



**THE BEGIN-SADAT CENTER FOR STRATEGIC STUDIES**

# Changing Japanese Defense Policies

Eyal Ben-Ari



Mideast Security and Policy Studies No. 112

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**THE BEGIN-SADAT CENTER FOR STRATEGIC STUDIES  
BAR-ILAN UNIVERSITY**

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# Changing Japanese Defense Policies

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# Changing Japanese Defense Policies

*Eyal Ben-Ari*

## EXECUTIVE SUMMARY

East Asia is marked by numerous volatile security issues: struggles over unresolved territories; disputed sea and air lanes; North Korea's missile threats and nuclear program; piracy and insurgencies; and the growing militarization of most of the countries in the region. In particular, a rapidly-arming China makes this area potentially explosive. Chiefly in response to the perceived weakness of President Obama and to threats from China, Japan's leaders have decided on a more proactive (rather than reactive) security stance. This has not been a sudden shift: in response to regional and worldwide developments, for over twenty years Japan has been slowly complementing its economic diplomacy with a greater emphasis on military power, and a gradual hardening of its defence posture. But recently, Prime Minister Shinzo Abe has accelerated changes in national security policies, under the title "proactive pacifism," as part of a new strategic equation in East Asia. Initiatives include a new National Security Council and National Security Strategy, new National Defense Program Guidelines, a new legislative basis for security activities, a new cyber-security unit, and more lenient guidelines for arms exports. Moreover, these steps have ended a decade of reductions in Japan's defense expenditures, and the 2015 defense budget is the largest in the country's history.

Japan is at a watershed in its reactions to its security environments, in particular to its East Asian surroundings. Two key questions arise: Is there is a possibility of a formal revision of Article 9 of the constitution, prohibiting the country from maintaining an offensive military? And is there any likelihood of Japan actually using its military power? Further reinterpretations of the constitution do seem likely, in order to allow Japan to gradually deploy more troops abroad as part of collective security, but this does not imply the remilitarization of Japan or its development into a threat to regional stability. They entail, however, accelerated progression towards the use of armed forces to meet a number of pressing challenges to Japan's security.





# Changing Japanese Defense Policies

*Eyal Ben-Ari*

## INTRODUCTION

In December 2012, following three years in opposition, the Liberal Democratic Party (LDP) returned to power, in coalition with the much smaller New Komeito Party. The return marked the beginning of the second Shinzo Abe administration (the previous one was a short stint in 2007), and this was followed by a third Abe administration, which began after a snap election called in December 2014 brought a resounding victory.

This period has seen the prime minister embark on several ambitious initiatives, spearheaded by policies aimed at fostering economic growth. Alongside these, however, he has also initiated important changes in national strategy and security that he has called "proactive pacifism," as part of a new strategic equation that has been developing in East Asia over the past decade. These changes have included: the establishment of a new National Security Council; formulation of the National Security Strategy (NSS); enactment of the Information Protection Law; formulation of new National Defense Program Guidelines (NDPG); a reconstruction of the legal basis for security measures; the formation of a new cybersecurity unit; and formulation of new guidelines regulating arms exports.<sup>1</sup> In addition, Abe's initiatives have signalled an end to a decade of reductions in defense allocations. The defense budget proposed for 2015 is the largest in the country's history in absolute terms, and is slightly more than the one percent of GDP to which it has historically been limited. While these transformations have been led by Abe (and his colleagues within the Liberal-Democratic Party),

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they actually build upon a series of steps taken by his predecessors, especially since the end of the Cold War. The two main factors that have prompted these changes have been the continued development of China's military power, and the perception that the support of the United States has weakened somewhat, becoming less of a deterrent.

Against this backdrop, this report examines the changes that Japanese security and defense policies have undergone in recent decades. This analysis is important because Japan seems to be at a watershed in terms of reacting to (and acting upon) its security environment, in particular in terms of its East Asian neighbors. The region is marked by a host of potentially volatile issues: conflicts over disputed territories (from the Kuriles in the north to the Senkakus in the south); disputed sea and air lanes; North Korea's missile threats and nuclear program; piracy and insurgencies in South East Asia; and a steady arming of most of the countries in the region. Above all, it is China's rapid development of its military and weapons systems that makes this area so potentially explosive, both on a regional and a global scale. It is primarily in response to threats from China, and to the perceived weakness of the United States, that Japan's leaders have decided on a more proactive (rather than reactive) stance towards security issues. Thus, in response to regional and worldwide developments, for over twenty years Japan (with the world's third largest economy and the world's fifth largest military budget) has been slowly changing the nature of its international relations by complementing its economic diplomacy with more emphasis on military power and a gradual hardening of its defence posture.

Most commentators on Japan's security scene describe this development using a variety of images that convey gradual and incremental evolution towards a model more characteristic of industrial democracies.<sup>2</sup> To be sure, current Japanese security policies are very different from the ones that Prime Minister Yoshida pioneered in the 1950s, but to view recent developments as marking a radical change is to miss the long term cumulative changes that have preceded them.<sup>3</sup> Hence, some commentators have called these developments variously "reluctant realism,"<sup>4</sup> "normalization,"<sup>5</sup> or "salami slicing" of anti-militarist constraints.<sup>6</sup> Current policy changes do not represent a wholesale revamp of Japan's post-war security regime, because the Abe administration

both builds on and is accelerating changes that have taken place since the end of the Cold War.<sup>7</sup> As Prof. Narushige Machishita of the National Graduate Institute for Policy Studies cautions,<sup>8</sup> Abe's moves can be seen as a fundamental shift only in the specific context of Japan's post-war history and its strong anti-militarist sentiments. We are witnessing a process of evolution rather than revolution.<sup>9</sup>

This study will argue that the two key interconnected questions that arise from Japan's accelerated normalization are both related to potential changes in the country's constitution, changes that would allow Japan to assert its full military power as part of its new proactive defense stance. The first question is whether there is a chance for a formal revision (not a further reinterpretation) of Article 9 of the constitution, which prohibits the country from maintaining an offensive military. The second is whether, given present reinterpretations of constitutional limitations, there is any chance that Japan will actually use its military power.

## CHANGES IN THE EXTERNAL ENVIRONMENT

What have been the main transformations in Japan's external and internal environments that enabled or accelerated these multifarious changes? Put broadly, there have been two significant shifts in the regional strategic and security situation: first, China's emergence as a global power and its strategic assertiveness in the Asia-Pacific region; and second, the response of the US, called the "pivot" or "rebalance" to Asia.<sup>10</sup>

### *China*

By far the most important factor has been China's intense militarization and constant testing of its power through a range of local, limited moves comprising air, maritime and occasionally ground encroachment on disputed territories around it. From Japan's perspective, the most potentially severe dispute with China concerns the Diaoyu/Senkaku Islands. Japan's official stand is that it "owns" the islands, and hence any Chinese encroachment legitimates an armed response. In addition, China's announcement of its new "Air Defense Identification Zone"

in November 2013 (effective immediately) represents another friction point, as the zone extends beyond accepted limits into areas held by Japan, South Korea and Taiwan. Furthermore, Chinese navy vessels and fishing boats regularly intrude into Japanese (and South Korean) areas, and in the fiscal year ending March 2013 Japan scrambled fighter jets 306 times in response to Chinese aircraft.<sup>11</sup>

While seemingly local, behind such disputes – and China is involved in numerous others in Southeast and South Asia – lies a much broader shift, in which China is positioning itself as a regional power. A prime indicator is the series of military and commercial facilities it is setting up along the Pacific and Indian Oceans, as part of what is known as the “String of (strategic) Pearls.”<sup>12</sup> Regional incursions should therefore be seen alongside China’s investment in armed forces, its increasing technological sophistication, and its growing participation in peace-keeping missions. For instance, while Japan’s defense budget was for many decades larger than China’s, by the middle of the 2000s it had lost this supremacy. Moreover, these figures may well be underestimates, due to the opacity of China’s military build-up.<sup>13</sup>

Against this backdrop, Japanese security officials see China as posing two interrelated challenges:<sup>14</sup> its increasingly coordinated policy of tailored coercion aimed at gaining authority and control over its near seas and airspace; and the rapid expansion and improvement of the People’s Liberation Army. It is no surprise, then, that the NSS refers specifically to China’s “attempts to change the status quo by coercion,” and to the need to be able to “recapture and secure without delay” remote islands that have been invaded.<sup>15</sup> And as the new security guidelines note, “China has been rapidly advancing its military capabilities in a wide range of areas through a continued increase in its military budget without sufficient transparency.” The document also criticizes Beijing for its aggressive actions in the East and South China Seas, insisting that they are “incompatible with the existing order of international law.”<sup>16</sup>

For its part, China has consistently reacted sharply to any changes in Japanese security policies and actions. It sees Japanese declarations about China’s actions as an excuse for its own increased militarization, and worries that with its new arms export deals Japan will be creating

alliances that are harmful to China's interests. Hence Japan's new security strategy received angry reactions, with China's defense ministry quickly decrying Japan's attempts to "create regional tension and roil the regional situation."<sup>17</sup> China's concerns stem from the fact that it is one of the world's countries most dependent on trade carried by merchant ships. The problem, as it sees it, is that this trade must pass through the East and Southeast Seas into the Pacific and Indian Oceans. From China's perspective, the first obstacle potential adversaries may use to interdict its sea trade is the chain of islands stretching from Japan's main islands through the Ryukyus (Okinawa) and to Taiwan, the Philippines and all the way to Indonesia. As a result, it is building a naval power to protect its maritime trade.

In contrast, Japan is taking advantage of the geographical edge it holds vis-à-vis China. Japan is already an impressive naval power with a very strong submarine and destroyer fleet. In accordance with its new plans, it will add a number of important new capabilities, including first-class maritime air interdiction, stealthy strike, rapid reaction forces, and C4ISR. All of these capabilities will be useful in defending Japan's southwestern islands, but just as important, they will also allow the Self-Defense Force to operate more effectively in an international coalition. Washington can multiply the effect of Tokyo's new defense policy with a real defense strategy of its own. US forces can build facilities, field new capabilities, and help upgrade allied forces.<sup>18</sup>

At the same time, despite this acute mutual suspicion on defense issues, China and Japan are deeply integrated in trade (actively negotiating a trilateral free-trade agreement with South Korea), and China relies on Japan for the high-tech materials used in many of its exports.<sup>19</sup> Accordingly, Japan's decision to strengthen its posture vis-à-vis China does not only mean containment. All of Japan's key decision makers realize that stable relations between Japan and China are essential for the stability of the entire Asia-Pacific region. Thus official policy is that Japan will "strive to construct and enhance a mutually beneficial relationship based on common strategic interests with China in all areas, including politics, economy, finance, security, culture, and personal exchanges."<sup>20</sup> Even on the East China Sea issue, the situation is hardly escalatory, since the parties involved have embarked upon a common framework

to avert or prevent unexpected situations. And indeed, in October 2014, the governments of Japan and China announced that they will begin a process for peacefully resolving the dispute over the Senkakus.<sup>21</sup>

Despite this, attitudes toward China indicate increasing gaps between the two countries. At the end of 2014, a record 88 percent of respondents said Japan-China relations are “bad” and another record of 91 percent said they do not trust China.<sup>22</sup>

### *North Korea*

The second major challenge reflected in the new security strategy is that of North Korea. This country presents a host of threats that include the latest test firing of missiles in 2009 and 2014,<sup>23</sup> and incursions by spy ships in 1999 and 2001. A still highly potent and as yet unresolved issue is that of the kidnapping of Japanese nationals in the 1970s and 1980s. These kidnappings are so important to the Japanese public that a special government minister is in charge of dealing with North Korea’s abductions. But by far the most serious menace posed by the leadership of North Korea for Japan is the potentially lethal combination of unpredictability and a nuclear arsenal (North Korea carried out three nuclear tests between 2006 and 2013). The new NSS indicates that Japan will cooperate closely with its allies to urge North Korea to take steps towards denuclearization.

More widely, during the recurrent cycles of North Korean missile and nuclear testing, negotiations and sanctions, Japan has gradually lost ground in its effort to shape events on the Korean Peninsula.<sup>24</sup> Japan’s security community is still transfixed by the “missile shock” of 2006, when North Korea launched several missiles into the Sea of Japan during tests of its long range Taepodong-2 missile. Today, the ballistic missile threat from the North remains the one of most pressing defense concerns for the country’s leaders. Of less concern from a Japanese defense perspective is North Korea’s million-man army or its significant – but aging – navy. Thus, since the ascendance of Kim Jong-un, Tokyo has put greater emphasis on ensuring it is prepared militarily for a more unpredictable North Korea, and has strengthened its support for UN Security Council sanctions on North Korean proliferation. These developments are the

context for Japan's decision to further develop and extend its missile defence capabilities,<sup>25</sup> including for example the introduction of PAC-III and SM-3 ship-borne missile defences, and the deployment with the United States of X-band radar. In addition, Japan has instituted changes to its command and control protocols to address missile defense concerns, and has requested funding for yet another layer of ballistic missile protection, the Thermal High Altitude Area Defense (THAAD).

### ***Russia***

A lingering set of issues clouds Japan's relations with Russia. Towards the end of the Second World War the Soviet Union occupied the Kuril Islands that Japan refers to as the Northern Territories, resulting in a sovereignty dispute between the two countries that continues today.<sup>26</sup> Japan's new security strategy notes the importance of cooperation with Russia in all areas, and emphasizes the intention to begin negotiations concerning the islands with the purpose of signing a peace treaty.<sup>27</sup> Yet at the same time, for the past few years, Japan has had to scramble its planes tens of times a year in order to oppose Russian incursions into its air space (in 2014 Russia doubled its incursions).<sup>28</sup>

### ***Other Threats***

While it is China and North Korea that primarily preoccupy Japan's leaders, a number of other threats should be mentioned. Cyber threats and cyber security are increasingly seen as presenting a range of risks that only a national response can handle (in 2011 hackers attacked Mitsubishi's defense manufacturing arm). Japan has therefore established a cyber defense unit within the SDF.<sup>29</sup> International terror threats are also identified by the government (terror organizations have attacked Japanese nationals in countries as diverse as Peru, Iraq and Libya), and are seen as necessitating preventative measures through both security means and economic policies addressing the root causes of terrorism. As of yet, however, Japanese responses to kidnapping - for example of two hostages in 2015 - is limited to negotiations and the use of international intermediaries. Finally, in reaction to international piracy, Japan has participated in the Somali mission and has signed on to continue its presence in that region.<sup>30</sup>



### *United States*

The centrality of Japan-US ties harks back to defeat in the Second World War and America's military occupation, when the groundwork was laid for Japan's international relations policy. Since the 1950s, the guiding idea has been that a strong alliance with the United States would enable Japan to "strengthen the deterrence necessary for maintaining peace."<sup>31</sup> This alliance has not been straightforward, however, and for decades Japan has been caught between its reluctance to engage the SDF in missions outside Japan, and American demands for it to take a much more proactive security role in the region.<sup>32</sup>

In the fall of 2011, President Obama announced a strategic decision called the "pivot" or "rebalance" of foreign policy to the Asia-Pacific region (away from the Middle East). This shift involves a whole-of-government approach that includes economic statecraft, promoting alliances, advancing democracy and human rights, encouraging emerging powers, engaging with multilateral institutions, and an increased military presence.<sup>33</sup> Essentially this pivot was intended as a response to the "China Dilemma": on the one hand, China's potential for playing a very important role in global issues such as nuclear non-proliferation, economic recovery, climate change and countering terrorism; and on the other, the potential threat posed to regional stability by its growing militarization.

However, among key Japanese decision-makers and the wider public, one finds a growing scepticism about US support, in particular regarding the commitment of President Obama. A Yomiuri-Gallup survey found that while strong US-Japan ties endure, some perception gaps have widened. Although the majority of Americans and Japanese continue to think that the relationship is good, and mutual trust remains relatively high, this year's responses showed a slight drop compared to 2013. Prime Minister Abe's visit to the Yasukuni Shrine and continued strained relations with US ally South Korea could be a factor on the US side. For the Japanese, there may be some doubts about US political stability, in particular the declining prestige of the Obama administration, and about Washington's continual efforts to reach out to China. Thus, overall public opinion regarding the relationship between Japan and the United States has worsened in both countries.<sup>34</sup>

In this sense, the turn to Asia suits Japan's long term aim of cultivating strong security ties with the United States. As in previous decades, the idea is that international actors such as China or North Korea must believe that aggression towards Japan will be considered as aggression towards the United States. As such, if they launch an attack on Japan, they attack the United States as well. Yet many in Japan have become sceptical. Obama's blurred "red line" on Syria was read in Asia as lack of commitment, determination, coherence and consistency.<sup>35</sup> Given Japan's long-term dependence on the US armed forces, the questioning of American credibility is intensified by successive cuts in America's defense budget. And Japanese leaders are doubly concerned in light of Chinese military growth and investment in low-cost diesel submarines, anti-ship missiles, cyber warfare capacity, and acquisition of anti-satellite weapons. All of these actions are intended to push back US carrier battle groups and challenge the global connectivity of America's high-technology forces. The worry then is that the United States' extended deterrence may be decoupled from Japan, and China will be able to gain leverage over virtually every other country in the region.<sup>36</sup> These concerns are intensified by North Korea's missile and nuclear development, and by new security threats in space and cyberspace.

To address these worries, Japan and the United States compiled an interim report on revising defense cooperation guidelines, the first revision in 17 years. The report recommends increased collaboration (in surveillance and reconnaissance, logistics support and asset protection) by removing geographical limits and ensuring a "seamless" response to security challenges (basically enhancing the interoperability of the two countries' forces). As Defense Minister Akinori Eto explained, the report also proposes that Japan prepare security legislation needed for exercising collective self-defense.<sup>37</sup>

It is these circumstances that form the background for the significant changes in security and defense policies that the Abe administration has undertaken.

## CHANGES IN SECURITY AND DEFENSE POLICY

While the strategies adopted by the Abe administration should be seen as the extension of a series of previous steps, they most directly extend initiatives taken during the previous tenure of the Democratic Party of Japan (DPJ) from 2009 to 2012. During those years, Japan and the United States held discussions about reorienting the Japan Self-Defense Forces (henceforth SDF) to take on more missions, and about reinvigorating their alliance with more equitable burden sharing.<sup>38</sup> In this respect, it is important to note that it was the 2010 National Security Guidelines that shifted Japan's doctrine from a reactive and basic defense concept towards an approach called "dynamic defense," promoting a proactive, flexible, and highly mobile SDF, with an emphasis on advanced technologies, intelligence and surveillance capacities, and amphibious warfare procurement. In short, the latest guidelines issued by the Abe government largely build on the concepts put forth by the DPJ government a few years ago. Yet it is also important to understand what concrete changes Abe's initiatives entail.

### *New Security Strategy and New Security Guidelines*

In December 2013 – a week after China declared a new air-defense information zone in the East China Sea<sup>39</sup> – the Abe administration issued Japan's first-ever National Security Strategy (NSS) doctrine, intended to address the country's complex diplomatic and security challenges. Based on the idea of a "Proactive Contribution to Peace," the new defense doctrine goes beyond the realm of hard security to encompass a stronger role for the SDF in humanitarian assistance and disaster relief efforts. Consequently, while the SDF's modernization and new mandate remains largely defensive in the East China Sea, it is to become proactive on soft security issues. Along these lines, the strategy defines national security in terms of diplomacy and defense, and proposes that Japan become more proactive in three areas: maintaining a regional balance of power; deterring and coping with local contingencies in the area; and contributing to international security activities led by the United Nations.<sup>40</sup> Building on the idea of "dynamic defense forces," the strategy entails a shift in force structure and deployment based on

strengthening the country's naval and air forces, and a new security framework enabling Japan to take part in collective self-defense within the framework of the US-Japan alliance.<sup>41</sup>

The emphasis on protection of sea lanes is linked to Japan's fear of a rising China, and especially to Japan's being an export-oriented economy and a giant energy consumer heavily dependent on natural and energy resources from the Middle East. Accordingly, the NSS stipulates that Japan will provide assistance for countries alongside these sea routes by enhancing their maritime law enforcement capabilities and by strengthening cooperation with partners who share its strategic interests. Special emphasis is placed on relations with India, as the country is "in the center of the sea lines of communication, being of geopolitical importance for Japan."<sup>42</sup> While many LDP politicians advocated a "first-strike" capability against missile bases to prevent a possible North Korean attack, the government did not take this step, fearing it would alarm its neighbors such as China and South Korea. Building on these strategic objectives, Abe revised Japan's National Defense Program Guidelines and Mid-Term Defense Plan. These specify that security is based not only on static defense, but that the development of the SDF's rapid deployment and wide-ranging logistical support capabilities is a necessary condition for deterrence, specifically in the south-western region of the country.<sup>43</sup> This point involves prioritizing maritime and air superiority based on joint operations and operational integration. Of particular interest are "gray zone" scenarios that comprise neither pure peacetime nor military contingencies, but that may linger and develop over time into more serious circumstances.<sup>44</sup>

As part of the NSS, the prime minister has steadily toured countries around the world looking for opportunities to link Japan in bilateral ties. Along these lines, in addition to agreements on exports or joint technological development, Japan has either signed or is discussing a host of security cooperation agreements with countries in South and South East Asia. These countries include India<sup>45</sup> and Sri Lanka,<sup>46</sup> Laos and Cambodia,<sup>47</sup> Thailand,<sup>48</sup> Indonesia,<sup>49</sup> Vietnam,<sup>50</sup> Malaysia,<sup>51</sup> Myanmar,<sup>52</sup> and the Philippines.<sup>53</sup> Underlying these moves is a clear message the Abe government is making, namely, that Japan is a central

actor in shaping and maintaining the stability of the international and especially the regional order. In effect, what is emerging is an informal anti-China alliance.<sup>54</sup>

### ***National Security Council***

One of the most significant structural changes, alongside the establishment of a new security strategy, has been the establishment of a new US-style National Security Council (NSC), also in December 2013. The council's aim is to provide a regular forum for discussing strategic issues under the prime minister's aegis, and to help make more effective decisions.<sup>55</sup> This new structure is aimed at overcoming institutional barriers in the country's security and defense bureaucracy and optimizing intelligence gathering and analysis. While Japan's decision-makers have used other forms of security and defense councils for several decades, these have proved inadequate due to information silos and bureaucratic red tape. Abe's failure to procure accurate and timely intelligence during the hostage taking of several Japanese citizens (nine of whom were killed) in Algeria seemed to mark another tipping point justifying the need for swifter and more centralized national security decisions.<sup>56</sup> In addition, a crucial goal for the new NSC is stronger collaboration with key allies, most importantly the United States.<sup>57</sup>

The core of the new council will be its "4-Minister Meeting," consisting of the prime minister as chair, assisted by the chief cabinet secretary along with the ministers of foreign affairs and defense. The hope is that this structure will focus discussions and allow the prime minister and his top advisors to direct foreign and defense policies, regarding national security, more efficiently. By contrast, the previous security council involved a "Nine Minister's Meeting" that included ministers from finance, public safety, internal affairs, trade, and transport. This latter forum is to continue functioning, but primarily in order to maintain the civilian control function for the NSC. Another new type of structured meeting will focus on specific emergencies, with its composition to be decided depending on the nature of the crisis at hand. Supplementing these forums will be the newly established National Security Secretariat, in charge of planning and coordinating national security as well as preparing for the ministerial meetings. The secretariat comprises a group of seconded bureaucrats and analysts from foreign affairs, defense and public safety.<sup>58</sup>

For all of this, the effectiveness of the nascent NSC remains a lingering question. Given the way Japan is run, with constant bureaucratic infighting and continuous emphasis on long formal processes, the ability to streamline intelligence information remains a serious impediment.<sup>59</sup> Moreover, Tokyo still lacks a foreign intelligence agency like the CIA that is focused on providing timely intelligence and analysis on national security developments in the region. While the creation of such an institution would very likely inflame ties with Japan's neighbours in Northeast Asia still further, its absence may expose vulnerabilities within the NSC in the future, especially in light of dynamic developments in the East China Sea. Another potential hurdle is the recruitment and sustainability of a core of national security and intelligence analysts to serve the secretariat. Currently the secretariat is predominantly staffed by bureaucrats assigned from other ministries, an approach that may be unsustainable in the long term.

### ***Budgets: Enhanced Capabilities and Procurement***

Together with the creation of a new security strategy and the founding of the NSC, the government announced plans for a five-year military build-up. Spending is to increase in the coming five-years by about five percent over the previous five-year plan, to around ¥24.7 trillion (\$240 billion), while the number of personnel in the SDF will remain the same.<sup>60</sup> Spending is intended to strengthen Japan's control of the sea and air around the country, and among the hardware to be procured are seven destroyers (making 54 in all), six submarines (making a total of 22), a second unit of 20 F-15 fighter to be deployed on Okinawa, 28 F-35 Lightning fighter jets, additional early-warning aircraft, 17 Ospreys for surveillance and mobility, and new unmanned drones.<sup>61</sup> There will also be increased funding for joint rapid response forces, especially units that can detect and respond to a possible attack on offshore islands. This financial support implies forming something along the lines of the US Marine Corps, designed as a landing force from the sea, to include 52 amphibious vehicles to defend offshore islands as well as enhanced and more effective airlift and refuelling capacity for sustained operations.<sup>62</sup>

In addition, Japan's Coast Guard, which functions as a paramilitary force, will receive a similar boost to its budget, as tensions with China and South Korea over disputed islands have increased and North Korean spy ships have entered Japanese waters.<sup>63</sup> Furthermore, Japan will continue to invest in ballistic missile defenses (including two more Aegis-equipped destroyers) to thwart any North Korean attack, while also building capacity to respond to major disasters, whether domestic or overseas. As part of the move to counter China, the new defense plan will further invest in preserving America's extended deterrence and force presence, while ensuring that it has more submarines, superior fighter aircraft, and an increasing focus on much more effective and realistic joint training at US bases (such as Guam, the Northern Marianas, Hawaii, and the continental United States). Finally, Japan also appears serious about investing in cyberspace and outer space, for both intelligence and operations.<sup>64</sup>

However, the budget increase is actually relatively modest.<sup>65</sup> While this budgetary allocation represents a yearly three percent increase in defense spending and constitutes the largest defense increase in Japan in more than two decades, it still represents less than one percent of Japan's GDP. Hence, despite the fact that Japan has a very large military in terms of overall budget, as a percentage of GDP its defense spending is uniquely low among developed major powers. By comparison, South Korea spends 2.8%, and China spends roughly 2% of its GDP on defense. This gap reflects Tokyo's continued uncertainty regarding how to deal with China's rise, and its underlying reluctance to rearm significantly.

### ***Defense Industries and Exports***

Historically, the Japanese defense industry has been characterised by isolationism, low dependence on defence revenue, and local production that is often licensed from the United States. Production costs are high for several reasons: generous defense spending, based on the allocated one per cent of GDP that has grown in absolute terms with Japan's economic success; the fact that so few products are exported, implying low (and therefore expensive) production numbers; the expense of

domestic research and development; and the fact that public investment in Japan tends to be uneconomic and aimed largely at gaining local voter support. However, the Japanese defense industry has been and still is the major supplier of the nation's armed forces.

By the late 1970s the country's firms developed and produced an almost complete range of equipment including aircraft, armored vehicles, artillery, and surface and underwater naval vehicles (some produced under license). To put these developments in perspective, according to the Ministry of Economy, Trade, and Industry, domestic defense manufacturing amounted to about ¥1.9 trillion in 2007, or 0.6 of the nation's total industrial production. Compare this to the US defense industry, which was valued at some ¥25 trillion at the very least.<sup>66</sup> In 2007 there were around 1,300 firms involved in some capacity in the production of tanks and other military vehicles, another 1,100 building parts for the F-15J fighter jet, around 1,200 tied to Patriot missile production, and some 2,200 businesses involved in constructing Aegis-equipped ships. The major players include internationally-known manufacturers Mitsubishi Heavy Industries, Sumitomo and Kawasaki Heavy Industries, automakers, including Toyota Motor Corp., and dozens of small and medium-size specialist producers and IT firms that are unknown outside of the country's defense industry.

A key dimension of Japan's new security strategy is developing and promoting the country's arms industry.<sup>67</sup> It has been announced that the Ministry of Defense has allocated some four billion dollars for research on experimental engines and stealth technology. Additionally, a research fund modelled on the US Defense Advanced Research Projects Agency (DARPA) has been established to help the country's universities engage in joint research projects on defence technology, particularly aviation and radar surveillance.<sup>68</sup> There are reports that the new agency could also utilise technologies from those civilian companies, such as Sharp or Kyocera, that have up hitherto refrained from involvement in military research.<sup>69</sup>

Closely related are revisions in policies regarding arms exports. Back in 1967 the country's parliament decided that, in keeping with the country's pacifist post-war constitution, it should restrict exports of



military equipment. In 1976 the policy was hardened into a ban on almost all foreign sales of weaponry.<sup>70</sup> However, the first significant move came in December 2012 when the government established the Guidelines for Overseas Transfer of Defense Equipment, based on the need to engage more proactively and effectively in peace contribution and international cooperation. The expansion of this initiative by Abe is important, since there is in fact nothing in the constitution that explicitly bans arms exports, and the ban enforced for decades has always been a policy decision.<sup>71</sup> The extension of the new policies is also related to Abe's emphasis on economic growth and stimulation. In this endeavor, the country's arms exporters are building upon Japan's global reputation as the producer of high-tech, affordable cars, quality consumer goods and shipbuilding.

A case in point is the joint Japan-US development of a sea-launched anti-ballistic missile interceptor to shoot down North Korean missiles. Washington protested that because Tokyo funded part of it, America would be violating Japanese regulations by exporting it to third parties. In 2011, after much discussion, the administration of Prime Minister Yoshihiko Noda decided to ease the regulations in order to allow sales of weapons produced as part of bilateral defense agreements. This decision opened the route to forging a host of bilateral defense agreements with other countries. As a consequence, Japan is now negotiating defense deals with a number of Asian and European powers: the sale of 15 US-2 seaplanes to India is imminent and will be Japan's first-ever major arms export; in July 2013, Japan and the United Kingdom agreed to cooperate on nuclear, biological and chemical warfare research;<sup>72</sup> at the beginning of 2014, Japan signed an agreement with France to jointly develop military equipment, although the two countries have yet to decide which weapons to work on;<sup>73</sup> it has begun discussing security cooperation with Italy;<sup>74</sup> and it is now also considering sharing technology from its highly successful Soryu-class diesel submarines with Australia.<sup>75</sup> While Turkey expressed interest in the engine powering Japan's latest tank, it was rejected because of domestic opposition to Turkey's poor human rights record.<sup>76</sup> Finally, in 2014 twelve Japanese firms appeared at the Eurosatory Defense Fair for the first time.<sup>77</sup>

### *A New State Secrecy Law*

In November 2013 Japan's parliament – the Diet – passed a state secrecy bill aimed at tightening the government's control of information sensitive to state security. It enabled the government to classify over twenty kinds of data related to counter-terrorism, defense, and diplomacy as "special state secrets."<sup>78</sup> While "greatly respecting" the public's right to know, potential leakers such as civil servants could nevertheless face up to 10 years in prison, and those who instigate leaks, including journalists, could be subject to five-year prison terms. After the passage of the bill, criticisms were quickly sounded and calls made to establish independent oversight entities, since the law's definition of "specially designated secrets" is too vague and leaves too much room for interpretation.<sup>79</sup> Indeed, the bill set off objections both within and outside of the country from media and rights groups who sounded alarms about a possible reversion of the country to its pre-war experience of censorship and repression.<sup>80</sup> As a result, in September 2014 the government stated that it was revising the guidelines for this law.<sup>81</sup>

### *Attitudes within the SDF*

In general, the initiatives of the Abe government have been received within the SDF with a great deal of understanding and satisfaction. Serving officers see these initiatives as important for three main reasons. First, the new policies and guidelines fill a legal vacuum by clarifying what the SDF is or is not allowed to do in diverse situations. In short, they provide unambiguous and simpler rules for action. Second, a number of officers mentioned that the government's emphasis on security has had an educational effect on younger Japanese, in that it has raised awareness of Japan's defense challenges and of the role of its armed forces. In this sense, Abe's measures are part of wider change in the standing of the SDF in Japanese society. While in the past decades officers and troops felt excluded from society, there has been much greater acceptance of the SDF since the disasters of March 2011 (the tsunami and nuclear meltdown at Fukushima). And third, the new shifts have contributed to the motivation of troops not only by clarifying the importance of domestic missions (such as disaster relief or reconstruction) or even peace-keeping, but by emphasizing that the real mission of the forces is to train for armed conflict.

## **USING MILITARY FORCE: REINTERPRETATION NOT REVISION OF THE CONSTITUTION**

In light of the above, the key question is whether Japan will ever use its military force in cases where there is no direct aggression against it. This question actually comprises two subsidiary questions, one formal and one practical. The first involves the possibility of formally revising or reinterpreting Article 9 of the constitution, to allow the deployment of armed forces in scenarios not defined as a response to aggression against Japan. The second entails whether, given a suitable legal framework, Japan's decision-makers would in fact decide on such use.

Article 9 of the constitution stipulates: "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... To accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained." A pillar of the post-war constitution, Article 9 has not been revised since its promulgation. However, one possible revision was suggested in the early part of Abe's current administration, which immediately resonated with domestic and international worries about Japan's shift to the political right (signalled by the LDP's convincing electoral victory). Concerns about the move to the right were reinforced by continued visits of elected government officials to the Yasukuni Shrine, where Japanese war leaders convicted as criminals by the Allied Tribunal are enshrined and venerated. Accordingly, Abe's visit at the beginning of his period in office drew harsh domestic reactions, very strong condemnations by China, South Korea and Singapore, and declarations of unease from the United States.<sup>82</sup>

What lies behind the Yasukuni controversy is something unique to Japan's historical legacy. Many Japanese debates about security focus on more than military hardware and strategic plans, and also relate to the country's past as the imperial aggressor of the war. At the beginning of the 1990s, then Prime Minister Ozawa argued that the country should become a "normal" state in terms of its security policies, and that changes were needed in legal constraints on the SDF (Article 9). Since then, this contention has become, and still is, the main frame

for debates among politicians, administrators, members of think-tanks, representatives of the media, academics and military officers. Any significant change in defense touches upon Japan's ability to throw off external and self-imposed restraints which for half a century produced a disjuncture between its economic status and its restricted status in the security realm. In a significant sense, then, transformations in the areas of security and defense center on the question of whether Japan is becoming a "normal" country with a "normal" constitution.

To begin with, it should be noted that a reform of the constitution is not inherently anti-constitutional, and is in fact perfectly legitimate.<sup>83</sup> In fact, calling for a formal change to Article 9 is much healthier for the country's constitutional democracy than its extended reinterpretation.<sup>84</sup> Indeed, there have been drafts of new constitutions that have been created by different bodies, with the most significant one formulated on the basis of consensus within the LDP in the middle of the 2000s.<sup>85</sup> In 2012, while in opposition, the LDP again promoted a version of the draft in order to clearly differentiate itself from the ruling DPJ. Today, Abe has the party behind him, which is why his 2014 proposal to allow Japan to participate in collective self-defense was perhaps seen as more reactionary than the previous one.<sup>86</sup>

As things stand, however, the probability of revision in the near future seems very low. One reason for this is that changing Article 9 cannot be disconnected from a wider revision of the constitution, entailing such issues as the Emperor system (specifically the requirement for male lineage as heirs). There is still strong resistance to any such revision as poll after poll reveals; in January and May 2014 over fifty per cent of those polled opposed any revision allowing collective self-defense.<sup>87</sup> In addition, the opposition parties, more pacifist members of the LDP and of its coalition partner, and very large swaths of media are all against major constitutional change.<sup>88</sup> Indeed the Japan Bar Association opposes any revision, and in 2014 a group of lawyers proposed that Article 9 be put up for the Nobel Peace Prize, gaining much public support.<sup>89</sup> Finally, while the US may be in favour, there is overwhelming opposition from Japan's neighbors, who would see constitutional alteration as a sure sign of a return to pre-war militarism.<sup>90</sup> While a revision may be accepted by some countries

allied with the US, South Korea is especially resistant, since it considers the second greatest threat after North Korea to be not China but Japanese pre-war militarism.

Reinterpretation of the constitution, however, is another matter. In fact, the idea of reinterpreting Japan's constitution to allow for collective self-defense in limited situations is not particularly new. Probably the most significant reinterpretation of the constitution was in 1954 when Japan established the SDF,<sup>91</sup> and the latest initiative is a natural progression of the road Japan has travelled since the 1950s in terms of defense.

In any case, in 2014 the government decided to reinterpret the constitution to allow for collective self-defense, but only within a number of limited scenarios, such as protecting other peacekeepers in missions or intercepting missiles fired over Japan towards Hawaii.<sup>92</sup> The LDP thus accommodated its coalition partner, the New Komeito Party, by introducing qualifications limiting the exercise of collective self-defense to areas that directly affect Japanese national security. This move will also allow Japan to provide its allies with far greater logistical support, and to cooperate on intelligence, surveillance, reconnaissance, and cyberwarfare.<sup>93</sup> In this respect, it is important to note that a recent Mainichi poll found that the right to collective self-defense was not the voters' main interest in the election of 2014.<sup>94</sup> Rather, economic and social issues were seen as of prime importance.

In this way, despite Abe's pledge that operations involving the SDF will not breach the limits imposed by Article 9, the government has actually opened the door for Japan to dispatch its forces to international security operations. To restate the point, from a historical viewpoint, none of these changes is revolutionary. The success of this reinterpretation was enabled by continued public support and Abe's own political strength: the LDP dominates both parliamentary houses, and there are many first-timers in the lower house who are much more dependent on the support of the party's headquarters. Moreover, since the prime minister has approval ratings of around 50% (very high for a Japanese prime minister), there is little incentive for his competitors in the LDP to rise against him. In addition, even among the opposition parties there is considerable support for reinterpretation. Finally, an added factor is popular support for the SDF and the US-Japan alliance.

As a result of its role in the recent earthquake disasters, support for the SDF is at record levels, with 92 per cent viewing it positively.<sup>95</sup>

This reinterpretation thus continues a process that began with the end of the Cold War and the first deployment of the SDF to a peacekeeping operation in Cambodia (and later to other parts of the world).<sup>96</sup> Since then, the country has upgraded the Defense Agency to the level of fully-fledged ministry in January 2007,<sup>97</sup> and initiated a surge of legislative activity, with over twenty major pieces of defense-related legislation having passed the Diet since 1992. Among the most important of these are the Peace Keeping Operations Law of 1992, the Law Concerning Measures to Ensure the Peace and Security of Japan in Areas Surrounding Japan of 1999, the Ship Inspection Operations Law of 2000, and the Iraq Reconstruction Special Measures Law of 2003. These legal changes have signalled the abandonment of the concept of the SDF as purely intended for defense of the home islands, and the adoption of the view that overseas combat operations capacities are normal and essential.

## CONCLUSION

Despite the success of reinterpreting the constitution to allow collective self-defense, there is still a question as to whether, when push comes to shove, the country's decision-makers are willing and able to actually use military force. Making it possible to exercise the right to self-defense and actually exercising that right are two different things. Paul Bacon posits that the key question regarding the current changes is whether Japan will act independently, since Abe's initiatives seem to enable a fundamental change in this respect. The answer that this report presents is a qualified yes; it argues that against the backdrop of the route Japan has travelled since the end of the Second World War, and especially since the end of the Cold War, there is a real, if limited, chance that it will actively deploy its military power.

A major characteristic of any state is its monopoly over the means of organized violence, and the armed forces represent the main tool for managing and deploying such means. From this perspective, the steps taken by Japan over the past sixty years, and especially during the past

two decades, have clearly shifted it ever closer to the explicit use of armed violence. In terms of operations, Japan has moved from financial support (the First Gulf War), to logistical support (refuelling NATO ships supplying troops in Afghanistan), to peace-keeping (as in Cambodia and the Golan Heights), to peace-maintaining (as in Iraq and the Sudan), and on to active missions against piracy (Somalia). Each step has been further supported and amplified by a number of processes: successive interpretations and reinterpretations of the constitution; the promulgation of special laws; and ever-increasing joint exercises and actual missions with a growing diversity of partners (the United States, South Korea, Taiwan, Australia, and ASEAN). Moreover, from one stage to another, not only has the Japanese public increasingly accepted the normalization of the country's military stance, but support for the SDF has progressively increased. Each step has thus been a qualitative shift towards the explicit utilization of the country's forces against armed foes.

While full-scale conflict is not envisaged in East or Southeast Asia, there are distinct possibilities for a host of other lesser contingencies that may lead to armed reactions against various incursions, harassment or even the occasional act of outright aggression against Japan. As decision-makers see it, if left unchecked, such hostilities may develop into much more serious crises. Reactions to such aggravations and assaults, including the deployment of forces and armed responses (albeit very limited), would seem to fit well with the gradualism characterizing Japan. To be sure, given expanding Chinese capabilities and possible North Korean provocations, Japan will most likely avoid acquiring its own nuclear deterrent and in this respect will continue to be dependent on the United States. However, it will continue forming formal alliances with third countries, and can relatively easily eclipse traditional limit on defense spending of one percent of GDP. All of this does not imply, as a long line of commentators have claimed, the "remilitarization" of Japan and its development into a threat to regional stability. Rather it entails a rational, if accelerated, progression towards the use of armed forces as a means to meet a number of pressing challenges to Japan's security.

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<sup>96</sup> Hugo Dobson, *Japan and United Nations Peacekeeping: New Pressures, New Responses* (London: Routledge, 2003).

<sup>97</sup> *Japan Times*, January 7, 2007.



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