JAPAN'S VISION FOR EAST ASIA

Diplomacy Amid Geopolitical Challenges

EDITED BYShihoko Goto

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Introduction

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The rise of Prime Minister Shinzo Abe has provided Japan with the political stability that had been elusive for nearly seven years. Since taking office for the second time in December 2012, Abe has put Japan firmly back on the global map, firstly by getting the sluggish economy on a road to recovery. Global investment interest in Japan has soared as a result of the initial success of his economic revitalization plan, even though the jury is still out on whether that roadmap is sustainable.

Yet it is Abe's foreign and security policies and not Abenomics that are coming under greater international scrutiny. With tensions between Japan and neighboring South Korea and China showing no signs of abating, there is growing concern about what Tokyo's longer-term foreign policy aspirations may be, and their impact on regional stability. Meanwhile, there is anxiety among the Japanese about the strength of the U.S.-Japan alliance, and whether Washington is still in synch with Tokyo on its outlook for the region.

Japan may no longer be the single biggest economy of East Asia, but its continued importance as an anchor for security as well as growth in the Asia-Pacific and beyond cannot be disputed. Moreover, given the numerous common challenges facing Seoul and Beijing as well as Tokyo, the need for more regional cooperation as well as a strengthening of the U.S.-Japan alliance is greater than ever.

IDENTIFYING AND ARTICULATING JAPAN'S ROLE

Amid conflicts over territorial ownership and historical interpretation, Japan is facing a watershed in identifying and articulating its role as a regional leader

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that goes beyond simply being an economic powerhouse. For one, there is the question of whether Japan should revise its constitution in order to enhance its military capabilities beyond simply providing self-defense. That debate has only gained traction as ongoing conflict between Tokyo and Beijing over ownership of islands in the East China Sea, known as Senkaku in Japanese and Diaoyu in Chinese, shows no signs of reaching a satisfactory conclusion. While Japan remains the only major country that is unable to take part actively in U.N. peacekeeping operations and other concerted international efforts for peace, the fact that Prime Minister Abe is considering revising the Japanese constitution only heightens alarm among Korean and Chinese policymakers that Tokyo is pursuing a path of militarization, much to the surprise and concern of the Japanese government.

At the same time, Japan's diplomatic relations with its neighbors are suffering over the interpretation of history, and Japanese colonialism in particular. Indeed, Abe's visit last December to Yasukuni shrine, which commemorates Japan's war dead including 14 Class A war criminals, came under heavy attack not just from the Chinese and Koreans, but also from the United States as well. A clash over history remains a major stumbling block for Tokyo's relations with Seoul, as Korean President Park Geun-hye continues to demand that Japan apologize for wartime sex slavery on the one hand, while Japan looks to reexamine the 1993 Kono statement which acknowledged the Japanese imperial army's involvement in recruiting and using so-called "comfort women".

COMMON SECURITY AND ECONOMIC CHALLENGES

There is growing concern in Japan that the country is being isolated at a time when it can and should play a key role in ensuring stability as well as economic security in a region that will face ever more challenges in coming years. Certainly, the threat of North Korea remains ever-present, not least with its nuclear ambitions still remaining strong. Continued cooperation not only between Tokyo, Seoul, and Beijing, but also Washington will remain critical to keep the Pyongyang regime in check and accountable to the international community.

Japan and South Korea have even greater incentives to ensure that their relations remain strong in light of China's continued military build-up. As such, it is crucial not only for relations between Tokyo and Seoul to improve, but also for ties between Japan, South Korea, and the United States to strengthen further in facing China's ambitions. Certainly, the fact that Beijing now has the second-largest military budget in the world alone should push Seoul and Tokyo as well as Washington closer together. Even though President Barack Obama's administration has made clear that the United States does not see eye-to-eye with Japan when it comes to policies toward China, issues including China's imposition of an air defense identification zone across the East China Sea and more broadly, Beijing's endeavors to establish itself as a regional superpower, will continue to be of concern not just to Japan and South Korea, but to the United States as well.

Security issues are not, however, the only issues of regional concern that will require improved relations among the East Asian nations. Meeting future energy needs is also a challenge that would benefit greatly from coordinated efforts. Given that the United States as well as much of Europe will be closer to reaching energy independence as a result of advanced hydraulic fracturing technologies, East Asia will be alone among the heavily industrialized regions that will remain dependent on Middle Eastern oil and gas. Coordinated efforts to secure energy supply from conventional sources will be of mutual benefit to the East Asian nations. In addition, as Japan grapples with the political as well as the technological hurdles of relying upon nuclear energy once again, regional cooperation to develop alternative sources of energy would be of strategic benefit for all. On the flip side, it is in the region's interest too to see greater cooperation between Japan, South Korea, and China on tackling the ever-growing issue of sustainable development and air quality control in particular, which obviously knows no national boundaries.

While the outlook for the Trans-Pacific Partnership (TPP) agreement remains uncertain, it is clear that greater economic integration must continue to be a priority. Once decried by Beijing as a tool to isolate China from a U.S.-led global trade pact, China has since voiced interest in eventually becoming a member of the 12-nation deal, even though it is unlikely to be able to clear the high hurdles that will allow it to be considered for membership.

Meanwhile, most analysts expect South Korea to join TPP once it is successfully concluded. Yet Japan, China, and South Korea continue to inch forward in talks for pulling together an alternative regional trade deal, namely the Regional Comprehensive Economic Partnership (RCEP) agreement, together with India, Australia, and New Zealand. Continued commitment to moving forward with RCEP highlights the fact that the East Asian nations are prepared to put aside their differences to pursue mutual economic interests.

Japan is, of course, the only country that is signed onto both TPP and RCEP. That fact alone highlights Japan's commitment to remain an economic leader in the region, but how does Tokyo see its role in ensuring political, social, and military security in East Asia amid rapidly changing circumstances across the Asia-Pacific?

At a Woodrow Wilson International Center for Scholars conference held in early March 2014, four academics joined the U.S. deputy assistant secretary of state for East Asian and Pacific affairs James Zumwalt to discuss Japan's longer-term foreign policy objectives, who declared that the U.S.-Japan alliance has never been stronger.

Yet several academics cautioned against the United States placing too great an emphasis on the dispute over history between Japan and its neighbors, arguing that Japan was not turning to a path toward militarism, as some in the media have touted. Indeed, Ritsumeikan Asia Pacific University's Yoichiro Sato cautioned that China has orchestrated a major anti-Japanese campaign in part to deny Tokyo a leading role in providing security in the region. Sato added that the United States should be wary of criticizing Abe on his positions regarding history, given that fears about Japanese ultra-nationalism have been deliberately stoked by Beijing.

As for the University of Tokyo's Fumiaki Kubo, he stressed that Japan's security policy remains defense-oriented by international standards. Kubo also said that given Japanese concerns about U.S. commitment to the bilateral alliance, President Obama should make a point of publicly declaring Washington's continued commitment to Tokyo and strengthening the U.S.-Japan alliance.

At the same time, U.S. concerns about the rise of nationalism across East Asia and clashes over historical interpretation cannot be dismissed. As such, Leonard Schoppa of the University of Virginia suggested that a team of Japanese and U.S. experts prepare a new, objective report for the White House about the Japanese military and sexual slavery during World War II.

Looking beyond East Asia and the United States, Kent Calder of Johns Hopkins University pointed out Japan's evolving relations with Eurasia, and Russia in particular, which is presenting new challenges for the U.S.-Japan alliance. As such, Calder called for greater cooperation between Tokyo and Washington on assisting ASEAN nations, and developing multilateral free trade agreements, which includes concluding the current TPP negotiations.

The collection of essays from the Wilson Center's March discussion which follow hopefully will move forward the debate about how Japan sees its future as an Asian leader. Bryce Wakefield of Leiden University also contributed to the endeavor with his thoughts on the prospect of altering Japan's self-defense policy, including the possibility of revising the Japanese constitution and its implications for regional security.

Of course, there are no easy solutions to overcoming historical grievances, nor is there seemingly a quick way to reach a resolution regarding ownership of disputed islands in the East China Sea. What is clear, though, is that Japan's diplomatic vision cannot be dismissed simply as nationalistic or militaristic. Expectations for Japanese leadership in ensuring regional economic as well as military and social security are higher than ever. How Tokyo can move forward in its relations with South Korea and China will impact not only East Asia, but also its deep-rooted ties with the United States and the international community as well.

March 2014 Washington DC

Japan's View on Sino-Japanese Relations: Leveling the Playing Field?

YOICHIRO SATO

Relations between Japan and China during the past decade have been increasingly tense compared to the preceding three decades. The rise of conservative leaders within Japan's ruling Liberal Democratic Party has often been viewed as a cause of the more assertive foreign policy in Asia and the tense relations with China. In Japan, however, the view is quite the opposite. Support for the conservative politicians is a result of the worsening security environment surrounding Japan.

The idea of liberal peace that economic interdependence will reduce the risk of war has been tested against the other idea of geopolitical rivalry, and the latter seems to be gaining ground in Japan's security thinking about China. In the economic domain, the idea of win-win cooperation with China has been replaced by a more cautious pursuit of a bigger win for Japan. On the security front, Japan is trying to match the growing diplomatic power of China and retain superior military power over China in the combined strength with the United States.

Prime Minister Shinzo Abe's historical revisionist agenda have invited strong criticism from China and Korea, and highly publicized disappointment from U.S. ambassador Caroline Kennedy. While Abe's personal obsession is blamed for his behavior, the relentless complaints from China and Korea have served to remind the Japanese of the worsening security environment in Asia today. Abe may very well attempting to end the regularized use of the history card by China and Korea, in order to win Japan a diplomatic voice it deserves

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on regional security matters and enable closer military cooperation with the United States that the latter demands. The increasing regional economic nexus centered on Japan and China has been mutually beneficial. On the other hand, geopolitical rivalry between the two countries has been intensifying. The bilateral relations have become an experiment between liberal peace driven by economic interdependence and geopolitical realism.

ECONOMIC RIVALRIES

China's relentless economic growth has been driven by steady inflow of foreign capital, technology, and management expertise, as well as access to the export markets. Staking the country's political stability on legitimacy through continuous high economic growth, the Chinese political leadership since Deng Xiaoping has pursued inward foreign investments. Japanese manufacturing firms responded quickly in search of cheap labor costs, while the Japanese government provided a large sum of concessionary loans for China's infrastructure development. China's transition to a market economy has been incremental. State owned enterprises, which employ a large portion of the labor population, have not been fully rationalized, and their control over the domestic market is protected through various mercantilist policies, despite repeated protests from foreign and domestic private competitors.

China's effort to upgrade its technological level through localization of components production has employed tariff barriers and investment regulations. Japan's effort to liberalize China's investment environment through a trilateral investment agreement including South Korea stopped short of banning discriminatory investment permit practices by China, which favors domestic firms. Trilateral free trade negotiation with the same members was proposed and is expected to bring down the transactional costs of intra-regional trade of both components and finished products. However, the political tension in the region has severely interfered with moving the negotiation process forward.

While Japan has played a prominent role in China's development, its significance in China's overall economic relations is gradually declining. China's two-way trade with Japan has declined in proportional terms in

recent years, while the United States increased its share of China's two-way trade. With the increasing trade surplus with the United States and the upward pressure on the renminbi, China buys dollar in the form of U.S. Treasury bonds and has now replaced Japan as the top cumulative holder of U.S. government debt. This new economic interdependence between China and the United States has raised the Japanese fear of U.S. temptation to adopt a balancing strategy between China and Japan or worse sidelining of Japan for the sake of closer relationship with China.

CONFLICT OVER TERRITORIES

The most direct cause of the current bilateral discord between Japan and China is the maritime demarcation dispute, which partly involves the Senkaku islands in East China Sea. While the dispute over sovereignty of the islands has gained media attention, the extent of the maritime boundary dispute stretches across the entire East China Sea, as there is a large overlap between China's extended continental shelf claim and Japan's claim based on the equidistant line. Bilateral—and partly trilateral including South Korea—demarcation negotiations over the East China Sea have not taken place. The location of the Senkaku islands, which Japan has administratively controlled between 1895 and 1945 and again since 1972, on the continental shelf inside China's claimed line has caused a sort of Catch-22. Japan with the current administrative control does not recognize existence of a sovereignty dispute over the islands without China filing an official case with the International Court of Justice. Whether Japan would agree to an international arbitration in case China does file a case is unknown, yet some suggest Japan do exactly that or even voluntarily go to ICJ first. China's reluctance to go to ICJ is seemingly its weak legal ground. The uncertainty over the Senkaku islands prevents the two countries from defining the overall maritime boundary dispute.

The Chinese drilling of natural gas at the Chunxiao (Shungyo) field just outside Japan claimed boundary has raised the Japanese fear that China might be siphoning gas from the Japanese side as well. Escalation of the tension in 2005 following China's rejection of a Japanese request to share

geological survey data involved a Chinese dispatch of a missile destroyer flotilla to the area. While the overall estimated deposit of gas does not seem to be large compared to the massive amount of bilateral trade and investments, symbolic importance of the gas dispute was much greater. Japan and China in 2008 agreed in principle to a joint development of the Chunxiao field, but the working-level negotiations to detail the principle agreement have stalled in the deteriorating bilateral political relations. The locations of the four known gas fields on the eastern edge of the shallow continental shelf favors pipeline shipping of the gas to the Chinese mainland, while the deep Ryukyu Trough on the east of the gas fields requires other more costly means of gas shipment to the nearest Japanese landmass. The Japanese government's opening of bid for test-drilling the field inside the Japanese claimed boundary did not attract a single domestic bidder, indicating poor profit prospects. With as strong bargaining position, China has proposed joint exploration of the fields inside Japan-claimed boundary, including an area around the Senkaku Islands, which Japan quickly rejected for their possible negative implications on pending demarcation settlement. The public focus on the Senkaku islands since the collision of a Chinese fishing boat with two Japanese Coast Guard patrol boats in the area in 2010 has largely left the gas dispute outside public discussions, while further unilateral attempt by China (such as bringing new equipment to the existing rig) to alter the status quo is closely being monitored by Japan.

DIPLOMATIC AMBITIONS

Japan's postwar pacifism and its constitutional interpretation against collective defense kept the country from returning to the status of a major security actor during the early Cold War period. During the renewed tension with the Soviet Union during the 1980s, the United States started encouraging Japan to reorient itself toward a more active security role within a stronger alliance with the United States. The combined maritime dominance in the Western Pacific by the U.S. and Japanese forces checked the Soviet expansion in East Asia, and China focused on building its economy. The abrupt ending of the Cold War in the late-1980s and the collapse of the

Soviet Union in the early 1990s led to a shift in the Chinese view about the U.S.-Japan alliance. The "cork-in-the-bottle" explanation that the fear of the Soviet Union would lead Japan to remilitarize, had the alliance with the United States not eased this fear, started losing credibility in China. With its new economic superpower status, Japan started actively seeking representation in the UN Security Council (UNSC) and dispatching peacekeeping troops abroad in the early 1990s. China saw Japan's overseas military dispatches with suspicion.

China, however, was reluctant to open a full-scale diplomatic war against Japan during the 1990s. Japan had played a key role in reconnecting China with the Western world in the aftermath of the Tiananmen Square incident. Japanese aid and investments continued to play key roles in driving China's economic growth. Premier Jiang Zemin's patriotic education campaign, however, inevitably refocused on Mao Zedong's anti-Japanese struggle from the nation-building stage of China. Chinese academics blame the public opinion for the Chinese government's inability to soften its Japan policy, but evidence suggests that demonstrations in Chinese cities still can be turned on and off at will by the government authority.

Prime Minister Junichiro Koizumi's drive to enhance the U.S.-Japan security alliance and actively seek a permanent membership in the UNSC during his tenure in the early 2000s finally broke China's awkwardness into an explicit opposition to Japan's candidacy. The earlier UN-centered orientation of the Japanese overseas troop dispatches has been blurred as the country allowed more room for flexible bilateral security cooperation with the United States and its other allies (i.e. Britain, Australia, and New Zealand) during the Operation Enduring Freedom (OEF) and the Operation Iraqi Freedom (OIF). China activated its own global PKO participations, now operating a naval flotilla in the anti-piracy operation off Somalia along with other nations including Japan.

The Chinese opposition to active Japanese security role is even more pronounced in the East Asian vicinity. The North Korean development of ballistic missiles and nuclear weapons urged Japan to move toward integrating its military operations with the U.S. forces. By the late-1990s, China saw these trends in contradiction to its own security strategy. Most importantly, China saw U.S.-Japan cooperation on missile defense as a threat

to its numerically inferior strategic force vis-à-vis the United States and a potential means of interference into Taiwan's sovereignty issue. Lacking present military capability to directly confront the United States, China has focused on a diplomatic campaign to sideline Japan and directly deal with the United States on strategic matters.

While Japan has attempted securing U.S. defense commitment to the Senkaku islands, China has tried to keep the United States neutral on the questions of sovereignty over the Senkakus and maritime demarcation in East China Sea. The Chinese declaration of an Air Defense Identification Zone (ADIZ) over the East China Sea in late 2013 tested the limit of diplomatic offensive against Japan without closing the direct channel of security dialogue with the United States. Only a few days before the Chinese announcement, the U.S. National Security Advisor Susan Rice's speech and responses during the Q&A session afterwards had failed (purposely?) to convey a strong message to China on the East and South China Sea disputes. While China's ADIZ call was called bluff by the bold U.S. response of flying two unarmed B-52 bombers into the zone, China skillfully created an image of U.S.-Japan split with its demand of flight plan reporting to civilian airliners, which Japan rejected and the U.S. carriers consented upon endorsement of the State Department. The ADIZ issue will likely resurface as China's enforcement capability rises, and pose Japan a diplomatic challenge to keep the United States on its side in quelling possible Chinese challenges via air to the Japanese sovereignty over the Senkaku islands.

IDEATIONAL CLASHES

China pursues a schizophrenic policy of deepening economic integration with Japan, while challenging Japan over sovereignty of the Senkaku islands and the broader maritime demarcation and control. Japan sees no feasible alternative to growing economic interdependence with China, while China sees the term of interdependence is shifting in its own favor. Japan seeks improving the terms of economic interdependence by setting limits to China's mercantile economic policy through trade and investment rule making. At the same time, Japan consolidates its security alliance with the

United States as a hedge against an aggressive China. Pursuit of these policies by Japan is accompanied by changes in the ideational domain. As Japan attempts to transform the Chinese economy into a more open one, Japan has largely moved away from its East Asian model of economic development. In the security domain, the theoretical rationalization of the U.S.-Japan alliance has expanded beyond the passive reluctant realism of the past into a more proactive alliance of democracies. China's resort to "history" of its own preferred time frames and interpretations in asserting its policy stances has disrupted the present regional international order in East Asia. Hence, Japan's defense of its regional security interests inevitably entered the domain of history discussions to some extent, although Japan primarily deals with the regional security issues within the domain of contemporary international law and alliance politics.

REGIONALISM VS MULTILATERALISM

China's entry into the World Trade Organization (WTO) exposed its trade policy to multilateral rules. Most importantly, the most favored nation clause and the non-discrimination principle of the trade rule assured that China is a fair competitive ground for all other WTO members. Within this broad framework, China nonetheless retained a high level of tariffs on manufactured goods and restricted foreign entries into various domestic services. Japan's manufacturing-based investments coped with the high tariffs well. Moving the labor-intensive final assembly process first and gradually increasing production and procurements of components into China, the Japanese firms initially took advantage of high tariffs to shield Japanese transplant operations from competition against American and European component exporters. However, the Chinese government policy to promote transfer of more component production and technology transfer into China led to rapid hallowing of the Japanese manufacturing sector. It became therefore urgent for the Japanese government to lower the level of Chinese tariffs on components import.

The complete deadlock in the WTO Doha round in 2002 urged Japan to promote a free trade agreement with China, but the trilateral FTA

negotiation including Korea also deadlocked over political tensions. The trilateral investment agreement did conclude, but Japan could not get China to agree to a full national treatment of foreign investors. As the Japanese economy shifted more into the service industries and revenues from intellectual property rights (IPR), the need for liberalization of the service sector and improved IPR protection became urgent for Japan. The earlier plan to use the trilateral FTA with China and Korea as a lever to promote greater regional integrations (such as RCEP and FTAAP) has been reversed, and Japan now relies on TPP as a lever to jump-start the trilateral negotiation with China and Korea.

As Japan shift its primary focus from East Asia and China-centered regional integration to a U.S.-centered regional integration, the underlining paradigm has also shifted from the mercantile East Asian model to a liberal Anglo-American model. Although Japanese economic negotiators still have to work hard on domestic adjustment among conflicting interests, the shift in the overall external negotiation strategy is likely to encourage drastic changes in Japan, if the United States can reciprocate them with its own market opening.

CLASH OF LAW AND HISTORY

The disputes in the East China Sea illustrates a complex mix of historical and international legal claims that coat the clash of tangible economic and geopolitical interests on the eastern edge of the Eurasian continent. Japan's claim of sovereignty over the Senkaku islands is based on its documented international declaration in 1895 that is consistent with international legal practice. Japan can prove with evidence that no law or treaty since then has altered Japanese sovereignty over the Senkaku islands with the only exception of the allied occupation of entire Japan (1945–1951) and the following U.S. occupation of Okinawa (1952–1971). China's effort to turn the Senkaku islands into a pre-1895 historical issue and an issue of "Japanese aggression" has been resisted by Japan.

China did not start the ongoing anti-Japanese campaign solely in response to flaring up of the Senkaku Islands dispute since 2010. However,

the intensification of the Senkaku islands issue did fuel the anti-Japanese demonstrations in China. From the Japanese point of view, the government in Beijing under the strong leadership of Mao first did not claim the Senkakus, then raised an issue in competition with the Nationalist government in Taiwan but tacitly agreed to keep the issue on the backburner. The lead-up to nationalization of the Senkakus by the Noda Government was no doubt a tit-for-tut by both sides, but Japan as the current party to control the islands see the Chinese maritime law, which explicitly stated the "Diaoyu" as its territory triggered the action-reaction chain.

For Japan, U.S. neutrality on the question of sovereignty over the Senkakus has been a source of complaint. The U.S. ambiguity on this matter seems to have been a result of courtesy to Taiwan at the time the United States was secretly preparing normalization with Beijing. The issue came up several times, with Japanese calling for clarification when U.S. commitment seemed insufficient. While informed U.S. policymakers are aware of the extremely sensitive nature of this issue, other U.S. observers and even some policymakers casually throw such comments as "Japan should acknowledge that there is a dispute." China no doubt promotes this view among U.S. and even Japanese opinion leaders through its propaganda, while concealing that it has no intention to settle the "dispute" through the International Court of Justice. U.S. pressure on Japan to negotiate with China on the Senkaku issue is equated by Japan with abandonment by its prime ally for a selfish realist policy—a possible trigger for rise of Gaullist nationalism.

With China, the Senkaku islands dispute for Japan is a manifestation of things to come in the broader maritime competition. The brute force of geopolitics dictates that Japan's location is critically important for both the predominant maritime power of the United States and the growing naval power of China breaking out into the open Pacific. While Sino-U.S. naval competition will raise the importance of the Japanese navy in joint operations with the United States, Sin-U.S. accommodation runs a risk of neglecting Japanese interests. In particular, the freedom of navigation through exclusive economic zones as an international principle has been the backbone of Japanese maritime policy in cooperation with the United States. Japan has supported this principle, which underwrites U.S. military intelligence gathering in China's EEZs, at the cost of allowing

China to do the same within Japan's EEZs. The dilemma is not of Japan's making, but of the United States which has reserved signing the Law of the Sea on this matter and China which has stretched its interpretation of the law. Any change to the current U.S. position must therefore be closely consulted with Japan.

SECURITY DIPLOMACY

For post-Cold War Japan, desire to have its legitimate security interests and role recognized in the region has been the key driver of its policy. While this desire is most strongly manifested among the Gaullist realists, it is shared among both moderate conservatives and the left in Japan with less emphasis on military roles. The Japanese pursuit of representation in security diplomacy has collided with the Chinese as well as Korean desire to keep Japan stripped of its security roles and the U.S. tendency to cast regional security issues in its global agenda and at times in domestic politics.

The ongoing problems on the Korean Peninsula clearly illustrates Japan's struggle to be included during the past two decades. The bilaterally negotiated agreed framework between North Korea and the United States placed a share of financial burden on Japan for building light-water reactors in North Korea. The deal most importantly left the growing Japanese concern about the Nodong ballistic missiles unaddressed. Japan nearly walked out of the aid consortium when North Korean Taepodong missile with an extended range flew over Northeastern Japan in 1998. With the launching of the six-party negotiation framework, Japan's representation and consultation with the United States improved. UN Security Council diplomacy over the North Korean nuclear and missile testing since 2006 has witnessed Japan's active yet flexible and cooperative roles in building a sanction regime.

Japan's drive for a permanent membership to the Security Council, on the other hand, faced a major setback, when not only China's predictable opposition successfully muted otherwise available ASEAN support, but also the United States opposed the particular inclusive format, which would have significantly expanded the UNSC. Japan has been patiently taking up UN peacekeeping roles in a universal fashion. The decision to dispatch is first driven by desire to have a presence, and second by safety of the location. Immediate security and economic interests are of lesser consideration, as the ongoing dispatch to South Sudan is hard to be justified on the ground of these material interests.

The diplomatic battle over the emerging security voices and roles of Japan has expanded into the propaganda domain. China and Korea have captured the domestic debate in Japan about inclusion of the Class-A war criminals into the Yasukuni Shrine's list of deified souls and turned visits to the shrine by Japanese prime ministers into an international issue in the mid-1980s, at the time Japanese Prime Minister Yasuhiro Nakasone was expanding the role of the Self Defense Forces in U.S. regional security strategy. A similar internationalization of the previously domestic issue occurred over the Japanese government censorship of the school history textbooks. In both cases, China and Korea allege that Japan deny wartime aggression and crimes and cast an image of unremorseful country unworthy of security roles. The Japanese government for a long time refrained from countering the Chinese and Korean propaganda, but suffered even more when the ultranationalists responded on their own in an unrestrained manner to fuel the dispute. By 2013, the Japanese government has encouraged its ambassadors to contribute op-ed pieces to explain the Japanese positions on historical issues.

Policy Recommendations

China's economic and military rise is undoubtedly the fundamental driving force of regional shift in East Asia. Japan has responded with this shift with a combination of liberal economic engagement of China and consolidation of the military alliance with the United States. However, the hope in a peacefully engaged China has waned due to its aggressive behavior in the East and South China Seas.

China has employed a major anti-Japanese campaign for a combination of internal and external political objectives. Internally, the patriotic drive at the time of widening social gap under a high speed growth borrows from the historical theme of anti-Japanese struggles. Externally, the message of an "unremorseful" Japan serves to deny Japan a role in security diplomacy. China's provocation against the right-wing elements in Japan is used to "prove" its points through their responses.

- Polarization of public opinion in Japan is a result of this Chinese strategy. China is engaging in a dangerous self-fulfilling prophecy, which aids the Japanese ultra-right at the expense of the moderates. So far, Japan has restrained itself and calmly responded to the Chinese provocations over the Senkakus and through establishment of the ADIZ.
- Prime Minister Abe's handling of the history issues seems to be driven by a strategic purpose of countering the Chinese propaganda, assuring Japan a legitimate voice on security matters, and enhancing the U.S.-Japan alliance. The United States is well advised to be extremely cautious in criticizing Abe on this account, be open to courageously admit its own overdoing during World War II, and prioritize its commitment to Japan over its desire to engage China. U.S. fear of ultra-nationalism in Japan is the kind of wedge, which China has been working to drive between the United States and Japan.

Japan's Foreign and Security Policy toward the United States: Between Pacifism and the Logic of Alliance

FUMIAKI KUBO

Foreign and security policy of postwar Japan has been largely shaped by two factors, pacifism in Japan and the logic of an alliance with the United States. While this might be an oversimplification, it still illuminates core aspects of Japan's foreign and security policy since the end of the World War II.

PACIFISM AND THE LOGIC OF ALLIANCE

Pacifism as a governing philosophy, at least in the area of foreign affairs and national security, emerged in Japan immediately after the end of World War II and was institutionalized in Article 9 of Japan's new constitution. Changes in the international environment, however, pushed Japan and the United States to form an alliance in 1951 in order to deter the threat from communist countries including the Soviet Union, China, and North Korea. Since then, Japan's foreign and security policy has been shaped and influenced largely by two factors, namely pacifism and alliance logic.

In 1946, Japan embraced the new constitution with enthusiasm that came into effect in May 1947. U.S. officials who drafted the constitution seemed to assume that it would be a temporary one, eventually revised by

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the Japanese people fairly soon after they regained independence. Yet there has been no revision at all.

In 1945 and 1946, Douglas MacArthur, the Supreme Commander for the Allied Powers, and his aides as well as the Japanese political leadership had a very optimistic view of the United Nations and the international order the institution would create. It was expected that Japan's security and the peace in the Far East would be guaranteed by the United Nations. But during that time, senior Washington officials also started to worry about the newly emerging threat of the Soviet Union that was underscored by North Korea's invasion of South Korea in June 1950. It then became obvious to the leaders of Japan and the United States that—because of the start of the Cold War between the United States and the Soviet Union—that the United Nation did not live up to their expectations. It became apparent that Japan's security would not be guaranteed by the UN, and that Japan would need its own means or mechanism of defense.

The answer to the new challenge was the security treaty between the United States and Japan in 1951, whereby the United States acquired the right to keep its troops in Japan by using Japanese military bases. In spite of the existence of the Vandenberg Resolution of 1948 that demanded continuous and effective self-help and mutual aid for alliances concluded by the United States, Japan was not obligated to defend the United States in this treaty. However, Japan was starting to rebuild its armed forces at that time at the suggestion of the United States. The United States accepted this unusual alliance because, firstly, Article 9 was unlikely to be repealed soon; secondly, the United States was pleased to retain the right to use military bases in Japan; and thirdly, Japan agreed to rebuild its own armed forces, although to a limited degree.

The United States, now sorry for introducing Article 9, unsuccessfully suggested revising the article so that Japan could be a more effective ally in the Cold War. Even in the formative years of the alliance, the dilemma and contradiction of Japanese pacifism and the logic of alliance between the United States and Japan were detected.

EXAMPLES OF PACIFIST POLICIES

In 1960, the United States agreed to revise the security treaty at the request of Japan, which had complained that the United States was not obligated to defend Japan while obtaining the right to use military bases in Japan under the original treaty. Opposition to this revision, however, mounted in Japan in 1960, resulting in President Dwight Eisenhower having to cancel his trip to Japan and forcing Prime Minister Nobusuke Kishi to resign. Occasionally, this opposition to the United States and the bilateral alliance resurfaced in Japan from the 1960s through the 1970s. Under the new treaty, Japanese public support for the alliance strengthened gradually, while some of the policies that reflected pacifist sentiments emerged in the 1960s and 1970s. In 1967, Prime Minister Eisaku Sato announced the three non-nuclear principles that stated that no nuclear weapons would be manufactured in, owned by or brought to Japan. The last point in particular involved complicated negotiations and arrangements with the U.S. military. Prime Minister Sato also made public the three principles on arms export that placed a ban on the export of weapons to communist countries, countries specified by U.N. resolutions, and those in conflict or expected to be in conflict. Under this principle, it was expected that weapon exports would be virtually avoided. In fact, under Prime Minister Takeo Miki in 1976, exports were made to be extremely difficult. The understanding was that any product which could be converted into weapons would not be exported, either.

Prime Minister Kakuei Tanaka's 1972 cabinet statement regarding the right to collective self-defense stated that Japan had that right under international law, but could not exert the right under the current constitution. That statement was later formalized as the government stance in 1981. In 1976, Prime Minister Miki introduced a self-imposed ceiling on defense expenditures, setting one percent of the gross domestic product at the upper spending limit.

After a summit meeting in 1981, a joint statement of Prime Minister Zenko Suzuki and President Ronald Reagan was issued, in which the word "alliance" was used for the first time in a Japanese public statement to refer to the security treaty. Prime Minister Suzuki later said that there was no military

aspect to the alliance although the word alliance was used in the statement. Taken totally by surprise, his foreign minister resigned in protest. Until then, it had been an unspoken rule to call the security treaty an alliance.

Who were the pacifists in Japanese politics during that time? In terms of political parties, the Japan Socialist Party (JSP) and the Japanese Communist Party were at the center of anti-U.S., anti-security treaty movement, who at times accounted for more than one-third of the Diet from the 1950s to the 1980s. Prime ministers during this period, mostly from the Liberal Democratic Party or conservative parties with a similar foreign policy outlook, had to compromise substantially in order to avoid a boycott or abstention of the JSP when passing the budget bill. The extremely short Diet sessions in Japan always give a great bargaining power to the opposition block. Some of factions and individual politicians within the LDP also played a role in Japan's pacifism because of their strategic position in the ruling party. Factions led by Miki, Hayato Ikeda, Sato, Tanaka, and Kiichi Miyazawa were reluctant to change the status quo in Japan's foreign policy. After 1960, Yasuhiro Nakasone, Junichiro Koizumi, and Shizo Abe are actually exceptions to the historical trend.

Progressive media and public intellectuals were also influential. Leftist bias in the intellectual community of Japan, sometimes rooted in prewar Marxist-Leninist traditions, were noted after the end of World War II by some influential U.S. policy makers, including John Foster Dulles. It was Dulles who brought John D. Rockefeller III to Japan to establish the International House of Japan in 1952 for Japanese intellectuals to meet high-level U.S. intellectuals visiting Japan. Despite such efforts, the intellectual world of Japan was largely still dominated by those who embraced pacifism, socialism, anti-imperialism, and anti-Americanism. Newspapers such as Asahi and Mainichi, and journals including the Asahi Journal and Sekai, all strongly criticized any effort to revise Article 9 and to change the conventional foreign and national security policy. The educational community, from elementary school to college, was dominated by these forces as well as, as were the teachers' unions that had close political ties with the Japan Socialist Party (later renamed Social Democratic Party of Japan). Cities such as Hiroshima and Nagasaki, as well as Okinawa prefecture after its return to Japan—were the political bases of pacifism.

THE LOGIC OF THE ALLIANCE

Since the late 1960s, especially after the Nixon Doctrine was announced and Japan emerged as an economic power, the U.S. government began requesting Japan to cooperate more and bear more responsibility in the area of defense. During the Carter administration, members of Congress sometimes explicitly demanded that Japan spend more than one percent of its GDP on defense. In 1978, the guidelines for U.S.-Japan defense cooperation were outlined. During the negotiations of the guidelines, the U.S. government requested that Japan acquire enough capabilities to cooperate with the U.S. military to secure the sea lines of communications.

Nakasone, who became prime minister in November 1982, distinguished himself from most of his predecessors—except Prime Minister Kishi—who were mostly passive on defense issues, placing a higher priority on economic policy and dealing with opposition parties without provoking them too much. Many prime ministers in postwar Japan more or less acted within the established framework of pacifism. When confronted with demand for further defense cooperation, for a revision of Article 9, or for the reinterpretation of the right to collective self-defense by the U.S. government, they tended to be equivocal, citing expected serious opposition in the Diet as well as public opposition or even a possible defeat at the next general election. As such, they delivered almost nothing to the United States. Prime Minister Nakasone, on the other hand, raised the defense expenditure above one percent of Japan's GDP, and approved the transfer of weapon-related technology to the United States in spite of the three principles on arms export—a step that Prime Minister Suzuki, his predecessor, had flatly refused—thus contributing to strengthening the US-Japan alliance. It is noteworthy that Prime Minister Nakasone was called a dangerous nationalist or an ultra-conservative throughout his career as a politician by the Japanese media, just like Prime Minister Abe is now.

In 1991, Japan's Self-Defense Force was dispatched abroad for the first time since the end of World War II, with the maritime SDF sent to the Persian Gulf for minesweeping. During the Gulf War, Japan's foreign policy was criticized as checkbook diplomacy by the U.S. Secretary of State in spite of, or because of, the contribution of \$13 billion. In 1992, the SDF was sent to Cambodia for UN peacekeeping operations.

In the second half of the 1990s, there was further progress in security cooperation between Japan and the United States. President Bill Clinton and Prime Minister Ryutaro Hashimoto signed the Japan-U.S. joint declaration on security-alliance for the 21st century. In the next year, the second guidelines for U.S.-Japan defense cooperation was formulated in which Japan was expected to increase its role in rearguard action and logistic support for contingencies on the Korean Peninsula.

In 2004, Prime Minister Koizumi sent ground SDF troops to Iraq to help in the reconstruction of the country as well as to help the George W. Bush administration. It was a bold as well as controversial move in the domestic politics of Japan. The ground SDF was also put in a frustrating position because they had to be protected by foreign troops such as those from the Netherland or Australia. Due to legal constraints imposed on them by the government interpretation to the right of self-defense, SDF troops were banned from using weapons except for cases of pure self-defense. Given the difficulties the SDF faced, many commentators wondered what the SDF troops came for. Yet even now, the Japanese government has to pass special legislation from the Diet every time it needs to send SDF troops abroad for peacekeeping operations. Only a universal law on peacekeeping operations that stipulated the conditions of the government sending troops abroad would enable Japan to act with more mobility and agility.

Party politics also underwent considerable changes in the 1990s. The decline of the Socialist Democratic Party was tremendous; the Democratic Party of Japan (DJP) that rose to power in 2009 took its place as the leading opposition party. The DPJ is divided on foreign and national security policy, symbolized by the difference between Prime Minister Yukio Hatoyama who was critical of U.S. foreign policy and Prime Minister Yoshihiko Noda who was a strong supporter of the alliance. The New Komei Party (Komeito) is a pacifism-oriented party based on Buddhism. The newly emerging Japan Restoration Party (Nippon Ishin No Kai) is located right of the LDP, a first since the mid-1950s, which might make it possible for the LDP to form a coalition that is more conservative than that of the LDP and the New Komei Party.

It seems that the LDP itself is becoming more conservative. In the election for the party chair in September 2012, all five candidates including Abe supported the revision of the constitutional interpretation on the right to collective self-defense, which had not happened before. It is certain that the more pacifist and moderate faction is now weaker than ever in the LDP.

PACIFISM DISCARDED?

Prime Minister Abe, who came into office in December 2012, successfully set up a strengthened National Security Council, increased the defense budget, and enacted Japan's first government secrecy protection legislation. He still aims high: he would like to revise the official interpretation on the right to collective self-defense and revise Article 9 and other articles of the Constitution. Yet in spite of the commanding majority the governing coalition of LDP and NKP holds in both houses of the Diet, he will very likely encounter tremendous difficulties in realizing these policy goals. Why?

First, the coalition partner NKP remains opposed to a reinterpretation of the right to collective self-defense. It is not evident whether the NKP would oppose it to the extent of breaking the coalition and joining the opposition. Prime Minister Abe might form a different coalition with other parties in that case. Second, public opinion is mostly negative on this issue. Third, some of the media are very vocal in its opposition to a reinterpretation.

It will be an even more daunting task for Abe to revise the constitution itself. He needs a two-thirds special majority in both Houses of the Diet as well as a majority to support a national referendum.

More importantly, though, is that even if Abe achieves these goals, Japan will still not be considered a "normal" country. Japan will keep Article 9 that may be slightly revised so that the SDF can be dispatched abroad a bit more easily, but only for peacekeeping operations under United Nations resolutions, not to wage war. Even if the Japanese government under Abe successfully revised the interpretation of the right to collective self-defense, Japan's foreign and security policy will not be radically different from what it has been; it will still function within the framework of conventional pure defense policy, though it will certainly strengthen the alliance.

Shinichi Kitaoka, President at International University of Japan who is also on a government review panel on the right to collective self-defense, said that after the reinterpretation of the right by the Abe cabinet, Japan could defend its allies and friendly nations if the attack they may be under severely harms Japan's interests or when those nations officially request assistance. The government still has to seek Diet approval and gain permission from other nations for the SDF to traverse other territories, he said at the Japan National Press Club in Tokyo this February. These conditions will likely be included in the report, which will be submitted to Prime Minister Abe in April 2014. The report will also say Japan can defend allied troops in UN-led peacekeeping operations and provide logistic support for UN-led troops using military force. These remarks suggest that the right to collective self-defense that Japan exercises will be limited and conditioned, even if the recommendations of the panel are fully realized ("Report Says Allies Under Attack Must Request Japan's Assistance," The Japan Times, February 22, 2014.)

Japan today faces the second threat to its territory since 1945, the first being the early 1950s, when Takeshima was taken unilaterally by South Korea. However, even in this situation, the public is still not fully in favor of a fundamental change of conventional foreign and security policy. Established media of a progressive orientation is against the change, as was observed in the case of the state secret law.

It is evident that although Abe tries hard to change the status quo and while he has succeeded in that to some extent, it will be almost impossible for him to bring Japan back to the status of a "normal" country, simply because pacifism is too deeply entrenched in the attitude of the public, media, intellectuals, and politicians in Japan. For a long time, the United States has criticized Japan's foreign and security policy as being too cautious and inward-looking, and being unwilling to take measures to be a stronger and full alliance partner for the United States. Sometimes the request was indirect, but occasionally it has been put more straightforwardly. The accent put on particular requests has been different, depending on the international environment or the U.S. administration. The list of requests starts with more interoperability between the troops, and goes on to include more joint exercises, higher defense spending, legislation to

protect secrets, the reinterpretation of the right to collective self-defense, and even the revision of Article 9.

Overall, the response by the Japanese government has been cautious, piecemeal, reactive, or outright negative. In this context, the way the Abe administration has acted on these issues is different from that prime ministers like Hatoyama, Yasuo Fukuda, Tomiichi Murayama, Toshiki Kaifu, and Suzuki did. For example, Fukuda was reluctant to set up the new NSC. The international situation that Abe faces is different from his predecessors. But even in an extremely tense international environment such as the current one, where Japan's sovereignty is being challenged almost every week, many of the modest proposals to deal with the current crisis are vehemently opposed in Japan.

WILL THE UNITED STATES RECIPROCATE?

These days, small changes can be seen in the U.S. government's attitude to its alliance with Japan. In his first term, President Barack Obama declared his aim to rebalance US engagement toward Asia. Secretary of State Hillary Clinton delivered a strong and tough message to China in July 2010 in Hanoi regarding the territorial disputes in the South China Sea. In contrast, National Security Advisor Susan Rice said in her speech entitled "America's Future in Asia" delivered at Georgetown University in November 2013 that "(w)hen it comes to China, we seek to operationalize a new model of major power relations." She did not mention that the Senkaku islands were under Japan's effective administrative control, nor did she refer to the U.S. treaty obligation to defend them under Article 5 of the treaty. This speech made many foreign policy observers in Japan concerned because of its tone, the importance of the person that delivered the speech, and the importance of the title.

Of course, there are positive messages or actions, too, such as the strong endorsement of Japan's reinterpretation of the right to collective self-defense by the Secretary of State John Kerry and Secretary of Defense Chuck Hagel in 2013, or the two B52 bombers that went into the Air Defense Identification Zone unilaterally declared by China in late 2013.

When it comes to issue of the Senkaku islands, it is not just Japan, but rather both Japan and the United States that are being tested. Japan must do everything necessary to defend its own territory, though it must act with caution in order not to provoke China. The United States needs to make it more than clear that it will defend Japanese territory. The U.S.-Japan alliance has an asymmetrical structure in terms of the rights and obligations that each party enjoys and incurs. In this context, it is safe to say that Japan has faithfully fulfilled its treaty obligations since 1952 that included allowing the United States to use military bases in Japan—an obligation that has been a burden (as well as a benefit) to some local Japanese, especially in Okinawa. If the alliance does not work at a moment when it is needed most by Japan, it will just decay or atrophy. Japan will be completely disappointed. The United States should emphasize its commitment in the strongest possible way at every possible occasion.

Pacifism and the logic of alliance have very often contradicted each other in postwar Japan, in most cases ending up frustrating U.S. officials. Currently, Japan is seriously trying to moderate this strong pacifism not just to defend its territory more effectively, but also to contribute to the peace and stability of the world proactively and to strengthen the alliance. It will be extremely disappointing for Japan if the United States does not support these efforts or will not reciprocate, for the long-standing contradiction may finally be eased.

DEFINING PACIFISM

There might be a small difference between what the word "pacifism" suggests in English and what the word "heiwa-shugi" means in Japanese. In English, pacifism sometimes refers to very strict opposition to any kind of war or force, based on religious or personal beliefs or convictions. Congresswoman Jeannette Rankin is a case in point, who voted against the U.S. entry into both World War I and World War II. Japan's heiwa-shugi is not that strict. As a compromise, considering the reality of the Cold War and the U.S. insistence, Japan decided to install the SDF that is not very small right now. From a comparative perspective, however, Japan's foreign

and national security policy has been under a self-imposed restriction on many fronts for a nation operating in a tense international environment. "Pacifism" or "peaceful foreign policy" might come closest to the Japanese word "heiwa-shugi." Are there other nations that put their foreign and national security policy under such strict restraints?

In Japan, any effort to challenge this political orientation is instantly regarded and defined as conservative or nationalistic, sometimes using such qualifiers as "hyper" or "ultra." These words have been the conventional vocabulary of the progressive media. Some of the international media and foreign commentators tend to make full use of these controversies to suggest that Abe is a dangerous hyper-nationalist trying to return Japan to the state of the 1930s. The real issue, though, is whether Japan keeps Article 9 intact or revises it slightly to enable peacekeeping operations within the UN, and not whether Japan keeps it or discards it entirely. It is also a question of whether Japan increases the defense budget just slightly, not whether Japan increases it by more than 10 percent for the coming two decades or whether Japan goes nuclear. It is about whether Japan revises its interpretation of the right to collective self-defense so that it can strengthen the U.S.-Japan alliance, contribute to the UN peacekeeping operations more effectively, and can prepare better for and deter anything unpredictable in the Far East.

The crucial point here is that the center of the controversy is located at a place closer to pacifism than to militarism, hyper-nationalism, or hawkish and unilateral foreign and national security policy. On the universal or global continuum from pacifism (-100) to militarism/hawkish policy (+100), Japan used to be at -70, which is now moving to -50. The JSP is still at -90.

Interestingly enough, within the United States, conservative Republicans often call President Obama a dangerous socialist. The United States, however, is probably one of the least socialistic countries in the world. That President Obama is attacked as a socialist in the Unites States does not mean that he is a dangerous socialist by any global standard. On the continuum from statism/socialism to free-market/libertarianism, the center of the American politics stands at a point closer to free-market/libertarianism by the world standard. Unfortunately for and to the regret of the Republicans, international media does not take their definition.

NO APOLOGY?

Some argue that Japan has never felt sorry for what it did before 1945. But the way Japan has conducted and run its foreign and national security policy since the end of World War II is a good testimony to how Japan has felt about what it did before. Pacifism, as is explained here, has been entrenched and ingrained in the Japanese people's psyche very strongly, perhaps too much to accept the logic of alliance with the United States. It is also important to pay attention to how Japan has dealt with territorial disputes with Russia and Korea. Japan has never tried to change the status quo in a unilateral way or by force. It has consistently tried to solve the problems through negotiations and diplomacy. What China does with regard to the Senkaku islands is trying to change the current situation by force or by the threat of use of force. The issue here is whether to choose an international order where all the disputes are expected to be solved by peaceful means or an alternative international order where the use of force is accepted to solve territorial disputes. Japan firmly supports the former.

Policy Recommendations

- The United States should recognize that Japan is finally easing the long-standing tension between its extremely pacifist-oriented foreign and national security policies and the logic of alliance with the United States under the leadership of Prime Minister Shinzo Abe. He has taken steps to substantially strengthening the alliance, and the U.S. government should encourage and embrace Japan's current efforts.
- The United States should also be aware that, Japan's foreign and security policies remain within the framework of self-imposed self-restraint in spite of the negative labels that are sometimes attached to prime minister. By international standards, Prime Minister Abe's foreign and national security policy is exclusively defense-oriented, and does not warrant negative labels such as "ultra nationalist".
- Japan is getting mixed messages about the Obama administration's position on the territorial disputes with China, the U.S. rebalance to Asia, and U.S. policy toward China. Tokyo and Washington need to coordinate their strategy on these issues more than ever.
- When he is in Tokyo in late April 2014, President Obama should make a point of publicly acknowledging the strength of U.S. commitment to Japan. Obama should make a speech or issue a statement, possibly jointly with Prime Minister Abe, that would convince the Japanese public as well as the international community that the Obama administration is committed to supporting the Prime Minister Abe's efforts to strengthen the alliance. Obama should also make clear that Washington remains committed to protecting the post-World War II international order built on a principle not to change the current status by force or intimidation of the use of force.

The Two-Edged Sword of Nationalism

LEONARD SCHOPPA

Prime Minister Abe Shinzo spent the first year in office reassuring everyone, including Americans and Japanese voters, that he had learned an important lesson during his first, brief stint in office. He learned that the voters wanted him to focus on the economy and that he could not afford to let his foreign affairs and history agenda distract him from that. Indeed, he devoted much of his energy to Abenomics during his first year, helping him win an Upper House election this past summer that has given him control of both chambers—something that few of his recent predecessors have enjoyed.

Since the Upper House victory last summer, however, he has turned his attention increasingly to foreign affairs and history in ways that have aggravated relations with both Korea and China. Relations with China were already tense because of the Senkaku/Diaoyu islands dispute that has been on a slow boil since Prime Minister Noda "nationalized" the islands in 2012. But his decision to visit Yasukuni shrine in December, his recent appointments to the NHK board of governors, comments by these individuals and other Abe associates about a variety of history issues, and the recent news that the government will review the evidence behind the 1993 Kono statement on comfort women have all made clear that the Abe has decided he now has the political room to venture beyond economics and pursue the foreign affairs and history agenda that he kept on the shelf during his first year.

That Abe has reemerged as a nationalist is not surprising, since he has long been known to share with several of his predecessors a commitment to move Japan sharply in this direction. To understand what is driving Abe's recent

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recommitment to these goals, to anticipate the ripple effects, and to inform policymaking in Washington in response, it is essential to place Abe's recent moves in a historical and comparative context by looking at earlier episodes in which Japanese prime ministers sought to achieve the goals Abe is pursuing. How did those episodes turn out? Is there any reason to think Abe's most recent push will turn out differently? And what can we learn from this comparison that might inform US or Japanese foreign policy?

The two predecessors who serve as points of comparative reference in this essay are Kishi Nobusuke, Abe's grandfather and Prime Minister from 1957 to 1960, and Nakasone Yasuhiro, prime minister during the mid-1980s. Each of these men, like Abe, were recognized by contemporary observers as "nationalists" who stood out for their opposition to the Yoshida doctrine views of other postwar Liberal Democratic Party leaders. Kishi and Nakasone pursued virtually the same agenda Abe is pursuing today.

Here is what all three have argued:

- It is unfair that Japan was subjected to victor's justice and singled out for criticism of its conduct of the war. Where the nation was falsely accused, it is the duty of the Japanese government to correct the alleged historical record.
- It is unfair that Japan was saddled with Article 9. The constitution was
 written for Japan by the American occupation authorities, and it is high
 time that Japanese revise it to make the document its own, and the
 section most in need of revision is the so-called Peace Clause, which
 imposes restrictions on Japan's security policy—including collective
 self-defense—that no other nation accepts.
- Japan should not have to apologize over and over. Instead, Japanese
 need to develop greater pride in the nation's history. History textbooks
 should be revised to emphasize Japan's achievements, and they should
 not dwell on episodes that cast Japan in a less attractive light.
- Japan should throw off the shackles of Article 9 and defeatism and provide for its own security.

That Abe is seeking virtually identical goals to those pursued fifty and thirty years ago tells us two things, even before we get into the details. First, Abe represents a deep current in postwar Japanese conservatism. While other conservative leaders were content to follow the path set by Yoshida, Abe represents a school of thought that was never content with the compromises he struck. Second, that fact that he is pursuing the same aims is evidence in itself that his predecessors failed in their attempts.

They failed because nationalism has proven to be a two-edged sword for all of the postwar prime ministers who have attempted to move boldly in this direction. Because the wounds left by Japan's wartime behavior are so deep in Korea and China, open expressions of nationalism by Japan's leaders has always provoked strong and hostile reactions from these neighbors. For most of the postwar period, the wounds were felt almost as deeply by the progressive camp at home, which also responded with protests. The resulting international and domestic turmoil in turn caused moderates inside Japan (including inside the LDP) to withdraw support for this agenda, forcing each of these prime ministers to scale back his ambitions. While Kishi and Nakasone set out to bolster Japanese pride and expand the range of security policies Japan could pursue, they ended up being forced to rely on pressure from the United States to modestly expand Japan's security role, apologize again for Japan's past actions, and watch their successors recommit to limits on Japan's security role—locking in the Yoshida doctrine rather than replacing it. The world has changed since 1960 and 1985, and there are therefore going to be some differences in how Abe's pursuit of these goals plays out, but fundamentally different outcome should not be expected. Nationalism is still a two-edged sword for Japan.

KISHI AND THE SECURITY TREATY CRISIS

Of all of the postwar nationalists, the issues involved were the most personal for Kishi. He had been one of the architects of the war. He helped steer the policies of the occupation government in Manchuria from 1934 to 1939. He served in Tojo's war cabinet as Minister of Munitions starting in 1941 and signed the resolution declaring war on the United States.

Not surprisingly, given this record, he also played a central role in the aftermath of Japan's defeat. He was investigated by the Tokyo war crimes tribunal and was imprisoned as a suspected class A war criminal for three years in Sugamo prison before being released without charge. And his name was on the list of politicians purged by the Occupation and forbidden from playing a role in postwar politics.

Whereas all postwar nationalists regard the treatment Japan received after the war as unfair—the victor's justice, or the blaming of Japan as solely responsible for atrocities, Article 9 stripping Japan of its ability to defend itself—for Kishi it was not just the way Japan was treated but also the way he was treated that was at issue. For this reason, when he was depurged and returned to politics in 1952, he devoted much of his energy to "reversing the excesses of the occupation." Under Prime Minister Yoshida, he chaired a Diet committee set up to study constitutional revision. Later, after helping to bring together all of the conservatives in the Diet under the banner of the new LDP and taking over as prime minister in 1957 with a large Diet majority, he made expanding the size of the military and revising the constitution his top priorities.

As he wrote, in a passage described by Richard Samuels as capturing the central concerns of the postwar nationalists, "If Japan is alone in renouncing war...she will not be able to prevent others from invading her land. If, on the other hand, Japan could defend herself, there would be no further need of keeping United States garrison forces in Japan...Japan should be strong enough to defend herself."²

Given these objectives, it is ironic that Kishi's big push in the nationalist direction between 1957 and 1960 ended with the signing of a new version of the Security Treaty that reconfirmed Japan's reliance on the United States for its security and included only vague commitments calling on Japan to acquire the means to provide for the defense of the home islands. He was forced to give up his grand plan to negotiate a deal that would expand Japan's own security role and create a more balanced treaty by vehement opposition from the progressive camp, which marched in the streets in numbers running up to the hundreds of thousands, in a period known as the security treaty crisis. The Chinese government also raised angry objections to what it saw as Japan's reemergence as a military power, tied to its

new Cold War enemy: the United States. Moderates in Kishi's own party abandoned him and forced him to resign, and the LDP prime ministers who replaced him—Ikeda Hayato and Sato Eisaku—kept the focus on economic growth and off foreign policy. With college students and unionists still marching in the streets in the late 1960s, Sato moved to reassure the public that Japan had no intension of taking on new security roles by adopting the three non-nuclear principles and the three principles of arms exports—effectively institutionalizing the Yoshida Doctrine.

NAKASONE AND "THE TOTAL RESETTLEMENT OF POSTWAR ACCOUNTS"

That Kishi had failed to achieve his goals was fully apparent to a younger member of the nationalist caucus of the LDP: Nakasone Yasuhiro. Nakasone too had a personal stake in the revisionist agenda. He had been a young naval officer during the war and was a junior Diet member in 1951 when Yoshida brought the treaties he had signed in San Francisco before the Diet for approval. He was one of small group of conservatives who vocally criticized the deal Yoshida had struck on the grounds that it left Japan dependent and vulnerable. In the 1950s he was known as one of the most nationalist members of the Diet, going so far as to author two songs, "Song of a Constitutional Amendment" and "Song of National Independence," both set to martial music reminiscent of tunes played during World War II.3 Nakasone further burnished his reputation as a nationalist in 1970 when he used his new position as director general of the defense agency to push for Japan to upgrade its military capabilities so that it could provide for an independent defense (jishuboei) not entirely reliant on the United States. He succeeded in rallying leading business groups and some other conservatives to his cause before, as Thomas Berger put it, "Japan's opposition parties and left-wing intellectuals sounded the alarm that the government was preparing to lead Japan down the path to militarism and expansionism" and prompted moderates in the LDP, Foreign Ministry, and JDA to get cold feet. Prime Minister Sato immediately reined him in.4

These experiences clearly remained very much on his mind when Nakasone finally ascended to the prime ministership in 1983. Recalling the events at the time Yoshida had brought the peace and security treaties home from San Francisco, he wrote: "I cannot help but wonder, even now, about what might have happened had Japan made a different choice at that critical juncture. Ever since...I have made it one of my political goals to transcend the so-called San Francisco system."⁵

Given his views, it is not surprising that Nakasone made a "total settlement of the postwar accounts" (sengo seiji no sōkessan) the top goal of his cabinet. He aimed to visit Yasukuni shrine in a show of respect for soldiers who had given their lives in war to the country; reemphasize traditional Japanese values in the education system, including respect for the flag and anthem; expand defense spending beyond the one-percent of GNP ceiling (a budget rule that had been in place since 1976); and expand the roles and missions of the Japanese military. He was a strong supporter of revising Article 9 to allow Japan to be an equal partner in the alliance with the United States, but he did not list this among his immediate aims.

Despite concerted efforts to achieve these goals over his five years in office, however, Nakasone too ultimately failed to move policy in a nationalist direction. After visiting Yasukuni one time in his capacity as prime minister on the end-of-war anniversary date of August 15, 1985, Nakasone chose not to repeat the visit in subsequent years. He was able to require schools to raise the flag and play the anthem at beginning-of-year ceremonies, but the top-down method used to force compliance did little to foster patriotism among teachers or students. He was able to increase defense spending above the one-percent ceiling, but spending reached 1.004 percent for just one fiscal year (1987) before falling below the ceiling. Finally, Japan began acquiring advanced weaponry at an accelerated pace, but Nakasone was not able to expand the constitutional constraints on the Japanese military's roles and missions. As he left office in 1987, Nakasone himself admitted that it was "yet to be seen" whether his efforts to reshape Japan's international role would have a lasting impact.⁶

As in Kishi's era, Nakasone was forced to compromise by the reaction his visit to Yasukuni, textbook interventions, and security policy announcements caused on the part of Korea and China, the Japanese progressive camp, and moderates inside his own party. Although Nakasone attempted to use *gaiatsu* from the United States as leverage (to overcome domestic opposition to increased defense spending) and as cover (to reassure Japan's neighbors that Japan would play a larger role within the confines of the alliance structure), neither constituency was reassured by this strategy. In fact, the prime minister's eager willingness to say "yes" to American demands caused them to worry more about the intentions of Nakasone and other nationalists—forcing the prime minister to compromise his ambitions significantly.

The concerns of the left in Japan are not surprising. They worried, as they had when Kishi renegotiated the security treaty in the late 1950s, that Nakasone would turn Japan into a submissive ally of the United States, dragging Japan into a U.S.-Soviet conflict. LDP moderates were not as vocal and explicit in expressing their concerns, but former prime ministers Miki, Fukuda, and Suzuki quietly pressed for compromise out of worry that Nakasone's open nationalism would cost them votes in upcoming elections. §

Yet Nakasone's rhetoric in Washington had the biggest impact on Japan's Asian neighbors. Although Korea was a common ally of the United States, criticism was most direct there. One influential Korean journalist writing for *Chosun Ilbo* reacted to Nakasone's suggestion that Japan help bottle up Soviet submarines by blocking the Tsushima Straits by recalling Japan's colonization of Korea a century earlier. Then too, he pointed out, Japan had been motivated to incorporate Korea into its security strategy by Russian encroachments. Alarmed by Nakasone's intentions, he called on the South Korean government to oppose Japanese "hegemony" over Korea. Later in the 1980s, the ROK actually began contingency planning for a possible future naval competition with Japan.

Chinese too had concerns about Japan's military expansion, but given the fact that China and Japan faced a common threat from Soviet expansionism during this period, the nation's leaders would probably have tolerated these moves were it not for Nakasone's simultaneous moves to break taboos such as the ones that prevented leaders from visiting Yasukuni Shrine in their official capacity and those limiting the use of the flag and anthem at formal school ceremonies. Chinese students, however, reacted to Nakasone's visit with alarm, organizing street protests in Beijing that

featured slogans such as "Down with Japanese militarism!" and "Down with Nakasone." Similar demonstration subsequently broke out in Xian, Chengdu, and Kunming. The Chinese also communicated to the Japanese their strong wish that Nakasone not visit Yasukuni again the following year. Despite strong pressure from LDP conservatives, Nakasone obliged and opted not to visit. Explaining this decision, Chief Cabinet Secretary Gotōda Masaharu noted that the government had decided to "stress international ties and give appropriate consideration to the national sentiments of neighboring countries." 10

In the end, Nakasone failed not only to expand Japan's defense roles but saw his efforts to demonstrate nationalist pride backfire. Far from breaking a postwar taboo, his visit had succeeded in making it more difficult for politicians to visit the shrine, which they had actually been doing for some time. No prime minister visited in his official capacity on the date of Japan's defeat until Koizumi did so, on his sixth visit as prime minister, in 2006.

ABE'S NATIONALIST GAMBIT

Prime Minister Abe is thoroughly familiar with the experiences of these two nationalist predecessors. Kishi was his grandfather, and Nakasone was leader at a time when Abe was secretary to his father, Abe Shintaro, who was then serving as Foreign Minister. That he has nevertheless pressed forward in the past several months on every item in the nationalist agenda suggests that he thinks the dynamics that forced Kishi and Nakasone to give up on much of their agenda no longer apply. Clearly, the world has changed since the end of the cold war, and the LDP has changed too with the retirement of powerful moderates such as Miyazawa and Gotoda. Have these and other aspects of the environment in which Abe is operating changed sufficiently that we should expect a different outcome this time? Will Abe prevail where his predecessors fell short?

One aspect that has not changed, and has probably become more of a constraint, is the reaction of Japan's neighbors. At the time when Nakasone visited Yasukuni, both Korea and China were much smaller economies than Japan. Both received substantial economic aid from Japan. And both were

under the authoritarian rule of men who didn't need to worry about winning elections. Both were also allies of Japan's against a Soviet Union that they each regarded as a mortal threat. All of these considerations clearly softened the official government response when students and others protested against Nakasone's visit and textbook disputes in the early 1980s. Even with all of these factors moderating the Asian protests, they were loud and clear enough that Nakasone was forced to scale back his nationalist agenda.

In the intervening years, Korea's economy has closed the size gap with Japan and China has surpassed it, and neither relies on Japanese aid. Korea is run by elected politicians who cannot afford to ignore anti-Japanese passions sparked by the decisions Abe has been making. Korea remains an indirect military ally of Japan's (with mutual ties to the United States), but has moved much closer to China than the ROK was to the Soviets in the early 1980s. Most importantly, China now regards Japan as a strategic roadblock to its aspirations to expand its defense perimeter beyond the first island chain. Instead of worrying that their protests might upset Japanese leaders, as they once did, Chinese leaders now find such protests useful (as long as they don't get out of control), since they help isolate Japan in the region and bolster popular support for the regime's investments in military capacity.

It is therefore not surprising that the protests in both nations have been at least as intense this winter as they were in the previous cases. The Korean media has covered the series of provocations non-stop since Abe visited Yasukuni on December 26, with particular outrage at the announcement last month that the Abe cabinet was organizing a review of the evidence that led to the 1993 Kono Statement acknowledging the role of the Japanese military in recruiting Korean and other Asian women to serve in brothels known as "comfort facilities." Upon hearing this news, Korean Foreign Minister Yun Byung-se blasted the Japanese in a speech before the United Nations Human Rights Commission for the "impunity" with which Japanese leaders sought to "deny historical truth." If the cabinet's review of the evidence leads to any backtracking from the Kono Statement, a rupture in relations between the two neighbors is likely.

Abe cannot have been surprised at the Chinese and Korean reactions to his recent moves. A decade earlier, when Prime Minister Koizumi Junichiro visited Yasukuni, the reaction had been similar, leading the Chinese to decline any meetings between the leaders of the two nations as long as the visits continued. Top-level visit resumed in 2006 only after Abe—near the start of his first term in office (2006–2007)—vowed not to visit Yasukuni during his term as prime minister. Chinese protests, which boiled over into riots targeting Japanese businesses, were even more heated after Prime Minister Noda announced that the Japanese government would purchase the Senkaku islands from their private Japanese owner in 2012. The ritual of anti-Japanese protest in China and Korea is so familiar at this point that Abe must have been able to clearly imagine what would happen if he visited Yasukuni Shrine and began reviewing the Kono Statement.

So if the foreign protests were fully expected, how does Abe expect to get a different result than his nationalist predecessors? The answer must lie in his reading of domestic politics. The progressive forces that turned out in the hundreds of thousands to protest the Security Treaty in 1960 are clearly no longer with us. A few of them, much older now, continue to turn out for protest marches in Tokyo, but the threat that student radicals might bring down the government is clearly gone. On the contrary, at least some among the youth of contemporary Japan appear to be frustrated with how Japan faces constant criticism for events that took place long before they (or their parents) were born. In the election for the Tokyo governorship in February, the nationalist candidate Tamogami Toshio won a substantial share of the youth vote. Another significant change in domestic politics is the decline in the moderate Yoshida doctrine wing of the LDP, the most prominent of which began their careers in the 1950s and 1960s and have now retried or passed away.

Abe may be hoping that the domestic reaction to foreign criticism, in this new era, will be the opposite of the one that held Kishi and Nakasone back. They were forced to compromise when the Japanese public became concerned about Korean and Chinese criticism. LDP moderates then intervened to reinforce limits on Japanese security policy and apologize for Japan's wartime wrongdoing. But in this new era, Japanese leaders seem to win public support by being strong in the face of foreign criticism. After all, Koizumi refused to stop visiting Yasukuni after Asian neighbors, and this did not keep him from winning a landslide election victory in 2005. Perhaps nationalism now provides a positive feedback loop, in which

nationalism sparks foreign criticism, which makes Japanese even more supportive of further nationalist steps.

If this is what Abe is counting on, it is worrisome. While tolerance of the Japanese public for foreign criticism has increased, some do seem to respond in the way Abe assumes. In the short term, Abe has been able to maintain his popularity (with cabinet support rates between 50 and 60 in recent polls) despite the Yasukuni visit and the foreign criticism that followed. The risk is that he will take this support to mean that he is free to proceed to the next step, a retraction of the Kono statement, and then to the next, constitutional reinterpretation to allow Japan to exercise its right of collective self-defense, and then to the next, stationing government officials on the Senkaku islands. At some point, Chinese and Korean criticism and actions in response will reach a point where the Japanese public will signal it is not ready for this level of conflict. An end game for Abe in which Korea and China simply accept the nationalist agenda Abe seems intent on pursuing does not seem possible. When relations get truly rocky, a new generation of moderates within the LDP will step forward, reiterate Japan's apologies and recommit to limits on Japan's security role. But the exercise—despite ending up back where we were—may leave behind substantial damage to Japan's relations with Korea and to the possibilities for a peaceful engagement with a rising China.

NOTES

- 1. Samuels actually uses the term "Right" in this section to refer to what I am calling the "nationalists"—Richard Samuels, *Machiavelli's Children: Leaders and Their Legacies in Italy and Japan* (Ithaca: Cornell University Press, 2003), p. 230.
- 2. Ibid, p. 229.
- 3. Kong Dan Oh, "Japan-Korea Raprochement: A Study in Political, Cultural and Economic Cooperation in the 1980's," Dissertation in Asian Studies at UC-Berkeley, 1986, p. 171.
- 4. Berger, Cultures of Antimilitarism, pp. 97–98.
- 5. Nakasone, My Life in Politics (typescript, 1982), quoted in Pyle, Japan Rising, p. 270.
- Nakasone in 1988, quoted in Kenneth Pyle, The Japanese Question: Power and Purpose in a New Era 2nd edition (Washington, DC: AEI Press, 1996), p. 188.
- 7. See, for example, the essays in the special issue of *Sekai* on "Hakusho: Gunjika sareru Nihon," December 1983, pp. 34–103; Igarashi Takeshi, "Farewell to the

Policy Recommendations

Ahead of President Obama's Asia visit, Washington should:

- Dispatch senior officials to Tokyo to continue counseling him against revising the Kono Statement or visiting Yasukuni Shrine again. To drive home the level of concern in Washington, the United States should also ask Abe not to take the step of revising the interpretation of Article 9 to allow for collective self-defense. This last step is one the United States has been urging for many years, so a signal that the United States is worried that such a step in the current environment will exacerbate the tension in the region ought to be one that will get Abe's attention.
- Invite Pulitzer-prize-winning historian John Dower to convene a team of respected American and Japanese experts to prepare for the US government a summary of the evidence on the role the Japanese military played in recruiting and deploying "comfort women" to serve Japanese troops during the war. The report should be expedited so that it is available to be issued when and if the Japanese government announces its own view of the evidence. In order to provide time for this report to be written and slow down the pace of revisionism in Tokyo, the United States should make it clear that any back-tracking on the Kono Statement prior to Obama's April visit will result in changes in Obama's planned schedule in Japan and Korea that will make it clear how displeased the U.S. is with this action.

- Peace-Loving State," Japan Echo 10:2 (1983).
- 8. Berger, Cultures of Antimilitarism, p. 141.
- 9. Oh, *Japan-Korea Rapprochement*, pp. 202–203. See also Victor Cha, *Alignment Despite Antagonism: The United States Korea Japan Security Triangle* (Stanford: Stanford University Press, 2000), p. 193.
- 10. Ibid., p. 62.
- 11. "Yun Presses Japan for Sex Slavery at UN," Korea Herald, March 5, 2014. http://www.koreaherald.com/view.php?ud=20140305001406.

Abe's Law: Domestic Dimensions of Japan's Collective Self-Defense Debate

BRYCE WAKEFIELD

For decades, the Japanese government has maintained that Japan has the right of collective self-defense under international law, but that the nation's constitution does not allow it to exercise that right. Now, Prime Minister Shinzo Abe wants to expand Japan's defense options and in the process reinterpret the constitution. Many policymakers and analysts in the United States agree with Abe's intended course of action, and have noted that constitutional reinterpretation to permit the right of collective self-defense could allow Japan's Self Defense Forces (SDF) to better integrate into U.S.-Japan alliance activities and to be more active in international peacekeeping efforts. However, less attention is paid to domestic debates. In Japan collective self-defense is still an extremely sensitive issue among the public. It has put strain on the government and may ultimately invite closer judicial review of security related legislation. More circumspection as well as a different approach to constitutional change is in order.

STACKING THE DECK

Much of the controversy surrounding reinterpretation stems from Abe's governing style. The prime minister has upset convention within Japan's

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highly regularized bureaucracy, appointing to committees and offices those who agree with his politics. In terms of constitutional reinterpretation, his most prominent selection is career diplomat Ichiro Komatsu to head the Cabinet Legislation Bureau (CLB), which scrutinizes legislation and government policy to ensure that it is in line with the constitution. The CLB director-general is usually selected from the bureau's own ranks and, until now, never from the Ministry of Foreign Affairs. Komatsu has publically disagreed with the CLB's consistent position that exercising the right of collective self-defense would violate Article 9. Indeed, rather than offering independent advice, Komatsu has explained that as "part of the Cabinet," the CLB must "do what it can to follow the prime minister's policy." His irregular appointment has therefore been criticized in Japan as a "rude technique" to accelerate Abe's reinterpretation agenda.²

This is not, however, the first time Abe has been accused of placing his own supporters in areas where they could shape the debate on reinterpretation. In 2007, when he was briefly prime minister the first time, Abe convened a commission of 13 experts to explore whether the government could reinterpret the constitution to better provide for Japan's security. The commission was criticized heavily in the Japanese media as assembled simply to agree with the prime minister's position. Indeed, it was well known that its members favored reinterpretation, and its composition—the commission included only one expert on the constitution, and an extremely conservative one at that—does suggest its members were selected more for these preferences than for expertise with constitutional issues.³

The commission's findings emphasized the practical benefits of collective self-defense in four hypothetical cases, but were ignored by subsequent governments, for good reason. Their legal argument relied mostly on a formula stating that Japan should be permitted to engage in collective self-defense because it has the right to do so under international law.⁴ The Charter of the United Nations does indeed allow every member nation the rights of individual or collective self-defense against an armed attack by an aggressor. However, the commission's argument was deeply flawed. Nations can always waive their rights, and in the case of collective self-defense, the language and long-standing interpretations of Article 9 of the constitution compel Japan to do so.

Back in power from 2012, Abe reconvened the commission with essentially the same membership to again deal with the question of reinterpretation. In February 2014, it released its preliminary report to the cabinet just in time for Abe to state that he did not consider amendment of the constitution necessary to allow collective self-defense. Abe wants to introduce the new interpretation before the end of the Diet session in June. Under this timetable, the Diet would have at most about two months to consider the historic change after the commission's final report is delivered in April. However, Abe has noted that he might sidestep Diet debate altogether and simply have the Cabinet declare the reinterpretation as government policy.

SELF DEFENSE AND THE JAPANESE CONSTITUTION— THE CURRENT INTERPRETATION

The commission thus has a difficult task—to explain why CLB interpretations almost as old as the constitution itself should now be considered incorrect. In 1954, following some earlier discussion on the matter, the CLB settled on the interpretation that the first paragraph of Article 9, which renounces war "and the threat or use of force as a means of settling international disputes," did not "deny the right of self-defense [...] in the case of an immediate violation of the nation of Japan." ⁵ A clear attack on Japan's undisputed sovereign territory could not be an international dispute from Japan's point of view. Moreover, the language in the second paragraph connected a ban on "air, sea, and land forces and other war potential" to the first. The ban did not therefore cover the acquisition of military-style weapons for uses short of war, such as maintaining public order. Nor did it preclude these arms from being used for defense of the nation against a direct attack. ⁶ Individual self-defense was thus permitted under the constitution.

According to the CLB, however, the constitution clearly imposed restrictions on Japan when defending itself.⁷ By the time it had settled on its interpretation allowing individual self-defense, the government had refined those restrictions into three inseparable principles based on the CLB's reading of Article 9.8 These principles continue to form the basis of Japan's position regarding the use of force against other nations, appearing

as a comprehensive statement in Japan's annual defense white papers. They mandate that the government can use force for self-defense only when:

- there is an imminent and illegitimate act of aggression against Japan;
- there are no other means of stopping that aggression; and
- the use of armed force is confined to the minimum necessary level.9

While the principles taken together are sufficient to prohibit collective self-defense, the CLB augmented its earlier testimony in 1955. Article 13 of the constitution states that the right of the Japanese people to life, liberty, and the pursuit of happiness is the government's highest consideration. According to the CLB, this implied an official "obligation to protect public order and freedom," which would be impaired in a direct attack on Japan. Japan could thus defend itself, but, due to the restrictions in Article 9, only insofar as it would be protecting the Japanese people's rights. Thus, "Article 9 considered in conjunction with Article 13, naturally recognizes [...] action necessarily limited to eliminating a direct invasion." If that was not clear enough, the CLB stated in 1960 that the right to defend a friendly foreign nation under attack "while called the right of collective self-defense [in international law], is not recognized under the constitution."

The Supreme Court, which officially holds the power to "determine the constitutionality of any law, order, regulation, or official act" issued a ruling in the 1959 *Sunagawa* case, that, while not concurring outright with the CLB interpretation, did reiterate and reinforce some of its major tenets. The central question in the case was whether U.S. bases and forces on Japanese soil constituted the illegal maintenance by the Japanese government of "war potential." The court ruled that they did not, because the government did not exercise command over them. Moreover, the court held that the renunciation of war and use of force in paragraph one of Article 9 did not constitute rejection of Japan's right to self-defense, and so foreign forces could be stationed in Japan according to that right. However, that right was to be exercised by Japan taking only "measures for necessary self-defense in order to fulfill the existence and maintain the peace and safety of its own

nation (*jikoku*)." ¹² The clear implication of this ruling was "that actions or arrangements that were *not* strictly for the defense of Japan, and military forces or other war potential that *were* under the command of the Japanese government" might violate Article 9.¹³

More notoriously, the court also declared its reluctance to rule on treaties and laws concerning national security, because, unless their content was clearly unconstitutional, they stood as "political questions" best left to the Diet. His was an amazing abdication of the court's formal powers, but along with the subsequent development of narrow standing rules that made it difficult for anyone to bring a case against the government for violation of Article 9, it had the effect of increasing the importance of CLB interpretations. In the absence of Supreme Court rulings, it was the CLB that would determine how the constitution applied to security—and for that matter, most other—legislation.

Indeed, the CLB confirmed its interpretation on collective self-defense in Diet debates on the issue in 1973. The interpretation also served as the basis for an official 1981 declaration outlining the government's view that Japan had the right of collective self-defense under international law, but "the exercise of the right of self-defense must stay within the minimum necessary level to defend Japan (*wagakuni*), and collective self-defense exceeds this limit and is therefore impermissible under the constitution." By the early 1980s the ban on collective self-defense was considered such an essential part of Japan's constitutional fabric that the CLB director-general and several ministers (including Foreign Minister Shintaro Abe, the current prime minister's father) unequivocally testified that future governments wanting to reverse the ban "would naturally have to do so by means of constitutional revision." Successive governments have reiterated this testimony.

PROBLEMS WITH THE COMMISSION'S ARGUMENTS

Indeed, such testimony corresponds to accepted theory on constitutional change. The major problem with the approach of the commission reconvened by Shinzo Abe is that, like its earlier attempt, it seeks to justify reinterpretation primarily with reference to Japan's practical needs in its

transforming regional security environment.¹⁷ But constitutions by their very nature establish prior commitments to restrict government action even—and arguably especially—when political and practical circumstances change. Certainly, the interpretation of constitutional texts can transform over time, but this process must be incremental and usually emerges as the result of evolving judicial interpretation of constitutional law principles in the context of specific cases. While there is substantial debate about the legitimacy of such a process, no widely accepted constitutional theory contemplates conscious, "ad hoc, [and] radical government reinterpretation of provisions to fit perceived policy needs."¹⁸

Be that as it may, the commission will likely revert to its previous arguments that Japan needs to be able to engage in collective self-defense in order to meet its treaty commitments to the United States and the United Nations. Indeed, commission members are clear that greater bilateral and international cooperation is the main reason behind their preference for reinterpretation.¹⁹ Yet, obligations under the U.S.-Japan Security Treaty or United Nations Charter also cannot be used as legitimate grounds to change current interpretations of Article 9. Article 98 of the constitution does oblige Japan to observe its treaty obligations, but this does not mean it would place any such obligations above its constitutional provisions. In any case, the security treaty does not purport to impose such obligations, clearly stating that during an attack, each party is obliged only to "act to meet the common danger in accordance with its constitutional provisions and processes." If a case on the principles of the constitution itself cannot be found for exercising the right of collective self-defense, the treaty does not provide one.

The commission does, however, have another argument that it claims is conceptually derived from constitutional doctrine. This argument turns on the principle that Japan is only permitted the use of force as long as it stays within the minimum necessary level for defense. "Minimum" here has long been understood as a relative term, whose meaning changes according to other nations' capabilities. In general, Japan refrains from arming itself with such weapons as long-range bombers and intercontinental ballistic missiles, primarily used for attacks far beyond a nation's borders. Nevertheless, it can adjust the composition and armaments of its forces

to meet clearly defined threats to its territory. Commission members have therefore argued that the right of collective self-defense should be included in this minimum necessary level.²⁰ The commission also later revealed that it thought Japan should be able to respond militarily to attacks on friendly countries in "cases which, if neglected, would have a large influence on Japan's security."²¹

Though more sophisticated than previous legal arguments for exercising the right of collective self-defense, the commission's new position is still problematic, both in terms of the objections to reinterpretation raised above, and on its own merits. First, the hypothetical "large influence on Japan's security" that serves as the condition for military action is too vague and expands Article 9 well beyond its intended scope. Early debates on the constitution show that Japanese lawmakers who reviewed and revised the document before it was promulgated were clear that the article's inclusion in the main text rather than the preamble meant that it placed real legal restrictions on the government.²² Yet, the commission's reinterpretation would provide the government with broad and arbitrary powers to declare a particular situation a "large influence on Japanese security," and thus not an "international dispute." Restrictions on these powers would be mostly political,²³ and independent of clear-cut criteria, such as the current stipulation that Japan's sovereign territorial rights be subject to actual or imminent violation for Japan to defend itself. The reinterpretation would therefore strip Article 9 of its legal force. This is perhaps the Abe government's objective, but it is also clearly unconstitutional.

Second, the logical flaws in the commission's approach are quite serious. The requirement that the use of force be restricted to the minimum necessary level was but one of three principles derived *together* from a reading of Article 9. To make any sense as an interpretation of the text itself, they are therefore inseparable and include the condition that there must be an "illegitimate and imminent" act of aggression "against Japan." As well as explicitly ruling out collective self-defense for Japan, the government's 1981 declaration, derived from those principles, limits the minimum necessary use of force to that needed "to defend Japan (*wagakuni*)." Because all three principles form a comprehensive interpretation, then, the commission cannot simply isolate the "minimum necessary level" principle from the other

two, or indeed from Article 9 itself, and use it as a basis for reinterpretation. To have any credibility at all, it must offer a new explanation for how its interpretation fits with the text of the constitution. It does not seem intent on providing one.

LEGAL AND POLITICAL CONSEQUENCES OF REINTERPRETATION

There are, then, significant unanswered questions about the commission's findings, and opinion leaders in Japan are now warning the prime minister to respect the rule of law and the integrity of the constitution as he proceeds. ²⁴ Moreover, collective self-defense is, along with security and secrecy laws recently railroaded through the Diet, part of a package of unpopular government actions that strike at the heart of Japan's post-war antimilitarist national identity. Only about a third of Japanese polled think that exercising the right of collective self-defense should be allowed, while over 50 percent, including a majority of the ruling Liberal Democratic Party's (LDP) supporters, oppose it.²⁵

Abe's push for reinterpretation may therefore strengthen opposition and impair his ability to achieve his long-term goals, especially around constitutional revision. In addition to a two-thirds majority vote in both houses of the Diet, any revision to the text of the constitution needs the support of a majority of voters in a national referendum. Public support for revision is therefore crucial, and the role of civil society is particularly important here. After Japan's participation in the Iraq War, thousands of protest groups, coordinated from 2004 by a central "Article 9 Association" acted to reverse trends in public opinion, which until then increasingly favored constitutional revision in general and was even creeping toward an endorsement of changing Article 9. While these groups have since been out of the public eye, opposition to Abe's approach is likely to reinvigorate them. Moreover, there is significant scope for confluence with protestors of the government's pro-nuclear policy and its secrecy and security legislation, meaning that public opposition to constitutional revision may have more staying power as the result of a "growing and changing civil society." 26

Reinterpretation may also have important long term consequences in the Diet. Key here is the role of Komeito, the smaller party in the LDP-led coalition government. Komeito, is backed by the Buddhist organization Soka Gakkai, which maintains a strong commitment to the pacifist principles of the constitution.²⁷ Leader Natsuo Yamaguchi has declared that he is "absolutely opposed" to reinterpretation.²⁸ Nevertheless, Komeito has endorsed measures contrary to the pacifist views of its constituents before, such as SDF participation in the Iraq War. It has justified its position in the LDP-led government as providing a check on the excesses of its larger partner, and may agree to reinterpretation with significant conditions. Given that Abe may not want to cut Komeito adrift because of its ability to organize voters for the LDP in districts that it does not contest, the smaller party may well be able to slow down the process of legislating under any reinterpretation, insisting that it scrutinize bills enabling SDF action and that restrictions be applied before they are passed. Indeed, Abe may even postpone his announcement of reinterpretation to satisfy Komeito.

If Komeito cannot cut a deal with the LDP, however, it might leave, or be ejected from, the ruling coalition over the issue of collective self-defense. In this case, in order to ensure its bills pass the upper house, the LDP would need to join forces with either the right-wing Your Party or the Japan Restoration Party (JRP) or, more likely, both. Indeed, Abe has labelled the two "the responsible opposition parties" and JRP officials are speculating over the possibility and shape of a new coalition.²⁹

Such a coalition would complicate both U.S. and Japanese diplomacy in the region. The JRP in particular is a collection of some of Japan's more bombastic nationalist politicians. Abe is already under fire in the overseas media for his recent visit to the controversial Yasukuni shrine, and for the outrageous comments of strident nationalists he hand-picked to serve on the board of the national broadcaster. Regional and international criticism of his well-known views of history will only intensify if the LDP forms a coalition with the JRP over reinterpretation. Such a coalition would serve to reconfirm fears within the minds of Chinese and Korean policymakers that collective self-defense is part of Abe's broader agenda for a forthright and nationalistic Japan. This will frustrate U.S.

efforts to convince partners in Seoul to work more closely with Japan, and it will cause problems for relations between Washington and Beijing, given Japan's status as a U.S. ally.

Abe's approach to the constitution also devalues the rhetorical power of his own diplomacy. In criticism of China's vast maritime territorial claims, including over territory Japan sees as its own, Abe has stressed that countries in the region must adhere to the rule of international maritime law. Such a policy should be applauded. However, his attachment to the rule of law overseas notwithstanding, the prime minister has declared during Diet debates on reinterpretation that he views the notion of constitutional restrictions on government action as old-fashioned and that he alone is ultimately responsible for reinterpreting the constitution on behalf of the government. Abe's comments attracted immediate rebuke from lawyers, the media, and opposition parties for being ignorant of the basic tenets of constitutional-ism. His calls for the rule of law in the international sphere when he seems not to respect it at home will therefore ring hollow. 31

Indeed, there is also the admittedly slight possibility of legal action complicating Abe's reinterpretation agenda. As in the past, citizens groups will no doubt bring court cases against the government. The courts have ultimately rejected such cases on failure to meet extremely narrow criteria for standing. Nevertheless, cases are often filed as a type of protest activity "to keep the action before the public" and therefore to prolong litigation even when there is no chance of winning. In 2008, for example, the Nagoya High Court dismissed, on standing, a case against SDF dispatch in Iraq, but nevertheless noted in its non-binding commentary that Air Self Defense Force missions transporting foreign soldiers and supplies to combat areas "play[ed] a part in the use of force by other countries" and thus were in violation of the constitution. The LDP poured scorn on the ruling, but it was of political benefit to the opposition Democratic Party of Japan, which viewed the dispatch as unconstitutional. The rulings of even rejected cases are thus sometimes embarrassing for the government.

What is more serious is that the Supreme Court may choose to examine a case on the constitutionality of collective self-defense. Such a case would have deleterious effects on any concurrent missions involving collective self-defense activities, because the government would have to act cautiously while the legal basis of those activities was under review. The case might also result in a constitutional crisis where the court strikes down important security legislation and the government resists the ruling. More likely, it could further devalue the power of the court as a guardian of the constitution if the court reaffirmed its subordinate status on "political issues," or reviewed the case and rejected it on narrow standing rules. None of this would be a good outcome for Japanese democracy.

The chance that such a case will reach the Supreme Court is slim, but it is not zero. The court has been extremely reluctant to invalidate laws on constitutional grounds. One reason for this, however, is that government bills are usually carefully scrutinized by several skilled legal experts at the CLB before they reach the Diet, and thus there is "very little chance that any new legislation contravening the Constitution [...] would see the light of day."35 By appointing its own external commission, as well as an outsider as CLB director, to expedite the reinterpretation process, however, the Abe government has upended this careful process of prior review. Unlike the commission, moreover, the court cannot emphasize practical matters in its judgments, and must focus on application of the law. Indeed, Tsuneyuki Yamamoto, the most recent justice appointed to the court has announced publically that collective self-defense would be "extremely difficult" to square with the constitution, and that it could only be realized through revision.³⁶ If Yamamoto's opinion is shared by other justices, the prime minister cannot completely assume the acquiescence of the court that his predecessors have generally enjoyed.

MAKING AMENDS

Is Japan's ban on collective self-defense outdated? Perhaps. But the correct way to rescind the ban is to build a consensus across parties and the public and to revise the text of the constitution through its own amendment procedures. By stirring up public opinion, placing his coalition partner into a political dilemma while pandering to alternative parties, and inviting contentious legal challenges to his agenda, the prime minister is setting back the cause of constitutional revision. This is unfortunate for Abe. Not only is

revision one of the prime minister's ultimate goals, it is the only avenue of constitutional change whose legitimacy cannot be questioned.

During the Cold War, ideological opposition from left-wing parties in the Diet made constitutional revision all but impossible. Since the late-1990s, however, moderate opposition parties have been more open to revision. The LDP has been in power most of that time, yet it has never initiated serious cross-party dialogue aimed at updating the basic law in ways that were broadly acceptable. Abe, with his commanding majority in the Diet, could magnanimously invite the disorganized opposition to discuss change. Experience in similar political systems shows that consensus will almost certainly be required for serious constitutional revision, and Abe should understand this.³⁷ Instead, his party has intentionally and divisively publicized an ideological draft constitution that would erode many of the current constitution's popular principles of pacifism, the Japanese people's rights, and democracy. The LDP's draft, moreover, is flawed as a constitutional document, because it effectively removes all restrictions on state power vis-à-vis the individual.³⁸

This is no way to go about constitutional revision, and reinterpretation of the type that Abe is proposing is not legitimate. It is now the LDP that is being ideological and irresponsible in its approach to constitutional change. American analysts and policymakers, when they gently push Japan's leaders to reinterpret the constitution and exercise the right of collective self-defense, almost always state that this must also be the decision of the Japanese people.³⁹ Yet Abe's vision for reinterpretation would introduce radical change in a way tailored specifically to avoid the messy but legitimate democratic debate needed for revision. Liberal newspaper editorials in Japan, and even leading figures within his own party, are currently urging Abe to slow down the reinterpretation process so that it can receive democratic scrutiny.⁴⁰ The correct approach, however, would be to stop it altogether. Perhaps then, the government could embark on the legitimate process of building consensus for moderate constitutional revision.

The author would like to thank Akihiko Kimijima and Craig Martin for their comments on earlier drafts of this chapter.

Policy Recommendations

Reinterpretation of the constitution to allow Japan to exercise the right of collective self-defense is controversial in Japan. Polls show that only a third of the Japanese population supports it, while between 50 and 60 percent oppose it. Opposition is partly due to Abe's approach. A commission of experts he set up to examine the issue has been criticized as specially selected to push for reinterpretation, while his choice for director of the Cabinet Legislation Bureau (CLB) has upset convention.

- Abe's approach may stir up public sentiment and set back his agenda for outright revision of the text of the constitution. It may reinvigorate citizens networks set up to protect Article 9, the "peace" clause of the Japanese constitution.
- Komeito, the smaller party in Abe's coalition government opposes constitutional revision to allow Japan to exercise the right of collective self-defense and will move to complicate any attempt to implement it quickly or without restrictions.
- Abe could rely on nationalist parties instead. This would complicate regional diplomacy, given Korean and Chinese and, increasingly, U.S. views on historical revisionism in Japan.
- Court cases will be used to protest reinterpretation. While unlikely, the Supreme Court may also take up a case on the constitutionality of laws passed under any government reinterpretation. In the past, the court has been reluctant to engage in judicial review of legislation, but that may change with the government upending the CLB's careful process of prior review.
- Revision through the amendment procedures of the constitution is the only legitimate method of constitutional change. Abe should understand that this requires consensus, stop his divisive approach to the constitution, and work towards the goal of moderate revision.

NOTES

- "Kenpô kaishaku henkô ni iyoku: komatsu hôseikyokuchôkan ga fukki," Asahi Shimbun, February 25, 2014.
- "Shasetsu: Shūdanteki jieiken nashikuzushi wa ikenai," Mainichi Shimbun, August 9, 2013.
- 3. "Sekkyoku-ha zurari, abe-shushō yori shūdanteki jieiken 'kondankai' menbaa," Asahi Shimbun, April 26, 2007. In his recent book, Osamu Nishi, the only member of the commission who focuses almost exclusively on the constitution in his research, claims that the views of more mainstream constitutional scholars who disagree with his position "will destroy Japan" (nihon o horobosu). He also subscribes to a theory, common among a narrow group of revisionist historians in Japan, that the constitution, the first draft of which was written by Japan's U.S. occupiers, was a part of a "War Guilt Information Program" established by the Allied occupation to "brainwash" the Japanese people and instill a "masochistic consciousness" (kadona jigyaku ishiki) in postwar Japanese society. Osamu Nishi, Kenpō kaisei no ronten (Tokyo: Bunshun Shinsho, 2013), 14–26, 80–98.
- 4. Prime Minister's Office, Anzenhoshō no hōteki kiban no saikōchiku ni kansuru kondankai, *Hōkokusho*, 2008, 18, 21. http://www.kantei.go.jp/jp/singi/anzenhosyou/houkokusho.pdf
- 5. Kokkai kaigiroku (Diet Records), House of Councilors, Committee on Judicial Affairs, Session 19, No. 35, May 13, 1954, 7–9.
- 6. Diet Records, House of Councilors, Committee on Judicial Affairs, Session 15, No. 8, December 23, 1952, 2–5.
- 7. Ibid.
- 8. Diet Records, House of Representatives, Committee on Foreign Affairs, Session 19, No. 20, March 19, 1954, 6.
- 9. Defense of Japan. Tokyo: Ministry of Defense, 2013, 143.
- Diet Records, House of Councilors, Cabinet Committee, Session 22, No. 34, July 30, 1955, 21.
- 11. Diet Records, House of Councilors, Budget Committee, Session 34, No. 23, March 31, 1960, 27.
- 12. Saikō Saibansho (Supreme Court), Grand Bench, December 16, 1959, 13 Saikō saibansho keiji hanreishū, 3225.
- 13. Craig Martin, "The Case Against 'Revising Interpretations' of the Japanese Constitution," *The Asia Pacific Journal*, May 29, 2007, accessed February 20, 2014, http://japanfocus.org/-craig-martin/2434.
- 14. Supreme Court, Grand Bench, December 16, 1959, 13 Saikō saibansho keiji hanreishū, 3225. It should be noted that Chief Justice Kotaro Tanaka met secretly with U.S. Ambassador Douglas MacArthur II, "the interested party of a case in his court," and gave the ambassador updates on the case. Given that Sunagawa effectively insulated both the U.S. Forces and the SDF from future legal action on constitutional grounds, Tanaka's actions cannot help but raise

- questions about the independence of the judiciary in the case. "Supreme Court, government must come clean on Sunagawa incident ruling," *Asahi Shimbun*, April 15, 2013.
- "Töben honbun jöhö," House of Representative website, accessed February 1, 2014, http://www.shugiin.go.jp/itdb_shitsumona.nsf/html/shitsumon/ b094032.htm.
- 16. Diet Records, House of Representatives, Budget Committee, Session 98, No. 20, February 22, 1983. The words are the CLB director's, and were immediately endorsed first by Shintaro Abe and then other cabinet members.
- 17. "Anzen hoshō no hōteki kiban no saikōchiku ni kansuru kondan-kai," Prime Minister's Office website. Accessed February 24, 2014, http://www.kantei.go.jp/jp/96_abe/actions/201309/17kondankai.html.
- 18. Martin, The Case Against "Revising Interpretations." Op. Cit 3. The quote is from Martin's shorter article on the same subject: "The Fatal Flaw in Trying to Impose a Reinterpretation on Article 9," *Japan Times*, October 15, 2008.
- 19. "Tasukeaukata ga gunjiryoku yokusei ni: kitaoka shin'ichi anpo hōsei konzachōdairi ni kiku," *Asahi Shimbun*, August 8, 2013.
- "Shūdantekijieiken: kenpō no hadome ga hazureru," Kōchi Shimbun, February 9, 2014.
- 21. "Anpo hōsei-kon kosshi akiraka ni shūdantekijieiken kōshi wa 'missetsuna kuni e no kōgeki' o sōtei," *Sankei Shimbun*, February 21, 2014.
- 22. Teikokugikai kaigiroku (Imperial Diet Records), Imperial Committee for Constitutional Revision, Session 90, No. 4, July 29, 1946, 4–7.
- 23. In response to criticism that the reinterpretation will allow for government action beyond constitutional limitations, Shinichi Kitaoka, who has sometimes acted as head of the commission, has outlined a number of principles that he says the government should adhere to when exercising the right of collective self-defense (See Fumiaki Kubo's contribution in this volume). However, it is unclear, first, how Kitaoka's principles are based on a reading of the constitution and, second, whether the government will respect these principles in future. For example, Kitaoka has said that these principles would restrict Japan from unconditionally responding to requests for armed assistance if, say, China launched an unprovoked attack on the Philippines. However, LDP Secretary General Shigeru Ishiba, who is tipped as a future prime minister, has already expressed his view that enabling the right of collective self-defense should allow Japan and South East Asian nations to create a NATO-like alliance aimed at China, where, presumably, an attack on one member will be considered an attack on all. This directly contradicts Kitaoka's statements. Kitaoka has also said that he cannot think of any case where the interpretation promoted by the commission would see the SDF deployed on the other side of the world. This again was contradicted directly in comments by Nobushige Takamizawa, the senior government official in the Cabinet Secretariat. Shinichi Kitaoka and Kyoji Yanagisawa, "Japan's Right to Collective Self Defense" (debate at the Foreign Correspondents Club of

- Japan, Tokyo, Japan, November 12, 2013); "Ishiba: Asia needs body like NATO" *Japan Times*, March 6, 2014; "Kenpō kaishaku-hen: 4 katsudō han'i, mienai hadome," *Asahi Shimbun*, 8 March 2014.
- 24. "Kaishaku kaiken rikken shugi o keishi suru hatsugen," *Nishi Nihon Shimbun*, February 19, 2014; "Shasetsu: shūdantekijieiken kikinagasenu shushō no tōben," *Asahi Shimbun*, February 15, 2014.
- 25. "Shasetsu: shūdantekijieiken no kōshi ima wa fumidasu toki denai," *Mainichi Shimbun*, February 12, 2014; "Shasetsu: daihyō shitsumon 'min'i' o butsukete koso," *Tokyo Shimbun*, January 29, 2014; "59% against moves to allow right to collective self-defense," *Asahi Shimbun*, August 26, 2013.
- 26. Akihiro Ogawa, "The New Prominence of the Civil Sector in Japan," in *The Routledge Handbook of Japanese Culture and Society*, ed. Victoria Bestor et al. (London: Routledge, 2011), 196.
- 27. As Komeito's website states, the relationship between the party and "Soka Gakkai has been the subject of as much serious debate as it has been a tool for political gain wielded by the party's rivals and critics." Another reason for Komeito's caution about reinterpretation might therefore be its attachment to current government interpretations of Article 20 of the constitution. The article guarantees freedom of religion but states that no religious organization can "exercise any political authority." Current government interpretations backed by CLB testimony which hold that Article 20 "cannot be interpreted as a direct prohibition of political activities." If the Abe government has the right to reinterpret longstanding interpretations of Article 9, this would, however, concede to future governments the right to change long-standing official interpretations of any part of the constitution, including Article 20. Such a scenario is unlikely, but the integrity of interpretations surrounding religious liberty is still a sensitive issue for Komeito. "On Politics and Religion," New Komeito, accessed March 12, 2014, https://www.komei.or.jp/ en/about/view.html.
- "Kōmei daihyō 'danko hantai' jimin ga shūdantekijieiken kōshi yōnin nara," Nihon Keizai Shimbun, July 6, 2013.
- 29. "Abe shushō minna sekkin, yoyatō piripiri jimin 'kiite inai'," *Asahi Shimbun*, 29 January, 2014.
- 30. "Lawyer group charges Abe with constitutional ignorance," *Japan Times*, February 14, 2014; "'Kenpō wakattenai' shushō kaishaku henkō hatsugen yoyatō yamanu hihan," *Tokyo Shimbun*, February 15, 2014.
- 31. "Shasetsu" Asahi Shimbun, February 15, 2014.
- 32. Owen John Haley, *Authority Without Power: Law and the Japanese Paradox* (Oxford: Oxford University Press), 1991, 188.
- 33. "High Court: ASDF mission to Iraq illegal," *Japan Times*, April 18, 2008.
- 34. "Japan Court Opinion Won't Affect Iraq Deployment," *Bloomberg*, April 18, 2008, accessed March 12, 2014. http://www.bloomberg.com/apps/news?pid=newsarchive&sid=aSZddYIjr8Ds

- 35. Hideo Chikusa, "Japanese Supreme Court: Its Institution and Background," SMU Law Review 52, (1999), 1726; Jun-ichi Satoh, "Judicial Review in Japan: An Oversight of Case Law and an Examination of Trends in the Japanese Supreme Court's Constitutional Oversight," Loyola of Los Angeles Law Review 41 (2008), 604–606, 624–626.
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- 37. Rosalind Dixon, "Constitutional Amendment Rules: A Comparative Perspective," in *Comparative Constitutional Law*, ed. Tom Ginsburg and Rosalind Dixon (Cheltenham: Edward Elgar, 2011), 107.
- 38. "Masuzoe tochiji: Jimin kaiken sōan o hihan 'rikken shugi ni terashi mondai'," *Mainichi Shimbun*, February 15, 2014; Lawrence Repeta, "Japan's Democracy at Risk The LDP's Ten Most Dangerous Proposals for Constitutional Change," *The Asia-Pacific Journal* 11 (2013), accessed February 20, 2014, http://japanfocus.org/-Lawrence-Repeta/3969.
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- 40. "Shasetsu," *Mainichi Shimbun*, February 12, 2014; "Justice minister cautions Abe over collective self-defense plan," *Asahi Shimbun*, March 8, 2014.

The Eurasian Continentalist Challenge and Japan's Policy Response

KENT CALDER

Geopolitical analysis, stressing national-state rivalries, was very much in vogue a century ago and inspired by the work of Mackinder and Mahan.¹ Since World War II, analysts have been more prone to contend, with Tom Friedman and others, that the world is either unitary, or "flat", or both.² Yet the actual strategic and economic challenges confronting Japan today retain an immutable geographic dimension, as they have throughout history, that neither theory nor policy can comfortably ignore.

Japan is, after all, an island nation, living in close proximity to a massive continent less than fifty miles across the Strait of Tsushima to its west. Japan has no direct land boundaries with its neighbors, but on a clear day it is still possible to glimpse the edge of the Eurasian continent from Japanese territory with the naked eye. And the increasing efficiency of air transportation, with the proliferation of urban airports, is making day trips to the continent increasingly possible, as intra-regional commerce and cultural interchange continue to steadily deepen.

The configuration of Japan's continentalist challenge has varied markedly across history, depending on both the cohesion of the Eurasian continent and the degree of interdependence with the broader world then prevailing. In some eras, such as the Heian (794–1185), deepened ties with the continent have presented marked opportunities for Japan that greatly outweighed perceived dangers.³ At other times, as when Japan

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faced Mongol invasion fleets in the late thirteenth century, the threat was quite direct. During the isolationist Tokugawa years also, the perils of interchange were perceived to outweigh the benefits. Yet the immutable geographic reality was of a massive continent beyond Japan's island shores—incomparably larger in both geographic and human terms—with which Japan would inevitably need to reconcile if it proposed to deal with the outside world.

Across Japan's first century of modernization, from the coming of Perry's black ships in 1854 through World War II's end in 1945, the continentalist challenge was, for Japan, more a matter of coping with the continent's fragmentation, stagnation, and instability than with its unity and dynamism. Japan took opportunistic advantage of continental Asian weakness and instability, defeating China in war (1895), while later occupying Korea, and progressively larger segments of China as well. Some Japanese intellectual leaders, such as Fukuzawa Yukichi, advised radical shifts in Japanese priorities away from Asia altogether, and a focus on relations with the industrialized West.⁴ Many Japanese did, however, have more positive notions of continental involvement, making common cause with Asian nationalists such as Sun Yat-sen, Chandra Bose, and Aung San to promote Asian independence and economic adjustment to the process of global industrialization then emerging.⁵

Japan's pre-1945 response to the continentalist challenge included both an aggressive militarist dimension, especially in Northeast Asia, and also a more constructive political and intellectual dynamic. The latter became particularly apparent at the policy level in Japan's dealings with the non-Sinic nations of Asia, including Indonesia, Burma, Vietnam, and India, although the significant sentiment within Japan for respect of and cooperation with China cannot be ignored. Some Japanese thinkers, such as Okawa Shumei, also thought more broadly and conceptually about Asian continentalism far beyond neighboring nations, and stressed the importance of cooperative links with the Islamic world and the Middle East as well.

Following World War II, Japan's perceived continentalist challenge rapidly assumed a clearer political-military dimension, with the triumph of the Chinese revolution on the continent, and the conclusion in February, 1950 of a Sino-Soviet defense pact explicitly directed, in its very preamble,

against Japan. Eurasia appeared headed for consolidation, and in an anti-Japanese direction. The Korean War, breaking out only six months later, intensified this sense of threat. Japan's response, encouraged strongly by Washington, was to pursue the Fukuzawa line, and to deepen its ties with the West, at the expense of continentalist relationships with Asia.

Kishi introduced some element of nuance, reviving Japan's prewar and war-time affinity for Southeast Asia, especially its non-Sinic nations, as well as for Chiang Kai-shek's Taiwan. Kishi retained, at the same time, an enduring resistance to Communists on the Chinese mainland. They similarly resisted any cooperative interaction with Tokyo, citing Kishi's wartime role as a member of Tojo's Cabinet, and his prewar technocratic leadership of Manchukuo's economic development. Thus, the notion in Japanese strategy of responding to rising Eurasian continentalist political-economic power by explicitly exploiting continental differences emerged, which Kishi's grandson Abe Shinzo has recently utilized as well.

Kishi's response to the Eurasian continentalist challenge posed by China and the USSR was primarily economic, despite the pronounced Cold War political-military tensions of the period, such as the 1958 Quemoy-Matsu crisis. Most importantly, with Washington's strong support, Kishi pursued World War II reparations agreements with several nations of Southeast Asia, including Burma, Thailand, the Philippines, Indonesia, and Cambodia,8 and initiated long-term Japanese ODA programs. He also, however, presided over an important revision of the US-Japan Mutual Security Treaty, which both reduced the intervention rights of US forces in Japanese domestic politics and also re-affirmed Japan's commitment to providing secure bases within Japan for US forces. And Kishi forced ratification of the treaty through the Japanese Diet amidst massive anti-treaty demonstrations, even at the ultimate cost of his Prime Ministership. Kishi's response to the continentalist challenge of his day was thus deeply US-Japan centric, and involved little independent Japanese diplomacy, or broad geo-political calculation in its efforts to contain China and the USSR.

THE CHANGING NATURE OF JAPAN'S CONTINENTALIST CHALLENGE

The continentalist challenge which Japan faces today is significantly different than it was in Kishi's day, although the geography, of course, is exactly the same. To understand the changing nature of the challenge, it is instructive to review the profound changes that have occurred in continental Eurasia's political economy, mainly since the first Oil Shock of 1973. Four of these have had particularly fateful implications for Eurasia's restructuring, and for how that transformation affects Japan: (1) China's Four Modernizations (1978); (2) India's economic reforms (early 1990s); (3) the collapse of the Soviet Union (1991) and (4) the Iranian Revolution (1979). As a consequence of these four "critical junctures" Eurasia has begun to grow much more rapidly, to become more economically integrated, and to become more fraught with ethnic and religious conflict, than during the 1950s and 1960s. A powerful, volatile, and yet increasingly integrated and inter-dependent new continent has emerged, in short, that an island nation like Japan, only a few hundred miles off its shores, simply cannot ignore.

A CHANGING CALCULUS OF RISK AND OPPORTUNITY

The heart of this emerging continental reality, of course, is the explosively growing new China which has emerged since Deng Xiaoping set his Four Modernizations in motion, beginning in the fall of 1978. China lies right at the center of the continent—a literal "Middle Kingdom"—with fourteen neighboring countries arrayed around its circumferences. The PRC's growth -and consequently rising political-military capabilities- are an inherent, deepening geopolitical challenge that has inevitably animated Japanese diplomacy since the mid-1980s.

A second reality of the new Eurasian continentalism, however, is the growth of an offsetting second power—India. Long economically static under the weight of democratic socialism, India has grown more market-oriented and economically dynamic since the reforms of the early 1990s. A massive peninsula extending far southward into the Indian Ocean, India

lies astride the energy sea lanes from Northeast Asia to the Middle East on which Japan relies for around 85 percent of its oil. India, as a major energy importer itself, which gets over 70 percent of its own oil from the Persian Gulf, is a natural ally to another maritime nation dependent on those energy sea lanes—namely Japan. The critical junctures that are facilitating a steadily more integrated Eurasia may thus also be generating a deepening challenge to Japan, even as they also, in the form of India, give rise to a potentially valuable new ally.

Critical junctures have, to be sure, helped to reduce the danger of continental Eurasia being riven by deepening geopolitical rivalries. No Sino-Russian conflict, for example, appears in prospect. In contrast to many regions, Eurasia has not experienced even one instance of inter-state warfare, except for conflicts provoked by the megalomaniac Saddam Hussein, at any time since the Chinese invasion of Vietnam in 1979. The collapse of the Soviet Union has much to do with this waning prospect of geopolitical conflict within the continent. Without the immediate presence of a well-armed and provocative super power, such as the Soviet Union previously represented, to serve as benefactor and soure of armaments, the nations of Eurasia have not been as inclined to inter-state conflict as previously.

Critical junctures like the collapse of the Soviet Union may have reduced the dangers of inter-state geopolitical rivalry. Other CJs, however, have conversely amplified the prospect of sub-national conflict. The 1979 Iranian Revolution, in particular, inflamed the millennia-old Sunni-Shia controversy, by rendering Iran a bastion of Shiite fundamentalism, and provoking Sunni Saudi Arabia to support by proxy a jihad in Afghanistan against the Soviet Union, on Iran's very borders. This deepening ethnic conflict perpetuated the danger of sub-national instability, even as the prospects of more dramatic inter-state conflict began to quietly wane across the Eurasian continent.

Taken together, the four critical junctures outlined above have produced a complex, holistic political-economic transformation within Eurasia that is much more fundamental than change limited to any one country. Through the Four Modernizations it has triggered the much heralded "rise of China", to be sure, and through Manmohan Singh's economic reforms a parallel "rise of India" also. Yet there are equally important synergistic effects, such as the explosive rise in energy demand, coal usage, and greenhouse gas

emissions flowing from these two nation-centric CJs. The inter-relationship since the mid-1990s between Sino-Indian growth and greater trans-national interdependence at the heart of the continent following the Soviet collapse has stimulated trade and incentives for the creation of new infrastructure, which in turn encourages more trade. And the greater sub-national volatility and intensification of ethnic conflict stimulated by the interplay of economic growth, social transformation, and religious fundamentalism has generated a sub-text of uncertainty and violence across the continent as well, particularly in traditionally Islamic areas such as the Levant, Afghanistan, and Central Asia.

JAPAN'S UNFOLDING RESPONSE

The continentalist challenge configured by the above four critical junctures has been unfolding since the late 1970s, as suggested above. Japan's response has been pronounced to some of the individual junctures, but has only incompletely responded to the overall holistic picture. And Japan's response, such as it has been, has significantly changed in character over time.

The juncture which has consistently produced the strongest Japanese response has been that to China's Four Modernizations—a response that was initially reactive to the American approach to China, but which began gaining its own independent character over time. When originally announced by Deng Xiaoping, the Modernizations were greeted with acclamation in Japan, as in the U.S. Deng undertook a triumphal tour of Japan in 1979, soon after his visit to the United States, and Tokyo provided major development assistance to the PRC that continued until less than a decade ago. Even as late as 2008, Japan continued to deepen diplomatic engagement with a rising China; Aso Taro presided over the first trilateral Japan-China-Korea summit at Fukuoka in that year.

The collapse of the Soviet Union also produced a Japanese diplomatic response, once again broadly reactive to changes in American policy. Japan deepened financial assistance to the new nations of Central Asia, becoming the largest donor in the world to several. It simultaneously explored with the Yeltsin Administration prospects for the return of the four islands

north of Hokkaido that had been occupied by the Soviet Union at the end of World War II, although those overtures were not successful. Prime Ministers Obuchi, Koizumi, and Mori proved especially proactive diplomatically in dealing with the Soviet successor states, while the Aso administration developed the most coherent strategic insight, in its concept of an "arc of freedom and prosperity", stretching across the heart of Eurasia from the Baltic states to Central Asia, toward which Japan should accord priority in its continental economic assistance and foreign-policy engagement.¹⁵

Japan's response to the other two unfolding critical junctures—the Indian economic reforms and the Iranian revolution—was less articulate than with respect to the Chinese and Soviet transformations. South Asia and the Middle East were relatively distant from Tokyo, especially in a diplomatic sense, and Japan was only slowly developing patterns of global engagement. As with Central Asia, Prime Ministers Obuchi, Mori, and Koizumi pioneered deeper patterns of engagement, which Abe Shinzo amplified during his first administration (2006–2007), and to which Fukuda Yasuo (2007–2008) contributed as well.

The four critical junctures, taken together, had synergistic effects which Japanese diplomacy has generally neglected, except for one: energy. Eurasia's growth and political-economic transformation since the 1970s has increased both the scale and the volatility of the continent's energy demand, and Japan has been perhaps the world's most sensitive major power to that development, due to its heavy dependence on imports from the Persian Gulf. Japan responded sharply to the first Oil Shock in 1973, shifting its diplomacy sharply to a pro-Arab stance during and after the Arab oil embargo of that year. If It also launched, under Prime Minister Tanaka Kakuei and MITI Minister Nakasone Yasuhiro, a proactive uranium-acquisition program, and sharply accelerated the building of domestic nuclear plants. Following the Iranian Revolution of 1979, Japanese general trading companies pro-actively bid for oil in the Persian Gulf, often generating tensions with Western majors, although the scramble for oil did not lead to proactive steps at the diplomatic level.

Nakasone himself continued to pursue a deep interest in energy and Middle East affairs as Prime Minister, echoing a set of concerns expressed as a young Dietman following the Iranian revolution of 1953. This included an effort at mediating the Iran-Iraq war in 1983, which was also supported by Ronald Reagan at the Williamsburg summit of that year. Even as a senior statesman, Nakasone continued to prioritize proactive Middle East diplomacy with an energy-security cast, dispatching his protégé Sato Bunsei to Iraq following Saddam's invasion of Kuwait, for a dialogue on conflict resolution, despite the clear displeasure of the White House.¹⁷

CONTINENTALIST CHALLENGE AND THE ABE ADMINISTRATION

By far the most clear-cut and proactive Japanese response to the four-fold transformation of Eurasia's continentalist challenge to Japan has come during the second Abe administration, inaugurated in December, 2012. To a greater extent than any other post World War II Japanese administration, except possibly for the abortive tenure of Hatoyama Yukio (2009–2010), Abe has broken from the previous pattern of Japan as a reactive state. Instead, he has pursued a course of independent Eurasian diplomacy that has at times quietly perplexed his most important ally, the Obama administration in the United States.

The most visible aspect of Abe's response to changes on the Eurasian continent has been his proactive set of policies toward China on history and territorial issues, which have been markedly more pronounced than during his first tenure as Prime Minister (2006–2007). The stage was set, in the view of many, by nationalization of several Senkaku islands late in the preceding Noda administration. Yet Abe has responded sharply, and arguably beyond Washington's comfort zone, to the ensuing escalation of Chinese political-military pressure. He also paid homage at the Yasukuni Shrine in December, 2013, producing outrage from China and South Korea, as well as quieter yet unmistakable displeasure also from Washington and the U.S. embassy in Tokyo.¹⁸

Japanese relations with Korea have also been painfully complicated by the combination of differences over history and territory, together with Yasukuni shrine visits. Deputy Prime Minister Aso Taro visited Yasukuni shrine only days after attending the inauguration of President Park Geun-hye, whose

own options with Japan are politically complicated within Korea by her father's quiet yet close relationship with Japan a generation ago. That visit, combined with Abe's own subsequent Yasukuni activities and pronouncements reportedly generated real personal bitterness. That sentiment, compounded by the economic attractions for Korea of relations with China, and the palpable indirect costs to Seoul of Abenomics, have soured Japan-Korea relations significantly.

Abe's most important response to Eurasian continentalism, however, has been his proactive new engagement with Russia. During the first fourteen months of his second Prime Ministership (December, 2012 to February, 2014), Abe held five summit meetings with Russian President Vladimir Putin, the last of them at the Sochi Winter Olympics. In Sochi Ave invited Putin to pay a major state visit to Tokyo in the fall of 2014, and Putin accepted. This accelerating summit diplomacy is building on a "two plus two" process of Russo-Japanese strategic dialogue, inaugurated at a gathering of Russian and Japanese Defense and Foreign Ministers, that has heretofore been reserved for US-Japan alliance relations.

The Abe administration has also continued "two plus two" diplomacy with another major Eurasian continental power, India, which began under the Hatoyama cabinet in July, 2010.²⁰ Abe also initiated regular consultations between Indian and Japanese National Security Advisors²¹. Indian Prime Minister Manmohan Singh visited Tokyo in May, 2013, and Abe returned the courtesy, visiting New Delhi in January, 2014. Emperor Akihito of Japan also paid a state visit to New Delhi, repeating a less formal journey that he had undertaken as Crown Prince, 53 years previously.²²

ASEAN has been a third pillar of Abe's approach to the Asian continent. In only a year, he has visited every one of the ten members of ASEAN. He has also invited the ten leaders of ASEAN to Tokyo, and accelerated the flow of Japanese ODA to the region. Much of that assistance is devoted to infrastructure projects that are quietly constructing a "southern Silk Road" linking Vietnam, Cambodia, Thailand, and Myanmar together, as to nations further west, including India and its neighbors.

Abe has also devoted attention, finally, to the nations of the Persian Gulf, and to the Middle East more generally. Shortly afer becoming Prime Minister, he visited Saudi Arabia, the UAE, and Turkey. In November,

2013, he visited Turkey once again, to inaugurate the first tunnel under the Bosporus, thus linking Europe and Asia, completed with Japanese technology and capital.²⁴ Abe also found his way, early in 2014, to Oman, and to Djibouti, perched strategically at the mouth of the Gulf of Aden, where Japan has established an overseas base of the Maritime Self Defense Forces, to support the struggle against piracy in Near Eastern waters.²⁵

Taken together with the escalation of Sino-Japanese tensions, it is clear that Abe Shinzo has devoted unprecedented attention to Eurasian developments—indeed, Eurasian continental challenges and opportunities have become a major focal point of Japanese diplomacy. Abe has not, to be sure, totally ignored US-Japan relations, and undertook a major visit to Washington in February, 2013 that achieved some significant new understandings in areas such as cyber-security. US-Japan relations have, however, occupied less relative prominence in Japan's overall diplomacy under Abe than has been true at virtually any point since 1945, and Japanese diplomacy in many instances has been anything but reactive to Washington's desires. Engagement with the Eurasian continent, particularly Russia, has conversely been more intense, to an unprecedented degree.

CONCLUSION

Geography, as we have seen, presents an enduring challenge to Japanese diplomacy, even in the ostensibly borderless world of the twenty-first century. Japan, an island nation, lies in close proximity to a massive, volatile Eurasian continent that is undergoing a rapid and complex transformation. This transformation amounts to much more, geo-strategically, than simply the rise of China, and offers both perils and opportunities for Japanese diplomacy.

For the past half century and more Japan has approached the Eurasian continental challenge reactively, as a function of its relationship with the United States. Under Abe Shinzo, Japan has become more proactive, especially toward Russia and China, creating new challenges for US-Japan alliance management as well. Those have been compounded by the relative current weakness of informal, Track Two trans-Pacific policy networks, by the

disruptive impact of uncoordinated policy actions on both sides, and by the significant ideological gap between a conservative Abe administration and markedly more liberal current policymakers on the other side of the Pacific.

NOTES

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- 12. On Japan's response to Deng's modernization program, see Ezra F. Vogel. Deng

Policy Recommendations

Going forward, given Japan's current vision for Eurasia, Tokyo and Washington can best improve their cooperation by stressing the following:

- Finding areas of solidarity and constructive collaboration in trilateral contexts where mutual interests are parallel, and where cooperation can aid realization of common goals. Coordinated assistance to ASEAN nations—particularly Burma, Indonesia, the Philippines, and Vietnam—appears most promising in that context. Apart from security cooperation, including strengthening local maritime surveillance and border-security capabilities in the South China Sea, cooperation in reducing greenhouse-gas emissions in countries such as Indonesia appears most plausible. Apart from ASEAN, Central Asia and South Asia also offer important areas for US-Japan cooperation with local interests, and for trilateral dialogues to plan future trilateral collaboration.
- Cooperative efforts to develop multilateral frameworks for freer trade, and for intellectual-property protection, that extend to continental Eurasia, while embedding shared US-Japan interests. Concluding the current TPP negotiations with the extending membership configuration, and then extending them to the continent more generally, should be the appropriate vehicle for achieving this goal.
- Better mutual trans-Pacific understanding on historical and territorial questions, with third-party rather than U.S. facilitation.

- Future-oriented policy research on how technological changes, such as the advent of cloud computing, as well as new technologies for resource exploitation, such as fracking and methane-hydrate extraction, will influence future prospects for both trans-Pacific relations and Eurasian continental economic evolution.
- More proactive Japanese efforts in Washington, D.C., as well as other global intellectual centers, to engage personally with global opinion-makers, and to explain Japanese policy initiatives and political actions in universally comprehensible and justifiable terms. Japanese policymaking, it is increasingly clear, stands today at an important point of inflexion. Given Japan's own vulnerabilities, national scale, and global dependence, it will need to respond to the broader world, including its natural and most important ally, the United States. Yet among Tokyo's over-riding imperatives, responding to the Eurasian continentalist challenge must inevitably also loom large, and it is in Washington's interest to help Japan in finding creative, cooperative ways to do so.

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- 14. Kent E. Calder. *Japan's Energy Angst and the Caspian Great Game.* Seattle: National Bureau of Asian Research, March, 2001.
- 15. Taro Aso, "Arc of Freedom and Prosperity: Japan's Expanding Diplomatic Horizons". Delivered at the Japan Institute for International Affairs, Tokyo, November 30, 2006. See the Ministry of Foreign Affairs website, at: http://www.mofa.go.jp.
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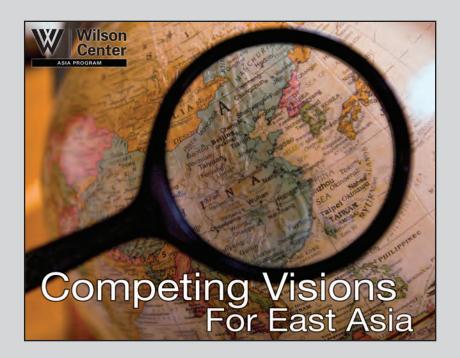
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