

The End of Pacifist Japan—Background Material

“Opponents believe the [Abe government’s security] policies are revisionist and will lead to a militaristic, aggressive Japan. Proponents believe they are an appropriate reflection of Japan’s right to be patriotic, confident, and protective of its interests.”—*Marta McLellan Ross, The Abe Restoration, December 2015*

“The struggle over reshaping postwar Japan entered a new phase on March 2, 2016, when Prime Minister Abe Shinzo declared at an Upper House Budget Committee hearing that he was committed to revising the constitution within his term of office, that is, by September 2018.”—*Muto Ichiyo, The Asia-Pacific Journal, 1 July 2016*

“I do not believe the Constitution, which intends to protect the people, requires pacifism at the expense of the people. That is against the main point of constitutionalism. What the Constitution requires is to protect peace.”—*Masahiko Komura, LDP Vice-President, March 2015*

“Pacifism in the Constitution should be interpreted from an international perspective and not from a self-centered view...and demands proactive actions to realize peace.”—*Japanese government advisory panel, May 2014.*

“There is a euphoria among LDP politicians because of their electoral success, and this euphoria has led to a clamoring for the destruction of [the postwar] intellectual legacy and support for the prime minister’s [rhetorical] acrobatics. In order to continue to be intoxicated by this euphoria, these politicians want to wrap Japan in a new national narrative. I cannot think of a more dangerous thing to do than revising our constitution in such a circumstance.” —*Keigo Komamura, constitutional scholar, and professor of law and vice president of Keio University, 2016*

“While the LDP and the Komeito differ in how they would approach revision, we agree that a partial revision of the existing constitution is more realistic than attempting to revise the document entirely. No consensus has yet to be reached on the specific contents of revision. A number of issues have been raised for discussion, including new human rights, a clause to strengthen our response to crises, electoral reforms, the establishment of a constitutional court and a rebalance of power between central and local autonomy.” —*Natsuo Yamaguchi, president of Komeito, 2016.*

“For some time, the perception that the Occupation forced our constitution upon us was pervasive, and therefore many believe it needed to be redrafted by the Japanese themselves. Recently, however, more and more Japanese think that revision is necessary because of the changing international environment surrounding Japan as well as because of changes that have occurred within Japanese society.” —*Hajime Funada, LDP member who advocates constitutional revision, 2016*

“For its part, Japan has strong claims to a permanent seat on the Security Council, given it is the world’s fourth largest economy and largest financial contributor to the UN. However, to be considered a serious contributor to any multilateral security architecture, it is generally accepted that Japan will need to reinterpret and, in the future, likely revise

its constitution.”— *Chris Brookes, Australian Department of Defence official, December 2014*

“Rights are gradually formulated through the history, tradition and culture of each community. Therefore, we believe that the provisions concerning human rights should reflect the history, culture and tradition of Japan. The current Constitution includes some provisions based on the western theory of natural rights. We believe these provisions should be revised.”—*LDP pamphlet explaining principles of constitutional revision, 2012*

From the current (1947) Constitution:

ARTICLE 9. (1) Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.

(2) In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

Commentary on the LDP’s 2012 draft proposed new constitution:

“The LDP’s Article 9 would do away with the ‘self-defense force’ euphemism currently applied to Japan’s military and replace it with ‘national defense military’ (kokubōgun) and would explicitly designate the Prime Minister as ‘supreme commander’ (saikō shikikan). It would delete the current prohibition on maintaining ‘land, air and sea forces’ and the renunciation of the ‘right to belligerency’. In the space vacated by these deletions, the LDP would insert a declaration that nothing in this provision would ‘prevent the exercise of the right to self-defense’.

“The LDP’s military would not be limited to a narrow interpretation of ‘national defense’. A lengthy new provision defining the scope of military action expressly states that the military could participate in ‘internationally coordinated activities to secure the peace and safety of international society’ and ‘activities to preserve the public order or to protect the lives or freedom of the people.’ Again, we confront the phrase ‘public order’ (oyake no chitsujo). —*Lawrence Repeta, Professor, Meiji University Faculty of Law*

Further commentary on LDP draft:

“Other proposed changes in the LDP’s draft pose dangers to the liberal democracy the Constitution guarantees. Two particular changes stand out. The LDP’s draft adds a provision that prioritises ‘order’ and ‘the public good’ over ‘fundamental human rights’. For example, with respect to ‘freedom and rights’ (Article 12), the draft has added the provision, ‘[The people] must be aware that [freedom and rights] are accompanied by responsibility and obligations, and must not go against the public interest or public order at any time’. With respect to ‘freedom of assembly, association, speech, press and all

other forms of expression' (Article 21), the draft has added, 'The conduct of activities aimed at harming the public interest or public order and associating with others for the same purpose are unacceptable'.

"What the LDP draft is proposing is anti-liberal and potentially anti-democratic. Writing notions of public order and citizens' obligations to the state into the Constitution has a highly conservative and statist (*kokka shugi*) flavour. Moreover, by arguing on cultural grounds for these changes — that concepts of universal human rights are 'ill-suited for Japan's traditional culture and values' — Abe and his affiliates in the LDP are effectively saying that liberal democracy is incompatible with Japanese culture. This puts them closer to cultural traditionalists in China (and even the Taliban) in political ideology than to the United States and other liberal democracies.—*Aurelia George Mulgan, Professor at University of NSW/Australian Defense Force Academy, 2012*

"In February, when Internal Affairs and Communications Minister Takaichi Sanae said that the government could suspend broadcasters that are not "politically neutral", Chief Cabinet Secretary Suga defended her. Over the following months, several prominent television news commentators who had been critical of government policies or asked hard questions--Kuniya Hiroko of NHK's "Close Up Gendai," Kishii Shigetada of TBS's "News 23," Furutachi Ichirō of TV Asahi's "Hōdō Station," and Koga Shigeaki of "Hōdō Station"—left their posts. Reporters Without Borders dropped Japan's ranking in press freedom to 72 out of 180 countries in 2016, down from 11 in 2010."—*Noriko Manabe, The Asia-Pacific Journal, 1 August 2016.*

"Abe moved quickly to consolidate his hold on government after he returned to power in 2012. He placed people who will follow his lead in positions such as the governor of the Bank of Japan (to do his bidding with his Abenomics agenda); the director-general of the Cabinet Legislative Bureau (to revise the official interpretation of the constitution); and the chairman of NHK (to ensure more favorable political coverage). The character of these appointments was typified by Saitama University emeritus professor Hasegawa Michiko, who was installed on the NHK Board of Governors. Hasegawa has written in the journal of the ultra-right Nippon Kaigi organization: 'Depopulation might destroy Japan. It is often described as a disorder of advanced civilization but, looking around the world, there is something else involved here. It is the disease of feminism. Feminism is the activist movement of women who can't abide the fact that they are women. Stated more concretely, raising children well, protecting the family, nurturing fine children, men and women marrying when they reach the proper age, and as a matter of course, having children after they marry. Feminism rejects all of this'."—*Muto Ichiyo, The Asia-Pacific Journal, 1 July 2016*

"The traditional US-led 'hub-and-spokes' [bilateral] alliance system needs to adapt to a different and more contested region. A new approach is needed to deter potential aggression and reassure regional allies and partners... Significantly deepening maritime cooperation with the United States' most capable allies and partners [Australia and Japan] should lie at the heart of this new approach."—*Andrew Shearer, former national security adviser to Howard and Abbott governments, April 2016*

“Increased defence technology cooperation between Japan and Australia, particularly enabled by the economic partnership agreement, will benefit the security and economy of both nations. It will facilitate Australian access to advanced Japanese technology, allow Japan’s defence industry access to a much larger market, and provide increased opportunities for the defence industries of both countries to sell and work collaboratively with each other.” —*Chris Brookes, Australian Department of Defence official, December 2014*

“With the clear shared interests and shared view of the opportunity [for greater trilateral or ‘federated’ defense cooperation] and the security challenges in the region, Australia and Japan make sense to be the right places to start. This is especially true given what Japan and the Abe government has recently done to push a view of Japan’s security that is beyond its near borders.”—*Robert Scher, US assistant secretary of defense, April 2016*

“We will continue to expand trilateral defence cooperation between Australia, Japan, and the United States for our mutual benefit.”—*2016 Australian Defence White Paper*

“The Defence White Paper is a plan for ensuring our defence forces have the capabilities they need to keep us safe in the 21st century. But it will also serve to ensure that as far as possible, every dollar that can be spent in Australia, in our own advanced manufacturing, innovation and technology, will be spent here. Through this plan, we will make Australia more secure, not just in terms of military capability but by building up the technology and industry base that will help deliver a stronger 21st century economy.”—*Malcolm Turnbull, 17 August 2016*

Chronology:

2007 (March): Australia-Japan Joint Declaration on Security Cooperation signed by Prime Ministers Howard and Abe. Among other things, it affirms “that the strategic partnership between Japan and Australia is based on democratic values, a commitment to human rights, freedom and the rule of law, as well as shared security interests, mutual respect, trust and deep friendship” and commits “to working together, and with others, to respond to new security challenges and threats, as they arise.”

2010 (May): Australia-Japan Military Logistics Servicing Agreement

2012 (May): Australia-Japan Information Security Agreement

2012 (September): Return of Shinzo Abe as president of the Liberal Democratic Party.

2012 (December): Campaigning on the slogan “Take Back Japan”, Abe leads LDP back to government, achieving a two-thirds majority in the lower house in coalition with the Komeito. Abe is formally elected as Prime Minister for the second time. (NOTE: The LDP has been in coalition with the Komeito since 1999. A senior Komeito official has described the relationship thus: “The LDP thinks about how it can sell medicine, while Komeito is tasked with looking at whether there are any side effects.”)

2012 (December): Abe envisages Australia and Japan, along with Hawaii and India, forming “a diamond to safeguard the maritime commons stretching from the Indian Ocean region to the western Pacific.”—*Project Syndicate*, 27 December 2012

2013 (July): LDP and Komeito gain majority in upper house elections.

2013 (October) U.S. and Japan revise guidelines for defense cooperation “in order to address any situation that affects the peace and security of Japan, threatens regional or global stability, or other situations that may require an Alliance response”.

2013 (December): Diet passes new State Secrecy Law (“Act on the Protection of Specially Designated Secrets”), in effect from December 2014. “Its severity, vagueness, and lack of a proper oversight mechanism concern critics who fear that the law will undermine freedom of the press and the Japanese people’s right to know.” —*Mina Pollman, The Diplomat*, 2014.

2013 (December): First meeting of new National Security Council (Prime Minister Abbott attends as an observer); government approves first increase in defense spending for eleven years.

2014 (April): Government relaxes ban on arms exports.

2014 (April): Signing of Japan-Australia Economic Partnership Agreement.

2014 (May): Abe declares at ASEAN Summit that Japan will play “an even greater and more proactive role” in maintaining regional security.

2014 (July): Abe Cabinet reinterprets the constitution to assert “the right of collective self-defense”.

2014 (July): Prime Ministers Abbott and Abe sign agreement codifying a commitment to share defence technology and conduct joint defence-related research and development.

2015 (May) “Peace and Security Preservation Legislation” (eleven bills) are introduced into Diet (passed in September, in effect since May 2016). “The JSDF will now be able to provide logistical support and even military support to foreign forces in situations deemed important to Japan’s security – mainly through the exercising of the right of collective self-defense. The legislations’ second objective is an easing of restrictions concerning usage of arms by JSDF forces on UN peacekeeping operations, and the ability to provide logistical support to allies on collective international security and peace missions when established by a UN resolution or the consensus of an international coalition”—*Matthew Short, Georgetown Security Studies Review*, November 2015. “The security dynamic in East Asia is getting more complex and difficult to manage by the day. While Japan recognizes U.S. commitment to the alliance, Tokyo remains concerned that the United States may hesitate to involve itself in a conflict that does not directly threaten U.S. interests. Japan’s efforts to gain more security assurances by tightening its alliance with the United States on the one hand and easing some of the legal constraints on its JSDF on the other are, therefore, logical steps for Japanese policymakers to take.”—*Yuki Tatsumi, Senior Associate, Henry L*

Stimson Center, Washington, in The Diplomat, October 2015. "The new security legislation...makes it legal not only for Japanese forces to participate in collective self-defence of US forces but specifically also the forces of another country with which Japan has a close relationship, such as Australia."—*Andrew Shearer, former Howard and Abbott government national security advisor, April 2016.*

2015 (September): Malcolm Turnbull replaces Tony Abbott as prime minister.

2016 (July): LDP, Komeito and like-minded minor parties gain critical two-thirds majority in upper house elections.

2016 (July): Japanese Ministry of Defense report says: "North Korea's further development of weapons of mass destruction and missiles, coupled with its repeated provocative rhetoric and behavior that disregard the international community, constitutes a serious and imminent threat..." and "as China's reinforcement of its military capabilities without transparency, along with active maritime advancement, rapidly shift the regional military balance, China's attempts to change the status quo in the East and South China Seas based on its own assertions as well as its risk of causing unintended consequences..."

2016 (March): Government approves record (US\$44 billion) defense budget, fourth consecutive annual increase under Abe government. "Providing an effective deterrence and response to a variety of security situations, supporting stability in the Asia-Pacific region, as well as improving the global security environment. Japan will place particular emphasis on the following measures: intelligence, surveillance, and reconnaissance (ISR) capabilities; intelligence capabilities; transport capabilities; command, control, communication, intelligence (C3I) capabilities; response to attacks on remote islands; response to ballistic missile attacks; response in outer space and cyberspace threats; response to large-scale disasters, etc.; and international peace cooperation efforts, etc."—*Japanese MOD, 2016*

2016 (April): Turnbull government selects France to partner project to build the post-Collins Class submarines. "Strategically, the decision amounts to a major missed opportunity... Tokyo has been left wondering about Australia's reliability as a long-term defence and security partner."—*Andrew Shearer, Howard and Abbott governments' national security adviser, May 2016*

2016 (August): Reported that Japanese and South Korean destroyers to be equipped with latest version of Aegis missile defense system. Japan also reportedly considering purchase of American THAAD long-range missile destroying system. Philippines receives first of Japanese-made Coast Guard vessels.

2016 (August): Defense Minister Tomomi Inada, visiting Self-Defense Force personnel involved in anti-piracy operations in Djibouti signals Japan will seek to expand such roles for its military, using the increased powers assumed in the 2015 security laws.