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## Report

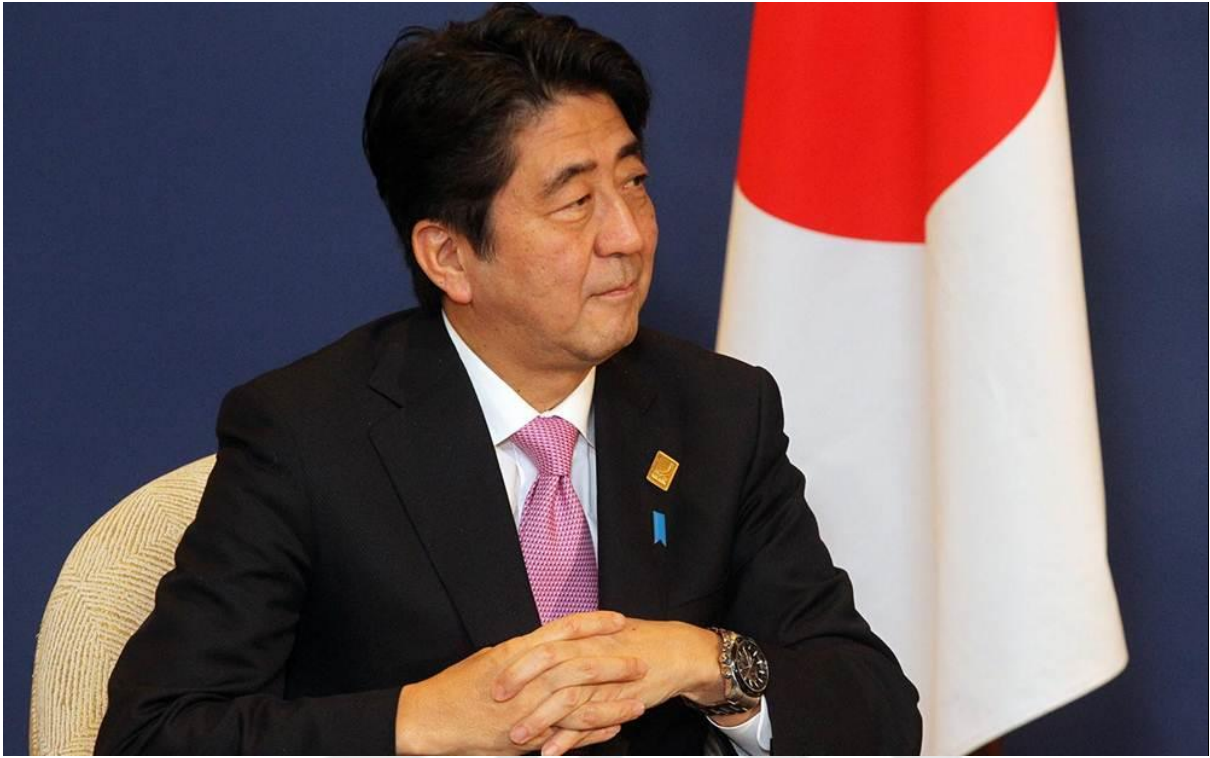
# Japan Collective Self Defence

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Japanese Prime Minister Shinzo Abe [Getty Images-archive]

## Abstract

Japanese embrace of collective self-defence should be seen in the context of increasing unease over rising Chinese military power and assertiveness in East Asia. While Shinzo Abe's move has been met by nationwide protests and disapproval from Beijing, this is not a return to the aggressive Japan of the 1930s. This most recent interpretation of Article 9 of the constitution is a significant historical development; however, it should be viewed in the context of an evolving Japanese security policy from 1947.

## Introduction

Understanding the reaction to the news of the reinterpretation (not revision) of 'Article 9' of the Japanese Constitution, within an outside Japan, is a complicated task that needs unpacking. The Japanese constitution was drafted by-in-large by American lawyers during the US occupation, and the article states that Japan renounces war and the use of "force as a means of settling international dispute" and prohibits Japan from maintaining land, sea or air forces. (1)

This reinterpretation, which lifts restrictions on the Japanese Self-Defence Forces (SDF) to militarily assist its partners in situations deemed to directly threaten the state, can be viewed either in the context of a gradual shift in security policy to the changing regional power dynamics or an alarming shift (back) towards national-militarism. The reaction, in many ways, reflects how one views the current Japanese Prime Minister Shinzo Abe, and Article 9 itself.

As it will be demonstrated in this report, the 'pacifist' clause in the constitution has been reinterpreted several times to allow the establishment of the Self-Defence Forces. Therefore, while the current situation is a historical and significant development, it is less radical than some might assume. Japan has evolved its security policies from the post-war 'Yoshida Doctrine' which focused on economic growth and recovery under the U.S. security umbrella to the 'Fukuda Doctrine' from the late 1970s, which emphasized regional cooperation in East Asia. (2)

However, an absence in trust and competing interests curtailed regional relationship-building. The demise of the leftist Democratic Party of Japan (DPJ) in 2012, which attempted to establish a more equal relationship with the United States and to develop closer ties with China and other regional actors, ushered the return of Shinzo Abe as leader of Japan for the second time.

Although this decision was by no means inevitable, rising Chinese power, tensions in the East China Sea, pressure to assist further militarily from the United States and the failure of the DPJ is the context for the most recent reinterpretation of Article 9. It is significant to note that the embrace of collective self-defence has taken place under the leadership of Abe. This recent development is a part of the American and Japanese strategy towards containing an increasingly assertive Chinese military in the region. It is crucial to emphasize that the right to collective self-defence should not be seen as a return to Japanese military aggression. Japan is a stable democracy with a record of responsible behaviour since the end of WWII and significant section of the society holds pacifist ideals.

### **Evolution of Article 9 and Japan's security policy (1947-2012)**

Article 9 was (and in many ways still is): symbolic and real; idealistic and pragmatic; an American legacy for some and, for many, an ideology embraced by Japanese who suffered the horrors of the Pacific War. From a pragmatic perspective, Japan was able to rebuild its ailing post-WWII economy by not supporting an expensive military. Security for Japan was provided by the United States with the signing of the United States-Japan Security Treaty in 1951-later amended in 1960- originally set up to codify "U.S. commitment to defend Japan against external aggression, in exchange for the U.S. use of Japanese military bases for Japan's defence and the peace and security of the Far East." (3) For influential conservative politicians like Yoshida Shigeru, Japan would be best served by gradually re-establishing a normal military once the economy had recovered. From an idealistic perspective the Japanese Socialists and Communists who had been marginalised and persecuted during WWII were enthusiastic with a

demilitarized Japan. This position from the Japanese Left, informed by values of humanistic internationalism, has been more durable.

There was opposition, however, from the outset from prominent conservative nationalists, like Shinzo Abe's grandfather Kishi Nobusuke, who wanted Japan to continue to have a strong military presence. Not long after the Japanese Constitution was signed in 1947 the Cold War intensified and the United States pressured the Japanese government to establish the Japanese SDF by "reinterpreting Article 9 as permitting military forces for defensive purposes." (4) It wasn't until the 1990s that Japan was able to send the SDF abroad.

The international criticism Japan received in the early 1990s for its lack of effectiveness in 'burden sharing' within the international community showed Japan needed to examine its role in the world in a post-Cold War era. The criticism was despite the Japanese government contributing \$13 billion in the First Gulf War (1990-1991). (5) The International Peace Cooperation Law was passed in June 1992 and Japan took part in its first peacekeeping operation as an "engineering battalion of Japan's Ground Self-Defence Force was sent to join the UN Transitory Authority in Cambodia (UNTAC)" in October of that year. (6) The bill did face opposition, particularly from the Komeito Party, which made revisions that prohibited Japan from taking part in 'core functions' such as monitoring disarmament and patrolling in buffer zones, and were "limited only to logistical support, including medical care, sanitary measures, transportation, communication and construction ." (7)

September 11th terrorist attacks on the US brought about new challenges to international security, and therefore, new calls for Japan to participate in efforts to fight against terrorism. The Anti-Terrorism Special Measures Law (ATSMML) and Law Concerning Special Measures on Humanitarian and Reconstruction Assistance (LCSMHRA). (8) Using this legislation Japan was able to provide logistical support of the Operation Enduring Freedom in Afghanistan, along with giving humanitarian and reconstruction assistance in Iraq. This is the first time that Japan has dispatched the SDF "during ongoing conflicts, and it now has a new mandate to use weapons not only to defend itself but also personnel under its responsibility, including refugees and US servicemen." (9)

### **Shinzo Abe's return and collective security**

Abe, in his first stint as Prime Minister of Japan, showed his ultra-nationalist ideals as well as his pragmatic decision-making credentials. The historian Gavan McCormack argues that Abe is only nominally conservative, and should be viewed as a radical ultra-

nationalist during his first term in office which was “marked by [historical] denialism” over Japan’s war responsibility. (10) Richard Katz and Peter Ennis, however, rightly point out that Abe improved relations with China and South Korea with back channel dialogue, trips to Beijing and Seoul and, most importantly, not visiting the Yasukuni Shrine as prime minister. (11)

Even before coming back to power, Abe and the LDP had made their intentions clear regarding constitutional revision, particularly with respects to Article 9 and Article 96 (which stipulates the need for two-thirds majority in both Houses of parliament and a special election to amend the Constitution). Learning from his first term in charge, Abe focused his initial phase in-charge on the economy and established a strong and consistent popularity in the public opinion polls.

While opinion polls have been generally positive of Abe, his Cabinet, and the way the economy is progressing, the Japanese public have been reluctant to support revising the constitution. Even the LDP’s main coalition partner, the New Komeito party, has been reluctant to revise the ‘pacifist’ nature of the constitution. With uncertainty in the likely success in attaining a two-thirds majority in both Houses of parliament and a referendum – the requirements to revise the Constitution- Abe has abandoned “explicit revision and reverted to revision by interpretation” for the time being at least. (12) Abe’s calculation, for the moment, seems to be not to risk his political capital on such a risky move.

Even Abe’s approval of the Cabinet to reinterpret the constitution on July 1, 2014 was met with protests across the country. (13) According to an opinion poll published by the left-of-centre Asahi Shimbun newspaper in April, only 29% of those surveyed wanted to authorize the ability to exercise collective self-defence. Interpreting public opinions is not a straight-forward task however, and responses to positions often depend on the wording of the question. Michael Green and Jeffrey W. Hornung argue that Japanese public opinion is strongly in favour of improving cooperation between Japan and the United States and therefore, when “asked about empowering the SDF to do more in cooperation with the United States – even in scenarios as far away as the Gulf of Hormuz – public support” for collective self-defence is above 50%. (14)

Polls have also consistently highlighted how the Japanese public is increasingly worried about rising Chinese power and military assertiveness. Jennifer Lind, the political scientist and expert on Japanese security policy, argues this recent development can be seen as a part of a response by Japan and the United States to a modernising Chinese

navy and its “growing assertiveness” to territorial disputes in the region “as well as challenging US military access to East Asia.” (15)

### **Japan-Chinese relations and the US ‘pivot’ towards the Asia-Pacific**

The territorial dispute between China and Japan over islets in the East China Sea and the U.S. strategy of containing Chinese military power has heightened tensions in the region. Despite the establishment of diplomatic relations, trade and economic cooperation between Japan and China since 1972, certain historical grievances continue to challenge the relationship. These historical enmities were reignited by a recent (and ongoing) territorial dispute. Senkaku to the Japanese, Diaoyu to the Chinese, and Diaoyutai to the Taiwanese are five islets in the East China Sea claimed by all three countries with competing historical arguments over sovereignty. With numerous recent diplomatic incidences between China and Japan in relation to the islands, both sides have taken a hard-line nationalist stance against the other.

Reinhard Drifte believes that the Chinese have been the aggressors in this crisis and the Japanese have often taken a more “defensive position.” (16) He argues that the situation has descended into a ‘chicken game,’ and without any confidence building measures (CBM) between the two militaries leaves the possibility of a clash as a result of an “unforeseen civilian or military incident, miscalculation or malicious intention at a lower level of command.” (17)

In this backdrop of heightened tensions, the Obama administration has been clear in its intentions to employ a “containment” strategy against the Chinese power projection, while maintaining strong trade relations. In recent years, the United States has expanded militarily in Australia under the Australia, New Zealand, United States Security Treat (ANZUS), strengthened relations with Indonesia, India and Vietnam while reinforced the US-South Korean alliance. (18)

After strained relations between the United States during the DPJ rein (2009-2012), the Obama administration has found a more amenable partner in Abe. It was no surprise when the US State Department spokesperson Jen Psaki expressed support for the decision to allow Japan collective self-defence by claiming the State Department view was that the Japanese government has “every right... to equip themselves in the way they deem necessary. We encourage them to do that in a transparent manner, and we remain in touch with them about these important issues.” (19) It is even less of a surprise that the Chinese have declared the Japanese move would destabilise the region. (20)

Like the United States, Japan has moved to develop a strategic partnership in the region to counter Chinese power. Abe has shifted the focus of Japan's partnership with the Philippines to strengthen "Filipino naval defence capability in the South China Sea." (21) Along with an agreement with Australia to "share submarine and other military technology," Abe has established a partnership with Vietnam that brings "navies of Japan and Vietnam into closer cooperation and could deepen ties between their military industries." (22)

## Conclusion

As Lind rightly points out, Japan's shift in defence policy is "both remarkable and routine." (23) Japan's advancement in military strength and scope should be seen as a gradual process in its post-war history through a series of reinterpretations of the 'pacifist' Article 9 of the constitution. With pressure from its important ally to take more responsibility in securing itself in a region with rising security tensions, the latest development was predictable for many. However, with opposition from the Japanese Left, nation-wide protests, Abe's decision to embrace collective-security was far from inevitable. After all, the DPJ came into power in 2009 promising realignment in the relationship with the US and building stronger relations in East Asia.

Japanese relations with China have gone through difficult periods before; the general sentiment has been that things are never as bad as they seem on the outside. It is worrying, however, that in the near-future the Chinese navy will most likely continue to be assertive, and both the US and Japan will push through with their containment strategy in response. While there is no suggestion that a military crisis is a likely in the region, there is a serious need to develop CBMs between China and Japan to avoid any misunderstanding that may lead to an unfortunate clash.

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