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Examining Darkness of Audit/Policy/ Ethics in Investigations of the Incidents

Abstract

In this summer 2017, a book, titled 'JAL 123 flight, New Facts of the Crash: Approaching the Truth through Eye Witnesses,' was published. The author, Tohko Aoyama is a JAL ex-cabin attendant who lost 15 colleagues in the worst aircraft crash in history, which happened on August 12, 1985. This best-selling book has generated broader concerns about the incident again and evoked a lot of doubts about the official report of the investigation of the crash. In this paper, rather than probing the truth which is suggested by Aoyama and some private investigations, I will focus on the audit censorship in the official report of the accident investigation, while referring to Aoyama's research and eyewitnesses including elementary and middle high school pupils close to the crash site, and an ex-first lieutenant of the U.S. Air Force at that time. I am going to examine not only the problematic narrative of the accident investigation commission, but also the audit culture which covers the authorities' investigation reports such as the Fukushima nuclear plant incident in 2011, as an aggregation of scientism, constriction by experts, and politics determined by US-Japan relationship. Here, I am going to discuss a politics of academic research which makes an irreparable darkness by means of self-reference or self-observation in intellectual production.

1. JAL 123 Aircraft Crash: Timeline and Issues

On August 12th, 1985, JAL flight 123, a B-747 bound for Osaka Airport, lost control 12 minutes after take-off from Haneda Tokyo International Airport, as it approached cruising height of 7,200 m. The craft crashed at Mt. Osutaka, Ueno Village, Gunma Prefecture after 32 minutes of dutch roll flight. In this accident, 520 out of 524 passengers, including the crew on board, were killed. This is the worst single aircraft accident in the world so far.

The timeline of the flight shows a lot of doubt. I will summarize it based on the Aircraft Accident Investigation Report by Aircraft Accident Investigation Commission (AAIC), supplementing it with records of voice recorder and some witnesses. At the same time, I will single out the disputable issues in the official report together.

The aircraft took off at Tokyo International Airport at 18:12. At 18:24:35, approaching east coast of South Izu Peninsula, the aircraft was brought into an abnormal situation and a loud noise sounding as a "boom" was heard, according to the survivors' testimony. At 18:24:39, the captain uttered "Something has exploded in the cabin" and at 18:24:42, he sent a transmission of "squawk 77" (as an emergency code number). (At 18:24:48, the flight engineer uttered something which was transcribed as "all engine" in the official report, however, it could be heard as "orange" through the publicized voice recorder). At 18:25:21, the captain requested Tokyo control clearance to return to Haneda. At 18:30, Michael Antonucci, a first lieutenant of the U.S. Air Force at Yokota Air base (at that time), located in Western Tokyo, caught that the pilot of JAL 123 declared an emergency to air traffic control, and Antonucci as well as other officers continued to pay attention to the situation and were ready for the rescue. However he was ordered to return to Yokota base by the duty officer at 21:05. I will discuss it later. After transmitting several times as "aircraft uncontrollable" to Tokyo Approach Control from 18:45 to around 18:53, the aircraft finally crashed on a ridge of Mt. Osutaka at 18:56:28.

Based on the official report of Aircraft Accident Investigation Report by Aircraft Accident Investigation Commission (AAIC), organized by the Ministry of Transport, published on June 19, 1987, fatigue failure of the aft bulkhead caused a structural failure of the vertical fin, which resulted in the loss of all hydraulic control and the crash. The AAIC report describes the cause of the crash as follows:

> It is estimated that this accident was caused by deterioration of flying quality and loss of primary flight control functions due to rupture of the aft pressure bulkhead of the aircraft, and the subsequent ruptures of a part of the fuselage tail, vertical fin and hydraulic flight control systems.
>
> The reason why the aft pressure bulkhead was ruptured in flight is estimated to be that the strength of

the said bulkhead's webs to the extent that it became unable to endure the cabin pressure in flight at that time.
The initiation and propagation of the fatigue cracks are attributable to the improper repairs of the said bulkhead conducted in 1978, and it is estimated that the fatigue cracks having not be found in the later maintenance inspection is contributive to their propagation leading to the rupture of the said bulkhead. (129)

Based on the scenario of the official report, the direct cause was attributed to the rupture of the aft pressure bulkhead of the aircraft and the subsequent ruptures of the vertical fin, corresponding to the moments when the captain uttered "something has exploded" at 18:24:39 and sent the emergency code "squawk 77" at 18:24:42.

At this point, one of the four survivors, Yumiko Ochiai, an off-duty cabin attendant, sitting in the end line of the aircraft, testified that she heard a high pitch noise such as 'pan' from the rear side of the ceiling. However, she felt neither oscillation nor vibration. She also mentioned that automatically the oxygen masks dropped and an automated announcement broadcasted "emergency descent now," and felt the ears blocked a little, but felt no pain, just like taking an elevator. Then she saw a white fog for a brief moment that vanished soon after (Yoshioka, 1989).

Ochiai's testimony directs questions at the official report's story. If the rupture of the aft pressure bulkhead had actually happened, it would have resulted in a sudden depressurization in the aircraft. However, there seems to be no evidence of sudden decompression in the testimony. Rather, it suggests that the ruptures of the vertical fin were not caused by a force from the inside. In a word, the rupture of the aft pressure bulkhead was not the actual cause of the incident. We need to collect more evidence to investigate the real cause instead of the official report's analysis. Although it is obvious that the remaining part of the vertical fin is one of the most important material piece of evidence, it does still lie at the bottom of the Sagami bay. What we should problematize here, and ask why, is the fact that the report of the AAIC does not mention Ochiai's and other survivors' testimonies at all. I will examine the politics of this discourse formation in AAIC later.

In addition to the cause of the abnormal situation of the aircraft, there is another issue which has aroused a lot of doubts regarding the accident. After the aircraft crashed at 18:56:28, on August 12, 1985, even the radar of the Self Defense Forces and the U.S Air Force followed the trajectory of the abnormal flight and specified the crash site. Actually some local residents witnessed and recognized it as well However, the information about the site sent by the authorities, including the Self Defense

Forces, changed again and again. Moreover, it was "early morning of August 13" that the "the crash point and the aircraft were confirmed by an aircraft of the Defense Agency and the Nagano Prefectural Police" (the official report of AAIC, 121). In sum, why did the rescue take 14-16 hours to reach the site?

2. Eye Witness

In terms of the delay of approaching the crash site, the AAIC report writes as follows:

> Considerable time was necessary for confirmation of the point, but it could not be helped in the light of the fact that the crash point was located in a mountainous area thickly covered with trees and furthermore that the search was conducted at night time. (...)
>
> The crash point is located about 12 kilometers SW of the hall of Ueno Village, (...) since there was no climbing path in the vicinity of the crash site, and the mountainous area searched was dangerous because of the risk of falling rocks, the rescue activities were an extreme difficulty.(121)

Although the report emphasizes how the crash site was located in a mountainous area and the rescue faced difficulties to approach it, it is totally in discord with testimonies of survivors and local residents. Keiko Kawakami, another survivor who was 12 years old then, mentioned that she heard a lot of voices of survivors around her at around 20:33, and saw torch lights during the night but nobody helped them. Then she lost consciousness. Ochiai herself also heard a lot of breathing all around. And decisively, she heard helicopter sounds from above, close to her, she waved her hand in the direction of the sounds while shouting "help me" at around 20:40. But the helicopter sound slowly became more distant, Ochiai testified.

As importantly, local residents, including pupils of the elementary school and middle high school, witnessed the aircraft which were turning around in the direction of the Mt. Osutaka, and heard like a "bang." Now let me quote from two anthologies of "Small eyes witnessed" by Ueno Village elementary school, which collected 148 pupils' written testimonies, and 87 from "Kanna River 5", Ueno Village middle high school.

> On Monday night, around 6:30 pm, my dad said "something flashed." And I went outside and said "something like a thunder." Dad called out, "it's an aircraft!" (a first-grade pupil, "Small Eyes Witnessed", 1985)
>
> During the night, I heard the dreadful helicopter sounds. ("Small Eyes Witnessed 1985")
>
> On Aug.12, the TV news broadcasted

that an aircraft is missing. (...) Outside, three aircrafts were circling, sparkling. (ibid)

A few minutes before 7 pm, I heard something that sounded like the thunder while feeding mulberry to silkworm. My family said they saw a bright red aircraft. (a first year student, "Kanna River5", 1985)

In these testimonies, they mentioned seeing a number of helicopters, jet planes, and vehicles of the Self Defense Forces as well as riot police going up to Mt. Osutaka. Thus, it is obvious that the SDF authorities, the Police, and consequently, the Japanese government located the site at least right after the crash. However, as I have already shown, they declared that the rescue arrived in the early morning of August 13, 1985, because the site "was located in a mountainous area thickly covered with trees and furthermore that the search was conducted in the night time," and "since there was no climbing path in the vicinity of the crash site, and the mountainous area searched was dangerous because of the risk of falling rocks, the rescue activities were an extreme difficulty," based on the AAIC report.

A series of questions are raised by the testimonies. What had happened at the site during around 14 hours after the crash? And why the Self Defense Forces and the Police kept secret their activities then?

In line with these questions, the next shocking testimony was by Michael Antonucci, a first lieutenant of the U.S. Air Force at Yokota Air base at 18:30, Aug. 12, 1985. He caught that the pilot of JAL 123 declared an emergency to air traffic control. But he was finally ordered to return to Yokota base by the duty officer at 21:05. And Antonucci's testimony is as follows (Antonucci, 1995).

BY MICHAEL ANTONUCCI

Special to Stripes

Ten years ago, on Aug. 12, 1985, Japan Airlines Flight 123 crashed into the mountains of central Honshu, resulting in the deaths of 520 people. It was the worst loss of life involving a single aircraft in the history of aviation.

A controversy arose because of the delay in getting to the wreckage by Japanese rescue workers. The plane had been down for 12 hours before the first rescuers reached the scene. In fact, had it not been for efforts to avoid embarrassing Japanese authorities, the first rescuers – a team of U.S. Marines – could have been searching the wreckage less than two hours after the crash. Four people survived. Many more could have.

I have a unique perspective of the aftermath of that crash. At the time it occurred, I was ordered not to speak about it. But on the 10th anniversary

of the disaster, I feel compelled to tell what I saw and heard that evening as the navigator on a U.S. Air Force C-130 inbound to Yokota Air Base, 35 miles west of Tokyo. (...)

We heard Yokota Approach try to contact JAL123 with no success. They cleared us for an approach, but just after 7 p.m. advised us that radar contact with JAl 123 had been lost and asked if we could begin a search. We had enough fuel for another two hours of flying time. We headed north.

(...)

At 7:15, the flight engineer spotted what looked like smoke under a cloud base at about 10,000 feet. We made a slow left turn and headed for it. The area around Mount Osutaka was very rugged. We received clearance to descend to roughly 2,000 feet above the terrain.

(...)

We continued to fly an oval pattern until about 8:30 p.m. We were then informed that the Marine helicopter was on its way and wanted directions. I passed a general heading to them and configured my radar from ground to air. By 8:50 p.m. we had the helicopter's lights in sight. They were going down to look. At 9:05 p.m. the Marines radioed hat the smoke and flames were too dense to attempt a landing. They were willing to move off a bit and have two crewmen rappel to the ground. They asked us to contact command post. While Bray spoke with the Marines, Iradioed the command post.

"You are to return to base immediately," the duty officer said, "The Japanese are on the way." "The Marines want to go in, command post," I told him. "Repeat, you are to return to base immediately, and so are the Marines," he ordered. "Roger, return to base," I replied (...). (underlined by the author)

As it shows above, at the moment of the 10th anniversary of the accident, Antonucci affirmed that he was ordered from the top "not to speak about it" just after the crash, and what is most shocking about his testimony was the fact that he was ordered "to return to base immediately" by the duty officer since "(t)he Japanese are on the way." It suggests that the mysterious manipulation of the rescue, including 14 hours of idle time, was basically controlled by the U.S. Air Force and the Japanese authorities, and it resulted in killing more than a few passengers who were still alive for hours after the crash.

In terms of the criminal trial of the incident, the Gunma police department had sent documents to the prosecutor against 12 executives of JAL, 4 officers of the ministry of transport, and 4 of Boeing on Dec. 1, 1988. Maebashi and the Tokyo Public Prosecutor's Office began the investigation together, and

the Tokyo Public Prosecutor's Office asked for a hearing with Boeing through the U.S. Department of Justice, however it was rejected. Consequently, The Maebashi Public Prosecutor's Office gave up their intent to prosecute the 20 defendants on Nov. 22, 1989. The limit for prosecution ran out on Aug. 12, 1990. It should be stressed that the testimony of Antonucci had been publicized on the news of [*Pacific Stars and Stripes*] on Aug. 27, 1995, 5 years after the limit for prosecution. Strangely enough, no one was ever charged with criminal responsibility for the incident. And here emphasis should be put on the fact that the result of this judgment was guaranteed by the logic and formation of the official report of the AAIC.

What had happened at the site during around 14 hours after the crash? Why the Self Defense Forces and the Police kept secret their activities then? In this point, Aoyama focuses on the fact that 3.3 hectares of the crash site had been burnt. And it was filled with a smell of gasoline and tar, testified by the members of local firefighter who went to the rescue earlier. Moreover, she also pays attention to the testimonies of doctors who described that the remains around the crash site were burnt out and carbonized totally as if these were burnt two times, in the report by the doctors in Gunma prefecture. The fuel of the Jet plane is kerosene and by which it is impossible to burn out human bodies totally. Based on these evidences, Aoyama presumes that the remains were burnt out by some device like a flame thrower to make an attempt to destroy the evidences pointing to a real cause. In sum, 14 hours were spent for suppressing the truth by the authorized power, in her argument.

3. Audit Censorship and Culture

There have been some hypotheses on the causes of the crash, one of which is that the vertical fin was broken by an unmanned target plane launched by a naval escort of the Maritime SDF maneuvering in Sagami bay at that time (Aoyama, ibid), and by a mimic missile launched by a plane of U.S Air Force (Yoshihara 1987:74-80). These hypotheses, have attracted attention towards the flight engineer's utterance at 18:24:48, which was transcribed as "all engine" in the official report, but could be heard as "orange" through the publicized voice recorder, as "orange" suggests a color of an unmanned target plane or a mimic missile. These ideas make it seem possible to demonstrate some inscrutable issues of the crash, such as its secretiveness, a stalling a time of 14 hours and the delay of rescue to the crash site. However, I will focus on approaching the politics of the official report of the AAIC by means of discourse analysis, rather than seeking the truth of the incident. I shall avoid mentioning the hypothesis repeatedly as we have not yet obtained any evidence such as the remaining part of the vertical fin. Therefore, I will focus on the discourse politics by which witnesses and testimonies were ignored in the official report of the AAIC and the manner in which the observations and analysis in the

research were rationalized.

In terms of the problems of academics research in general, Ananta Giri, by referring to the biological model of 'autopoiesis,' points out in the following, about why the academic research and audit culture in academia tends to be limited within the poor resource, contradictory to an affluent external world.

> The audit culture could almost be drawing drawing on the language of self-organization and autopoiesis of biological systems, but only to forget that if in the autopoiesis of the biological systems cognition plays an important role, then in the world of self-making (what 'autopoiesis' literary means), in the field of culture and society, both cognition and recognition play an important part. As Habermas (...) tells us, what goes on in the name of societal autopoiesis is the reign of 'the darkness of mutual opacity' in which 'both external observation and self-observation are always a system's own observation'. In this context, there is a need for audit to recognize creativity, performance and practice beyond the formulated eye of the system. (...) I submit that there is now a need to recognize the creative world of emergence for which the systemic 'self-observation' of the audit culture is a very poor resource.
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> (Giri, 2000, 174-175).

For example, audit reports of academic research are necessarily determined by a research cost, profit or loss, and an outcome which should pay back for the investment in the research. Thus, audit culture and audit process, mostly based on a professional or empirical skill, are always limited within its own system. Although it is this discipline that makes it possible to compare and judge variable things in common, at the same time, it already predicates and determines the outcome. In addition to this, even the practitioners try to endorse the interest of the research project, they do not behave as sycophants of policy-makers or sponsors. Rather, they try to do their best, based on their ethics as a professional. In this point, Mary Strathern describes the relationship among audit/policy/ethics in audit culture as follows:

> By way of example, policy and audit sound on the face of it like opposite ends of a process. The one deals with with the inception of plans and aims (policy) while the other institutes the other: policy-makers may build auditing practices into their schema, and auditing will replay to policy the grounds of its own effectiveness. Practitioners involved in both will take account of ethics, and their own good practices will become

> ‘ethical’ for the enterprise. In this sense ethical practice may enhance a firm’s or a bureaucracy’s public account of itself while at the same time assisting its policy formulations. (Strathern, 2000, 282)

This does not mean that the mistakes or misjudgments in a research must be tolerated. It just proves that an evaluation of the research should be defined by values within the system, and not without them. At this point, I should add that Strathern also mentions that a triad of audit/policy/ethics is changeable in proportion to its responsibility and accountability to ‘society’ (ibid).

Refocusing on the subject, the official report of the AAIC was produced as a professional document based on empirical observations. However, by totally ignoring witnesses and testimonies including survivors and local residents, and giving up further research based on these proofs, it established a logic chain by stringing up censored evidences, and consequently endorsed profits of policy-makers and stakeholders. Thus, the report ran counter to the responsibility and accountability towards the society and resulted in an irreparable darkness.

I rush to add the fact that this censored audit culture, especially in history of aircraft incidents, was restricted by a temporal current, even the secretiveness in the following research is similar to the incident of JAL 123 incident case in 1985. I will show that the culture was different at least in 1970s.

This is a notorious collision case of a Japan Air Self-Defense Force (JASDF) jet fighter and All Nippon Airways Flight 58 as known as the Shizukuishi Incident, which occurred on July 30, 1971.

ANA Flight 58 departed Chitose Airport in Hokkaido, with 155 passengers and 7 crew members on board for a domestic flight to Haneda Tokyo International Airport, at 14:05. Meanwhile, a JASDF trainee pilot practiced air combat with maneuvering in Sabre near Morioka, in Iwate Prefecture, with his instructor’s jet fighter. A trainee pilot, Technical Sergeant Yoshimi Ichikawa had not watched for air traffic and realized the Flight 58 was approaching, but it was already too late and ejected from the jet fighter. Sabre’s right wing struck the tail of the Flight 58 at an altitude of 26,000 feet, and caused it to go out of control and disintegrated in mid-air, and finally the wreckage crashed near the town of the Shizukuishi in Iwate Prefecture (the jet fighter also plunged into a rice paddy). All 162 passengers and crews were killed while Sergeant Ichikawa survived. In trials, Ichikawa and his instructor, Sumita were prosecuted for a charge of involuntary manslaughter, and at the supreme court, Ichikawa was innocent and Sumita was sentenced to three years imprisonment (suspended for three years), in 1983. Director General of the Defense Agency (now Ministry of Defense) and Chief of the Air Staff later resigned in order to take responsibility of the accident.

The investigation of the incident was conducted by a Committee of the Investigation of Shizukuishi Incident since a standing committee of the Diet had not yet been established. The point of dispute was that whether two JASDF pilots could have been able to watch the Flight 58 or not. Later, JASDF through investion and trials claimed that ANA should be held accountable for the incident. However, the official report did not deal with a whole trace of the communication between the trainee and the instructor, as per the official reports, the two jet fighters did not have a voice recorder on board. This made it obvious that JASDF and the authorities had concealed the necessary information. Moreover, a fabrication of photographs of the radar by JASDF, were submitted to the Committee as an evidence of the trajectory impact, which was revealed in a Judging Committee of the House of Representative. The official report finally concluded that the main cause of the incident was based on a JASDF instructor's erroneous conduct of deviating the flight without notice, and breaking into the jet rout for passenger aircrafts. Although it did mention the inattention of ANA pilot who did not anticipate the impact by jet fighter, it defined that a causal process was attributed to the JASDF instructor's delay of visual recognition of the Flight 58. Based on some nonofficial investigations, it was in fact pointed out that there had been training customs for jet fighters to make private aircrafts as an imaginary enemy (Yoshihara: 1986, 100-105).

In spite of meretricious manipulation of the proofs, witnesses and testimonies the investigation of the Shizukuishi Incident could not be ignored. A lot of people witnessed and took pictures of the moment of collision in the air or dropping wreckages of the disintegrated aircraft. And the report of the Committee strongly recommended establishing a third party committee of the investigation hence-forward as a lesson learnt from the incident. Considering this alert suggestion, it seems that tensions for taking social responsibility for the critical incident have been regressed since the Shizukuishi case.

4. Conclusion

In a sense, the investigation reports of the critical incidents show a way of art of how to manage knowledge in which the trinity of audit/policy/ethics is intertwined. Practitioners are haunted by a ghost in their academic research, through this trinity.

As a conclusion of this paper, by showing some lessons we learned from the current situations of Fukushima nuclear accident, I will argue about how we deal with the investigation culture for the purpose of realizing social responsibility/ accountability in our intellectual production. On the investigation of causal process of Fukushima Daiichi Nuclear Plant Incident, which happened on March 12, 2011, one of the controversial points is when and how did the loss of all power to supply cooling water for the nuclear reactors occur. In a word, was the Earthquake,

or the Tsunami the primal reason that caused the loss of a whole power and consequently resulted in three nuclear plants meltdown?

After the incident, four independent committees were established by the Japanese government, the Diet of Japan, the Rebuild Japan Initiative Foundation, and TEPCO to investigate the accident and publish their reports. (Also, the Nuclear and Industrial Safety Agency carried out an analysis of accident and made its report public).

Among the four committees, National Diet of Japan Fukushima Nuclear Accident Independent Investigation Commission (NAIIC) defined the nuclear incident cannot be regarded as a natural disaster, and emphasized that "its effects could have been mitigated by a more effective human response. (...) Governments, regulatory authorities and Tokyo Electric Power (TEPCO) lacked a sense of responsibility to protect people's lives and society" (NAIIC, 2012:9). While other three reports concluded that the primary cause of the loss of all power was due to the Tsunami. Rather, the following NAIIC report suggested that the reactors might have suffered earthquake damage before the tsunami hit the plant.

> The structure of Fukushima Daiichi Unit 1 was incapable of with-standing the powerful earthquake and massive tsunami of March 11, 2011. The specifications for the plant lacked adequate anti-quake and anti-tsunami yield strengths because: 1) the guidelines for nuclear plant construction were insufficient when the construction permit was granted for Units 1 through 3 in the late 1960s, and 2) the area surrounding the plant was considered to have minimal seismic activity and had never experienced earthquake damage. Based on that assessment, a safety tolerance level for the maximum seismic acceleration in the anti-seismic design was set at 265 gal (i.e. unit of gravitational acceleration), which is remarkably low earthquake resistance. (NAIIC, 2012:27)

In order to prepare the report, NAIIC had planned to investigate the reactor building No.4 in the early March, 2012. This was to examine whether the laying pipes had been damaged by the earthquake or not. But this investigation request was rejected by TEPCO, the reason being that the building was dark due to its cover for the construction and also it could be dangerous for the committee members who were unfamiliar with the internal structure of the building after the explosions. However, as per the videos shot on October 18, 2011, the inside of the building was lit up and TEPCO's deception was soon revealed. Even now, the customs of stonewalling the investigation and secretiveness are repeated as it was done in the past critical incidents. After the 3-11 the situation has gradually changed since the

claim of TEPCO and Japanese goverment in which they insist that the Tsunami (and the following nuclear plant accidents) were unforeseen. This has not been accepted by the judgments in class action suits, and compensation is demanded for the damage by the nuclear incident (at the Maebashi court in March 2017 and the Chiba court in November in the same year). The influence of the decision is not negligible for more than 20 class action suits and 12 thousands accusers in the country (Soeda, 2017). In the processes of the suits, the trajectory and investigation reports are critically examined over and over again. These collective examinations turn over the trinity of audit/policy/ethics in the academic research. Basically it is a politics of discourse formation, which has been monopolized by the experts. In this sense, it is a 'society' which always examines us and our intellectual production, and which promotes us to work for a critical engagement in our times.

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