

Evolution of Air Policy in Japan

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1. Introduction

Japanese air carriers had already begun their scheduled services to China and Southeast Asia countries before World War II; however, the two commercial air carriers, Nippon Air Transport and International Airlines operating these routes, were forced to disband by the Japanese Government in 1935, when the war between Japan and China became intensified.

Subsequently in 1937, a commercial air carrier, Dai-Nippon Koku or Greater Japan Airlines, financed by the Government was founded. Since then, all the civilaviation activities in Japan had been conducted under the supervision of the then Japanese military authorities, and operated in line with the national policy. This was derived from the fact that the civil aviation itself was, in those days, regarded as having a high military value, and there had been a tendency to contemplate converting the civil aviation to military use; Japan was no exception.¹⁾

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After Japan lost World War II, all activities related to the civil aviation by Japanese entities were totally banned by a memorandum issued by the headquarters of the occupation army in 1945. Although operations of the civil aviation themselves had been entrusted with a foreign airline because of this memorandum, the civil aviation activities by Japanese entities had been suspended until 1950 when a Domestic Air Transport Business Act was established. Pursuant to this Act, Japan Airlines, as existing today, was founded under the guidance of the Japanese Government in 1953.²⁾ However, since World War II had caused considerable devastation within the Japanese territories and interrupted development of the civil aviation, the Government policy on the civil aviation in those days was focused on rebuilding the Japanese economic power, aiming at steady growth of the civil aviation and elimination of competition. Similar policies were established also for other major industries in Japan.³⁾

Under the present circumstances where significant development of the civil aviation has already been attained through the protective Government policy during the past 40 years, a review of the air policy is under way to materialize market development through introduction of law of competition not only in the international routes but also in the domestic routes. The discussion on reformation of the air policy is under way exercising prudence, since the previous policy had primarily been based on the necessity to achieve economic reconstruction after World War II, and had been congruous with the basic social structure of Japan, under which the spirit of cooperation is highly valued.⁴⁾

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- 1) Japan Aviation Association “日本航空史(昭和前期編)(Nihon Kokushi)” Japan Aviation Association 1975 P505-807. Shigeru Yoshida, Nozomu Takahashi “國際交通論(Kokusai Kotsuron)” Sekai-Shisosya 1995 P134-135
 - 2) AC 360 ESS-E SCAPIN-301 issued by General Headquarters Supreme Commander for the Allied Power 18 Nov. 1945
 - 3) Kotaro Komiya, Masahiro Okuno, Kotaro Suzuki “日本の産業政策(Hinin no Sangyo Seisaku)” University of Tokyo Press 1984 P25-44, P45-75, P255-404; Takahiro Yamauchi “現代の航空輸送(Gendai no Kokuyuso)”, Keiso-Syobo 1995 P13-20
 - 4) Japan Aviation Association “日本航空史(昭和戦後編)(Hihon Kokushi)”, Japan Aviation Association 1992 P10-31

For this reason, the argument on how globalization of the international aviation market, as symbolized by the open-air policy advocated by the U.S. Government, can be incorporated into the Japanese air policy will focus on how harmony between the cooperative nature of Japanese society and development of competitive market environment can be achieved and strike its root.

2. Regulating Civil Aviation Activities after the World War II

With exception of the U.S., most of the airlines in the world were operated as a national enterprise immediately after the World War II. This was derived from the fact that without any financial support from governments, the airlines could not afford to purchase aircrafts and train their flight deck crews. It was quite common that the governments had not only invested in their airlines but also participated or dominated in their management. Therefore, it was considered as the national interest also in Japan after the war that airline business should be protected and that revenue from airline activities should be secured.

Based on this thought, Japan Airlines was established in 1953 as a national enterprise, although it had a status of a stock corporation with the Government holding majority of the stock, and was regulated under the Japan Airlines Company Law. It was prescribed beforehand in this law that the purpose of Japan Airlines was to achieve national objectives through carrying on regular air transport business on international routes as well as domestic routes (though limited to trunk lines).⁵⁾ Consequently, Japan Airlines

5) 日本航空株式會社法(Japan Airlines Company Law(Law 154th 1953)) article 1 said that Purpose of Japan Airlines was to operate schedule flight on international routes and domestic trunk routes and to manage associated business. The purpose of the law came from air policy in Japan at that time. And an intention of the policy was to revive air line business in Japan by Japan Airlines Ltd.

was required to obtain approval from the Transport Minister for all of its business plans, financial plans as well as annual budgets in carrying on their business activities,⁶⁾ and through these requirements Japan Airlines' operations were in reality placed under the Government supervision. Thus, Japan Airlines had developed under the Japanese Government's strong protection during the initial stage after its foundation.

The air transport business, which resumed its operation in 1952 by Japan Airlines with its characteristics as the national enterprise, was shared by two air carriers since 1958 after the foundation of All Nippon Airways. There had also been a number of smaller air carriers operating nonscheduled air transport services; however, all these carriers had a wish to expand their business areas into more profitable regular air transport services. Partly to accommodate their wishes, some of these carriers were merged with All Nippon Airways, and remaining carriers were consolidated and they had established a single entity called Japan Domestic Airlines, pursuant to the Government policy. Japan Domestic Airlines was initially to merge with Japan Airlines at a certain future date;

however it was eventually consolidated with Toa Airlines (a nonscheduled airline), and formed Japan Air System as known presently. So-called three airlines system was established in May 1971.⁷⁾

The reorganization of the air carriers in those years was motivated by the deficit operation result (1962) of All Nippon Airways owing to the intensified competition in the domestic routes and also by the fact that other carriers management came to a deadrock.

The Air Transport Council worked out a policy which proposed concerning the domestic and international routes as follows⁸⁾ :

6) 日本航空株式會社法 (Japan Airlines Company Law (same as the above)) article 4 said that Japan Airlines should obtain authorization concerning business plan by the minister of transportation before the beginning of every fiscal year.

The article 4 means that Japan Air Lines was fully under control of the government at that time.

7) “日本航空史(昭和戦後編)(Nihon Kokushi)” Japan Aviation Association 1992 P248-261

8) “現代の航空輸送(Gendai no Kokuyuso)” Kieso-Syobo 1995 P16-17

As to international routes,

1. Increase of outlay of the government to Japan Airlines.
2. Subsidy for new routes which will meet national interest.
3. Subsidy for training of crew.

As to domestic routes,

1. Establishing co-operative management system in domestic trunk routes.
2. Rearrangement of the routes in order to meet increasing needs of local routes. Upon especially responding to the above mentioned the 1 (domestic) and also to “Basic policy of consolidating the co-operative relations between Japan Airlines and All Nippon Airways” shown by the Ministry of Transport in 1962, they signed a memorandum which was concerning fixing number of flights and preventing excessive services. At the same they unified air fare and employed of the same type of aircraft in domestic routes according to the guidance of the Ministry of Transport.⁹⁾

This way, in the incipient stage of the post-war periods in Japan, civil aviation was arranged and developed through maintaining the co-operative relations between Japan Airlines and All Nippon Airways.

However, owing to the achievement of the growth of domestic economy, the need of the civil aviation in Japan also rapidly increased.

For that reason, the Government policy on the civil aviation in those days was that a third air carrier following the then existing Japan Airlines and All Nippon Airways was necessary to cope with the growing air traffic demand, and was official established by a cabinet meeting in 1970.¹⁰⁾

In the cabinet meeting held in 1970, a basic policy on operational structure of air transport enterprises under the Government directives was resolved, contents of which formed the basic philosophy of the air policy until privatization of Japan Airlines was materialized. In 1972, as particulars of the air policy, distribution of business areas among the these three

9) “限りなく大空へ(Kagirinaku Ozorae)” All Nippon Airways Ltd. 1983 P204-215

10) “現代の航空輸送(Gendai no Kokuyuso)” Keiso-Syobo 1995 P17-20

airlines was determined as follows:

1. The business areas of Japan Airlines shall be the operation of scheduled flights on domestic trunk routes and all scheduled flights on international routes as well as associated business.
2. The business areas of All Nippon Airways shall be the operation of scheduled and charter flights on domestic trunk and local routes, and the operation of charter flights on international short haul routes as well as associated business.
3. The business areas of Japan Air System shall be the operation of scheduled and charter flights on domestic trunk and local routes as well as associated business.

The policy decision was called the(19)70-72 system and formed the base for the air policy in Japan until Japan Airlines was privatized and the monopoly of the international schedule operation by the single carrier was dissolved in 1985.

Meanwhile, the two domestic carriers, All Nippon Airways and Japan Air System, had not been exposed to competition from foreign carriers because of reservation of the cabotage. They had enjoyed steady growth reflecting the increase of domestic traffic demand under the system which allowed operation on local routes free from competition with exception of the trunk routes, resulting from the regulated distribution of operational rights as exercised by the Government through a license system, although they had been affected by the business cycles.¹¹⁾

On the other hand, Japan Airlines, as the only national flag carriers operating scheduled international flights, had also grown into one of the major carriers in the world reflecting the economic growth in Japan. Such growth of the civil aviation industry in Japan is attributable, from a policy point of view, to the Government that had exercised powerful leadership in distributing profitable operating rights among the carriers. With the intention of implementing the control through the Government directives from a macroscopic point of view, realization of the systematic market

11) “限りなく大空へ(資料編)(Kagirinaku Ozorae)” All Nippon Airways Ltd. 1983 P74-75

operation had contributed toward management of air carriers in their infancy. In those days when this policy was being worked out, emphasizing the systematic market operation was the common objective of the Government policies applied to other industries in Japan, including the shipping industry.¹²⁾

This kind of policy is usually called in Japan (Gososendan-Hoshiki) or escoting fleet. Instead of maintaining industrial energy through fully competition condition, its dominating idea is to keep on economical development through preservation of co-existence and prosperity of civil air transport by the maternalistic attitude and sense of equality. This typical Japanese philosophy is drastically different from the Western one:

The former's aim is at helping, while the latter at survival through competing each others. The philosophy is basically different from, by way of example, the basic theory of the welfare economics. According to it, we could develop the quality of welfare only through separating the pursuit of efficiency (economic policy) from the idea of realization of equal sharing (social policy). This means that we should distinguish developing productive capacity of any enterprises from realizing equal sharing of profits.¹³⁾

3. Burgeoning of Privatization

The regulative and protective policy had protected Japan Airlines and All Nippon Airways from powerful major air carriers from the U.S. and other countries in their developing stages, and had contributed toward accumulating funds fundamental to the operation of these carriers. Under such environment, the civil aviation industry in Japan had grown and it became possible for airlines to operate independently.¹⁴⁾

12) “國際交通論(Kokusai Kotsuron)” Sekai-Shiosya 1995 P103-110

13) Tishiro Oka “Welfare Economics and Environmental Policy(厚生經濟學と環境政策)” Iwanami-Syoten 1997 P7-47

14) Mamoru-Tosaki “航空の規制緩和(Koku no Kiseikanwa)” Keiso-Syobo 1995 P105-111

Similar regulative and protective policy had also been applied to other major industries in Japan; however, in these days when economic growth is already attained, it is generally recognized that each air carriers should provide quality services at reasonable prices on their own to cope with increasing traffic, inclusive naturally of international traffic, instead of being regulated and protected by the Government whose objective was to foster the industry from a view point of national interest.¹⁵⁾

In other words, being regulated and interfered by the Government has often conflicted with the individual airline's interest, and the concessional nature of the Government's jurisdiction became more conspicuous. For this reason, the Government, in 1985, had inquired the Transport Policy Council, a consultative body of the Japanese Government, "On What a Basic Policy of Operational Setup of Air Transport Enterprises in Japan Should be," and the Council had submitted its report in 1986. Upon receiving the report, the Government had decided to change its air policy which had been enforced since after the war and regulated the air transportation services.

The substance of the report calls for operation of international flights by multiple airlines, promotion of competition in the domestic routes nets, and full privatization of Japan Airlines.¹⁶⁾ The major factors for the Government to change its air policy were that proponents of privatization, advocating introduction of vitality from the private sector and its promotion, had turned up from among the Government bureaucrats as the economy in Japan was growing, and that a departure from the exclusionism of the Japanese air transport market had been urged owing to extensive deregulation of civil aviation industry in the U.S. Japan Airlines which had already been developed into one of the major carriers in those days had its own wish to have the freedom to pursue profit as a pure private enterprise, leaving from the governmental protection, and it had even put an

15) "現代の航空輸送(Gendai no Kokuyuso)" Keiso-Syobo 1995 P211-218

16) "日本航空史(昭和戦後編)(Nihon Kokushi)" Japan Aviation Association 1992 P28-31
Cabinet adopted new air policy in 1985. The policy included privatization of Japan Airlines, realization of competitive market in Japan.

advertisement in leading newspapers, declaring that Japan Airlines itself was of the opinion that it should be privatized.

The concept by the Air Transport Policy Council 1986 called for a change from the previous framework, under which stable growth of the civil aviation industry and the elimination of competition had been secured through distribution of routes; however, it did not mean to deregulate completely alike the open-sky policy implemented in the U.S. Its intention was to achieve realization of a more competitive market without changing the previously established air transport structure based on the existing Aeronautical Law, but by revising its contents. Therefore, certain aspects subject to governmental control coexisted with some other aspects free from the control. Conversely speaking, in order to avoid a radical change to the existing situation and at the same time to introduce competitiveness into the market, total elimination of regulative measures, such as intervention into the market and approval of air fares, had been avoided.¹⁷⁾

Since then, it was considered that a review on enhancement of the civil aviation industry's competitiveness was essential because of several factors, such as increased overall airport capacities in Japan derived from the opening of Kansai International Airport and enhancements made at other airports, increased competition on international routes, and the prolonged economic recession. For this reason, the Government, in 1994, had once again inquired the Air Transport Policy Council on this subject.

The Government then gave the following reasons for the necessity of the Japanese air carriers' existence:

1. Necessity to secure stable means of air transportation, which will be free from foreign carriers' conditions.
2. Necessity to secure air transport in case of an emergency(a matter of national security).
3. Necessity to maintain air transport technology as a part of total system. Subsequently, the council submitted a report recommending conversion of each air carrier into a low cost enterprise and

17) "國際交通論(Kokusai Koturon)" Sekai-Shisosya 1995 P177-181

improvement of profitability as the concrete measures to improve the competitiveness of the civil aviation industry based on the above preconditions.

More concretely, the former measures included a review on fixed costs such as personnel costs, and aircraft ownership status; and the latter included optimum route operations to meet the traffic demand through selection of appropriate aircraft types and flight frequency as well as best use of joint operations.

However, the report called for a review on upkeep of routes having a subsistent nature, such as routes to isolated territories, from a view point different from reactivation of the civil aviation industry.¹⁸⁾

Both reports submitted by the council in 1985 and 1994 have consistency in their philosophy in that they had aimed at realization of free competition in stages. However, they still maintained the basic concept of regulating the air transport business through the Aeronautical Law, and tried to promote free competition within such a framework. The substance of these reports has distinctiveness in that it had intended to stimulate free competition by making use of the characteristics of Japanese society, which is different from totally free competition as practiced elsewhere.

In addition to, the Ministry of Transport has decided, concerning allowing domestic air carriers to participate in the market, to abolish gradually from 1999 through 2001 the policy of adjustment of needs which have been at work in civil aviation and domestic maritime transportations. Because of this change of the policy, in the case of the civil aviation, for example, the airports like Narita(New Tokyo international Airport) and Haneda(Tokyo International Airport) where their capacity of facilities already can hardly meet the needs, it becomes crucial issue how to establish a fair policy of use of slot by air carriers.¹⁹⁾

18) “航空の規制緩和(Koku no Kiseikanwa)” Keiso-Syobo 1995 P111-112

19) Civil Aviation Bureau, Ministry of Transport, Japan “航空運送事業の規制緩和関係資料” 1998

Transport Policy Council “国内航空分野における需給調整廢止に向けて必要となる環境整備方策等の在り方” 1998

4. Present Status

The evolution of the policy on the civil aviation industry in Japan began from the protective policy intending to restore the industrial structures which had been devastated by World War II. Subsequently, demand for decontrol of the established protective policy became gradually stronger as the industry was developing keeping pace with the overall growth of the Japanese economy.

Mainly owing to a foreign pressure for institution of an open-sky policy, stemming from the deregulation of domestic aviation in the U.S., deregulation within the domestic market in Japan began. However, based on the judgement that total abolition of the existing restrictions would be inappropriate for the national conditions in Japan, basic concept to promote competition maintaining a certain degree of order in the domestic market has been accepted until today.

Furthermore, it was decided to promote competition in the international civil aviation market, provided the issue of imbalanced rights between the U.S. carriers and Japanese carriers is resolved through the multilateral air negotiation between Japan and the U.S. More concretely, it meant participation of multiple carriers from Japan in the international market, to impose restrictions on the fifth traffic right beyond Japan, and to secure traffic rights to destinations within the U.S. The four U.S. carriers who were given operating rights initially through the multilateral air agreement, namely Pan American, Northwest, Flying Tiger and Continental are presently replaced partly by United for Pan American, Fed-Ex for Flying Tiger, and additionally American, Delta and UPS had started to participate in the market. In addition to the incumbent Northwest and Continental, TWA is expected to operate to participate in the near future.

At the U.S. and Japan negotiation table, additional participation of Japanese carriers in the international civil aviation market was accepted by the U.S. in exchange for acceptance by Japan of the U.S. concept to promote competition, in addition to the incumbent Japan Airlines, All

Nippon Airways and Nippon Cargo Airlines are given the same rights as the incumbent airlines, enabling them to operate the routes to the U.S. on the equal terms.²⁰⁾

However, Narita, only international one in Tokyo area in fact, and where the air carriers of the U.S. desire to increase their work, is not prepared fully for free-competitional operation because of the following facts that 24 hours use of the airport is not permitted and there is only one runway, and without getting consent of the people in the neighbouring areas, it is impossible to expand the apron(as of November 1998, we have not yet reached such mutual consent). Actually, the present capacity can not meet such needs.²¹⁾

These factors are actually preventing the airport from permitting the wider and more free use by foreign air carriers. What is worse is the fact that no plan of establishing the third international airport in Tokyo area is materialized yet. Thus we can not help concluding that right now it is physically impossible for us to improve the capacity of the airport in order to make it eventually open for complete liberalization. In other words, there is no concrete plan in prospect now.²²⁾

20) Jiro Hanyu((Deputy Director, Civil Aviation Bureau), “日米航空交渉の意義と課題について” Greenport Report((Issued by New Tokyo International Airport Authority) 1998 P13-15

21) “NAA NARITA AIRPORT HAND BOOK '98” New Tokyo International Airport Authority 1998 P64-68

Number of airlines operating at Narita Airport are 47(not include JAL, ANA, JAS, JAA and NCA) from 89 cities and 2 areas in 34 countries in the world(almost 2400 aircrafts(aircraft movement) are operating at Narita every week).

Moreover, other airlines in 38 countries wish to operate at Narita or other airports in Japan(Jan.1998). However, Narita and other major airports in Japan cannot accept these airlines because of the remarkable shortage of capacity.

22) 首都圏新空港研究實室(New Metropolitan Airport Study Group) “首都圏第3空港の早期實現について” 1997

5. Future Prospects

It is supposed that the future international civil aviation in Japan would be promoted mainly through study of Japan-U.S. relations particularly, how we could accept the U.S. open-air policy.

Because of significant difference between the scope of the geographical domestic market of Japan and that of U.S. as well as the difference in perception toward competition, it is unlikely that Japan would accept the concept of total free competition in the foreseeable future. The tendency of the air policy in Japan, for the time being, will be to maintain the competition within the framework of two international passenger carriers and one cargo carrier, accepting the possibilities of consolidation among the existing air carriers, while confusion in the market caused by any radical developments will be eliminated within a reasonable scope through the Government intervention.

In domestic fields, the policy of the Ministry of Transport which urges promoting competition has been gradually creating flexibility of air fare, and attitude to accept opening new routes, on the other hand bring about the negative effects which are seen in, for example, so called reconstruction plan to reduce work force in Japan Airlines, All Nippon Airways and Nippon Air system. No doubt the depressive economy in all over Japan is also tangible in all airline business.

However, participation in the trunk routes scheduled flights by new carriers is already actualized by the Sky Mark Airlines in Sep. 1998. This scheduled flights which started by one route(one flight from Fukuoka to Tokyo everyday) is now decided to be increased. In addition to this conspicuous example, Hokkaido International Airlines is planning to open its scheduled flights in Sapporo-Tokyo, trunk lines, as the fifth carrier here in Japan.²³⁾

These phenomena which are resulted from the economical crisis of the

23) 5th airline company, "Hokkaido international airways" is going to operate on domestic trunk route(between Tokyo and Sapporo) in the beginning of 1999.

three established carriers and also from participation of new carriers responding to a change of the policy by the Government superficially look like promoting the the competition idea of the Ministry of Transport effectively.

However, in case that established three carriers will face more serious economical crisis, we wonder if the Ministry of Transport will take it granted as an expected outcome of competition policy, or as done in the past, will step in and try to help air carriers or urge them to merge. In such a crisis, the nature of the competition and air policy in Japan may be unmistakably disclosed.

The deregulation measures taken by the U.S. for domestic air carriers, which has initiated world-wide deregulation tendency, increased the needs to civil aviation as well as frequency in use by people greatly, but on the other hand, it brought about the monopolistic situation by one or two major carriers at the some hub airports, and also partly caused a rise of air fare in the U.S.

This fact suggests that even in the U.S. the deregulation policy in the civil aviation has not created all good results. Taking in consideration the fact that in Europe their deregulation measures are not necessarily the same as the deregulation in the U.S.²⁴⁾, we expect that the future air policy in Japan should be worked out through studying cautiously the nature of Japanese people as well as Japanese situation, not mention of the basic market principle.

At the same time, we should pay more careful attention to necessity of study of how to cope with such problems which may be caused by the monopolistic or oligopolistic control as resulted of free competitions.

Another issue would be how to meet the possible change of policy concerning adjustment of the needs of international airline business, which may come out of the present movement of the major air carriers to establish alliance between them through code-sharing or some other means.

However, most serious problems facing Japan right now are: First, the

24) Aviation Space & Technology Nov.9 1998 P50-69

capacity expected of airports in megalopolis areas has reached already the overflowing point. Secondly, the right of slot and using facilities in the airports which have been enjoyed by the established major air carriers including some major carriers of the U.S., are now becoming their vested rights. Consequently we can not expect easily that deregulation measures taken on the part of the Government one-sidedly could bring in immediately free competition situation.

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(要約)

日本の航空政策の變遷

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日本の民間航空に関する政策は、戦後の經濟復興と同一の歩調で推移しており、次の3つの段階に整理することができる。

第1の段階は、第2次世界大戦後の日本の航空の復興期であり、運輸省の諮問機關のひとつである航空審議會の1952年10月の答申である「我が國民間航空の再建方針」の考え方を中心とした政策が採用されていた。この段階の政策は、政府を筆頭株主とする國策會社である日本航空株式會社以下「日本航空」という)を設立し、これを保護育成することから始まった。

當時、日本の國際線には日本の大手海運會社が進出を畫策し、國內線についても極東航空や日本ヘリコプター航空などの中小の航空會社が參入していたが、國策として定められた日本航空株式會社法(1953年)は日本航空を國際線の運航會社として定め、國內線についても日本航空を國內の幹線の運航會社として定めていた。そして、日本航空以外の中小の航空會社は、國內のローカル線を運航していたに過ぎなかった。1956年にはこれらの中小の航空會社は經營不振に陥り陥、1億門を超える赤字を抱えることとなった。この事實が運輸省の主導による合合併業務提携を手段とした業界再編成の實施の契機となりこの結果、中小航空會社のうち比較的需の見える路線を運航していた極東航空と日本ヘリコプター航空との合併が行われ。1958年に日本の第2の定期旅客便の運航會社である全日本空輸株式會社(以下「全日空」という)が誕生することとな

った。

戦後当初の日本の航空政策は日本航空株式會社法の制定に代表されるように國策會社1社の設立と、これに対する保護育成を中心に据えたものであった。この考え方は、國際線に関しては、1986年に全日空と日本貨物航空が國際定期路線の運航を開始するまで日本の航空政策の基本でとなっていた。

第2の段階は、國內の航空需要が日本の經濟成長の達成に伴い大幅な伸びをみせ、全日本空輸も1959年の新型機材の導入（コンベア440）、1962年からの國內の幹線への進出などにより航空會社として安定した經營を行うようになった時期に始まる

1962年には、日本の航空政策の特徴のひとつといえる運輸省による行政指導が行われた。運輸省は民間企業として成長してきた全日空と政府の保護下にある日本航空に対して業務提携を行うように權告し、あわせて「日本航空及び全日空の提携強化に關する基本方針」を提示した。全日空と日本航空はこの權告を受け入れ、提示された基本方針の考え方に沿って、國內での幹線での運航便數の比率の固定化、同一機種の採用、同一のサービスの提供などを内容とする業務提携を実施した。この業務提携は、競争規制の政策が行政指導を経由して實現されたものであり、これ以降、手段としての行政指導という運輸省の裁量行爲は、政策の實行力を担保する上で、重要な役割を果たしていくこととなる。

この業務提携以降1970年に至るまで、日本航空と全日空への中小航空會社の企業集約が（合併、業務提携による）航空政策の基本であった。しかしながら、1960年代後半から航空需要の急速な伸びが契機となり、1970年には「航空企業の運將來制」が閣議において了解され従來の航空政策の一部修正と基本となる考え方の確認が行われた。これが「(昭和)45・(昭和)47國制」と呼ばれるもので、すなわち(1)日本航空は國內の幹線及び従來どおり國際線の全部を運航すること、(2)全日空は國內の幹線及び國內ロカル線を運航することと、あわせて逐次距離國際チャタタ國內便の充實を図ることとされも言及され、將來は不定期による國際線の運航もあることが示唆された。そして、(3)日本航空全日空に次ぐ航空會社として東京國內航空株式會社（現在の日本エアシステム。以下同じ）に對し、ローカル線の運航と、1974年を目標として逐次國內の幹線の運航を認めることが提言された。

この國內の3社及び國際の1社による體制は、國內線及び國際線において同一路線における複數の航空會社の運航による競争促進が採用される1986年まで

繼續することとなった。

この第2の段階での航空政策の中心は、運輸省の行政指導（裁量行爲）を手段とし合併再編成を中心においた国内の航空業界の協調的な体制の維持と過當競争の排除という考え方であった。

第3の段階は、1978年に始まったアメリカ合衆國の国内線の規制緩和に發端となったオープンスカイ政策の影響を受けて、日本の航空政策が換する1980年代である。

既にこの時期には、日本は歐州の諸國、アメリカ合衆國、そしてアジアの一部の諸國と並んで競争力のある航空會社（國際線における日本航空 国内線における全日空）を有するに至っていた。このような背景の中で日米航空交渉において、アメリカ合衆國は日本に對して航空市場の自由化を求めた。そしてこの要求は對外的にはオープンスカイ政策の發端となったアメリカ合衆國国内の規制緩和が航空に對する需要を増加させていたこと、（利用者数は1978年と1997年との比較で50%の増加具體的には約6億人の利用者數で1978年當時の倍以上となっている）、さらに国内では日本航空が民。化を望む意向を示していたこと、かつ、全日空も國際線への進出を希望していたことから將來の日本の航空政策を轉換する機會を提供するものとなった。

1986年6月の運輸省の諮問機關である運輸政策審議會の答申の「今後の航空企業の運営体制の在り方について」は、今後の航空政策について次のような考え方を示したすなわち（1）國際線の複會社による運航体制を推進すること、（2）企業間の競争条件の均等化を図るため、日本航空の民營化の實施すること、（3）國際線におけるダブル及びトリプルトラックを採用することにより同一路線での競争を促進すること、（4）3社以外の中小航空會社についても企業の性格と能力に應じて路線展開を認めることなどである。これにより、運輸省は 將來の保護と規制を柱とする航空政策が役割を終えたことを認めることとなった。

この政策の轉換は 既に世界有數の航空會社に成長した日本航空が、日本の經濟成長に伴い、國際航空市場における相對的なコスト高を克服して、その競争力を維持することが必要な時代に至ったという事情に沿うものであったともいえる。しかしながらこの政策の轉換はこの時点において既に完了しているとはいえず、その後、航空市場への新規參入の容認（21世紀までに需給調整を撤廢すること）及び將來の運輸省の認可制度の適用による同一路線での同一賃金の見直し（幅運賃制度の採用によりそれぞれの航空會社の裁量による運賃の設定を容認する

ことへと展開していくこととなる。この結果、国際線及び日本の国内線では、将来の政策的に固定化された運営体制が是正され、国内線では日本航空による新規路線の開設が相次ぎ、国際線の中心となる日米航空協定でも指定企業が将来の日本航空の日本1社社会制から、日本航空、全日空及び日本貨物航空の3社体制へと改められた。

1986年の政策の轉換に関連して、1994年6月の航空審議會の答申である「我が國航空企業の競争力向上のための方策」は、日本の航空會社の競争力の維持についても言及した。この答申は、国際線の競争激化と景氣後退の中で、それぞれの航空會社はより一層の經營努力が必要であること、さらに自由化の促進の中で、なぜ日本の航空會社が必要なのか（國籍に関係なく、いずれの航空會社の提供する座席でも良しとしないのはなぜか）というナショナルセキュリティに関する面についても言及している。後者については、日本の国際航空市場への供給が外國の有力な航空會社の事情により左右されるならば、國內的又は政治的理由により、その供給が不安定となったときに日本の利用者の利益が損なわれること、さらに緊急の理由による即時の輸送手段の確保及び雇用面での經濟効果の確保の必要性などにより国際線を運航する日本國籍の航空會社の存在が必要不可欠であるとしている。

第3の段階にある航空政策の考え方により、現在、日本における航空市場の自由化は漸次進行しているが、将来の枠組みを全て撤廢する形での自由化は行われていない。その理由として日本側の事情、具體的には東京などの大都市權の空港の處理能力が既に飽和常態にあり自由な競争を實現するための要件が整っていないこと、また、そうした諸空港ではスロット及び地上施設について日本航空又は全日空の既得權が大きいため、これらについて改めて公正な配分のルールを確立する必要があることなどが挙げられる。スロットの配分については売買を伴わない“USE IT LOSE IT”ルールの適用が検討されているが、總體的に日本の事情に沿う形態での自由競争の實現が模索されているといえる。

このように、現在自由化の促進の方向で様々な面でその具體的な方法が模索されているが、結果において、日本における航空の自由競争の受容の態様は、競争のより一層の促進により日本の有力な航空會社が經營難となったときに、運輸省をはじめとする政府が依然として將來のような合併提携の斡旋又は公的な資金の活用により救済を行うこととなるのか、また、自由競争の進行の結果生じる獨占又は寡占の弊害にどのような政策をもって將來するのかという面に

今後明確に現れてくることとなる。

また、国際航空の面では、世界規模での自由化の促進と関連している航空會社間のアラアンスの普及を將來の2カ國間協定の基礎となる國益という概念とどのように調整するのかということが問題となる。さらにその容量の改善には10年単位の時間を必要とする日本の空港の面からは、すでに限界にある首都圏の空港の處理能力の向上の問題が今後の自由競争の促進のネックとなる。

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