbun* (November 4, 1989), p. 3; *Nihon keizai shinbun* (November 4, 1989), p. 1; *The International Herald Tribune* (November 8, 1989).
42. Suisan Nenkan Henshū Iinkai, ed., *Suisan nenkan 1991*, p. 90; *Nihon keizai shinbun* (November 7, 1989, evening edition), p. 2; *Asahi shinbun* (November 19, 1989), p. 9.
43. *Asahi shinbun* (November 19, 1989), p. 9.
44. *Nihon keizai shinbun* (December 12, 1989, evening edition), p. 2; *Asahi shinbun* (December 12, 1989, evening edition), p. 2; *Mainichi shinbun* (December 13, 1989), p. 9.
45. UN General Assembly Resolution 44/225.
46. South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean*, p. 13.
47. UN General Assembly, 45th Session, *Letter Dated 16 July 1990 from the Permanent Representative of Japan to the United Nations Addressed to the Secretary-General A/45/350* (July 18, 1990), p. 2.
48. See, for instance, Fisheries Agency, *Gyogyō hakusho: Heisei 3 nendo*, pp. 26, 201.
49. A then-Fisheries Agency official, interview by author (Tokyo, June 22, 1999).
50. *Nihon keizai shinbun* (July 18, 1990), p. 24; *Asahi shinbun* (July 21, 1990, evening edition), p. 13.
51. *The International Herald Tribune* (August 15, 1990). UN General Assembly Resolution 46/215 expressed “*deep concern* about reports of expansion of large-scale pelagic drift-net fishing activities on the high seas in contravention of Resolutions 44/225 and 45/197, including attempts to expand large-scale pelagic drift-net fishing in the high seas areas of the Indian Ocean [emphasis in original].” In August 1991, Taiwan, a UN nonmember, announced that it would cease its driftnet fishing operations by the end of July 1992. *Nihon keizai shinbun* (October 11, 1991, evening edition), p. 1.
52. International Whaling Commission, *Forty-First Report of the International Whaling Commission* (Cambridge, 1991), pp. 46, 49–50.
53. UN General Assembly, 45th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World’s Oceans and Seas*, pp. 4–7; *Asahi shinbun* (December 6, 1990), p. 30.
54. UN General Assembly, 45th Session, *Provisional Verbatim Record of the 71st Meeting A/45/PV.71* (January 11, 1991), pp. 21–2. For UN General Assembly Resolution 45/197: Large-scale Pelagic Driftnet Fishing and Its Impact on the Living Marine Resources of the World’s Oceans and Seas, see UN General Assembly, 45th Session, Official Records, Supplement 49 A, *Resolutions and Decisions Adopted by the General Assembly during its Forty-Fifth Session: Volume I A/45/49* (1990), pp. 123–4. For the process of adopting the resolution at the committee level, see UN General Assembly, 45th Session, *Development and International Economic Co-operation: Report of the 2nd Committee, part 2 A/45/849/ADD.1* (December 18, 1990), pp. 15–18.
55. *Nihon keizai shinbun* (August 3, 1991, evening edition), p. 1.
56. UN General Assembly, 46th Session, *Report of the Second Committee (Part VII) A/46/645/Add.6* (December 16, 1991); *Nihon keizai shinbun* (October 11, 1991), p. 3; *Nihon keizai shinbun* (October 11, 1991, evening edition), p. 1; *Nihon keizai shinbun* (October 12, 1991), p. 5; *Yomiuri shinbun* (October 22, 1991, evening edition), p. 22.
57. UN General Assembly, 2nd Committee, 46th Session, Official Records, *Summary Record of the 52nd Meeting A/C.2/46/SR. 52* (December 11, 1991),

- para. 61; UN General Assembly, 46th Session, *Provisional Verbatim Record of the 79th Meeting A/46/PV.79* (January 8, 1992), pp. 64–6; *Nihon keizai shinbun* (December 21, 1991, evening edition), p. 2. For Resolution 46/215, see UN General Assembly, 46th Session, Official Records, Supplement 49, *Resolutions and Decisions Adopted by the General Assembly during its Forty-Sixth Session: Volume IA/46/49* (1991), pp. 147–8.
58. Palmer, *Environmental Politics*, p. 33. For New Zealand's foreign policy in the late 1980s, see Richard Kennaway and John Henderson, eds, *Beyond New Zealand II: Foreign Policy into the 1990s* (Auckland, New Zealand: Longman Paul, 1991).
  59. *Asahi shinbun* (February 5, 1990), p. 3; Palmer, *Environmental Politics*, p. 37.
  60. South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean*, pp. 43–50; 29 I.L.M. 1449 (1990); *Mainichi shinbun* (November 22, 1989), p. 9; *Nihon keizai shinbun* (November 30, 1989), p. 7; *Nihon keizai shinbun* (December 2, 1989), p. 7.
  61. Ted L. McDorman, "The GATT Consistency of U.S. Fish Import Embargoes to Stop Driftnet Fishing and Save Whales, Dolphins and Turtles," *George Washington Journal of International Law and Economics*, vol. 24, no. 3 (1991), pp. 477–525.
  62. Christopher S. Gibson, "Narrow Grounds for a Complex Decision: The Supreme Court's Review of an Agency's Statutory Construction in *Japan Whaling Association v. American Cetacean Society*," p. 486, *Ecology Law Quarterly*, vol. 14 (1987), pp. 485–516.
  63. *The International Herald Tribune* (September 20, 1989).
  64. *The International Herald Tribune* (September 6, 1989).
  65. Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1990*, p. 89; Wolfe, "U.S. Responsibilities in International Fisheries Matters," p. 2; *Asahi shinbun* (August 12, 1987), p. 9; *Yomiuri shinbun* (October 3, 1987), p. 7; *Asahi shinbun* (May 3, 1989), p. 9.
  66. UN General Assembly, 45th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas*, para. 91; Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1990*, p. 90; *Yomiuri shinbun* (June 24, 1989, evening edition), p. 3.
  67. *Asahi shinbun* (October 26, 1990, evening edition), p. 2; *Yomiuri shinbun* (October 27, 1989), p. 7; *Yomiuri shinbun* (August 4, 1989), p. 11; *The Christian Science Monitor* (July 27, 1989).
  68. UN General Assembly, 45th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas*, para. 25; *Asahi shinbun* (October 3, 1990, evening edition), p. 18.
  69. Ministry of Foreign Affairs, "Kōkai nagashiami gyogyō mondai," p. 2; Ministry of Foreign Affairs, Fisheries Division, "Kankyō to gyogyō mondai" [Environment and Fishing Issue], (Tokyo, December 3, 1992), p. 5; *Asahi shinbun* (September 19, 1991, evening edition), p. 2; *Nihon keizai shinbun* (September 19, 1991, evening edition), p. 1; *Mainichi shinbun* (September 20, 1991), p. 11; *Yomiuri shinbun* (September 21, 1991), p. 7.
  70. *Asahi shinbun* (September 22, 1991), p. 3.
  71. *Asahi shinbun* (August 3, 1991, evening edition), p. 2; *Yomiuri shinbun* (August 3, 1991, evening edition), p. 3; *Nihon keizai shinbun* (August 3, 1991, evening edition), p. 1; *The Guardian* (September 13 and 27, 1991); *The*

- International Herald Tribune* (November 29, 1991); *Nihon keizai shinbun* (August 3, 1991, evening edition), p. 1.
72. McDorman, "The GATT consistency of U.S. Fish Import Embargoes to Stop Driftnet Fishing and Save Whales, Dolphins and Turtles."
  73. *Yomiuri shinbun* (September 20, 1991), p. 7; *Nihon keizai shinbun* (September 20, 1991, evening edition), p. 3.
  74. Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1989*, p. 25; Mizuguchi Kenya, "Umi to kujira eno kakawarikata no tayōsei to suisanshigen" [Variety in Relationship with Ocean and the Whale and Fisheries Resources], pp. 69–70, in Kitahara Takeshi, ed., *Kujira ni manabu* [Learning from Whales] (Tokyo: Naruyamadō Shoten, 1996), pp. 63–79. *The Financial Times* of January 30, 1992 reported, "Mexican tuna fishermen, unlike their US counterparts, fish in the eastern tropical Pacific, where for unknown reasons, schools of yellowfin tuna swim below dolphin herds. US tuna boats fish near New Guinea, where dolphins stay apart from the predominantly albacore and skipjack tuna."
  75. Ministry of Foreign Affairs, "Kankyō to gyogyō mondai," p. 1.
  76. "GATT: Dispute Settlement Panel Report on United States Restrictions on Imports of Tuna," 30 *I.L.M.* 1594 (1991); World Resources Institute, *World Resources 1992–93*, p. 182; *The Economist* (May 4, 1991), p. 91.
  77. Gareth Porter and Janet Welsh Brown, *Global Environmental Politics: Dilemmas in World Politics*, 2nd edn (Oxford: Westview Press, 1996), p. 133.
  78. See also Paragraph 2.22 of Agenda 21.
  79. The Fisheries Agency opposed it, pointing out that the bill could be in a violation of the GATT provisions. House of Representatives, Secretariat, *Shūgiin nōrinsuisan iinkai kaigiroku* [Minutes of the Standing Committee on Agriculture, Forestry, and Fisheries, House of Representatives] (July 28, 1987), pp. 10, 16; House of Councillors, Secretariat, *Sangiin nōrinsuisan iinkai kaigiroku* [Minutes of the Standing Committee on Agriculture, Forestry, and Fisheries, House of Councillors] (July 30, 1987), p. 19; *Yomiuri shinbun* (September 8, 1987), p. 7.
  80. *Nihon keizai shinbun* (December 5, 1988), p. 5.
  81. Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1993*, pp. 308–9.
  82. UN General Assembly, 45th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas*, para. 24.
  83. Kakuta Naoko, "Shi no kabe to iu na no nagashiami ryōhō" [Fishing Method of Driftnets Called "Wall of Death"], *The Komei*, vol. 343 (August 1990), pp. 158–63.
  84. *Yomiuri shinbun* (September 15, 1989), p. 4.
  85. *Mainichi shinbun* (January 6, 1990, evening edition), p. 10; *Asahi shinbun* (January 6, 1990, evening edition), p. 12; *Asahi shinbun* (February 5, 1990), p. 3.
  86. *Asahi shinbun* (July 21, 1990, evening edition), p. 13; *Asahi shinbun* (October 16, 1990), p. 29; *Asahi shinbun* (August 16, 1990), p. 26.
  87. *Nihon keizai shinbun* (September 12, 1990, evening edition), p. 19.
  88. Kakuta, "Shi no kabe to iu na no nagashiami ryōhō," p. 159.
  89. A then-Greenpeace Japan official, interview by author (Tokyo, June 21, 1999).
  90. *Asahi shinbun* (March 10, 1990), p. 3; *Mainichi shinbun* (March 10, 1990), p. 3.
  91. See, for example, Akao Toshinobu, *Chikyū wa uttaeru: Taikenteki chikyū kankyō gaikōron* [An Agenda for Global Survival: An Ambassador Reflects on Environmental Protection] (Tokyo: Sekai no Ugokisha, 1993), p. 38.

92. B. Gifford, "Inside the Environmental Groups," p. 73, *Outside* (September 1990), pp. 69–84 (quoted in Arne Kalland, "Whose Whale is That? Diverting the Commodity Path," p. 182, in Milton M. R. Freeman and Urs P. Kreuter, eds, *Elephants and Whales: Resources for Whom?* (Basel, Switzerland: Gordon and Breach Science Publishers, 1994), pp. 159–86); Asahi Shinbunsha, ed., *Kankyôgaku ga wakaru* [Leaning of Ecology] (Asahi Shinbunsha, 1994), p. 125.
93. *Nihon keizai shinbun* (September 25, 1990, evening edition), p. 18.
94. The Fisheries Agency is headed by a Director-General, who is not a Minister of State but a bureaucrat ranking lower than an Administrative Vice-Minister. The Fisheries Agency is virtually a bureau of MAFF. Management and Coordination Agency, Administrative Management Bureau, *Organization of the Government of Japan 1993* (Tokyo: Institute of Administrative Management, 1993), pp. 118–20.
95. Japan Fisheries Association, *Fisheries of Japan 1991*, p. 32.
96. As of 1991, it had branch offices in Washington, DC, Seattle (the United States), Vancouver, Halifax (Canada), and Wellington (New Zealand), and Port Moresby (Papua New Guinea).
97. *Nihon keizai shinbun* (May 28, 1987), p. 9.
98. Suisan Nenkan Henshû linkai, ed., *Suisan nenkan 1993*, pp. 294, 300, 315; *Asahi shinbun* (July 29, 1989), p. 4.
99. Japan Fisheries Association, "The High Seas Driftnet Issue"; South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean*, p. 38.
100. Government of Japan, *Environment and Development: Japan's Experience and Achievement* (Tokyo, December 1991), p. 47.
101. Japan Fisheries Association, *Fisheries of Japan 1991*, p. 15.
102. Suisan Nenkan Henshû linkai, ed., *Suisan nenkan 1993*, pp. 294, 305.
103. *Nihon keizai shinbun* (July 18, 1990), p. 24.
104. *Nihon keizai shinbun* (November 26, 1991, evening edition), p. 19.
105. Suisan Nenkan Henshû linkai, ed., *Suisan nenkan 1993*, pp. 294, 297.
106. *Yomiuri shinbun* (November 5, 1991, evening edition), p. 2.
107. *The Christian Science Monitor* (July 27, 1989).
108. *Nihon keizai shinbun* (September 28, 1991), p. 5; *Asahi shinbun* (September 28, 1991), p. 3.
109. *Asahi shinbun* (September 28, 1991), p. 3.
110. *Asahi shinbun* (October 18, 1991), p. 11.
111. UN General Assembly, 46th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas*, para. 137. For the US reaction to this proposal, see *ibid.*, para. 139. The term "by-catch" means "the unintended and unwanted part of the catch." Milton M. R. Freeman, "Science and Trans-science in the Whaling Debate," p. 152, in Milton M. R. Freeman and Urs P. Kreuter, eds, *Elephants and Whales Resources for Whom?* (Basel, Switzerland: Gordon and Breach Science Publishers, 1994), pp. 143–57.
112. *Yomiuri shinbun* (October 30, 1991), p. 2.
113. *Mainichi shinbun* (November 2, 1991, evening edition), p. 2; *Nihon keizai shinbun* (November 2, 1991, evening edition), p. 2. The presidential visit was postponed indefinitely. *Asahi shinbun* (November 6, 1991, evening edition), p. 2; *Yomiuri shinbun* (November 7, 1991), p. 7.
114. *Nihon keizai shinbun* (November 5, 1990), p. 7.



115. A then-Fisheries Agency official, interview by author (Tokyo, June 22, 1999); a then-MOFA official, interview by author (Tokyo, July 8, 1999).
116. *Mainichi shinbun* (November 2, 1991, evening edition), p. 2.
117. *Yomiuri shinbun* (October 22, 1991, evening edition), p. 22; *Asahi shinbun* (October 26, 1991), p. 2; *Nihon keizai sangyō shinbun* (October 26, 1991), p. 4.
118. *Nihon keizai shinbun* (October 4, 1991), p. 7; *Asahi shinbun* (October 19, 1991, evening edition), p. 2.
119. *Nihon keizai shinbun* (May 11, 1991), p. 3; *Yomiuri shinbun* (November 7, 1991), p. 6.
120. A then-Fisheries Agency official, interview by author (Tokyo, June 22, 1999); Sumi, "International Legal Issues concerning the Use of Driftnets with Special Emphasis on Japanese Practices and Responses," p. 55.
121. *Asahi shinbun* (January 6, 1990, evening edition), p. 3.
122. Ministry of Agriculture, Forestry, and Fisheries, Statistics and Information Department, *Gyogyō yōshokugyō seisan tōkei nenpō: Heisei 3 nen* [Annual Statistics Report on Fishery and Aquaculture Output: 1991] (Tokyo: Nōrin Tōkei Kyōkai, 1993), pp. 60–7; Ministry of Agriculture, Forestry, and Fisheries, Statistics and Information Department, *Gyogyō keizai chōsa hōkoku: Kigyōtai no bu, Heisei 3 nendo* [Survey Report on Fisheries Economy: Part on Companies, Fiscal Year 1991] (Tokyo: Nōrin Tōkei Kyōkai, 1993), pp. 2–3, 86–8.
123. Suisan Nenkan Henshū Inkaï, ed., *Suisan nenkan 1993*, p. 300.
124. Ministry of Foreign Affairs, "Kōkai nagashiami gyogyō mondai," p. 3; Ministry of Agriculture, Forestry, and Fisheries, *Gyogyō yōshokugyō seisan tōkei nenpō: Heisei 3 nen*, p. 71; *The International Herald Tribune* (November 27, 1991).
125. Suisan Nenkan Henshū Inkaï, ed., *Suisan nenkan 1993*, p. 321; *Nihon keizai shinbun* (November 26, 1991, evening edition), p. 19. A crew member could reportedly net an income of two to three million yen a season. *Asahi shinbun* (October 16, 1990), p. 29.
126. *The Independent* (November 27, 1991).
127. *Mainichi shinbun* (November 30, 1991), p. 3.
128. *Nihon keizai shinbun* (March 23, 1992, evening edition), p. 19.
129. *Asahi shinbun* (September 15, 1992), p. 5; *Nihon keizai shinbun* (October 8, 1992, evening edition), p. 2; *Nihon keizai shinbun* (October 29, 1992), p. 5. See also Fisheries Agency, *Gyogyō hakusho: Heisei 3 nendo*, p. 221.
130. *Mainichi shinbun* (November 13, 1991), p. 1.
131. *Nihon keizai shinbun* (November 26, 1991, evening edition), p. 1; *Mainichi shinbun* (November 26, 1991, evening edition), p. 1; *Yomiuri shinbun* (November 26, 1991, evening edition), p. 2; *The International Herald Tribune* (November 27, 1991); *The Independent* (November 27, 1991); *The Financial Times* (November 27, 1991). The editorial of *Nihon keizai shinbun* of November 27, 1991 (p. 2) supported the decision by the Japanese government, arguing that the decision was unavoidable for Japan, a nation that has to live in international society.
132. UN General Assembly, 2nd Committee, 46th Session, Official Records, *Summary Record of the 52nd Meeting*, para. 61.
133. Douglas M. Johnston, "The Driftnetting Problem in the Pacific Ocean: Legal Considerations and Diplomatic Options," pp. 19–22, *Ocean Development and International Law*, vol. 21 (1990), pp. 5–39.

134. McDorman, "The GATT Consistency of U.S. Fish Import Embargoes to Stop Driftnet Fishing and Save Whales, Dolphins and Turtles," p. 500. For further legal arguments on driftnet fishing, see Ellen Hey, William T. Burke, Doris Ponzoni, and Kazuo Sumi, *The Regulation of Driftnet Fishing on the High Seas: Legal Issues* (Rome, Italy: Food and Agriculture Organization of the United Nations, 1991).
135. A then-Fisheries Agency official, interview by author (Tokyo, June 22, 1999).
136. *Nihon keizai shinbun* (July 11, 1990), p. 34.
137. UN General Assembly, 45th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas*, para. 92; Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1991*, p. 90; International North Pacific Fisheries Commission, "Final Report of 1990 Observations of the Japanese High Seas Squid Driftnet Fishery of the North Pacific Ocean" (Seattle: Alaska Fisheries Science Center, 1991), pp. 193–5 (quoted in World Resources Institute, *World Resources 1992–93*, p. 181).
138. UN General Assembly, 46th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas: Report of the Secretary-General A/46/615* (November 8, 1991), para. 121.
139. Ministry of Agriculture, Forestry, and Fisheries, *Gyogyō yōshokugyō seisan tōkei nenpō: Heisei 3 nen*, pp. 46–59.
140. UN General Assembly, 46th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas*, para. 80.
141. *Ibid.*, para. 83. See also *ibid.*, para. 122.
142. UN General Assembly, 2nd Committee, 46th Session, *Letter Dated 29 October 1991 from the Permanent Representative of the United States of America to the United Nations Addressed to the Secretary-General A/C.2/46/11* (November 8, 1991), p. 2.
143. William T. Burke, Mark Freeberg, and Edward L. Miles, "United Nations Resolutions on Driftnet Fishing: An Unsustainable Precedent for High Seas and Coastal Fisheries Management," p. 168, *Ocean Development and International Law*, vol. 25 (1994), pp. 127–86. For a precautionary principle, see Principle 15 of the Rio Declaration.
144. UN General Assembly, 46th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas*, pp. 12, 24–9.
145. UN General Assembly, 2nd Committee, 46th Session, Official Records, *Summary Record of the 52nd Meeting*, para. 61.
146. A then-MOFA official, interview by author (Tokyo, July 8, 1999).
147. UN General Assembly, 46th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World's Oceans and Seas*, para. 126.
148. *Yomiuri shinbun* (November 5, 1989), p. 7.
149. UN General Assembly, 2nd Committee, 46th Session, *Letter Dated 14 November 1991 from the Permanent Representative of Japan to the United Nations Addressed to the Secretary-General A/C.2/46/14* (November 20, 1991). For the US position related to its resolutions, see UN General Assembly, 2nd Committee, 46th Session, *Letter Dated 29 October 1991 from the Permanent Representative of the United States of America to the United Nations Addressed to the Secretary-General*.
150. Burke, Freeberg, and Miles, "United Nations Resolutions on Driftnet Fishing," p. 169.

151. *Ibid.*, pp. 171–2.
152. *Asahi shinbun* (July 21, 1990, evening edition), p. 13; *Asahi shinbun* (October 16, 1990), p. 29. “This estimate is nothing more than an exaggeration.” Sumi, “International Legal Issues concerning the Use of Driftnets with Special Emphasis on Japanese Practices and Responses,” p. 65.
153. Burke, Freeberg, and Miles, “United Nations Resolutions on Driftnet Fishing,” p. 171.
154. South Pacific Forum, *Review of Driftnet Fishing in the South Pacific Ocean*, pp. 15–16. For more details, see *Ibid.*, pp. 16–28.
155. Sumi, “International Legal Issues concerning the Use of Driftnets with Special Emphasis on Japanese Practices and Responses,” p. 56.
156. *Asahi shinbun* (October 18, 1991), p. 11; *Nihon keizai shinbun* (March 23, 1992, evening edition), p. 19. It is possible to argue that squid deserve protection as food for fish. Komatsu Renpei, “Kujira to keizai masatsu” [Whales and Economic Friction], p. 109, *Chuô kôron* (April 1986), pp. 82–109.
157. UN General Assembly, 46th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World’s Oceans and Seas*, para. 121.
158. *The Daily Telegraph* (June 1, 1991). Although the IWC had no mandate to manage the small whales and the dolphins, there has been a movement to put them under the IWC jurisdiction in the 1990s. *The Guardian* (July 13, 1990).
159. See, for instance, *The Times* (November 10, 1990).
160. UN General Assembly, 46th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World’s Oceans and Seas*, para. 124. In the report, the Fisheries Agency added that the Japanese squid driftnet fishing was conducted in only 1.7 percent of the North Pacific, and that 90 percent of the sea turtles caught incidentally were thrown back alive. *Asahi shinbun* (September 28, 1991), p. 3; *Mainichi shinbun* (September 28, 1991), p. 9; *Yomiuri shinbun* (September 28, 1991), p. 7.
161. In the meantime, 44.5 percent of people supported the incidental catches of marine mammals and sea birds while 89.1 percent upheld the diet of whale meat. Kawai Tomoyasu, *Nihon no gyogyô* [Japan’s Fisheries] (Tokyo: Iwanami, 1994), pp. 86–99.
162. UN General Assembly, 46th Session, *Large-Scale Pelagic Driftnet Fishing and its Impact on the Living Marine Resources of the World’s Oceans and Seas*, para. 132.
163. McDorman, “The GATT Consistency of U.S. Fish Import Embargoes to Stop Driftnet Fishing and Save Whales, Dolphins and Turtles,” p. 501. The United States also had a law called the 1989 Sea Turtles Amendment. *Ibid.*, pp. 495–6.
164. *The Economist* (May 4, 1991), p. 91.
165. US Marine Mammal Commission, *Annual Report of the Marine Mammal Commission, Calendar Year 1990* (Marine Mammal Commission, Washington, DC, 1991), p. 101 (quoted in World Resources Institute, *World Resources 1992–93*, p. 182).
166. International North Pacific Fisheries Commission, “Final Report of 1990 Observations of the Japanese High Seas Squid Driftnet Fishery of the North Pacific Ocean,” Table 24, pp. 193–5.
167. A then-Fisheries Agency official, interview by author (Tokyo, June 22, 1999). Sumi agrees with this view. Sumi, “International Legal Issues concerning

the Use of Driftnets with Special Emphasis on Japanese Practices and Responses,” pp. 57–8.

168. Burke, Freeberg, and Miles, “United Nations Resolutions on Driftnet Fishing,” p. 169.

## Chapter 5

1. *Nihon keizai shinbun* (March 14, 1987), p. 30; *Nihon keizai shinbun* (March 15, 1987), p. 31.
2. Katô Yoshinobu, “Hogei to nihonjin” [Whaling and the Japanese], p. 83, *Dokkyô daigaku kyôyô shokagaku kenkyû*, vol. 28, no. 1 (September 1993), pp. 82–98.
3. International Whaling Commission (IWC), “Scientific Permits and Japan” [cited November 3, 2000], available from <http://ourworld.compuserve.com/homepages/iwcoffice/sciperms.htm>.
4. *Far Eastern Economic Review* (May 28, 1987), p. 39.
5. IWC, *Thirty-Ninth Report of the International Whaling Commission* (Cambridge, 1989), p. 161.
6. For more details of the criteria, see IWC, *Thirty-Seventh Report of the International Whaling Commission* (Cambridge, 1987), pp. 11–12; IWC, *Thirty-Eighth Report of the International Whaling Commission* (Cambridge, 1988), pp. 11–12.
7. For more details, see IWC, *Thirty-Seventh Report of the International Whaling Commission*, pp. 11–12; “Resolution on Special Permits for Scientific Research,” in *ibid.*, p. 25.
8. IWC, *Thirty-Eighth Report of the International Whaling Commission*, pp. 11–12; “Resolution on Scientific Research Programmes,” in *ibid.*, pp. 27–8.
9. *Nihon keizai shinbun* (June 27, 1987), p. 7.
10. “Resolution on Japanese Proposal for Special Permits,” in IWC, *Thirty-Eighth Report of the International Whaling Commission*, p. 29.
11. House of Councillors, Secretariat, *Sangiin nôrinsuisan iinkai kaigiroku* [Minutes of the Standing Committee on Agriculture, Forestry and Fisheries, House of Councillors] (July 30, 1987), p. 9.
12. IWC, *Forty-First Report of the International Whaling Commission* (Cambridge, 1991), pp. 15, 49. The IWC adopted a similar resolution in 1999. Fisheries Agency, “Press Release” (May 29, 1999) [cited November 9, 2000], available from <http://www.maff.go.jp/work/990601-2.pdf>.
13. IWC, “Special Permit Catches” [cited November 22, 1998], available from <http://ourworld.compuserve.com/homepages/iwcoffice/Catches.htm#Permit>.
14. “Resolution on Japanese Proposal for Special Permits,” in IWC, *Thirty-Eighth Report of the International Whaling Commission*, p. 29; IWC, *Thirty-Ninth Report of the International Whaling Commission*, p. 1.
15. Institute of Cetacean Research, “Nihon ga nankyokukai de jisshi shitekita minku kujira no hokaku chôsa no gairyaku” [Outline of the Japanese Research Program on the Minke Whale in the Antarctic] [cited November 3, 2000], available from <http://www.icrwhale.org/03-A-a-05.htm>.
16. *Asahi shinbun* (July 27, 1987), p. 1; *The Japan Times* (August 19, 1987). In August 1987, Iceland also decided to continue scientific whaling. *Nihon keizai shinbun* (August 29, 1987), p. 7.

17. House of Councillors, *Sangiin nōrinsuisan iinkai kaigiroku* (July 30, 1987), p. 5; *Yomiuri shinbun* (June 30, 1987), p. 9.
18. Arne Kalland, "Whose Whale is That? Diverting the Commodity Path," p. 178, in Milton M. R. Freeman and Urs P. Kreuter, eds, *Elephants and Whales: Resources for Whom?* (Basel, Switzerland: Gordon and Breach Science Publishers, 1994), pp. 159–86.
19. *Yomiuri shinbun* (September 17, 1987), p. 7.
20. *Mainichi shinbun* (September 18, 1987, evening edition), p. 2.
21. Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1992* [Fisheries Yearbook 1992] (Tokyo: Suisansha, 1992), p. 84.
22. House of Councillors, *Sangiin nōrinsuisan iinkai kaigiroku* (July 30, 1987), p. 14; Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1993*, p. 293.
23. Akao Toshinobu, *Chikyū wa uttaeru: Taikenteki chikyū kankyō gaikōron* [An Agenda for Global Survival: An Ambassador Reflects on Environmental Protection] (Tokyo: Sekai no Ugokisha, 1993), pp. 160–1; *Nihon keizai shinbun* (January 23, 1988, evening edition), p. 1; *The International Herald Tribune* (April 8, 1988).
24. Christopher S. Gibson, "Narrow Grounds for a Complex Decision: The Supreme Court's Review of an Agency's Statutory Construction in *Japan Whaling Association v. American Cetacean Society*," p. 491 n. 50, *Ecology Law Quarterly*, vol. 14 (1987), pp. 485–516.
25. *Yomiuri shinbun* (February 13, 1988), p. 7.
26. Julian Gresser, Koichiro Fujikura, and Akio Morishima, *Environmental Law in Japan* (Cambridge: MIT Press, 1981), pp. 372–3.
27. *The International Herald Tribune* (February 12, 1988).
28. *Asahi shinbun* (January 24, 1988), p. 3.
29. *The International Herald Tribune* (February 17, 1988).
30. *Nihon keizai shinbun* (February 11, 1988), pp. 1, 3; *Nihon keizai shinbun* (February 12, 1988, evening edition), p. 1; *Asahi shinbun* (February 13, 1988), p. 11.
31. Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1989*, p. 23; *Asahi shinbun* (April 7, 1988), p. 2; *The International Herald Tribune* (April 8, 1988).
32. Akao, *Chikyū wa uttaeru*, p. 161; *The International Herald Tribune* (December 22, 1988).
33. William K. Reilly, "An Economic Harpoon Can Stop Japanese Whaling," *The International Herald Tribune* (September 4, 1987); *Mainichi shinbun* (September 2, 1987, evening edition), p. 2.
34. *Nihon keizai shinbun* (September 24, 1987, evening edition), p. 19.
35. *Nihon keizai shinbun* (December 23, 1987), p. 5.
36. *Nihon keizai shinbun* (December 24, 1987, evening edition), p. 3.
37. *Asahi shinbun* (December 24, 1987, evening edition), p. 2. *The New York Times* supported this call for sanctions against Japan. *The International Herald Tribune* (January 4, 1988).
38. *The Japan Times* (December 23, 1987); *Asahi shinbun* (January 14, 1988, evening edition), p. 22; *Yomiuri shinbun* (January 14, 1988, evening edition), p. 2.
39. *Asahi shinbun* (February 2, 1989, evening edition), p. 2; *Yomiuri shinbun* (February 2, 1989, evening edition), p. 14.
40. *Nihon keizai shinbun* (February 10, 1989), p. 3.
41. M. J. Peterson, "Whalers, Cetologists, Environmentalists, and the International Management of Whaling," p. 173, in Peter M. Haas, ed., *Knowledge, Power,*

- and *International Policy Coordination* (Columbia: University of South Carolina Press, 1997), pp. 147–86.
42. *Ibid.*, p. 155.
  43. *Asahi shinbun* (January 13, 1990), p. 3.
  44. *Yomiuri shinbun* (June 1, 1990, evening edition), p. 14.
  45. *The Daily Telegraph* (August 2, 1989).
  46. *The Daily Telegraph* (June 22, 1987).
  47. *The Japan Times* (December 23, 1987).
  48. *Mainichi shinbun* (November 17, 1989), p. 26.
  49. *Asahi shinbun* (November 8, 1990).
  50. Peterson, “Whalers, Cetologists, Environmentalists, and the International Management of Whaling,” p. 171. Similarly, Greenpeace was not very popular in Norway, another whaling nation. The number of its members in Norway, about 2000, was much smaller than those of non-whaling nations. For example, Norway’s neighbor, Sweden had 200,000 Greenpeace members. *Asahi shinbun* (March 27, 1992), p. 5.
  51. *Yomiuri shinbun* (October 7, 1987), p. 7.
  52. House of Councillors, *Sangiin nōrinsuisan iinkai kaigiroku* (July 30, 1987), p. 23.
  53. For example, see *Nihon keizai shinbun* (April 15, 1987), p. 2; *Yomiuri shinbun* (April 17, 1987), p. 3.
  54. *Asahi shinbun* (August 14, 1987), p. 4.
  55. *The Independent* (July 6, 1992).
  56. Nakajima Keiichi, “Hogeï mondai ni kansuru futatsu no sokumen” [Two Perspectives regarding the Whaling Issue], p. 27, *Refarensu* (May 1994), pp. 5–36.
  57. Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1993*, p. 317. These figures include fish imports.
  58. *Nihon keizai shinbun* (July 28, 1987, evening edition), p. 13.
  59. *Mainichi shinbun* (May 30, 1991), p. 3.
  60. A Fisheries Agency official, interview by author (Tokyo, June 23, 1999); a former Fisheries Agency official, interview by author (Tokyo, June 28, 1999).
  61. Yamamura Kazuo, “Hogeï no rekishi” [History of Whaling], pp. 25–37, in Kitahara Takeshi, ed., *Kujira ni manabu* [Learning from Whales] (Tokyo: Naruyamadō Shoten, 1996), pp. 25–44. For a more detailed historical account of Japanese whaling, see Arne Kalland and Brian Moeran, *Japanese Whaling: End of an Era* (London: Curzon Press, 1992), Chapter 4; Yutaka Hirasawa, “The Whaling Industry in Japan’s Economy,” in John R. Schmidhauser and George O. Totten III, eds, *The Whaling Issue in U.S.–Japan Relations* (Boulder: Westview Press, 1978), pp. 82–114.
  62. House of Representatives, Secretariat, *Shūgiin nōrinsuisan iinkai kaigiroku* [Minutes of the Standing Committee on Agriculture, Forestry, and Fisheries, House of Representatives] (July 28, 1987), p. 4.
  63. Suisan Nenkan Henshū linkai, ed., *Suisan nenkan 1993*, pp. 298–9.
  64. Ministry of Agriculture, Forestry, and Fisheries, Statistics and Information Department, *Gyogyō yōshokugyō seisan tōkei nenpō: Heisei 3 nen* [Annual Statistics Report on Fishery and Aquaculture Output: 1991] (Tokyo: Nōrin Tōkei Kyōkai, 1993), pp. 3, 225.
  65. Gresser, Fujikura, and Morishima, *Environmental Law in Japan*, p. 372.
  66. *The Japan Times* (August 21, 1989); *The Japan Times* (March 9, 1990).

67. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 20; *Asahi shinbun* (April 28, 1987, evening edition), p. 3.
68. Komatsu Renpei, "Kujira to keizai masatsu" [Whales and Economic Friction], pp. 89–90, *Chuō kōron* (April 1986), pp. 82–109.
69. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 17; House of Councillors, *Sangiin nōrinsuisan iinkai kaigiroku* (July 30, 1987), p. 5.
70. IWC, *Thirty-Eighth Report of the International Whaling Commission*, pp. 21–2; Peter J. Stoett, *The International Politics of Whaling* (Vancouver: UBC Press, 1997), p. 76; *Asahi shinbun* (October 24, 1997), p. 11.
71. *Asahi shinbun* (October 20, 1987), p. 9; *Nihon keizai shinbun* (November 18, 1987), p. 8.
72. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 4; Kalland and Moeran, *Japanese Whaling*, p. 93; Gresser, Fujikura, and Morishima, *Environmental Law in Japan*, p. 372.
73. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 7; Komatsu, "Kujira to keizai masatsu," p. 106.
74. Two Japan Whaling Association officials, interview by author (Tokyo, July 1, 1999). The Small-Type Whaling Association is a trade association for small-type coastal whaling.
75. Gresser, Fujikura, and Morishima, *Environmental Law in Japan*, p. 372.
76. A former MOFA official, interview by author (Tokyo, July 8, 1999).
77. *AERA* (October 16, 2000), p. 13; a Japanese NGO official, interview by author (Tokyo, June 21, 1999).
78. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 29, 1987), p. 8; House of Councillors, *Sangiin nōrinsuisan iinkai kaigiroku* (July 30, 1987), p. 29.
79. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 13.
80. Komatsu Renpei, "Kujira to keizai masatsu," p. 108. The number of its current members is about 80. Two Japan Whaling Association officials, interview by author (Tokyo, July 1, 1999); a Fisheries Agency official, interview by author (Tokyo, June 23, 1999).
81. Komatsu Renpei, "Kujira to keizai masatsu," p. 94.
82. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (28 July 1987), pp. 3, 12.
83. *Asahi shinbun* (May 25, 1991, evening edition), p. 18.
84. *Asahi shinbun* (November 1, 1988), p. 6.
85. Komatsu Masayuki, *Kujira wa tabete ii* [It is Right to Eat Whale Meat] (Tokyo: Takarajimasha, 2000); a Fisheries Agency official, interview by author (Tokyo, June 23, 1999). Komatsu Masayuki is a Fisheries Agency official who has been engaged in whaling issue since 1991.
86. IWC, *Thirty-Third Report of the International Whaling Commission* (Cambridge, 1983), p. 21.
87. IWC, *Thirty-Eighth Report of the International Whaling Commission*, p. 14.
88. IWC, *Thirty-Ninth Report of the International Whaling Commission*, p. 2; *Nihon keizai shinbun* (February 16, 1988), p. 3.
89. IWC, *Fortieth Report of the International Whaling Commission* (Cambridge, 1990), p. 2; *Yomiuri shinbun* (April 4, 1989), p. 1; *Nihon keizai shinbun* (April 5, 1989), p. 5.

90. *The Guardian* (May 2, 1990); *The Times* (May 14, 1990).
91. "Resolution on Japanese Proposal for Special Permits," in IWC, *Thirty-Eighth Report of the International Whaling Commission*, p. 29.
92. IWC, *Fortieth Report of the International Whaling Commission*, p. 17; "Resolution on the Proposed Take by Japan of Whales in the Southern Hemisphere under Special Permit", in *ibid.*, p. 36. Similar resolutions on the Icelandic and the Norwegian proposals were also adopted. "Resolution on Icelandic Proposal for Special Permits," and "Resolution on Norwegian Proposal for Special Permits," in *ibid.*, pp. 35–6.
93. Shima Kazuo, "Hogei mondai wo kangaeru" [Consideration of the Whaling Issue], p. 395, *Sekai* (August 1990), pp. 395–9. See also IWC, *Fortieth Report of the International Whaling Commission*, p. 17.
94. IWC, *Forty-First Report of the International Whaling Commission*, p. 15; "Resolution on Special Permit Catches by Japan in the Southern Hemisphere," in *ibid.*, pp. 47–8.
95. IWC, *Forty-Second Report of the International Whaling Commission* (Cambridge, 1992), p. 14; "Resolution on Special Permit Catches by Japan in the Southern Hemisphere," in *ibid.*, p. 45.
96. IWC, *Forty-Third Report of the International Whaling Commission* (Cambridge, 1993), p. 29; "Resolution on Special Permit Catches by Japan in the Southern Hemisphere," in *ibid.*, p. 49.
97. *Mainichi shinbun* (July 4, 1992), p. 1.
98. House of Councillors, *Sangiin nōrinsuisan iinkai kaigiroku* (July 30, 1987), p. 9; *Yomiuri shinbun* (June 30, 1987), p. 9.
99. *The Independent* (June 1, 1991).
100. House of Councillors, *Sangiin nōrinsuisan iinkai kaigiroku* (July 30, 1987), p. 5.
101. *Nihon keizai shinbun* (July 29, 1987), p. 5.
102. See House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987).
103. Stoett, *The International Politics of Whaling*, p. 133.
104. World Commission on Environment and Development, *Our Common Future: The Report of the World Commission on Environment and Development* (Oxford: Oxford University Press, 1987), p. 269.
105. *Nihon keizai shinbun* (July 26, 1989, evening edition), p. 16. Executive Director Allan Thornton of Greenpeace gave another reason to attack Japan's scientific whaling: "As long as there is any trade in whale products they can always launder pirated whale meat onto the Japanese market, hidden as the product of scientific whaling." *The Guardian* (June 15, 1987).
106. Geoffrey Palmer, *Environmental Politics: A Greenprint for New Zealand* (Dunedin, New Zealand: John McIndoe, 1990), p. 43.
107. *The Independent* (May 30, 1990).
108. Fukuzo Nagasaki, "The Case for Scientific Whaling," p. 189, *Nature*, vol. 344 (March 15, 1990), pp. 189–90. The wholesale prices (per kilogram) of whale meat from Japan's scientific whaling in the 1987–88 and 1992–93 seasons were 1489 yen and 2059 yen respectively. TRAFFIC International, *Whale Meat Trade in East Asia: Review of the Markets in 1997* (Cambridge, U.K., May 1997), p. 10. In 1989, the retail price for 100 grams was 500 to 700 yen. The most expensive tail part was sold at 2500 yen per 100 grams. *Nihon keizai shinbun* (July 26, 1989, evening edition), p. 16; *Asahi shinbun* (May 27, 1991), p. 22; *The Daily Telegraph* (October 31, 1988).



109. House of Representatives, *Shūgin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 7. See also *Nihon keizai shinbun* (June 18, 1989), p. 13; *The Daily Telegraph* (June 22, 1987).
110. *The Times* (April 29, 1991).
111. House of Representatives, *Shūgin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 5; IWC, *Forty-Third Report of the International Whaling Commission*, p. 29.
112. *Nihon keizai shinbun* (February 16, 1988), p. 3.
113. "Report of the Special Meeting of the Scientific Committee to Consider the Japanese Research Permit (Feasibility Study)," in IWC, *Thirty-Ninth Report of the International Whaling Commission*, pp. 159–66.
114. "Resolution on the Proposed Take by Japan of Whales in the Southern Hemisphere under Special Permit," in IWC, *Fortieth Report of the International Whaling Commission*, p. 36.
115. IWC, *Thirty-Eighth Report of the International Whaling Commission*, pp. 13, 55–7; "Resolution on the Proposed Take by Japan of Whales in the Southern Hemisphere under Special Permit", in IWC, *Fortieth Report of the International Whaling Commission*, p. 36. See also Peterson, "Whalers, Cetologists, Environmentalists, and the International Management of Whaling," p. 181; Fujiwara Eiji, "Kenshō nihon no chōsa hōgei" [Inspection of Japan's Scientific Whaling], pp. 310–1, *Sekai* (August 1990), pp. 307–19.
116. IWC, *Forty-Third Report of the International Whaling Commission*, p. 29; *The Guardian* (November 24, 1990); *The Daily Telegraph* (April 12, 1991).
117. Nagasaki, "The Case for Scientific Whaling," p. 190.
118. IWC, *Thirty-Eighth Report of the International Whaling Commission*, p. 14; Peterson, "Whalers, Cetologists, Environmentalists, and the International Management of Whaling," p. 169; Shima, "Hōgei mondai wo kangaeru," p. 399; Nakajima, "Hōgei mondai ni kansuru futatsu no sokumen," p. 22.
119. Akao, *Chikyū wa uttaeru*, p. 159; Shima, "Hōgei mondai wo kangaeru," p. 398; Suwa Yūzō, *Amerika wa kankyō ni yasashinoka* [Is the United States Environment-friendly?] (Tokyo: Shinhyōron, 1996), p. 226.
120. *The Independent* (July 9, 1990). See also Milton M. R. Freeman, "Science and Trans-science in the Whaling Debate," p. 146, in Milton M. R. Freeman and Urs P. Kreuter, eds, *Elephants and Whales: Resources for Whom?* (Basel, Switzerland: Gordon and Breach Science Publishers, 1994), pp. 143–57.
121. IWC, *Thirty-Eighth Report of the International Whaling Commission*, p. 14.
122. Komatsu, "Kujira to keizai masatsu," p. 93.
123. Peterson, "Whalers, Cetologists, Environmentalists, and the International Management of Whaling," p. 186.
124. Kalland and Moeran, *Japanese Whaling*, p. 3.
125. James E. Scarff, "Ethical Issues in Whale and Small Cetacean Management," p. 243, *Environmental Ethics*, vol. 3 (Fall 1980), pp. 241–79.
126. Shima, "Hōgei mondai wo kangaeru," p. 397.
127. Akao, *Chikyū wa uttaeru*, p. 165.
128. IWC, *Thirty-Ninth Report of the International Whaling Commission*, p. 164.
129. IWC, *Thirty-Eighth Report of the International Whaling Commission*, Table 3, p. 43.
130. IWC, *Forty-First Report of the International Whaling Commission*, Table 1, pp. 59, 62; *Mainichi shinbun* (July 5, 1989), p. 3; *The Financial Times* (July 5, 1990).
131. *The Economist* (June 27, 1992), p. 12.

132. J. A. Gulland, "Ban on Whaling," *The Times* (July 7, 1987).
133. *Asahi shinbun* (May 14, 1991), p. 5; *Asahi shinbun* (June 21, 1992), p. 3.
134. *The Times* (April 29, 1991).
135. *The Times* (April 15, 1991); *Asahi shinbun* (April 15, 1991), p. 2; *Mainichi shinbun* (May 20, 1991), p. 3.
136. *The Times* (May 11, 1991); *The Japan Times* (May 15, 1991).
137. *The Guardian* (May 27, 1991). A pro-whaling Norwegian lobby group contrasted Gummer's argument on animal welfare with his recent support for fox hunting. *The Guardian* (June 26, 1992).
138. Scarff, "Ethical Issues in Whale and Small Cetacean Management," p. 252.
139. Nakajima, "Hogei mondai ni kansuru futatsu no sokumen," p. 19.
140. IWC, *Forty-First Report of the International Whaling Commission*, p. 15.
141. Scarff, "Ethical Issues in Whale and Small Cetacean Management," p. 263.
142. WWF, *Conservation Issues*, vol. 2, no. 2 (Washington, DC, April 1995), p. 2.
143. Kalland, "Whose Whale is That?" p. 178; Kalland and Moeran, *Japanese Whaling*, p. 193.
144. Scarff, "Ethical Issues in Whale and Small Cetacean Management," p. 246.
145. Nakajima, "Hogei mondai ni kansuru futatsu no sokumen," p. 19.
146. *The Times* (June 26, 1987).
147. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), pp. 11, 21.
148. *Globe and Mail* (May 15, 1993) (quoted in Stoett, *The International Politics of Whaling*, p. 61).
149. Scarff, "Ethical Issues in Whale and Small Cetacean Management," p. 258.
150. Milton M. R. Freeman and Stephen R. Kellert, "International Attitudes to Whales, Whaling and the Use of Whale Products: A Six-Country Survey," p. 295, in Milton M. R. Freeman and Urs P. Kreuter, eds, *Elephants and Whales: Resources for Whom?* (Basel, Switzerland: Gordon and Breach Science Publishers, 1994), pp. 293–300.
151. Komatsu, *Kujira wa tabete ii*, pp. 155–61; a Fisheries Agency official, interview by author (Tokyo, June 23, 1999); a MOFA official, interview by author (Tokyo, July 8, 1999).
152. *Nihon keizai sangyō shinbun* (November 12, 1990), p. 16; a former Fisheries Agency official, interview by author (Tokyo, June 28, 1999).
153. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 11; *Asahi shinbun* (May 14, 1991), p. 5; *Asahi shinbun* (June 21, 1992), p. 3; a Fisheries Agency official, interview by author (Tokyo, June 23, 1999).
154. *The Japan Times* (November 9, 1994).
155. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 24; Komatsu, "Kujira to keizai masatsu," p. 94.
156. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 19.
157. House of Councillors, *Sangiin nōrinsuisan iinkai kaigiroku* (July 30, 1987), p. 19; Itabashi Morikuni, "Akumu no nakano hogei kaigi" [The Whaling Meeting in Nightmare], p. 57, *Ekonomisuto* (July 21, 1987), pp. 54–7; *The Economist* (February 6, 1988), p. 88. See also Stoett, *The International Politics of Whaling*, p. 143.
158. Peterson, "Whalers, Cetologists, Environmentalists, and the International Management of Whaling," pp. 173–5; *Yomiuri shinbun* (May 30, 1991), p. 6.

159. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 10.
160. *Asahi shinbun* (February 9, 1989), p. 4; *Mainichi shinbun* (March 6, 1990), p. 9; *Mainichi shinbun* (December 24, 1990), p. 22.
161. *The Guardian* (February 10, 1989); *The Guardian* (March 17, 1989). It is interesting to note that an English verb “to whale” also means “to strike or hit vigorously.” *Merriam-Webster’s Collegiate Dictionary*, 10th edn., s.v. “whale.” In this sense, Greenpeace “whaled” Japanese whaling vessels in the Antarctic.
162. Michael Brown and John May, *The Greenpeace Story*, 2nd edn., trans. Nakano Haruko (Tokyo: Yama-Kei Publishers, 1995), p. 266.
163. A Japanese NGO official, interview by author (Tokyo, June 21, 1999). See, for instance, David Day, *The Whale War*, updated edn (London: Grafton, 1992).
164. Suwa, *Amerika wa kankyō ni yasashiinoka*, pp. 234–5.
165. Kalland and Moeran, *Japanese Whaling*, pp. 6, 8; Kalland, “Whose Whale is That?” pp. 163–4.
166. Kazuo Shima, “Japan and Whaling,” pp. 4–5, *Social Science Japan*, vol. 16 (August 1999), pp. 3–6. For similar views, see Peterson, “Whalers, Cetologists, Environmentalists, and the International Management of Whaling,” p. 155; Stoett, *The International Politics of Whaling*, p. 113.
167. Suwa, *Amerika wa kankyō ni yasashiinoka*, p. 237.
168. Kalland, “Whose Whale is That?” p. 165.
169. Understanding this situation and feeling a little dissatisfied with Greenpeace’s international aggressive campaigns on whales, Greenpeace Japan instead directed its focus on the driftnet issue around 1990. A then-Greenpeace Japan official, interview by author (Tokyo, June 21, 1999).
170. T. Akimichi, et al., *Small-Type Coastal Whaling in Japan*, Occasional Paper, no. 27 (Edmonton: Boreal Institute for Northern Studies, 1988), p. 75 (quoted in Kalland and Moeran, *Japanese Whaling*, p. 2).
171. Kalland and Moeran, *Japanese Whaling*, Chapters 7 and 8.
172. *Ibid.*, p. 188.
173. Nakajima, “Hogeimon dai ni kansuru futatsu no sokumen,” p. 29.
174. Two Japan Whaling Association officials, interview by author (Tokyo, July 1, 1999).
175. *Nihon keizai shinbun* (May 18, 1988), p. 31; *Yomiuri shinbun* (June 10, 1988), p. 25; *Asahi shinbun* (January 28, 1989), p. 30.
176. TRAFFIC International, *Whale Meat Trade in East Asia*, p. 11.
177. Kalland and Moeran, *Japanese Whaling*, p. 1.
178. *Ibid.*, p. 194.
179. *Asahi shinbun* (June 21, 1992), p. 3.
180. Niimori Tatsuo, “Hogeikoku aisurando no ketsudan” [Decision by Iceland, a Whaling Nation], p. 108, *Gekkan shakaitō* (September 1991), pp. 104–13. For other examples, see House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), pp. 3, 4, 11, 14, 18, 22; *The Japan Times* (November 9, 1994).
181. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), pp. 11, 14; Stoett, *The International Politics of Whaling*, p. 113; *The Times* (December 22, 1987).
182. Komatsu, “Kujira to keizai masatsu,” p. 109; Kalland and Moeran, *Japanese Whaling*, pp. 14, 94; Umezaki Yoshito, “Shigen hogo dewanaku jinshu sabetu

- shisō da" [Not Resource Conservation but Racial Thought], p. 21, *Sekai shūhō* (July 21, 1987), pp. 18–21.
183. See, for example, Komatsu, *Kujira wa tabete ii*, pp. 185, 206, 213; *The Economist* (February 6, 1988), p. 88.
184. House of Representatives, *Shūgiin nōrinsuisan iinkai kaigiroku* (July 28, 1987), p. 17; Stoett, *The International Politics of Whaling*, p. 105.
185. *The Guardian* (March 17, 1989). See also Shima, "Japan and Whaling," p. 5; *The Guardian* (May 27, 1991); *The Daily Telegraph* (June 22, 1987).
186. Day, *The Whale War*, p. 140.
187. A former journalist, interview by author (Tokyo, June 28, 1999).

## Chapter 6

1. Thomas Princen, "The Ivory Trade Ban: NGOs and International Conservation," p. 125, in Thomas Princen and Matthias Finger, *Environmental NGOs in World Politics* (London: Routledge, 1994), pp. 121–59. The Indian elephant had already been listed in Appendix I. *Asahi shinbun* (May 13, 1989, evening edition), p. 18.
2. Princen, "The Ivory Trade Ban," p. 122.
3. Tom Milliken, "Afurikazō no genshō to zōge no kokusai torihiki: Washinton jōyaku ni motozuku ketsudan no toki" [Decrease in African Elephant Populations and the International Ivory Trade: Time to Decide in Accordance with the Washington Convention], p. 7, *TRAFFIC Japan Newsletter*, vol. 5, nos. 3–4 (November 30, 1989), pp. 2–24.
4. *Ibid.*, pp. 7–9. The fifth CITES Conference in 1985 adopted the quota system.
5. Ivory Trade Review Group, *The Ivory Trade and the Future of the African Elephant: Volume 1 Summary and Conclusions* (October 1989), p. 17. In 1989, the market was estimated to be worth 50 to 60 million dollars. Gareth Porter and Janet Welsh Brown, *Global Environmental Politics: Dilemmas in World Politics*, 2nd edn (Oxford: Westview Press, 1996), p. 81.
6. Ivory Trade Review Group, *The Ivory Trade and the Future of the African Elephant: Volume 1 Summary and Conclusions*, pp. 21–2.
7. *Ibid.*, pp. 31–2; Milliken, "Afurikazō no genshō to zōge no kokusai torihiki," pp. 8–9; Princen, "The Ivory Trade Ban," pp. 125–6.
8. Ivory Trade Review Group, *The Ivory Trade and the Future of the African Elephant: Volume 1 Summary and Conclusions*, p. 2.
9. Raymond Bonner, *At the Hand of Man: Peril and Hope for Africa's Wildlife* (New York: Vintage, 1994), p. 114.
10. Princen, "The Ivory Trade Ban," p. 136. Princen also argues that this feature distinguishes it from the IWC regime, to say nothing of economic regimes such as the General Agreement on Tariffs and Trade (GATT). *Ibid.*, p. 142.
11. The International Union for the Conservation of Nature and Natural Resources changed its name in 1988 to the World Conservation Union but kept the old acronym. Andy Crump, *Dictionary of Environment and Development: People, Places, Ideas and Organizations* (London: Earthscan, 1991), p. 267.
12. This organization changed its name from "World Wildlife Fund" in 1989. *Ibid.*, p. 270.

13. For further details on this organization, see Tokunaga Hideomi, "Torafikku nettowaaku: Sono soshiki to katsudô" [TRAFFIC Network: Its Organization and Activities], *Kankyô* (January 1988), pp. 28–30.
14. Nishimiya Hiroshi, "Washington jôyaku niokeru yasei dôshokubutsu no hogo" [Protection of Wild Fauna and Flora in the Washington Convention], p. 7, *Kankyô* (January 1988), pp. 6–9; Simon Lyster, *International Wildlife Law* (Cambridge: Grotius, 1985), p. 239.
15. Crump, *Dictionary of Environment and Development*, pp. 270–1.
16. WWF, *Afurikazô no kyûsai* [Relief of African Elephants] (Tokyo, 1990), pp. 21–2.
17. Princen, "The Ivory Trade Ban," p. 130.
18. Sakaguchi Isao, "Zôge torihiki kisei regiimu: Chishiki, gensetsu, riei" [The Ivory Trade Regulation Regime: Knowledge, Discourse, and Interests], p. 175, *Kokusai seiji*, vol. 119 (October 1998), pp. 170–91.
19. Bonner, *At the Hand of Man*, pp. 112–13.
20. WWF, "WWF Policy Statement on African Elephants and the Ivory Trade" (agreed at the Directors' Meeting in Hong Kong on December 2, 1988); Princen, "The Ivory Trade Ban," p. 149.
21. A TRAFFIC Japan official, interview by author (Tokyo, March 28, 1997); a then-CITES Secretariat official, interview by author (Tokyo, March 30, 1997).
22. Allan Thornton and Dave Curry, *Afurikazô wo sukue* [Save the African Elephant], trans. Nakano Haruko (Tokyo: Sôshisha, 1993), pp. 106–18.
23. Princen, "The Ivory Trade Ban," p. 144. For two kinds of environmental transnational coalitions, see Thomas Princen, "Ivory, Conservation, and Environmental Transnational Coalitions," pp. 230–1, in Thomas Risse-Kappen, ed., *Bringing Transnational Relations Back In: Non-State Actors, Domestic Structures and International Institutions* (Cambridge: Cambridge University Press, 1995), pp. 227–53.
24. Bonner, *At the Hand of Man*, pp. 117–19; Princen, "Ivory, Conservation, and Environmental Transnational Coalitions," p. 231.
25. Bonner, *At the Hand of Man*, p. 124.
26. *Yomiuri shinbun* (February 24, 1989, evening edition), p. 7.
27. Thornton and Curry, *Afurikazô wo sukue*, pp. 124, 140–7, 161–2, 169; Bonner, *At the Hand of Man*, pp. 128–9.
28. Sakaguchi Isao, "Yasei seibutsu torihiki kanri regiimu" [The Wildlife Trade Management Regime] (MA thesis, Graduate School of Arts and Sciences, University of Tokyo, 1995), p. 144; *Asahi shinbun* (May 13, 1989, evening edition), p. 18.
29. A then-CITES Secretariat official, interview by author (Tokyo, July 30, 1997); WWF, "News Release: WWF Petition Spurs the United States to Halt Ivory Trade from Somalia" (Washington, DC, February 21, 1989).
30. Bonner, *At the Hand of Man*, p. 112.
31. *Ibid.*, p. 113.
32. *Ibid.*, pp. 89, 139.
33. WWF and WCI, "News Release: WWF and WCI Call for Worldwide Ban on Ivory Trade, Findings in New Scientific Study Show Elephant Holocaust is Likely Unless Action is Taken" (Washington, DC, June 1, 1989). Milliken, "Afurikazô no genshō to zōge no kokusai torihiki," p. 10; *Nihon keizai shinbun*

- (June 2, 1989), p. 34; *Mainichi shinbun* (June 2, 1989), p. 26; *Yomiuri shinbun* (June 2, 1989), p. 30; *Asahi shinbun* (June 2, 1989), p. 30.
34. David Western, "Ivory Trade under Scrutiny," pp. 35–6, *Species, Newsletter of the Species Survival Commission, IUCN*, nos. 13–14 (July 1990), pp. 35–7.
  35. Princen, "Ivory, Conservation, and Environmental Transnational Coalitions," p. 245.
  36. J. R. Caldwell, and R. A. Luxmoore in collaboration with the TRAFFIC Network, *Recent Changes in World Ivory Trade* (Cambridge: World Conservation Monitoring Centre, February 1990), pp. 2–3; Milliken, "Afurikazô no genshō to zōge no kokusai torihiki," pp. 10–11; *Asahi shinbun* (June 6, 1989), p. 30; *Asahi shinbun* (June 10, 1989), p. 30.
  37. Bonner, *At the Hand of Man*, p. 140. See also *Ibid.*, pp. 139–40, 154.
  38. *The Economist* (July 1, 1989), p. 18.
  39. *Asahi shinbun* (July 10, 1989), p. 3; *The Independent* (July 8, 1989); Western, "Ivory Trade under Scrutiny," p. 37.
  40. Princen, "The Ivory Trade Ban," p. 122.
  41. *The Economist* (July 1, 1989), pp. 17–18. This group commissioned the study of the Ivory Trade Review Group (ITRG). Princen, "The Ivory Trade Ban," p. 126.
  42. *The Economist* (April 15, 1989). *The Financial Times* (July 19, 1989); *Asahi shinbun* (July 19, 1989, evening edition), p. 2.
  43. *The Economist* (July 1, 1989), p. 18.
  44. Princen, "The Ivory Trade Ban," p. 122.
  45. Ivory Trade Review Group, *The Ivory Trade and the Future of the African Elephant: Volume 1 Summary and Conclusions*, p. 29.
  46. *The Economist* (July 1, 1989), p. 18.
  47. *Ibid.*, p. 19.
  48. *The International Herald Tribune* (October 12, 1989); *The Economist* (July 1, 1989), p. 17.
  49. Princen, "The Ivory Trade Ban," pp. 122, 127–8.
  50. *The Economist* (October 14, 1989), p. 20.
  51. Sakaguchi, "Yasei seibutsu torihiki kanri regiumu," p. 167.
  52. Bonner, *At the Hand of Man*, pp. 152–3; Thornton and Curry, *Afurikazô wo Sukue*, pp. 210, 213; Tom Milliken, Ginette Hemley, and Jon Barzdo, "Dai 7 kai Washinton jōyaku teiyakukoku kaigi hōkoku: Afurikazô mondai ga kaigi no shōten ni" [The seventh CITES Conference of the Parties: African Elephant Takes Center Stage], pp. 3–5, *TRAFFIC Japan Newsletter*, vol. 6, no. 2 (March 31, 1990), pp. 2–8. The proposal allowed the export from the region of elephant skin and meat as well.
  53. *The Financial Times* (October 9, 1989). Princen points out that "many other traded and threatened species were neglected for lack of time and money." Princen, "The Ivory Trade Ban," p. 151.
  54. Milliken, Hemley, and Barzdo, "Dai 7 kai Washinton jōyaku teiyakukoku kaigi hōkoku," p. 2. Princen cites the WWF, TRAFFIC, the Environment Investigation Agency (EIA), Greenpeace, the Humane Society, and Safari Club International as the most prominent NGOs at the 1989 meeting. Princen, "The Ivory Trade Ban," p. 158.
  55. Thornton and Curry, *Afurikazô wo sukue*, pp. 212–16.
  56. Bonner, *At the Hand of Man*, p. 155.
  57. *Asahi shinbun* (October 18, 1989), p. 3; *The Financial Times* (October 18, 1989).

58. Tom Milliken, "The Japanese Ivory Trade: Tradition, Cites and the Elusive Search for Sustainable Utilisation," 3.8.7, in Ivory Trade Review Group, *The Ivory Trade and the Future of the African Elephant: Volume 2 Technical Reports* (October 1989). For more details on the rules governing international trade in specimens of species listed in the Appendices, see Lyster, *International Wildlife Law*, pp. 247–56.
59. Princen, "The Ivory Trade Ban," p. 124. *The Economist* of October 14, 1989 (p. 20) argues that the world black market "already accounts for perhaps three-quarters of the total trade."
60. Milliken, "The Japanese Ivory Trade," 3.8.7, 3.8.8, 3.8.3.1, 3.8.1, and 3.8.7.
61. *Mainichi shinbun* (June 10, 1989), p. 26.
62. A then-MITI official, interview by author (Tokyo, June 16, 1999); an Environment Agency official, interview by author (Tokyo, August 8, 1997). In many cases, ivory from intermediary countries was illegal. A then-JGMIA official, interview by author (Tokyo, July 31, 1997); *Mainichi shinbun* (May 27, 1989), p. 27.
63. A then-MITI official, interview by author (Tokyo, June 16, 1999); *Asahi shinbun* (June 16, 1989), p. 1; *Nihon keizai shinbun* (June 16, 1989), p. 34; *Mainichi shinbun* (June 16, 1989), p. 27; *Yomiuri shinbun* (June 16, 1989), p. 30.
64. Milliken, "The Japanese Ivory Trade," 3.8.3.3; *Yomiuri shinbun* (September 19, 1989, evening edition), p. 18; *Nihon keizai shinbun* (September 24, 1989), p. 12.
65. *Yomiuri shinbun* (October 31, 1989), p. 2; *Nihon keizai shinbun* (October 31, 1989), p. 34; *Asahi shinbun* (October 31, 1989), p. 30.
66. Peter J. Stoett, *The International Politics of Whaling* (Vancouver: UBC Press, 1997), p. 85.
67. Bonner, *At the Hand of Man*, pp. 154–5; Thornton and Curry, *Afurikazō wo sukue*, p. 203.
68. Abram Chayes and Antonia H. Chayes, *The New Sovereignty: Compliance with International Regulatory Agreements* (Cambridge: Harvard University Press, 1995), p. 21.
69. *Asahi shinbun* (July 12, 1989), p. 1; *Nihon keizai shinbun* (July 12, 1989), p. 5. According to a then-CITES Secretariat official, interview by author (Tokyo, July 30, 1997), the issue was brought up by the Japanese side without government coordination in advance.
70. *Nihon keizai shinbun* (November 2, 1989, evening edition), p. 18.
71. Bonner, *At the Hand of Man*, p. 148.
72. *Ibid.*, p. 140.
73. Milliken, "The Japanese Ivory Trade," 3.8.3.8 and 3.8.4; Tokyo Ivory Art and Craft Co-operative Association and Osaka Ivory Art and Craft Co-operative Association, "A Proposal for Reconciling the Japanese Need for Ivory with the Conservation of the African Elephant" (Tokyo, 1989); a then-MITI official, interview by author (Tokyo, June 16, 1999). For more information on the industry, see also Esmond B. Martin, *The Japanese Ivory Industry* (Tokyo: WWF Japan, 1981).
74. Milliken, "The Japanese Ivory Trade," 3.8.5.1; *Asahi shinbun* (June 21, 1989), p. 6; *Asahi shinbun* (July 12, 1989), p. 1. In January 2001, MITI was reorganized into the Ministry of Economy, Trade, and Industry (METI).
75. These percentage figures include the scrap and waste generated in the manufacturing process. It should be noted that scrap from the production of seals and

- musical instrument parts was recycled to make jewelry and other accessories home and abroad. Milliken, "The Japanese Ivory Trade," 3.8.4 and 3.8.4.1.
76. Kaneko Yoshio, "Zōge torihiki zenmen kinshi niwa mondaiten" [Problems with a Total Trade Ban on Ivory], *Asahi shinbun* (July 25, 1989), p. 5. Kaneko Yoshio was Head of Special Project Unit of the CITES Secretariat.
  77. Milliken, "The Japanese Ivory Trade," 3.8.3.8. The membership was not mandatory.
  78. *Ibid.*, a then-JGMIA official, interview by author (Tokyo, July 31, 1997). The Japan Ivory Arts and Crafts Association was a member of the JIIA.
  79. Environment Agency, Nature Conservation Bureau, *Nature Conservation in Japan*, 4th edn. (Tokyo, 1995). In January 2001, the Environment Agency was upgraded to the status of a ministry.
  80. An Environment Agency official, interview by author (Tokyo, August 8, 1997).
  81. A then-MITI official, interview by author (Tokyo, June 16, 1999); a then-MOFA official, telephone interview by author (Tokyo, June 25, 1999).
  82. A then-CITES Secretariat official, interview by author (Tokyo, July 30, 1997); an Environment Agency official, interview by author (Tokyo, August 8, 1997).
  83. Milliken, "The Japanese Ivory Trade," 3.8.3.8. Lapointe, Secretary-General of the CITES Secretariat, said that Japan had been "performing perfectly." *The Financial Times* (October 9, 1989). According to *Yomiuri shinbun* of October 9, 1989 (p. 30), 80 percent of the budget of the Ivory Unit was financed by donations from ivory industries.
  84. A then-CITES Secretariat official, interview by author (Tokyo, July 30, 1997). For more information on the relations between CITES and the industry, see Milliken, "The Japanese Ivory Trade," 3.8.8.
  85. In June 1995, the Japanese government became a member of the IUCN.
  86. Asahi Shinbunsha, ed., *Kankyōgaku ga wakaru* [Leaning of Ecology] (Tokyo: Asahi Shinbunsha, 1994), p. 122; Tokunaga, "Torafikku nettowaaku" p. 29.
  87. Asahi Shinbunsha, ed., *Kankyōgaku ga wakaru*, p. 122.
  88. Environment Agency, Nature Conservation Bureau, Wildlife Protection Division, *Wildlife Conservation in Japan* (Tokyo, 1997), pp. 5–6.
  89. Kaneko Yoshio, "Washinton jōyaku: Shu no hogo to eizokuteki riyō" [The Washington Convention: Species Protection and Sustainable Utilization], p. 26, *Kankyō* (January 1988), pp. 23–7; an Environment Agency official, interview by author (Tokyo, August 8, 1997).
  90. Milliken, "The Japanese Ivory Trade," 3.8.2; Princen, "The Ivory Trade Ban," p. 154.
  91. Tsuji Masami, "Kishō yasei dôshokubutsu no kokunai torihiki kiseihō no jisshi nitsuite" [Implementation of the Law for the Regulation of the Transfer of Endangered Species of Wild Fauna and Flora], p. 18, *Kankyō* (January 1988), pp. 18–19.
  92. A TRAFFIC Japan official, interview by author (Tokyo, March 28, 1997); a then-MITI official, interview by author (Tokyo, June 16, 1999). TRAFFIC Japan had a closer contact with the Environment Agency than MITI. Its staff normally met directors of the Environment Agency and assistant directors of MITI. The NGO and WWF Japan were established under the approval of the Wildlife Protection Division of the Environment Agency. A then-Environment Agency official, interview by author (Tokyo, June 18, 1999).



93. *TRAFFIC Bulletin*, vol. 11, no. 1 (September 4, 1989), p. 18.
94. Sakaguchi, "Yasei seibutsu torihiki kanri regiimu," pp. 156–7.
95. A then-MITI official, interview by author (Tokyo, June 16, 1999); Tokyo Ivory Art and Craft Co-operative Association and Osaka Ivory Art and Craft Co-operative Association, "A proposal for reconciling the Japanese need for ivory with the conservation of the African elephant."
96. *Mainichi shinbun* (June 10, 1989), p. 26; Milliken, "The Japanese Ivory Trade," 3.8.4.6.
97. Tokyo Ivory Art and Craft Co-operative Association and Osaka Ivory Art and Craft Co-operative Association, "A proposal for reconciling the Japanese need for ivory with the conservation of the African elephant"; *Asahi shinbun* (June 16, 1989), p. 30; *Mainichi shinbun* (June 16, 1989), p. 27; *Yomiuri shinbun* (June 16, 1989), p. 30; *Nihon keizai shinbun* (June 16, 1989), p. 34.
98. *Yomiuri shinbun* (June 28, 1989), p. 3.
99. *Asahi shinbun* (June 17, 1989, evening edition), p. 16.
100. *Nihon keizai shinbun* (September 14, 1989), p. 34.
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102. *Asahi shinbun* (September 19, 1989, evening edition), p. 18.
103. A then-JGMIA official, interview by author (Tokyo, July 31, 1997).
104. *Nihon keizai shinbun* (October 20, 1989, evening edition), p. 18. This statement was corroborated by a then-JGMIA official, interview by author (Tokyo, July 31, 1997).
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106. A then-JGMIA official, interview by author (Tokyo, July 31, 1997).
107. *Nihon keizai shinbun* (September 20, 1989), p. 10.
108. Milliken, "The Japanese Ivory Trade," 3.8.4.3.
109. Ministry of Finance, Printing Bureau, *Shokuinroku* [Government Directory] (Tokyo: Ministry of Finance, Printing Bureau, 1990), pp. 1373, 1384.
110. Porter and Brown, *Global Environmental Politics*, p. 81.
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112. Milliken, "The Japanese Ivory Trade," 3.8.4.1. They accounted for 50 percent to 60 percent of the national total number of hallmark carvers.
113. A then-CITES Secretariat official, interview by author (Tokyo, March 30, 1997); a then-JGMIA official, interview by author (Tokyo, July 31, 1997).
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116. *Asahi shinbun* (August 16, 1989), p. 4; *Yomiuri shinbun* (August 24, 1989), p. 30; *Nihon keizai shinbun* (August 25, 1989), p. 10.
117. Milliken, "The Japanese Ivory Trade," 3.8.4.1 and 3.8.3.1; Martin, *The Japanese Ivory Industry*, p. 21; *Nihon keizai shinbun* (June 27, 1989, evening edition), p. 18.

118. *Asahi shinbun* (June 16, 1989), p. 1.
119. Milliken, "The Japanese Ivory Trade," 3.8.1; Martin, *The Japanese Ivory Industry*, p. 16. Until the early twentieth century, Japan mainly imported the ivory of Asian elephants.
120. Milliken, "The Japanese Ivory Trade," 3.8.4.
121. A TRAFFIC Japan official, interview by author (Tokyo, March 28, 1997).
122. *Ibid.*; an Environment Agency official, interview by author (Tokyo, August 8, 1997).
123. A then-CITES Secretariat official, interview by author (Tokyo, July 30, 1997); a then-JGMIA official, interview by author (Tokyo, July 31, 1997); an Environment Agency official, interview by author (Tokyo, August 8, 1997).
124. A TRAFFIC Japan official, interview by author (Tokyo, March 28, 1997); *Yomiuri shinbun* (May 22, 1989, evening edition), p. 1.
125. Nishiyama Yutaka, "Zetsumetsu no osorearu yasei dôshokubutsu no jôto no kiseitô nikansuru hôritsu nitsuite" [Law for the Regulation of the Transfer of Endangered Species of Wild Fauna and Flora], pp. 14–15, *Kankyô*, vol. 13, no. 1 (January 1988), pp. 13–17; Environment Agency, *Kankyô hakusho: Heisei 2 nenban sôsetsu* [White Paper on the Environment: General Remarks, 1990] (Tokyo: Ministry of Finance, Printing Bureau, 1990), pp. 210–11.
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130. *Yomiuri shinbun* (October 17, 1989, evening edition), p. 18.
131. Kikuchi Kunio, "Washinton jôyaku teiyakukoku kaigi ni shusseki shite" [After Attendance at a Conference of the Parties of the Washington Convention], p. 40, *Kankyô* (January 1990), pp. 38–41; a then-CITES Secretariat official, interview by author (Tokyo, July 30, 1997); an Environment Agency official, interview by author (Tokyo, August 8, 1997).
132. *Mainichi shinbun* (June 16, 1989, evening edition), p. 12.
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134. Kikuchi, "Washinton jôyaku teiyakukoku kaigi ni shusseki shite," p. 40.
135. Milliken, "Afurikazô no genshô to zôge no kokusai torihiki," p. 23.
136. *TRAFFIC Japan Newsletter*, vol. 6, no. 2 (March 31, 1990), p. 11.
137. Milliken, "The Japanese Ivory Trade," 3.8.9.
138. *Nihon keizai shinbun* (September 24, 1989), p. 12.
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142. Milliken, Hemley, and Barzdo, "Dai 7 kai Washinton jôyaku teiyakukoku kaigi hôkoku," pp. 7, 20.
143. *The Economist* (July 1, 1989), p. 18.
144. *TRAFFIC Japan Newsletter*, vol. 6, no. 2 (March 31, 1990), p. 7.

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146. A then-MITI official, interview by author (Tokyo, June 16, 1999); a then-Environment Agency official, interview by author (Tokyo, June 18, 1999). In 1989, MITI, MOFA, the Ministry of Finance, the Ministry of Agriculture, Forestry, and Fisheries, and the Environment Agency participated in the conference. Milliken, Hemley, and Barzdo, "Dai 7 kai Washinton jōyaku teiyakukoku kaigi hōkoku," p. 2.
147. Porter and Brown, *Global Environmental Politics*, p. 84.
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150. An Environment Agency official, interview by author (Tokyo, August 8, 1997).
151. *Yomiuri shinbun* (October 17, 1989, evening edition), p. 18.
152. A then-MOFA official, telephone interview by author (Tokyo, June 25, 1999); *Asahi shinbun* (October 20, 1989, evening edition), p. 22; *Yomiuri shinbun* (October 20, 1989, evening edition), p. 18; *Mainichi shinbun* (October 20, 1989, evening edition), p. 12; *The Times* (October 21, 1989).
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160. *Ibid.*, p. 142.
161. Ivory Trade Review Group, "The Ivory Trade and the Future of the African Elephant: Executive Summary, Interim Report."
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165. Lyster, *International Wildlife Law*, p. 243.
166. Ivory Trade Review Group, "The Ivory Trade and the Future of the African Elephant: Executive Summary, Interim Report," p. 3.
167. *Ibid.*, p. 1
168. *Ibid.*, p. 9.
169. *Ibid.*, p. 4. See also *ibid.*, p. 11; Western, "Ivory Trade under Scrutiny," pp. 35–6.
170. Lyster, *International Wildlife Law*, p. 243.
171. Sakaguchi, "Yasei seibutsu torihiki kanri regiimu," p. 158.

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173. Douglas-Hamilton, *Zô notameno tatakai*, p. 425.
174. *Nihon keizai shinbun* (July 27, 1989, evening edition), p. 14.
175. A then-MITI official, interview by author (Tokyo, June 16, 1999).
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177. *TRAFFIC Bulletin*, vol. 11, no. 1 (September 4, 1989), p. 1; *The Times* (July 4, 1989); *Nihon keizai shinbun* (July 7, 1989, evening edition), p. 18; *Nihon Keizai shinbun* (July 9, 1989), p. 13. MITI was relieved to see the division of opinions on international trade in ivory. A then-JGMIA official, interview by author (Tokyo, July 31, 1997).
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179. Kaneko, "Zôge torihiki zenmen kinshi niwa mondaiten"; Princen, "The Ivory Trade Ban," p. 128; Thornton and Curry, *Afurikazô wo sukue*, pp. 186–209; Douglas-Hamilton, *Zô notameno tatakai*, pp. 440–2; *Asahi shinbun* (October 8, 1989), p. 3; *The Financial Times* (October 9, 1989); *The Times* (October 12, 1989). At the 1989 CITES meeting, environmentalists pressured Secretary-General Lapointe to resign.
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## Chapter 7

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