

IN-DEPTH ANALYSIS

Japan

Foreign and Security Policy at a Crossroads

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ABSTRACT

On 16 July 2015, the Lower House of Japan's Diet (the House of Representatives) approved a controversial package significantly reducing barriers to the deployment of Japanese defence forces overseas. This is the most significant change to have been made to Japan's security and defence policy since World War II.

The reforms promoted by Prime Minister Abe represent a fundamental shift in Japan's foreign and security policy since WWII. Abe's reforms are the logical consequence of a process of revision started more than twenty years ago with the end of the Cold War and later fuelled by the need to contest and contain the rising of China as a regional and global power.

These reforms, including the reinterpretation of Article 9 of the Japanese Constitution, have been undertaken in a context of constantly shifting regional balance in the Asia-Pacific region, where Japan has been increasingly threatened by both China and North Korea. This has prompted a significant upgrade in relations with the US and may pave the way for a new phase of Japanese foreign policy, but also has a negative impact on Japan's already lukewarm relations with the People's Republic of China (PRC) and the Koreans.

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Introduction

Prime Minister Abe's electoral programme included a revision of the role of Japan's armed forces

The Liberal Democratic Party (LDP) won Japan's 2012 political elections. Shinzo Abe, the LDP leader, regained the post of Prime Minister, which he had already held briefly in 2006-2007. The LDP's electoral programme was based on several ambitious, and in part unprecedented, political initiatives aimed, inter alia, at giving new impetus to the otherwise stagnant Japanese economy (the so-called 'Abeconomics'), revising the role of the country's Self-Defence Forces (SDF) and reinforcing Japan's international status and national pride.

The 2012 electoral campaign was marked by one of the most serious foreign policy crises experienced by Japan in its post-WWII history. The maritime dispute with China over the Senkaku islands, claimed by Beijing under the name Diaoyu, brought bilateral relations to their lowest point since their normalisation in the 1970s. Confrontation with Beijing resulted in a burst of nationalism that helped the LDP to win the elections and return to power after a three-year intermission.

Prime Minister Shinzo Abe's political programme included an in-depth revision of Japan's self-imposed restrictions on using the country's self-defence forces overseas, and essentially aimed to 'normalise' Japan's security and foreign policy and respond to the growing assertiveness of China.

1 Japan's foreign policy

Japan's foreign policy is more inspired by pragmatic considerations than ideology

Contemporary Japanese foreign policy does not differ excessively from that defined in the last half of the nineteenth century. Japan's foreign policy was traditionally not driven by ideological orientations. Rather, the challenge Japan faced – and met – was to ensure its survival in an international system created and dominated by more powerful countries.

As acknowledged by a scholar, 'that quest for survival remains the hallmark of Japanese foreign policy today. Tokyo has sought to advance its interests not by defining the international agenda, propagating a particular ideology, or promoting its own vision of world order, the way the United States and other great powers have. Its approach has instead been to take its external environment as a given and then make pragmatic adjustments to keep in step with what the Japanese sometimes refer to as "the trends of the time"¹.

Japan's foreign policy is dictated by its alliance with the US and competition with China

Japan's foreign policy has traditionally been influenced by two main factors.

The first is the difficult geographical environment coupled with an equally complex international context that contributed to Japan perceiving itself as

¹ Gerald L. Curtis, 'Japan's Cautious Hawks' (Foreign Affairs, 2013).

being extremely vulnerable to external hits and deprived of alternative workable policy options to the one currently privileged.

The political and security implications of these external hurdles are reflected in a bipolar structure involving the United States (Japan's closest traditional ally) and the People's Republic of China (whose rise is perceived both as a major threat but also an opportunity for Japan), the latter replacing the Soviet Union as Japan's main opponent.

The second factor relates to domestic policies: the revisited memory of old Imperial glories coupled with the persistent legacy of defeat and occupation contributed to the fragmentation and polarisation of contemporary Japan's internal debate over foreign policy, and secured the persistent popularity of the pacifist choice made after WWII and enshrined in the country's Constitution.

The Japanese Constitution prevents the country from having recourse to the military in settling international disputes

The 1947 Japanese Constitutional Chart² (which is largely inspired by that of the US) states in its preamble that 'We, the Japanese people ... have determined to preserve our security and existence, trusting in the justice and faith of the peace-loving peoples of the world.'

Furthermore, Article 9 states 'Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes. In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognised.'

This stipulation that 'land, sea, and air forces, as well as other war potential, will never be maintained' represents the legal framework that has so far supported the post-war Japanese pacifist choice³.

The so-called Yoshida Doctrine, named after Prime Minister Shigeru Yoshida (1948-1954), further placed pacifist principles at the heart of Japanese foreign policy. Under Yoshida's vision, Japan should focus on economic development, rely on the military alliance with the US as a basis for its security and keep a low diplomatic profile. Japan insisted in particular that its Constitution **prohibited it from exercising the right of collective self-defence** and thus from ever sending troops or vessels to help US military forces in combat operations. Japanese governments have generally upheld these principles for several decades.

Japan currently faces a thorough revision of its foreign and security policy

As power shifts across Asia and the wider world, the terms of leadership and global governance have become more uncertain. Japan, under Abe's leadership, started to rethink its own identity and strategic goals as a major regional power. Abe's recent policies are, however, the result of a slow

² Japanese [Constitutional Chart](#).

³ For an analysis of US-Japan relations in the field of security and defence, please refer to G. Packard, 'The United States-Japan Security Treaty at 50' (Foreign Affairs, 2010).

process in which Japan initially cautiously and then more assertively steered off its established foreign policy course. What is innovative, however, is the tenacious effort on the part of the Abe administration to remove legal hurdles on the deployment of military forces outside Japan.

2 Japan's alliance with the United States

The US has played a central role in Japan's post-war foreign policy

Japan's geopolitical role and position in Asia during the Cold War was comparable with that of West Germany in Europe. Both countries were occupied by allied forces and both were of significant strategic importance to the US.

For many years after World War II, the US was also Japan's main economic and trading partner. Washington wrote Japan's democratic constitution in 1947 and actively supported the country's reconstruction through economic assistance and by opening up its domestic markets to Japanese products. The alliance with the US, which many believed had lost its strategic rationale since the end of the Cold War, found a new rationale in the containment of China's political and military surge.

The US and Japan signed a military alliance treaty in 1960

The Treaty of Mutual Cooperation and Security⁴ between Japan and the United States of America was signed at Washington on 19 January 1960 and covers all the territories under Japanese administration, including the Senkaku/Diaoyu Islands and the other islands that were returned to Japan in 1971. The treaty also includes a large chapter on military cooperation and provides a legal instrument for the establishment of US military bases in Japan.

Relations with the US remain central in the political life of Japan, despite some ups and downs. The partnership with Washington is generally accepted and appreciated by the Japanese. This is a particularly important development when considering that in the late 1980s relations between Washington and Tokyo were characterised by public distrust and animosity. At present, the Japanese seem to support deeper integration of the two economies and are not ready to call into question the traditional alliance with the US⁵. Similarly, the Americans no longer see Japan as an economic threat and have gradually developed quite a positive attitude towards the Asian country.

The US 'Pivot to Asia' attributed a central role to the strategic partnership with Japan

After a period of partial disinterest that followed the collapse of the Soviet Union, the focus of US foreign policy has shifted to the Asia-Pacific region in a dramatic way. With the 'pivot' strategy⁶, the US intended to reaffirm its

⁴ [Treaty of Mutual Cooperation and Security](#).

⁵ PEW Research Center, ['What Japanese and Americans Think about Each Other'](#) (2013).

⁶ The US 'rebalancing to Asia' strategy took the shape of a coordinated set of policies, and is obviously dictated by security and political considerations, including the perceived need to counter the political, military and economic surge of China. Japan plays a key role in the US rebalancing strategy to Asia and represents, together with South Korea, Washington's most faithful ally in the region.

political role in the region and secure a stronger economic position, not least by concluding an ambitious Trans-Pacific Partnership (TPP) agreement. The new US strategy may be seen as a US response to China's increasing assertiveness in world affairs. In this context, the role of Japan as the US's major ally in the area has been somewhat strengthened, as demonstrated by the success of the recent visit paid by Premier Abe to Washington⁷.

At the presidential summit which took place on 28 April 2015, a 'Joint Vision Statement' was issued, strongly emphasising the Japanese support to the US-led international order and to the 'Pax Americana' in the Asia-Pacific region. The US backed Japan's decision to enhance the role of the SDF outside the archipelago and reiterated its decision to stand 'resolute and unwavering in all of its commitments under the US-Japan Security Treaty'⁸.

In the statement, both leaders stressed the complementarity and synergies of their security strategies in the Asia-Pacific region⁹ and, with a clear reference to China, insisted on the 'promotion of globally recognised norms' on 'freedom of navigation and overflight, based upon international law'.

3 US-Japan military cooperation

The role of Japan as ally of the US has become more effective and substantial in recent years

The Japanese Government strongly believes that projecting military force and preserving the military alliance with the US are 'insurance policies' for the country's national security. Prime Minister Shinzo Abe has not hidden his intention to expand the scope of Japan's security alliance with the US by, inter alia, jointly developing a regional missile defence system and a network of military satellites.

US-Japan defence cooperation is organised along the so-called 'Guidelines for US-Japan Defence Cooperation'. The guidelines in the past decades had essentially limited Japan's military role in a regional crisis to merely providing the US with military bases on its territory and logistical support (see, for example, the role of Japan during the Vietnam War).

Military cooperation between the US and Japan is governed by the Guidelines for US-Japan Defence Cooperation, the most recent version of which entered into force in 2015

The most recent versions of the Guidelines for US-Japan Defence Cooperation governing military cooperation between the two powers were adopted in 2010 and 2014, respectively. The 2010 revised guidelines reaffirmed Japan's peaceful goals of defence and deterrence under the US nuclear umbrella, but were forced to acknowledge that a 'global shift in the balance of power [...] along with the relative change of influence of the United States' has occurred in the Asia-Pacific theatre of operations. While acknowledging that Japan currently faces no serious threat of being invaded, the guidelines warn against the risk that disputes and confrontations may escalate into an open war.

⁷ Oxford Analytica, 'Abe's US visit tightens alliance ties' (1 May 2015).

⁸ The White House, [U.S.-Japan Joint Vision Statement](#) (28 April 2015).

⁹ Japan's 'Proactive Contribution to Peace' and the US 'Asia-Pacific Rebalance'.

The Guidelines identify a few 'grey zone' areas of concern covering the Korean Peninsula, the Taiwan Strait, and more generally mainland China, which is 'widely and rapidly modernising its military force' and intensifying its maritime activities in surrounding waters (e.g. Senkaku). This responds to the imperative of switching from a Cold War model of defence based on the containment of the Soviet Union and its allies (with China having limited maritime and air capacities) to a completely different model, which takes into consideration the enormous development of Chinese military forces as well as the long-standing threat represented by the Democratic People's Republic of Korea (DPRK).

The 2014 guidelines recently entered into force and include two new key features¹⁰:

- Firm US commitment to 'prevent the deterioration of Japan's security' with a clear reference to China;
- A pledge to cooperate in space and cyberspace security (a sector in which Japan is quite advanced).

Japan has gradually been given additional duties and military responsibilities, and US-Japanese military cooperation was expanded de facto to geographically undefined 'areas surrounding Japan' (in Japanese 'Nihon shuhen')¹¹.

4 The increasing rivalry with the People's Republic of China

Relations with the PRC, after an initial good start, have worsened in recent years

Relations with China have traditionally been at the heart of Japanese foreign policy. The post-WWII confrontation, with Beijing initially criticising Tokyo harshly for its lasting support to the US in the region, was replaced by a deep economic integration and a gradual easing of political relations.

WWII heritage still strongly influences Sino-Japanese relations, however. Unlike Europe, which decided to give birth to the European Communities and later to the European Union, no such move happened in North-East Asia. This was essentially due to two factors: the extreme polarisation of political regimes in the region (from the post-Stalinist North Korea to the relatively liberal Japan and South Korea) and the countries' inability to definitively settle issues inherited from wartime.

Moreover, any real regional integration process would have meant Japan having to undergo a deep rethink of its post-war institutional setting and a reflection upon the identity ('Western' vs 'Asian') of the country. Japan is also finding it very difficult to accept that its ruling role in Asia has been undermined by the surge of China, and to a lesser extent of other countries

¹⁰ Oxford Analytica, 'Abe moves Japan towards a greater military role' (3 July 2014).

¹¹ John W. Dower, ['The San Francisco System: Past, Present, Future in U.S.-Japan-China Relations'](#) (24 February 2014).

(such as South Korea), and would certainly not agree to act as a junior partner of its mighty neighbour¹².

China and Japan are largely dependent upon each other in economic terms

Chinese relations with Japan have been generally close and friendly for more than twenty years. Japan was one of the engines of China's economic take-off and the two countries grew progressively more and more intertwined. As described by a scholar: 'China needs to buy Japanese products as much as Japan needs to sell them. Many of the high-tech products assembled in and exported from China, often on behalf of American and European firms, use advanced Japanese-made parts. China could not boycott Japan, let alone precipitate an actual conflict, without stymieing the export-fuelled economic miracle that underpins Communist Party rule'¹³.

Despite good economic relations, the two countries have negative views of each other

However, despite deep economic integration, the two countries remain distant. A recent poll showed that 90 % of Chinese respondents held a negative view of Japan. Similarly, more than 70 % of Japanese respondents affirmed that they had a negative opinion of China¹⁴. The Chinese and (to a lesser extent) Japanese governments have played an important role in fuelling nationalism, often for domestic or electoral reasons that have nothing to do with the issues at stake.

Chinese leaders have also used nationalism to bolster the legitimacy of the Communist Party. Threatened by democratic pressures from below, China's ruling elite has tended to support nationalism as an alternative outlet for popular sentiment. Chinese public opinion plays a key role in keeping the issue high on the Chinese Government's agenda, while also preventing Beijing from finding a reasonable solution. The Chinese Government, taken by surprise by the reaction of the public opinion and fearing that further excesses against Japanese interests in China (boycott of Japanese products, damage of Japanese cars during riots, holding of sit-ins and other forms of protest) could cause the investment climate in the country to deteriorate, took appropriate measures to keep these forms of protest at bay¹⁵.

Historical heritage still plays an important role in PRC-Japan relations

History still plays a key role in Sino-Japanese relations. The memory of the Japanese occupation of China is still very present in Chinese public opinion. In recent years, celebrations to commemorate specific acts of war (the 'Rape of Nanjing' or the 1937 aggression) have multiplied. China still considers the apologies offered by Japan insufficient and has not completely closed the chapter of war reparations, as demonstrated by recent events¹⁶. Moreover, China reacted harshly to the Japanese Prime Minister's symbolic

¹² In the 1960s, Japanese scholars developed a theory known as the 'Flying Geese Paradigm', namely that Asian nations guided by Japan would catch up with the West in a formation reminiscent of the flight of a flock of wild geese.

¹³ Richard Katz, Mutual Assured Production, 'Why Trade Will Limit Conflict Between China and Japan' (Foreign Affairs, 2013).

¹⁴ BBC, [Annual service poll](#) (2014).

¹⁵ Richard Katz, Mutual Assured Production, 'Why Trade Will Limit Conflict Between China and Japan' (Foreign Affairs, 2013).

¹⁶ BBC, ['China seizes Japanese cargo ship over pre-war debt'](#) (21 April 2014).

visits to the Yasukuni Shrine in Tokyo. China joined other Asian nations in criticising Japanese history textbooks that de-emphasised past Japanese aggression, claiming that this distortion was evidence of the rise of militarism in Japan.

China has finally expressed concern about a potential Japanese military resurgence and strongly objected to Tokyo's 'two Chinas' policy vis-à-vis Taiwan. But the most important source of disagreement between Japan and China appears to be the maritime dispute over the Senkaku/Diaoyu Islands and the East China Sea (see below)¹⁷.

5 The Senkaku/Diaoyu maritime dispute

The most serious dispute that opposes Japan and China concerns the control of the Senkaku/Diaoyu Islands

On 23 November 2013, China announced the establishment of an Air Defence Identification Zone (ADIZ) in the East China Sea. The Chinese ADIZ extends well into what Japan considers to be its national exclusive airspace and includes an uninhabited archipelago known in Japan as the Senkaku Islands and in China as the Diaoyu Islands. Beijing's decision represents the latest development in a protracted dispute between China and Japan over the control of these islands and the nearby waters in the East China Sea.

Figure 1:
The Senkaku/Diaoyu Islands and the East China Sea



Source: The Economist

For its part, Japan appears unready to accept the Chinese claim over the desolate, barren archipelago, and has refused even to acknowledge the dispute's existence. The disagreement has resuscitated nationalist sentiments in an otherwise pacifist Japan, even leading to a revision of the constitution to allow the Japanese armed forces to assist allies, and to an

¹⁷ Roberto Bendini (DG Expo Policy Department), ['The struggle for control of the East China Sea'](#) (2014).

expansion of the country's military cooperation with the US.

Repeated provocations have inflamed the long-simmering dispute and brought the two countries close to an armed conflict. While there has been no exchange of fire, the dispute may destabilise the region and impedes further bilateral cooperation. Recently, however, the situation has improved. Japanese and Chinese leaders have agreed to hold security talks this year for the first time since 2011 and to set up a consultative mechanism to govern contacts in the East China Sea¹⁸.

President Xi Jinping and Prime Minister Shinzo Abe met for a handshake and brief talks on the sidelines of the Asia-Pacific Economic Cooperation (APEC) summit in November 2014. The meeting was short and (by all appearances) uncomfortable, but it seemed to represent a step forward towards possible normalisation of Sino-Japanese bilateral relations¹⁹. The continuous assertiveness of China in the East China and South China Seas has proved, however, that disputes are far from over. Japan took advantage of the G7 Summit (June 2015) to elevate these issues to the international stage, warning of the risks for regional security in the Asia-Pacific region²⁰. China replied to the Japanese attempt to sell the 'anti-China agenda at the G7 summit' by pointing out China's cooperation achievements on a global level – for example, the establishment of the China-led multilateral development bank (the Asian Infrastructure Investment Bank) in which several EU countries participate – and on a bilateral level with countries such as the UK and Germany²¹.

After three years of frozen relations, China and Japan have restarted work on the normalisation of their bilateral relations

6 Abe's security and defence programme

PM Abe envisages a restoration of Japan's role in world affairs and a more active foreign policy

The 2012 parliamentary elections were won by the LDP, and its leader, Shinzo Abe, who had previously served as prime minister in 2006-2007, returned to power with a comfortable majority. Along with its coalition partner, the New Komeito Party, the LDP secured the two-thirds of seats needed to pass legislation rejected by the House of Councillors, the Japanese Diet's upper house.

The new government was led by a prime minister who did not hide his intention to prevent any further deterioration in the country's geopolitical role, and promoted the return of Japan to its former strength and his wishes that Tokyo could play a larger leadership role in regional and world affairs. To secure these objectives, Abe proposed, inter alia, the removal of some of the legal constraints on Japan's military and the revision of the education

¹⁸ A. Panda, 'For First Time in 4 Years, China and Japan to Hold Security Talks' (The Diplomat, 9 March 2015), and S. Tiezzi, 'China, Japan Try to Tamp Down Maritime Tensions' (The Diplomat, 12 January 2015).

¹⁹ S. Tiezzi, 'At Long Last, a Xi-Abe Meeting. Now What? Chinese President Xi Jinping and Japanese Prime Minister Shinzo Abe met for the first time on Monday' (The Diplomat, 11 November 2014).

²⁰ P. Symonds, 'Japan ramps up pressure on China at G7 summit' (9 June 2015).

²¹ S. Tiezzi, 'China to Japan: Stay Out of South China Sea' (The Diplomat, 13 June 2015).

The debate on foreign policy and defence is not new in Japan's post-war history

The security reforms promoted by PM Abe involved several interlinked initiatives

The national security strategy has been updated in accordance with the new Government vision

system to encourage a stronger sense of patriotism in the country's young people.

Many observers considered that this expressed worries about Japan's rightward and nationalist shift. In assessing the current Japanese political scene and the strategic course that Tokyo is pursuing, however, it is important to remember that a right-of-centre government and a polarised debate on foreign policy are not new in Japan's post-war history, but there is no doubt that Abe is one of the most ideological of Japan's post-war prime ministers. According to one scholar: 'the key question to ask about Japan's future is not what kind of world Abe would like to see but what he and other Japanese leaders believe the country must do to survive in the world as they find it'²².

The reforms promoted by Abe involved several interlinked initiatives:

a) **The establishment of a National Security Council**

Abe first promoted the creation of a National Security Council (NSC), inspired by equivalent US and UK bodies and consisting of the prime minister, the chief cabinet secretary, and the foreign and defence ministers.

The NSC is tasked with improving information-sharing among the key security agencies to improve internal coordination and secure better crisis management.

b) **State Secrecy Law**

The government passed a law on 14 December 2013 aiming to enforce – for the first time – stricter controls on disclosures of secret information. The law was intended to reassure the US and other key partners that intelligence passed to Japan will be secure, thus paving the way for improved access to US intelligence.

c) **Revision of the Guidelines for US-Japan Defence Cooperation**

The Guidelines for US-Japan Defence Cooperation fix the amount of logistical support offered by Japan to the US in regional contingencies under the bilateral security treaty (please refer to chapter on US-Japan military cooperation above).

d) **National Security Strategy**

The National Security Strategy approved on 18 December 2013 states that Japan needs to 'strengthen the deterrence necessary for maintaining its peace and security and for ensuring its survival' and 'improve the security

²² Gerald L. Curtis, 'Japan's Cautious Hawks' (Foreign Affairs, 2013).

environment of the Asia-Pacific region [...] through strengthening the Japan-US Alliance²³. Japan is also called upon to help build an international society capable of maintaining international security based on universal norms and rules.

Under the revised Security Strategy, Japan should also be ready to move from a position of 'active pacifism based on international cooperation' to one of 'active contributions for ensuring global peace and security'.

e) [Revision of the National Defence Programme Guidelines \(NDPG\)](#)

The Japanese Self-Defence Forces' doctrine and capabilities have been thoroughly revised

The Cabinet also endorsed revision of the NDPG, which upgrades Japan's defence doctrine and evaluates the capabilities of Japan's Self-Defence Forces (SDF).

Recommendations included:

- the setting up of a 'marine corps' for amphibious operations to recapture remote islands;
- enhancing cyber-defence;
- improving intelligence capabilities.

f) [Lift of the ban on arms exports](#)

Export limits on arms and military systems have been further relaxed

On 1 April 2014, Japan relaxed the rules governing arms exports. Future exports of weaponry are allowed provided that they contribute to Japan's security and promote peace. Exceptions apply only to communist states or those under UN sanctions²⁴.

g) [Increased defence budget](#)

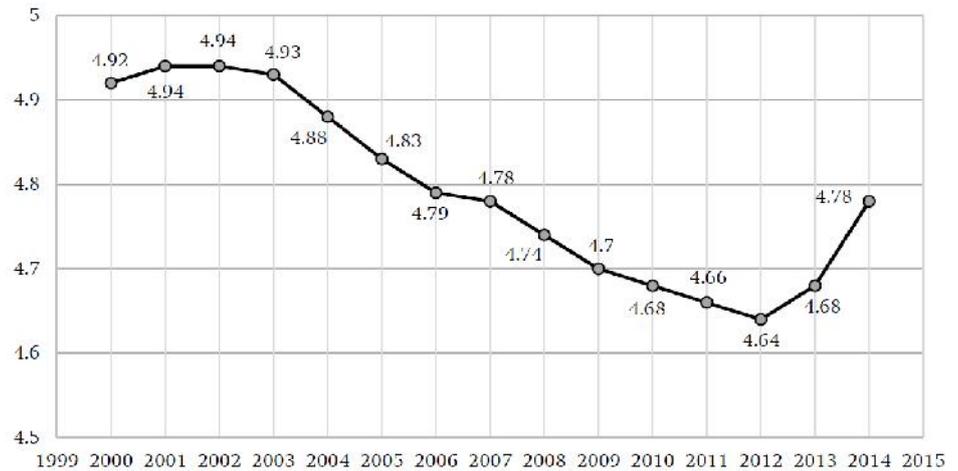
Japan's defence budget has been on the rise since 2012 but is still dwarfed by that of China

Owing to unfavourable economic circumstances, the Japanese defence budget dropped consistently in the first decade of the 21st century. This trend was stopped by the re-election of Shinzo Abe. As demonstrated by the chart below, defence expenditure increased sharply in 2013 and 2014, but without reaching pre-crisis levels.

²³ Japanese Government, [National Security Strategy](#) (2013).

²⁴ SWP Research Paper, 'Japan's security policy: a shift in direction under Abe?' (March 2015).

Figure 2:
The Japanese defence budget (in JPY trillion), fiscal years 2000-2014



Note: JPY 5 trillion corresponds to approximately EUR 36.4 billion (in March 2015). The expenditure does not include the costs of mitigating the negative effects of the US military presence on the local population in Okinawa.

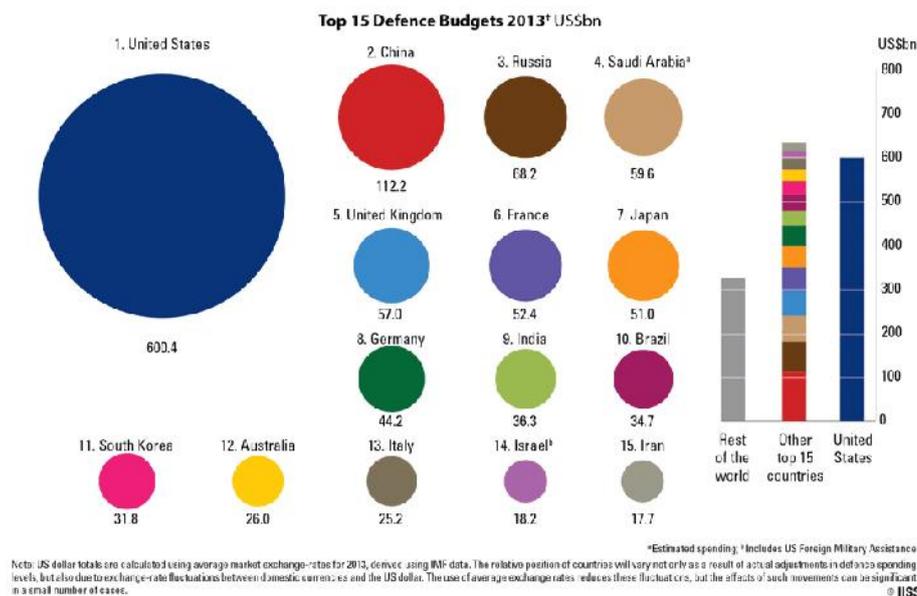
Source: White Book 2014.

Japan's defence budget further soared in 2015 in response to China's increasing military influence in the region and Beijing's maritime claims. The JPY 4.98 trillion (EUR 35 billion) budget approved by the cabinet for the fiscal year 2015 is up 2 % from last year and marks the third straight increase after more than a decade of cuts. This trend is likely to continue in 2016, as the Defence Ministry is likely to make a record budget request of more than JPY 5 trillion (EUR 36.4 billion).

It should be noted that China's defence budget largely dwarfs that of Japan. China is second only to the US in terms of military expenditure, while Japan ranked seventh, according to the International Institute for Strategic Studies in London (see chart below)²⁵.

²⁵ The Guardian, '[Japan reveals record defence budget as tensions with China grow](#)' (14 January 2015).

Figure 3:
Top 15 defence budgets (2013)



Source: International Institute for Strategic Studies, London

7 Towards a new concept of 'collective self-defence'

The 'core' of Abe's security reforms targeted Japan's self-imposed ban on the exercise of collective self-defence. During his first administration, Abe set up a Council on the Reconstruction of the Legal Basis for Security. Its report in 2008 argued that Japan should be in a position to help defend its US ally against ballistic missile strikes on US forces or attacks on US naval vessels in waters surrounding Japan. The report's recommendations were not implemented by subsequent governments, however²⁶.

The panel was reconvened in 2012 after Abe's return as prime minister, and completed its work in May 2014, recommending that the ban on collective self-defence should be abandoned entirely²⁷. On 1 July 2014, LDP and its government partner Komeito reached an agreement on the new concept of 'collective self-defence' and its exercise. The coalition parties agreed that this right will only be exercised under '**three new conditions**':

- An attack on another state poses a 'clear danger' to Japan's survival or to Japanese citizens' constitutional rights to life, liberty and the pursuit of happiness;
- There is no alternative way of repelling the attack and protecting Japan and its citizens without the use of force;
- The use of force must be limited to the minimum necessary.

The exact interpretation of these three conditions is still unclear. Referring

The revision of the concept of 'collective self-defence' is at the heart of Abe's doctrine

Extended military engagement is subject to three basic conditions, but flexibility can apply

²⁶ Report of the Advisory Panel on [Reconstruction of the Legal Basis for Security](#) (2008).

²⁷ Cabinet [Decision](#) on Development of Seamless Security Legislation to Ensure Japan's Survival and Protect its People (1 July 2014).

to 'clear danger', Prime Minister Abe indicated that serious interruptions to energy supplies are potentially sufficient to meet this requirement²⁸. The definition of 'no alternative' to the use of military power is open to interpretation, especially when considering a scenario where the US asks for Japan's direct military support under the current alliance treaty. Limitation of the use of force: Prime Minister Abe stated that, in general terms, the need to keep the use of force to a minimum would prevent Japan from deploying its armed forces for combat in the territory of another state, with the exception of minesweeping operations in another state's territorial waters.

The Japanese Government made it clear that it does not intend to rewrite the 1947 Constitution

The Government made it clear that the new Cabinet Resolution did not represent revision of the 1947 Constitution, but was just a 'reconsideration' of legal prohibitions around the exercise of force²⁹. Abe knew that he was unlikely to achieve the majorities necessary to fundamentally amend the Constitution, either in the parliament or by means of a referendum, but this nevertheless remains the ultimate goal of his strategy.

On 16 July 2015 Japan's House of Representatives finally adopted the controversial defence package

To implement its new model of 'collective self-defence' in accordance with the 2014 Cabinet decision, the Abe executive had to introduce several bills (11 in all) to parliament to provide for the necessary legal framework for the SDF's extended activities.

The reform was rather unpopular and faced severe criticism from both opposition parties and constitutional experts

On 16 July 2015, the Lower House of Japan's parliament finally approved a controversial package, and this despite strong reservations by both opposition parties and experts. The bills were in fact passed in an almost half-empty chamber because the opposition parties (the Democratic Party of Japan, the Japan Innovation Party, the Japanese Communist Party and the Social Democratic Party) refused to take part in the vote as a sign of protest. In a hearing organised by the Diet's Research Commission on the Constitution, all three experts summoned concluded that the package of new security bills proposed by the Government was in breach of Japan's Constitution.

The bills were also rather unpopular among Japanese public opinion. A poll published by the Japanese newspaper *Mainichi* on 7 July 2015, one week before the vote in the Diet took place, showed that the Abe cabinet's approval rating (42 %) had fallen below its disapproval rating (43 %) for the first time since he took office. The majority of Japanese citizens (58 %) expressed opposition to the legislative reform, while 52 % considered the legislation to be unconstitutional³⁰. A poll carried out by another Japanese newspaper, *Yomiuri*, showed similar patterns. Media polls also showed that

²⁸ Chief Cabinet Secretary Yoshihide Suga has, however, introduced a possible exception to this principle. Speaking about missile attacks on an ally, he stated that this might justify Japan striking against enemy missile bases.

²⁹ Oxford Analytica, '[Abe moves Japan towards a greater military role](#)' (3 July 2014).

³⁰ The *Mainichi*. Half of public see Article 9 as primary contributor to Japan's postwar peace (14 August 2015)

the majority of the public believed the government had not explained the proposed changes sufficiently. A protest organised on 15 July 2015 outside the Japanese Parliament gathered 100 000 people.

The legislative reform is currently pending before the Upper House (House of Councillors) where the ruling coalition enjoys an overwhelming majority, and it is therefore expected to be finally adopted as early as late September this year.

7.1 Reactions

China and the Koreans expressed serious concerns about the Japanese decision

China criticised the vote of bills by the Japanese Diet. PRC's Foreign Affairs Ministry spokesperson Hua Chunying questioned whether Japan was 'abandoning its pacifist policies', and urged Japan to 'stick to the path of peaceful development' and avoid harming the region's stability³¹.

The Government of South Korea has also in the past urged Japan to 'contribute to regional peace and security' and called for transparency in Japan's defence policy discussions. It also stressed that 'South Korea will never tolerate Japan's military move without Seoul's prior consent if it affects the security of the Korean Peninsula or hurts its national interests'³².

Despite the lack of public support, the vote by the Diet is likely to have pleased the US, as well as other Asian countries that perceive the increasingly assertive Chinese foreign policy as a potential threat to their national security or oppose the right of Beijing to control the South-East China islets and waters.

Conclusions

The reforms promoted by PM Abe represent the most fundamental change in Japan's foreign and security policy since WWII

The reforms promoted by Prime Minister Abe represent the most fundamental change in Japan's foreign and security policy since WWII. Abe's reforms are the logical consequence of a process of revision started more than twenty years ago with the end of the Cold War and later fuelled by the need to contest and contain the rising of China as a regional and global power.

These reforms, including the reinterpretation of Article 9 of the Japanese Constitution, have been undertaken in a context of constantly shifting regional balance in which Japan feels increasingly threatened by both China and North Korea. This has prompted a significant upgrade in relations with the US and may pave the way for a new phase of Japanese foreign policy. Japan, in fact, despite the limited financial resources available, could play an increasing role in South-East Asia and enhance cooperation with other Asian countries potentially opposed to Chinese hegemony (e.g. India,

³¹ Foreign Ministry Spokesperson Hua Chunying's [Remarks](#) on Japan's House of Representatives Approving New Security Bills (16 July 2015).

³² Yohnap Press Agency, '[S. Korea urges transparency in Japan's defence policy](#)' (16 July 2015).

Vietnam and the Philippines).

The new self-defence rules are likely to strengthen the perception that Japan has become a 'normal' country

The new interpretation of the self-defence rules is likely to strengthen the perception that Japan has become a 'normal' country, in terms of its ability to constructively contribute to global and regional security and defend its strategic interests.

Tokyo has to find its place and redefine its role in a rapidly changing international order, which implies a reorientation of its foreign policy and consequently a diversification of the instruments for implementing this policy.

Despite its conservative shift, Japan is not likely to modify its overall pacifist attitude

The changes introduced in Japanese legislation and the relaxation of certain military constraints are not likely, however, to represent the first step towards a resurgence of Japanese militarism and imperialism, and this despite nationalist policies downplaying Japan's responsibility for war and atrocities committed in the first half of the 20th century. In fact, revisionist policies soil the reputation of Japan abroad and increase mistrust of Prime Minister Abe's initiatives.

Public opinion in Japan is very nervous over the direction of the country's defence policy and remains extremely sceptical about an extended use of military power. The government has emphasised many times that Japan has simply reasserted an existing right³³ and that strong political and legal safeguards are in place to constrain how it is exercised, but this may not be sufficient to appease public opinion.

Excessive flexibility and lack of transparency in applying the new rules may represent a risk in the case of international crisis

The deliberate ambiguity surrounding the details of the new rules guarantees the Japanese Government significant leeway in deploying its forces in overseas operations, and paves the way for interpretations which may further broaden the scope of the reform. The Japanese Government, however, has limited experience in handling high-pressure challenges to national security, and excessive flexibility and lack of transparency may well increase tactical and strategic risks should regional tensions intensify.

³³ Article 43 of the [Charter](#) of the United Nations.

Annex: Selected list of bills passed on 16 July 2015³⁴

a) **Law on Response to Contingencies**

The revised law enables Japan, in line with the 'three new conditions' (see above), to use force even if it is itself not under direct attack, in order to assist another state and thereby protect its own security.

b) **Law to Ensure Security in Contingencies Significantly Affecting Japan**

This bill replaces the 1999 Regional Contingencies Law, which specifies Japanese logistical support for the US in peacetime, armed attacks on Japan and regional security contingencies.

The new law removes strict geographical divisions between security scenarios and enables cooperation with the US and other allies on a global scale if in Japan's security interests.

c) **International Peace Support Law**

This bill removes the need for Japan to enact separate laws each time it dispatches its SDF to provide logistical support to multinational forces.

d) **International Peace Cooperation Law**

Revisions to this law will enable Japanese troops engaged in UN peacekeeping operations to use force in pursuing certain duties rather than solely for the direct defence of Japanese personnel.

e) **Self-Defence Forces Law**

Revisions to this law will enable protection of the United States' and other countries' armed forces, and the rescue of Japanese nationals overseas.

f) **Ship Operations Inspection Law**

Revisions to this law may enable participation alongside other countries in interdictions deemed necessary for international peace operations.

³⁴ Oxford Analytica, 'Defence legislation realises Abe's goals' (11 June 2015).