Time for a change in Japan

The security and defense policy under national debate

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Introduction

On 19 December 2003, the Japanese government decided to revise its National Defense Policy Outline (NDPO), one of the key documents to establish Japan's security and defense policy, by the end of the year 2004 (BH 2004, pp. 415-416). But the debate presently going on in Japan goes deeper than just the revision of this document.

This article first explains the basic structure of the Japanese security and defense policy as it has developed since World War II, and then analyses the three layers of current debate taking place in Japan: the revision of the NDPO, the debates on the Basic Policies, and the revision of Article 9 of the Constitution.

This debate reflects the desire of Japan to play a more pro-active and responsible role in regional and global security matters, but also evokes a challenge in redefining the 'pacifist' role which Japan has pursued in the post-World War II era.

Japan's security and defense policy

Article 9 of the Constitution

When World War II ended in August 1945, Japan was engulfed by a torrent of 'pacifism'. This policy was introduced by the US occupying forces, whose major objectives were the demilitarization and democratization of Japan. Idealism governed the initial occupation policy to convert Japan to a non-military, peaceful, democratic and moderate-scale economic power (Murata, p. 19).

> The Japanese, who faced the first defeat and occupation in history, were thrown into a huge vacuum and most of them embraced this 'pacifism' without much hesitation.

Article 9 of the Constitution, promulgated in November 1945, became the symbol of this pacifism and since then has strongly determined Japan's security and defense policy:

> *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.*
> *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 shall not be recognized*

The interpretation of Article 9 became one of the most contentious issues in the post-World War II security and defense debate but through this debate, two points have crystallized into

Aandacht voor het Verre Oosten

Het Verre Oosten, en dan vooral de driehoek gevormd door de Chinese Volksrepubliek, het Koreaanse schiereiland en het Keizerrijk Japan is volop in beweging. De economische aspecten krijgen in de vaderlandse media de nodige aandacht; aan de veiligheidspolitieke ontwikkelingen wordt echter slechts fragmentarisch aandacht besteed.
Daarom heeft de redactie besloten een serie artikelen over deze regio te plaatsen. Zij heeft daarbij dankbaar gebruik gemaakt van de adviezen en steun van prof. dr. W.R. van Gulik, hoogleraar Japanse taal en cultuur aan de Universiteit Leiden en tevens reserve luitenant-kolonel van het Wapen der Cavalerie. In deze vierde en laatste bijdrage staat Japan centraal.

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We thank drs. D.J. Suchard for his translation.

government interpretation: Article 9 does not prohibit Japan's right of self-defense, but this right has to be restricted to 'minimum and necessary'. Also, the right of collective self-defense is constitutionally prohibited, because it goes beyond 'minimum and necessary'.

The Self-Defense Forces (SDF)

The initial period of occupation – governed primarily by idealistic pacifism – did not last long. A critical change in the external parameters occurred in the international arena: the Cold War. US policy toward Japan fundamentally changed.

> From the beginning of 1948 onwards Japan moved to the bulwark of democratic camps.

A policy of 'partial peace', to establish diplomatic relations with democratic countries took shape; close security ties with the United States became essential; Japan was urged to maintain minimal security forces; and an orchestrated economic policy to stimulate reconstruction and economic recovery was introduced.[1]

The government, generally guided by a conservative leadership, basically concurred with, welcomed and implemented these policies. But inside Japan, idealistic pacifism was in full swing from the immediate post-war period onwards.

Pearl Harbor, Hawaii, 2004. Three ships assigned to the Japanese Maritime Self-Defense Force arrived in Pearl Harbor for a three-day port visit to broaden mutual understanding and friendship between the U.S. and Japan (Photo: U.S. Navy, R.C. McGinley; source: IMG/KL)

After the San Francisco Peace Treaty and the Japan-US Security Treaty signed in 1951, a deep rift began to take shape between the realists led by the government and the idealistic pacifists led by the opposition against Japan's security and defense policy.

The first issue discussed was how to establish Japan's Self-Defense Forces (SDF). The constitutional interpretation to justify its establishment by the government was given, as was mentioned above. The Japanese government negotiated with the US government about the size of the SDF, and in 1953 Japan proposed the establishment of 10 divisions of 180,000 troops, comprised of land and other forces (Sakamoto, p. 75).[2] The SDF was formally established in July 1954.

The Basic Policy for National Defense

In May 1957 Prime Minister Nobusuke Kishi established the first concept of Japan's security and defense policy. The document adopted was entitled the 'Basic Policy for National

1 From February to March 1949 an American economist, Joseph Dodge, visited Japan and recommended to introduce a new policy aiming to stabilize and stimulate Japanese economy (Iokibe, p. 61).

2 In the negotiations leading up to the San Francisco Peace Treaty, Prime Minister Shigeru Yoshida committed to establish *hoantai* (security-forces) of 50,000 troops. After the conclusion of the San Francisco Peace Treaty, the negotiations intensified and the US maintained in 1952 that land forces of 10 divisions and 300,000 troops should be established. Prime Minister Yoshida did not agree to this figure, maintaining that economic reconstruction had a higher priority. He then agreed to establish a security force of 110,000 (Sakamoto, p. 75).

Defense' and is in effect up to the present day:

> *The objective of national defense is to prevent direct and indirect aggression, but once invaded, to repel such aggression, thereby preserving the independence and peace of Japan founded upon democratic principles.*
> *To achieve this objective, the government of Japan hereby establishes the following principles:*
>
> *(1) to support the activities of the United Nations and promote international cooperation, thereby contributing to the realization of world peace;*
>
> *(2) to promote public welfare and enhance the people's love for the country, thereby establishing the second basis essential to Japan's security;*
>
> *(3) to incrementally develop the effective defense capabilities necessary for self-defense, with regard to the nation's resources and the prevailing domestic situation;*
>
> *(4) to deal with external aggression on the basis of the Japan-US Security Arrangements, pending the effective functioning of the United Nations in the future in deterring and repelling such aggression.*[3]

As a document written more than 45 years ago, it is well written and does not seem to be outdated today. In addition to the Basic Policy for National Defense, the Japanese government had in the 1950's and the 1960's established four major principles to guide its security and defense policy, these being other 'Basic Policies':

- exclusively defense-oriented policy;
- not becoming a military power that might pose a threat to other countries;
- adherence to the Three Non-Nuclear Principles of 'not possessing nuclear weapons, not producing them and not permitting their introduction in Japan'; and
- securing civilian control.[4]

During the Cold War period, each of these four principles has had a long history of parliamentary scrutiny and public debates as a result of the rift between the realists and the idealistic pacifists. These debates do have some contemporary significance, as we will see farther.

The revised Security Treaty with the US

The first National Defense Policy Outline

Security relations with the US were strengthened as the result of the revision of the Security Treaty in 1960, which brought the two countries on a more equal footing. Before the revision, there was an asymmetry in that the US had the right to use the facilities and areas in Japan, but did not have the obligation to defend Japan.

After the revision, the US became obligated to defend Japan in case of an attack, but a new asymmetry emerged, because Japan was not obligated to defend the US even if it was attacked.

> This asymmetry in Japan's security relations with the US remains to this day.

The reversion of Okinawa was another issue which brought Japan-US security relations closer. The Three Non-Nuclear Principles became a particular difficulty, but the two sides found a formidable compromise and the reversion was achieved in May 1972.[5]

During the two decades after the adoption of the Basic Policy for National Defense the SDF quietly but steadily increased its capability. In the first half of the 1970's, détente affected the power politics in East Asia. →

A Japanese battletank
(Source: IMG/KL)

3 http://www.jda.go.jp/e/policy/f_work/frame21_.htm 2004-07-27.
4 http://www.jda.go.jp/e/policy/f_work/frame22_.htm 2004-07-27.
5 The reintroduction of nuclear weapons was subjected to the prior consultation mechanism of the revised Security Treaty, but how the consultation would end in case it took place was left to the respective interpretation of each government.

More dynamic political relations between the US, China, the Soviet Union and Japan forced Japanese policy-makers to establish a clear reasoning for the necessity of maintaining the steady growth of the defense budget.[6]

In 1976 the Japanese government therefore took an important policy decision by adopting the 'National Defense Program Outline (NDPO)'. The newly adopted Outline was based on the 'Concept of a Basic and Standard Defense Capability':

> *Japan should possess the minimum necessary defense capability for an independent nation so that it would not become a source of instability in the surrounding region by creating a vacuum of power, rather than building a capability directly linked to a military threat to Japan.*[7]

In other words, this new Concept and the newly established Outline gave the conceptual basis on which to strengthen Japan's defense capability, without directly linking it to the changes that might or might not occur in the surrounding political situation.

The Outline specified in its attachment the numbers of units and major weapons to be attributed to each of the ground, maritime and air forces.[8] The first security Guidelines, to address the cooperation with the US in case of an attack on Japan, were formulated in 1978.

This new framework barely being established, the rising tension in the post-détente era – from the latter part of the 1970's to the first half of the 1980's – provided ample reasons for

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6 The defense budget constantly increased and reached 1 trillion yen in 1974. But because the growth of the overall GNP had been greater, the defense budget percentage declined from 2% in the early 50's to over 1% in the early 60's, dropping well below 1% in the late 60's (Tadokoro, p. 121).

7 http://www.jda.go.jp/e/pab/kouho/taikou/made_e.htm 2004-07-21.

8 With a view to control the budgetary growth, a cabinet decision was taken at a time when the NDPO was adopted to limit the defense budget below 1% of GNP. This limitation was formally abolished in 1987 under Prime Minister Nakasone, but Japan's defense expenditure has been kept in reality below 1% of GNP (*see* BH 2004, p. 377).

White Beach Port Facility, Okinawa, Japan, 2003 (Photo: U.S. Navy, J.G. McCarter; source: IMG/KL)

A Japanese US1 Amphibious Rescue plane soars over the crowd at the Japanese Maritime Self Defense Force Open House, 2004
(Photo: U.S. Marine Corps, D. Revere; source: IMG/KL)

the Japanese government to strengthen the SDF capabilities.

The end of the Cold War

The second National Defense Policy Outline

The end of the Cold War affected Japan's security and foreign policy position more than that of any other country worldwide. Japan was exposed more directly to the reality of international politics: the Gulf War of 1990-91, the North Korean nuclear crisis in 1993-94, and the Taiwan Strait missile crisis in 1995-96. Japan's inability to react more responsibly to the Gulf War led to the enactment of the International Peace Cooperation Law in 1992, which allowed the SDF to participate in the UN peacekeeping operations.[9]

After the 1993-94 North Korean nuclear crisis Japanese and US defense experts realized that if anything critical happened in North Korea, the SDF would not be able to assist US operations even in rear area support, because of the lack of a legal basis. Intense coordination began between the two sides and in February 1995, the US Department of Defense published a report called 'East Asian Strategic Review (EASR)', stating the US intent to maintain approximately 100,000 troops in Asia. Likewise in November 1995, the Tomiichi Murayama cabinet adopted a new National Defense Program Outline (NDPO), being Japan's effort to adjust to the new post-Cold War reality.

The new NDPO, while preserving the major characteristics of the previous NDPO, reconfirmed the importance of Japan-US security relations in the post-Cold War arena and enlarged the activities of the SDF to such areas as participation in international peacekeeping operations or large-scale disaster relief (Green, pp. 75-79).[10]

The efforts by the two administrations culminated in April 1996 by the adoption of 'The Japan-US Joint Declaration on Security – Alliance for the 21st Century'.[11] In September 1997 the new Guidelines for defense cooperation were agreed upon. Although any geographical definition was carefully avoided, the new Guidelines i.a. envisaged a direct US-North Korea clash without involving an attack against Japan. In 1999 Japan enacted the Surrounding Situations Law to implement the new Guidelines.

Thus, through the 1990's, the post-Cold War syndrome resulted in a more realistic, pro-active, and responsible security and foreign policy in Japan.[12]

Post-9/11

The 9/11 of 2001 opened a new era of war against international terrorism. President Bush waged war against Saddam Hussein in March-April 2003, as an extension to this war on global terrorism. Although these were later not identified, weapons of mass destruction (WMD) and links with Al Qaeda were the primary motives for dismantling Saddam.

> For Japan, an additional threat came from North Korea.

Particularly after Prime Minister Junichiro Koizumi's visit to Pyongyang in September 2002, the abduction issue overwhelmed Japanese public opinion as a tangible menace from North Korea, and the nuclear crisis which erupted from October 2002 onwards became the final blow in fixating the threat perception emanating from this country. →

9 The most notable participation of the SDF was in Cambodia, at the Golan Heights and in East Timor.

10 The new NDPO also specified in its attachment the numbers of units and major weapons. Taking into account the necessity for higher mobility and the qualitative improvement of weaponry, the numbers of weapons decreased in symbolic areas in comparison to the previous NDPO: tanks from 1200 to 900; escort ships from 60 to 50; and operational aircraft from 430 to 400 (http://www.jda.go.jp/j/defense/policy/taikou/kaisetu/index.html 2003-02-16).

10 http://www.mofa.go.jp./mofaj/gaiko/pko/pdfs/jinteki.pdf 2003-08-05.

12 As of March 2002 the Self-Defence Forces numbered 282,795. In addition, there were more than 50,000 in the reserves (http://www.jda.go.jp/j/defense/jda-sdf/kousei/index.html 2003-02-16).

The JASDF will support humanitarian missions as part of the coalition forces
(Photo: U.S. Air Force, J.C. Dillard; source: IMG/KL)

Koizumi's reaction was in general realistic, pro-active and responsible. After four decades of strife between the realists and the idealistic pacifists, the Japanese people increasingly felt it to be more natural and comfortable to become a normal partner of the international community and share the responsibility in participating in matters which affect global and regional peace and security.

North Korean threat

Some decisions, particularly in relation to the war in Iraq, were controversial, but Koizumi maintained his policy.

> Abduction and the possession of nuclear weapons by North Korea compelled the Japanese people to realize that a real security threat existed in the vicinity of Japan.

The realization that the Japanese security structure was ultimately dependent on the United States and was based on the above-mentioned asymmetry underpinned Koizumi's decisions.

Thus, Koizumi reacted to 9/11 by enacting the Anti-Terrorism Special Measures Law and by sending the SDF at the end of 2001 to the Indian Ocean and the Arabian Sea to supply fuel to American and British vessels engaged in combat activities in Afghanistan. Regarding the war in Iraq, after the unequivocal statement in support of President Bush on 18 March, the Law concerning the Special Measures on Humanitarian and Reconstruction Assistance in Iraq was approved by the Diet in July 2003 and Koizumi began sending units of the SDF to Iraq from December 2003 (AS, 2004-01-27).[13]

Repercussions

The North Korean threat had, among other things, two direct repercussions on Japan's security and defense policy. First, an issue which had dragged on already from the 1970's, namely to enact laws to respond to an armed attack, was resolved. In June 2003 three laws and in June 2004 seven laws and three treaties on this issue were approved by the Diet.
Second, Japan began to introduce a new Missile Defense (MD) system. The annual budget approved in the spring of 2004 included surface-to-air missiles, one Patriot Advanced Capabilities-3 (PAC3) missile around Tokyo and one Standard Missile-3 (SM3) on an Aegis destroyer.[14]

All these changes gave the government ample reasons to reconsider its basic security and defense policy and, as was mentioned above, the NDPO will be revised by the end of 2004. In April 2004 a consultative council to the Prime Minister headed by Hiroshi Araki of Tokyo Electric Company regarding 'the security and defense capability' began its work.

13 The total soldiers deployed amounted to 1,050. (http://www2.asahi.com/special/iraqrecovery/images/040117b.gif 2004-07-05).

14 On 19 December 2003 the cabinet decision to establish the MD system was taken simultaneously with another decision to restrain defense expenditure (BH 2004, pp. 415-416).

The Defense Agency (DA) had already started serious study in their 'Committee to study the state of defense power' established in September 2001 (BH 2004, p. 320) and the Bouei Hakusho (Defense Whitepaper) adopted in July 2004 hinted at several directions which might be included in the revised NDPO.

Concept to be revised

One of the key tasks of the new NDPO is the question of dealing with 'unpredictable and sudden threat which may occur from WMD, missile attacks, terrorist attacks, guerilla and other subversive operations (BH 2004, pp. 326-327)'.

In this entirely new situation, where an attack might occur from non-traditional organizations such as international terrorists, the 'Concept of a Basic and Standard Defense Capability' which requires Japan to maintain adequate forces so that a power vacuum would not be created in and around Japan, has to be seriously scrutinized.

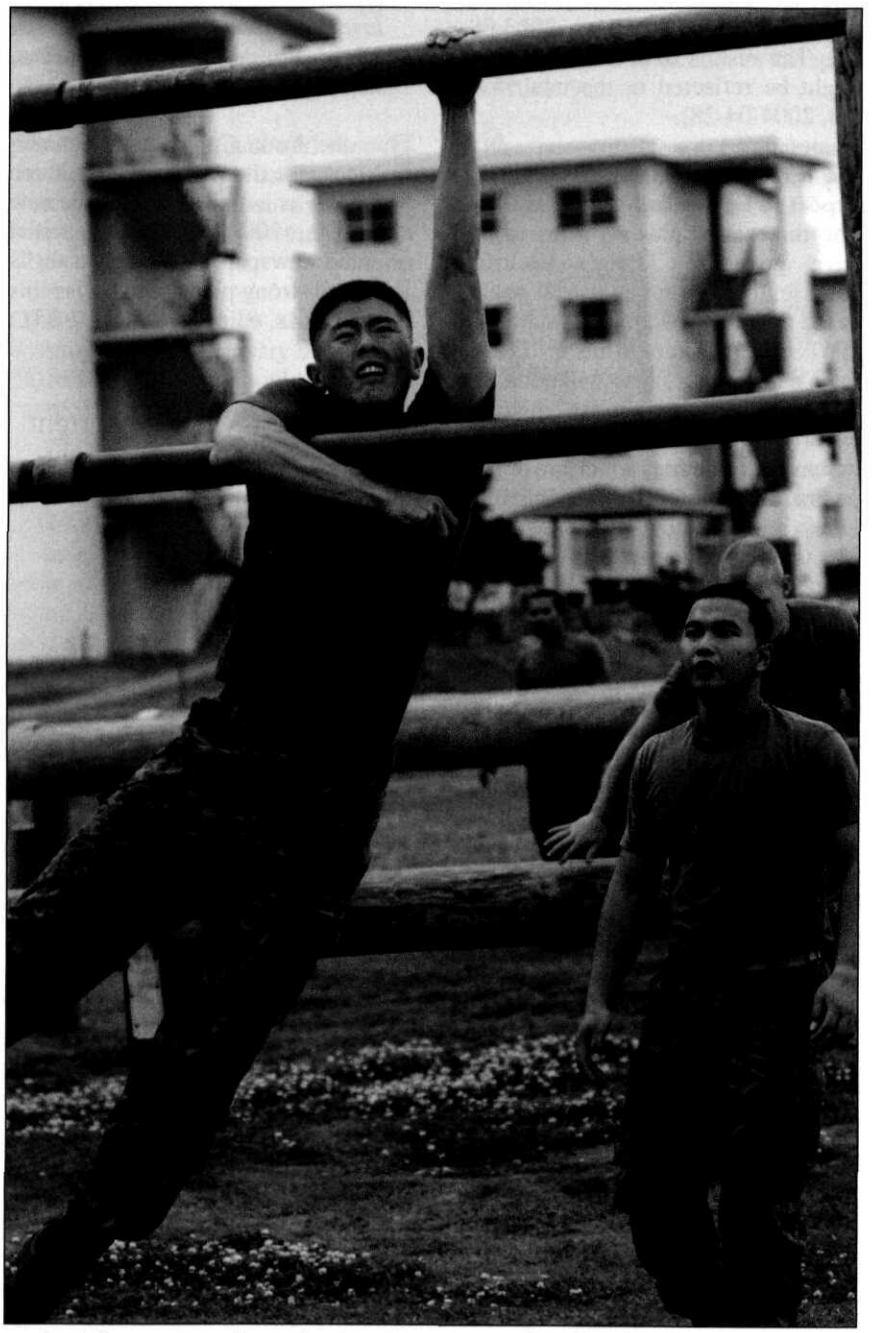
The Araki Consultative Council is preparing a recommendation to revise this basic concept which was the cornerstone of the past two NDPO's of 1976 and 1995 (AS, 2004-07-28).

Greater centricity of the SDF role in international cooperation

SDF activities, such as the participation in the UNPKO from 1992, anti-terrorist activities from 2001, and humanitarian and reconstruction assistance in Iraq from 2003, exemplify the substantially greater SDF activities in the area of international cooperation.

> *Japan must support on a continual and prompt basis such activities toward the consolidation of peace and stability of international community as the UNPKO, the international effort to eradicate terrorism, humanitarian and reconstruction efforts, and the non-proliferation of WMD. Responsiveness, mobility and flexibility are required so as to achieve this purpose* (BH 2004, p. 327).

This is an indicative statement which designates a more centric role in international cooperation in the future activities of the SDF. The new NDPO is expected to redefine the role of international cooperation as one of the centric SDF activities.[15] The Araki Consultative Council is formulating a recommendation toward that direction (AS, 2004-07-28).



An infantry man from the Japanese Ground Self-Defense Force hangs from the double-bar obstacle of the obstacle course, Okinawa, Japan
(Photo: U.S. Navy, R. Walker; source: IMG/KL)

15 SDF activities in 'international cooperation' were characterized as 'supplementary activities' in accordance with the law establishing the Defense Agency.

Last, the experience of the 2001 Anti-Terrorism Law and the 2003 Iraqi Assistance Law left such an impression that a permanent legal basis would be needed for an expeditious non-combating participation in a UN-based multinational coalition of forces. On 1 August 2003, a special task force had already been established at the Cabinet Secretariat (AS, 2003-08-03). The results of these discussions might be reflected in the new NDPO (AS, 2004-04-28).

The Three Principles on Arms Export to be revised

The three principles on arms export have governed Japan's security, defense, foreign and industrial policy, based on strong pacifism. It started in 1967 under Prime Minister Eisaku Sato, namely that Japan will not allow arms export to communist countries, export-banned countries by UN resolutions, and countries which are or may be involved in international conflicts.

The principles were reinforced by Prime Minister Takeo Miki in 1976 when the government decided to restrain all arms export, and since then arms export has been virtually banned. In 1983 Prime Minister Yasuhiro Nakasone made an exception to these principles by allowing the transfer of arms technology to the United States, but arms transfer itself is still entirely banned.

The Defense Agency (DA) recently observed that weapons with highly developed technologies require multinational cooperation, such as the Joint Strike Fighter or the Medium Extended Air Defense System, where joint development among European and American companies are flourishing.

The DA stated that Japan's policy of banning weapons export is under review, bearing in mind that a successful joint production of Ballistic Missile Defense (BMD) will necessitate Japan's export of weapons to the US, while such basic ideas as a pacifist nation not to export weapons to countries under conflicts should be maintained (BH 2004, p. 346).

Nippon Keidanren, the largest business association in Japan, also made a proposal on 20 July to soften the criteria applied to the policy of banning weapons export, to the extent that:

> *a categorical ban should not be applied and the modality of export control, technology exchanges, and investment have to be reconsidered based on national interest* (AS, 2004-07-21).

Thus the Araki Consultative Council may propose the revision of the three principles as a major pillar of the new NDPO (AS, 2004-07-28). A pacifist oriented newspaper such as Asahi is voicing a strong plea not to revise this principle (AS, editorial, 2004-07-25).

But some revision of current policy of banning 'entirely' weapons export may be revised in the coming NDPO reviewing process.

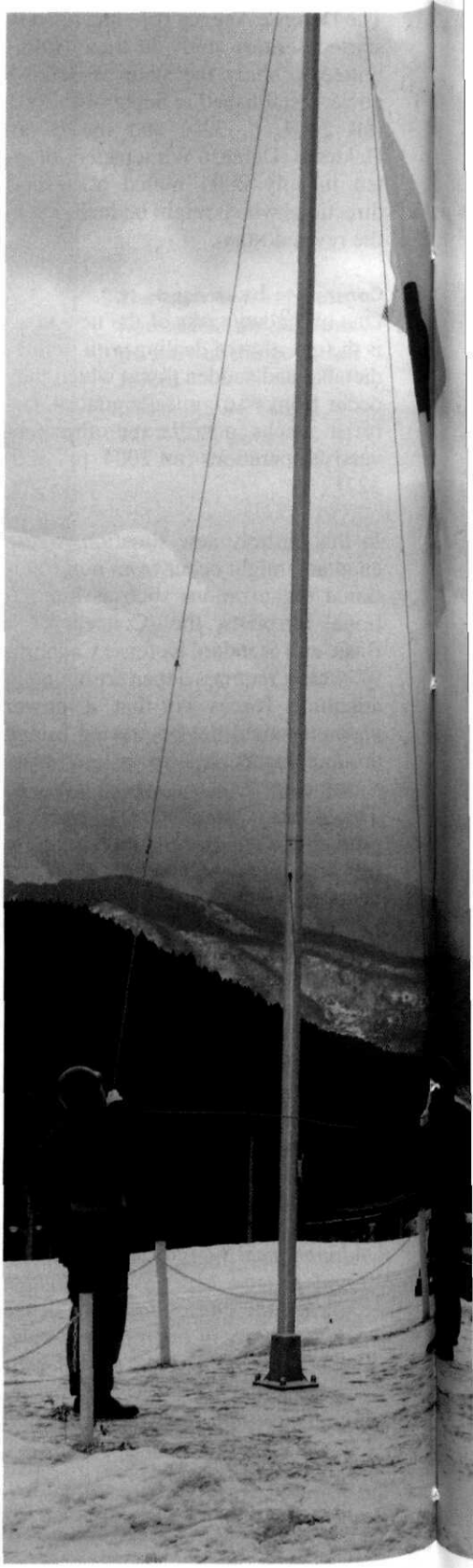
Debates about other Basic Policies

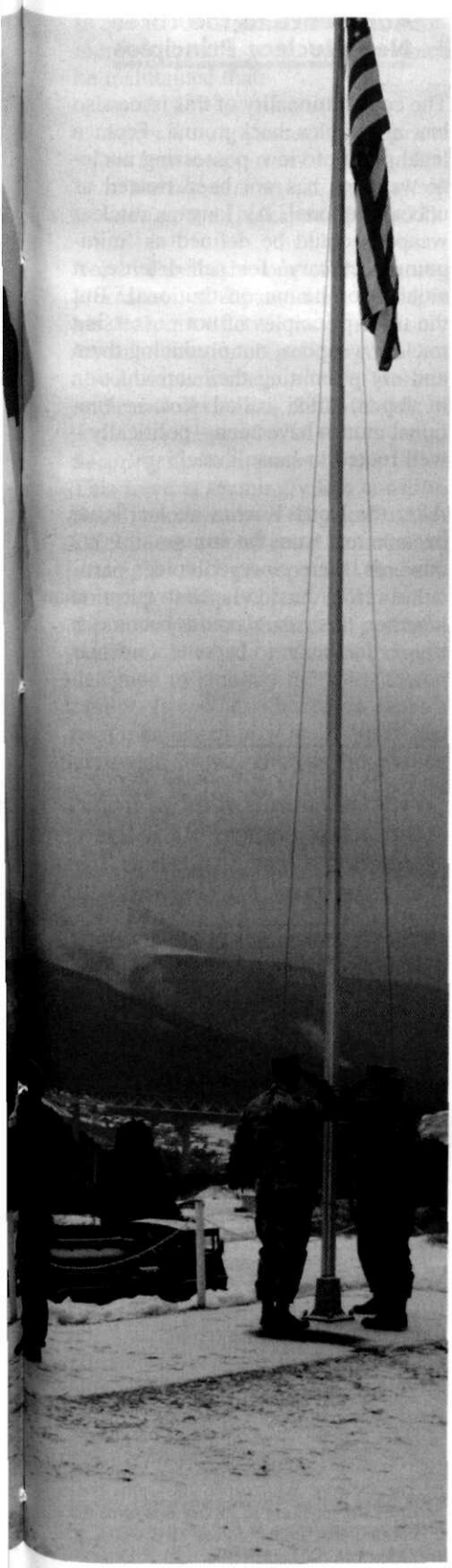
The debates as they have developed around the NDPO seem to be attuned with the general direction of the security and defense policy, seeking a more pro-active and responsible role for Japan. They do not contradict those principles which Japan established as a fundamentally pacifist nation after World War II.

Even the most controversial issue of the revision of the three principles on weapons export seems to be conducted with restraint. But the debates related to the other four Basic Policies evoke more fundamental aspects concerning the pacifist principle Japan has so far adhered to.

Exclusively Defense-Oriented Policy

This principle of *Senshubouei* has been well known by the Japanese people, but in reality it involves com-





While the Japanesed Ground Self-Defense Force raise the flag of their country, Marine Lance Corporals Trinton Shuey, Jeff Bryant, and James Cook render salutes after raising the colors at the Hijudai flagpole in January, 2004 with Corporal Scott Mayer standing post. The colors ceremony marked the beginning of the Hijudai artillery relocation exercise
(Photo: U.S. Navy, A. Brooks; source: IMG/KL)

plicated legal argument and requires detailed knowledge of military hardware. The gist of this principle can be summarized as follows (BH 2004, p. 82):

(1) Because Article 9 allows only minimal and necessary self-defense forces, Japan should not wage the first offensive and wait until an attack comes from the enemy.

(2) It does not mean that Japan should wait and be destroyed in case it is attacked by the enemy. If an attack is already 'initiated' and there is no other way to ensure its self-defense, Japan is not prohibited to counterattack the enemy's base.

(3) The precise point where an attack is actually 'initiated' can in general not be defined beforehand.

Thus, possessing such offensive weapons was not necessarily unconstitutional. But in reality weapons of an offensive nature which could be used in such a counterattack were not possessed by the Japanese government. It was considered to be against the spirit of Article 9.

If the necessity for a counterattack really occurred, it was the US that was expected to act on Japan's behalf.

Japan's role has long been considered to be that of a shield, whereas the role of the US was that of a spear.

In the first half of 2003, however, there has been considerable press coverage about a new and lively discussion that developed around the State Minister for Defense, Shigeru Ishiba, on the possibility of revising the policy of *Senshubouei*.[16] →

16 On 24 January 2003, Ishiba made a statement at the Budgetary Committee that 'if there is a statement [by the enemies] to put Tokyo in a sea of fire and if the preparation to achieve this objective actually begins, such as filling in fuel [in the missile], it could be defined as 'initiating' an attack,' and 'in such a situation Japan's attack of the enemy base should be possible (AS, 2003-01-25)'. Within the logics traditionally held by the Japanese government, Ishiba introduced a definition a little more precise on the notion of the 'initiation' of an attack.
On 27 March Ishiba, when asked about a possible missile attack from an enemy, made another statement at the Security Committee of the House of Representatives. He stated that 'frankly speaking, I think that it is worthwhile to consider whether Japan should possess a capability of attacking enemy bases (AS, 2003-03-28)'. In suggesting the possibility of possessing weapons of an offensive nature, this statement had something essentially new. It has attracted considerable media attention. Koizumi almost immediately reacted to journalists and said that 'it is alright to study, but Japan's position to adhere to the "exclusively defense-oriented policy" shall not change (AS, 2008-03-28)'. On the following day, 28 March, Koizumi reaffirmed this cautious position at the Budget Committee of the House of Councillors (AS, 2003-03-28).
Ishiba himself might have backed away a little and stated at a press conference on 13 May that "I have no intention to change the 'exclusively defence-oriented policy', but it is necessary to review the state of that policy [within the existing framework] (AS, 2003-05-13)".
Meanwhile experts discussed in the press what kind of offensive weapons would Japan possess, in case the policy changed. Many envisaged that plausible weapons would be Tomahawk cruise missiles. But on that score, Chief Cabinet Secretary Yasuo Fukuda stated on 28 March that 'there is no such fact that we are studying the deployment of the Tomahawk cruise missile. What we cannot base on the interpretation of the Constitution, we cannot do (KD, 2003-03-28)'.
Ishiba's statement backfired in North Korea. On 29 March the Korean Central Broadcasting stated that 'Japanese reactionaries are plainly expressing their desire for a pre-emptive strike' (YS, 2003-03-30). Ishiba rebuffed this statement and stated at his press conference on 11 April that 'I have never mentioned anywhere a pre-emptive strike. That is clear from the current government position (KD, 2003-04-11)'. On 20 May, at the Special Committee for the bills concerning the response to an armed attack, Ishiba once again reiterated that Japan could not implement a pre-emptive strike, based on its Constitution (YS, 2003-05-21).

On 23 June 'the Committee of young parliamentarians who establish the security system for the new century', composed of 103 deputies, announced an urgent appeal, requesting that 'exclusively defense-oriented policy has to be restructured; Japan should maintain an offensive capability to deal with a situation when threats are imminent against Japan; study must begin when Japan could use this capability under the assumption of the revision of Article 9 of the Constitution'.

Ishiba is a member of this committee. So is Seiji Maekawa, a prominent defense specialist in the Democratic Party. Keizo Takemi, a deputy of the House of Councillors who represents the committee stated that he did not expect the government to agree immediately to their views, but that a cool and objective discussion on this subject based on military realism and an understanding of the surrounding countries are necessary (AS, 2003-07-03).

Since then, internal debates in Japan on this issue quietened down for a year, but the 'Committee to study the state of defense power' of the DA has recently concluded that:

> *Japan [should] study [the desirability] of possessing offensive capability of attacking enemy bases in order to prevent aggression, while US's [primary] role in attacking enemy bases shall be maintained* (AS, 2004-07-26).

Concrete weapons quoted in the article included the Tomahawk cruise missile and a light-weight aircraft carrier.

The decision of whether or not possessing certain types of weapons is political rather than legal. This could imply that if the DA could explain – with a compelling logic – that certain weapons, which traditionally were considered as offensive, are compatible with Article 9, the decision to acquire that weapon could well be taken.

Not becoming a Military Power

This brings us to the second principle of the other Basic Policies: Not becoming a Military Power. The constitutional implication of this issue is clear. If the constitution prohibits having defense forces which go beyond 'minimum and necessary', to possess a military power that might pose a threat to other countries is by definition unconstitutional.

But this legalistic argument does not solve the problem, because the gist of the matter is what Japan's capability is compared to outside forces, and how Japan's military capability and intention are perceived by the neighbouring countries.

In this context, the SDF participation in the war against terrorism and in the reconstruction and humanitarian efforts in Iraq has not met with objections by the surrounding Asian countries. The essential character of these activities – namely that Japan is partaking in pro-active and responsible activities to secure global peace and security – is better understood by the surrounding countries.

Japan's decision to start MD has not caused major challenges from these countries either. The North Korean nuclearization threat might have given compelling reasons for these surrounding countries to show understanding towards Japan's growing security and defense concern.
Japan's efforts in downsizing the conventional forces such as tanks, escort ships and operational aircraft, to be shown in the new NDPO, must be duly taken into consideration as well.[17]

Some credits should also be given to the efforts made by Japanese officials in explaining Japan's intention toward adjacent countries. In addition to the efforts made by the Ministry of Foreign Affairs, the DA has developed a tight network of dialogue and exchanges with the major surrounding countries, including China, Korea, Russia and ASEAN countries (BH 2004, pp. 237-241).

Adherence to the Three Non-Nuclear Principles

The constitutionality of this issue also has a complex background. From a legal point of view, possessing nuclear weapons has not been treated as unconstitutional. As long as nuclear weapons could be defined as 'minimum necessary' for self-defense, it would not be unconstitutional. But the three principles of not possessing nuclear weapons, not producing them and not permitting their introduction in Japan, often called *Kokuze* (national motto) have been – politically – well rooted in Japan's pacifism.

After the North Korean nuclear issue became real from the autumn of 2002 onwards, there emerged voices particularly from outside Japan to question whether this issue could become a trigger for Japan to become a nuclear power.

> In reality, the issue of nuclearization is remote from the actual choice, but it has become less of a taboo to discuss it in Japan.

On 13 May 2002 Shinzo Abe, the Deputy Chief Cabinet Secretary, stated in a university lecture that 'minimal, small and tactical nuclear weapons are not necessarily unconstitutional (Nakajima, p. 19)'. On 31 May 2002 Chief Cabinet Secretary Yasuo Fukuda stated that 'depending on the international situation, there may emerge from public opinion such views that Japan should possess nuclear weapons (Nakajima, p. 19)'. Criticism was still strong, but the views expressed by Abe or Fukuda might have contributed to make this issue less emotional.

17 The Defense Whitepaper 2004 also confirms the intention to further downsize the conventional armed forces (BH 2004, p. 325).

In May 2003 Shoshi Nakajima, a former judge, published a book in which he maintained that:

> *Japan has to possess appropriate nuclear weapons in order to achieve the ultimate objectives of eliminating them* (Nakajima, p. 36-37).

Yoichi Funabashi, one of the leading journalists of Japan today, stated in his column that it was not only Japan's emotional policy goal, but also in Japan's interest not to possess nuclear weapons (AS, 2003-09-04).

Securing Civilian Control

This issue is seemingly less constitutional, because under the pacifist Article 9, there was no room to include a principle which presupposed the existence of 'military' forces. But when the SDF was established, a powerful civilian control mechanism was designed to embody the spirit of Article 9. It was also based on Japan's own memory of how the military had expanded its power over the civilian officials in the government before World War II.

Thus, a strong mechanism of civilian control was introduced. The SDF is governed first by a group of elected politicians at the top, the Minister of State for Defense and his Senior Vice Minister and Parliamentary Secretary. Then there is a group of civilian officials, who are composed of ten defense counsellors and *Naikyoku* (internal bureaus).

The so-called 'uniforms' are all subordinated to this group of civilian officials. The Defense Whitepaper shows a colourful illustration of the vertical command line of the State Minister for Defense – to defense counsellors and internal bureaus – to 'uniforms'.[18]

This system of subordination of 'uniforms' to civilian officials has been a source of dissatisfaction for the 'uniforms' for many years. It is reported that on 16 June, in the 'Committee to study the state of defense power', the Chief of Staff of the Maritime Self-Defense Force, with the agreement of the Ground and Air SDF, proposed that civilian officials and 'uniforms' have to stand on an equal footing and support the political leadership.

The article indicated that civilian officials within the DA were shocked by this sudden proposal and immediately expressed caution from the point of view of civilian control (AS, 2004-07-02).

But the Defense Whitepaper 2004 gives an interesting hint. In the section describing the SDF internal reform, to reorganize the 'uniforms' so that the three Forces can act as a unity, nothing is verbally stated on civilian control. But in the illustration related to this reform, horizontal relations between the 'uniforms' and civilian officials to support the political leadership are given (BH 2004, p. 332).

> If the 'uniforms' would be ranked equal to civilian officials in advising the political leadership of the DA, to what extent would it derogate the principle of civilian control?

Whatever the answer to this question may be, if the above-mentioned illustration in the Defense Whitepaper shows a coordinated direction of the whole DA, including civilian officials, a new mechanism where 'uniforms' have greater power may emerge rather soon.

Marines from 'Echo' and Japanese trained side-by-side during a semi-annual, bilateral training exercise
(Photo: U.S. Marine Corps, N.K. LaForte; source: IMG/KL)

The amendment of the Constitution

The third and most fundamental level of security and defense debates is related to the amendment of Article 9 of the Constitution. The following points may be made as to why these debates are developing:

(1) Article 9 became the basis of Japan's security, defense and foreign policy for more than half a century after the end of World War II. It underpinned Japan as a peaceloving nation; it considerably decreased Japan's threat

18 http://www.jda.go.jp/e/linkdia_.htm.

image in relation to its neighbouring countries; it helped Japan to develop strong non-military policy initiatives such as ODA; and it enabled Japan to concentrate on post-World War II economic development.

(2) But during the Cold War rift between the pacifists and the realists, Article 9 has probably been the key factor which prevented Japan to take a pro-active and responsible approach towards regional and global peace and security. People have increasingly preferred pro-active and responsible action, and Article 9 is gradually losing its glamour.

(3) The Socialist Party, the guardian of Article 9, disintegrated after the end of the coalition government of 1994-1996. The Democratic Party, which became the leading opposition thereafter, fundamentally has a realistic security and defense policy. Idealistic and passive pacifism have rapidly lost their political basis.

(4) The war against international terrorism and the North Korean crisis made the Japanese people realize more acutely Japan's vulnerability in its security and defense position. There emerged in this context a better understanding of the asymmetry of Japan's security position under Article 9 vis-à-vis the US. That asymmetry added undue dependence on US power and a growing number of Japanese began to feel that this asymmetry should be overcome, if Japan wants to maximize its foreign policy leverage.

In January 2000 a parliamentary research commission was established at the House of Representatives for a designated period of five years. On 1 November 2002, the commission published an interim report to show the dividing views concerning the revision of Article 9 (AS, 2003-11-02). Traditional 'revisionists' of Article 9 like Yasuhiro Nakasone and the new generation of security-oriented deputies such as Shigeru Ishiba (LDP) and Seiji Maekawa (Democratic Party) stated that the revision was necessary in order to specify that Japan could exert not only the individual right of self-defense, but also the collective-right of self-defense. The Komei Party, the Communist Party, and the Japan Socialist Party were in opposition to the revision of Article 9. The Commission is scheduled to finalize the report in 2005.

Prime Minster Koizumi, after he assumed power in April 2001, has made it clear that in the long run he considered that the revision of the constitution was a viable political agenda, but that it was not his immediate political objective (AS, 2003-08-31). On 25 August 2003, however, Koizumi told reporters that he endorsed a plan that the Liberal Democratic Party (LDP) would formulate a proposal concerning the revision by 2005 (AS, 2003-08-26).
This idea came from influential party members, with a view to the LDP 50 year anniversary meeting in November 2005.

Taking into account all these elements, one cannot exclude the possibility that the question of the revision of the constitution will become a real political agenda in the years after 2005.

The decision of the revision of Article 9 has to be taken not only with the support of the Japanese people, but also with the understanding from the international community, particularly from the surrounding Asian countries. The realists must play an important role in ensuring that revision of Article 9 only signifies Japan's determination to become a more pro-active and responsible member of the international community, without threatening in any way its neighbouring countries.

Japanese pacifism

In doing so, it is crucially important to examine the notion of pacifism, which has determined Japan's security, defense, and foreign policy for more than half a century, and define its role within the revised constitution. If the revised constitution succeeds in preserving the positive aspects of post-World War II Japanese pacifism, while enabling it to play a pro-active and responsible role in order to contribute to the peace and stability of the region, the newly revised constitution must play a guiding role for Japan's security, defense and foreign policy in the initial decades of the 21st century. ■

Quoted documents

Green, Michael J. 'Defense or Security? The US-Japan defense guidelines and China', in: (ed.) Lampton, David M., *Major Power Relations in Northeast Asia: Win-Win or Zero-Sum Game*, Tokyo, 2001.

Iokibe, Makoto, (also ed.), Chapter 1, *Sengo Nihongaikoushi (Post-War Japanese Foreign Policy)*, Yuuhikaku, 2001.

Murata, Ryouhei, *Naze Gaimushouwa dameninattaka (Why did MOFA deteriorate?)*, Fuyousha, 2002.

Sakamoto, Kazuya, Chapter 2, *Sengo Nihongaikoushi (Post-War Japanese Foreign Policy)*, in: (ed.), Iokibe, Makoto, Yuuhikaku, 2001.

Shoshi, Nakajima, *Nihon Kakubusou (Japan Holding Nuclear Weapons)*, Hamano Shuppan, 2003.

Tadokoro, Masayuki, Chapter 3, *Sengo Nihongaikoushi (Post-War Japanese Foreign Policy)*, in: (ed.), Iokibe, Makoto, Yuuhikaku, 2001.

AS Asahi Shinbun
BH Bouei Hakusho (Defense Whitepaper)
KD Kyodo Tsushin
YS Yomiuri Shinbun

Abbreviations

(B)MD	(Ballistic) Missile Defense
DA	Defense Agency
LDP	Liberal Democratic Party
NDPO	National Defense Policy Outline
ODA	Official Development Assistance
SDF	Self-Defense Forces
UNPKO	United Nations Peacekeeping Operations
WMD	Weapons of Mass Destruction