

EAST ASIA INSIGHTS

TOWARD COMMUNITY BUILDING

JCIE Japan Center for International Exchange

October 2015

Proactive Diplomacy for Peace Under Japan's New Security Legislation

HITOSHI TANAKA, *Senior Fellow, JCIE*

INTERNATIONAL SCRUTINY OF Japan's foreign policy direction and defense policy posture has been particularly intense in recent months. Prime Minister Shinzo Abe's August 14 statement on the 70th anniversary of the end of World War II brought renewed attention to the topic, while uncertainty and misunderstandings have arisen during the debate over the landmark security legislation that passed the Japanese Diet on September 19, permitting Japan to engage in limited forms of collective self-defense.

Given the ongoing structural changes occurring in East Asia, there is a need for Japan to adopt a more proactive approach to diplomacy and foreign policy. The legal changes introduced in the security bills should be effectively utilized to this end so that Japan and the US-Japan alliance may be better prepared to deal with the emerging security environment challenges.

However, this should not be construed as implying that Japan is "returning to militarism," as some have asserted. The profundity of Japan's postwar transformation remains undiminished and the Japanese people continue to cherish the peace and prosperity the postwar order has brought. Japan continues to forswear the right to use force to settle international

disputes, as stipulated by Article 9, the "peace clause" of the Japanese Constitution. Under the newly passed security legislation, Japanese security policy should still concern itself exclusively with the defense of Japan and the peaceful enhancement of the security environment, eschewing offensive military behavior and power projection. Japan can best position itself to play a more active—but unequivocally peaceful—diplomatic and foreign policy role by making clear how it will reconcile its need to be more proactive in security affairs while retaining its long-held commitment to peace.

The Abe Statement

In the lead-up to Abe's August statement reflecting on the 70th anniversary of the war's end, speculation was rife that tensions between Japan and its Asian neighbors would further deteriorate over historical issues. Nevertheless, despite the doomsday predictions, the Abe statement struck a balance that earned a favorable review from the Japanese public, satisfied his conservative political support base for the most part, and avoided any serious worsening of relations with China and South Korea. Most critically, Prime Minister Abe

acknowledged and upheld the war apologies of previous Japanese governments. He referenced the key words of “aggression” and “colonial rule,” stated that “Japan has repeatedly expressed the feelings of deep remorse and heartfelt apology for its actions during the war,” and declared that this “position articulated by the previous cabinets will remain unshakable into the future.”

While the Chinese and South Korean governments were not fully satisfied with the Abe statement as a sign that Japan was taking full responsibility for its history, their criticism was relatively restrained. ROK President Park Geun-hye, in a speech on August 15 commemorating the 70th anniversary of Korea’s liberation, noted that the statement “did not quite live up to our expectations.” Similarly, China’s Foreign Ministry called the Abe statement “evasive.”

Yet, the relatively restrained nature of China and South Korea’s criticism leaves the door open for serious efforts to improve trilateral relations. On the sidelines of China’s own World War II anniversary activities on September 3, Chinese President Xi Jinping consulted with Park regarding the possibility of restarting trilateral Japan-China-ROK summits. Follow-up efforts are now needed by all three countries to make this a reality. At the same time, having clearly upheld past Japanese government war apologies, it is time for Japan to shift its focus to the development of proactive and forward-looking diplomacy.

Japan’s New Security Legislation and the Right of Collective Self-Defense

The passing of the recent security legislation has been criticized in some circles as an attempt by Japan to return to militarism or to establish itself as a so-called “normal nation.” To be sure, the security bills slightly loosen the self-imposed constraints that Japan has chosen to maintain over the decades since regaining sovereignty in 1952. But the loosening of these restraints has been carried out within the framework of Article 9.

Specifically, Japan still restrains itself from exercising full-fledged collective self-defense, a right recognized as inherent to all sovereign states under the UN Charter. The new legislation permits the Japan Self-Defense Forces (SDF) to use force for the purpose of collective self-defense only if “an armed

attack against a foreign country that is in a close relationship with Japan occurs,” the attack “threatens Japan’s survival and poses a clear danger to fundamentally overturn people’s right to life, liberty and pursuit of happiness,” there are “no other appropriate means available to repel the attack,” and the use of force is limited to “the minimum extent necessary.” These are narrow conditions.

The bills also expand the permissible scope of SDF activities to enable it to provide rear-area logistical support to friendly countries, respond to “grey zone” incursions into Japanese territory short of an outright armed attack, and participate more effectively in UN peacekeeping operations (PKOs) in line with international norms.

The trigger for resorting to the exercise of collective self-defense should be read by both Japan’s neighbors and future Japanese governments as being related exclusively to defensive objectives. While some of the government explanations in the Diet debates may have been misleading—especially the example of a demining mission in the Hormuz Strait, which suggested that economic triggers such as an oil price increase would be permissible—Japan is still highly constrained in terms of pursuing collective self-defense as a tool to achieve any political or economic agenda.

Practically speaking, the security bills open the door for SDF participation in joint contingency planning, such as preparations for a crisis scenario on the Korean Peninsula. The SDF can also now provide more substantial rear-area and logistical support to friendly militaries in the event of a situation that would seriously influence Japan’s security. Hitherto, Japan was precluded from such contingency planning and was excessively restricted in the forms of rear-area support it could provide. For instance, treating injured US soldiers who may be sent back to the battlefield, or sharing surveillance reports on North Korean aircraft that could potentially be used to shoot those aircraft down, were considered an unconstitutional facilitation of other militaries’ use of force. The security bills address such shortcomings.

With regard to UN PKOs, past Japanese contributions were undermined by excessive restrictions beyond international and UN norms. SDF troops were under the protection of troops from other nations, but they were not allowed to help defend those very

soldiers who were protecting them. Bringing SDF participation in UN PKOs in line with UN norms will enable Japan to contribute more substantially to the peaceful enhancement of the international security environment.

Japan's Proactive Diplomacy For Peace—Five Key Principles

Japan's peaceful but low-profile foreign policy posture over the last 70 years has been a source of both praise and criticism. On the one hand, Japan has been commended for eschewing war. On the other hand, Japan has been disparaged for its passive checkbook diplomacy, including its lack of “boots on the ground” contributions during the first Gulf War in 1990–1991, as well as the asymmetrical nature of its security dependence on the United States.

Japan has chosen to maintain its low profile in foreign relations throughout the postwar era for two reasons. First, Japan chose to focus on becoming an economic rather than military power in part out of consideration of its wartime transgressions and the pain inflicted on other—especially Asian—countries. This approach was manifested in the Fukuda Doctrine, under which Japan pledged that it would (1) never again become a military power, (2) pursue equal relations with ASEAN countries, and (3) build “heart-to-heart relations with other nations based on mutual trust.”

Second, given that Japan is surrounded by two longstanding nuclear powers (China and Russia) and another country that aspires to be recognized as such (North Korea), it must continue to rely on the nuclear umbrella of the United States. While Japan has the financial and technological capabilities to develop its own nuclear weapons, such a move would be destabilizing. Domestic backlash would be palpable given the high degree of antinuclear sentiment among the Japanese public—a sentiment that derives from Japan's experience as the only country ever subjected to an atomic bombing. Internationally, Japan would be labeled a threat to international security and would risk upsetting the global nuclear order premised on the Nuclear Non-proliferation Treaty. In this sense, the maintenance of the US-Japan alliance is desirable not just for the defense of Japan and the US forward deployment strategy, but also for the preservation of the global nuclear balance.

Given the ongoing structural changes in Asia, there is a need for Japan to take on a more proactive diplomatic approach to peace. Those structural changes include the shifting balance of regional power; the rise of emerging economies such as China, India, and the ASEAN countries; decreases in US defense spending as it shifts toward a sustainable “lean-but-mean” posture; the shift away from hub-and-spokes-style security relations toward more integrated multilateral security frameworks; and the emergence of complex nontraditional security challenges that require intensive international cooperation, such as climate change, cybersecurity, and humanitarian assistance and disaster relief operations. As such, Japan's proactive diplomacy should be premised on the following five key principles.

Squarely Facing Up to History

The basis for the Japanese government's official recognition of history continues to be the 1995 Murayama Statement, which included an apology for Japan's wartime transgressions, and the 1993 Kono Statement, which included an apology for and recognition of the role of the Japanese military in forcibly recruiting some of the comfort women. There is absolutely no reason to back away from these positions in the future. Any statements or actions by Japanese political or social leaders that are seen as denying or downplaying this recognition of history cast doubt on Japan's future intentions. History issues must not be allowed to impede the deepening of mutual trust between Japan and its neighbors, nor disrupt the regional order amidst the shifting balance of power.

Maintaining a National Commitment to Peace

After its defeat in World War II, Japan transformed itself with the help of the Allied powers—especially the United States—and over the last 70 years has maintained a peaceful posture under the framework of Article 9. It has not fired a single bullet at another nation's troops in the postwar era. Japan has instead contributed to the international public good by taking on nonmilitary roles, including becoming a global leader in the areas of official development assistance, environmental cooperation, and political and institutional capacity building. Under the new security framework, Japan should still maintain this peaceful posture. While it can now engage more actively

in international security cooperation, Japan's basic security outlook must still be rooted in a defensive approach that does not use military means to pursue economic or political agendas.

Providing for Self-Defense and Enhancing International Security

The two key pillars of Japan's defense are the SDF and the US-Japan alliance. To ensure its security, Japan must continue to rely on the United States, and especially its nuclear umbrella. At the same time, however, the threshold for the United States to resort to the use of force internationally has been raised under the Obama administration in light of difficulties faced in Afghanistan and Iraq, and Asia-Pacific security cooperation is moving toward more multi-lateral networks with the alliances at their core. As such, Japan should take on greater responsibility for its own defense, increase cooperation with partners other than the United States such as Australia, India, South Korea, and ASEAN, and play a more active role in the peaceful enhancement of international security through the UN PKOs and other means.

Advancing Democratic Values

The foundational elements of Japan's democracy include not just elections but also a respect for the rule of law, human rights, and the principles of a market economy. As a democratic country, Japan need not limit its relations to those with other democratic countries. Within the current regional environment, deepening economic interdependence and developing constructive relations with nondemocratic nations is essential as well. At the same time, while Japan

cannot and should not use military force to promote democracy, it can act more quietly behind the scenes, including through institutional capacity building, to assist developing countries in establishing the foundational elements of democratic society.

Pursuing a More Active and Strategic Diplomacy

Future global economic growth and dynamism will undoubtedly be centered in East Asia. That economic growth will be accompanied by a rise in the military strength of countries around the region, ushering in a more multipolar landscape. Maintaining peace and order in the region amidst this shifting balance of power will require more than security measures alone. It will require creative diplomacy to realize win-win situations for all countries under an inclusive regional order. To this end, Japan must develop a proactive diplomatic strategy to further engage with the region and deepen cooperation through such means as the East Asia Summit, the Trans-Pacific Partnership, the Regional Comprehensive Economic Partnership that is still in negotiations, and the proposed trilateral Japan-China-ROK FTA.



By adhering to these five principles, and especially by pursuing a more proactive and strategic approach to diplomacy in Asia, Japan can contribute to the creation of a more stable and peaceful regional order.

Hitoshi Tanaka is a senior fellow at JCIE and chairman of the Institute for International Strategy at the Japan Research Institute, Ltd. He previously served as Japan's deputy minister for foreign affairs.

East Asia Insights

East Asia Insights is an occasional newsletter focusing on East Asia community building from the Japanese perspective.

Please direct any comments or questions to eainsights@jcie.or.jp.

Japan Center for International Exchange
www.jcie.or.jp

Japan Center for International Exchange, Inc. (JCIE/USA)
www.jcie.org