



# PERSPECTIVES

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## Japanese Defense Policy Is Changing

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**EXECUTIVE SUMMARY:** Japan's defense policy is changing incrementally. Evidence of this was recently provided by Japanese DM Taro Kono, who stated publicly that a preemptive strike by Tokyo on North Korean missile bases would be legitimate if Pyongyang had decided to launch missiles at Japan.

On July 8, 2020, during a discussion held by the Japanese House of Representatives Security Committee, DM Taro Kono was asked by lawmaker Go Shinohara (a member of the Constitutional Democratic Party of Japan) if a preemptive strike on an enemy missile system in the booster phase would be seen as a violation of the Japanese constitution (particularly Article 9). Shinohara did not specify which enemy state, but the implication was North Korea.

Kono responded this way: "It would not be unconstitutional to strike an enemy launch pad or base before a missile launch, instead of waiting for the missile's booster phase."

This response demonstrates that Japan's self-defense policy is changing under PM Abe Shinzo.

Japanese defense policy is bound by constitutional and other legal limitations. It is also constrained by its military alliance with Washington, as well as by the potential reactions of the regional Asian powers. One example of the way these constraints have influenced Japan's defense policy was Tokyo's decision to refrain, in deference to Article 9, from sending forces to the Gulf War despite pressure from Washington.

Though Abe Shinzo has stated that Article 9 should be changed to allow Japan to defend itself against 21st-century threats, Tokyo has abstained from doing so due to political pressure from both within and without. However, Tokyo has managed to

incrementally change its defense policy in the last two decades without changing Article 9.

The main catalyst for the change was the growing threat from North Korea, especially its missile and later nuclear capability. Another factor was concern in Tokyo that its alliance with Washington is no longer as rock-solid as it once was. Unofficial concerns were raised publicly during both the Obama and the Trump administrations that the US might reach some kind of deal with North Korea that would overlook the threat Pyongyang poses to Tokyo. Those concerns increased after Trump's comments on the US-Japan alliance.

Tokyo's decision to modify its defense policy without changing the constitution has entailed obtaining upgraded missile defense systems and new capabilities that will allow Japan's air force to extend its flight capacity beyond current limits. Boosting flight distance and active air capabilities allows Japan to be more responsive to threats, especially the North Korean missile threat.

For many years, Tokyo defined its defense policy solely in terms of threats that are close to Japanese territory—in other words, it did not characterize North Korea as a threat to which Tokyo could legitimately respond militarily. Within those confines, a preemptive attack on North Korea's missile sites would be perceived as unconstitutional.

But the growth of the missile threat from Pyongyang has led Japan to recalibrate its defense policy. As the defense minister indicated, Tokyo has redefined the boundaries of its defense policy to include the North Korean missile threat. In so doing, it has legitimized a Japanese preemptive strike on North Korean missile sites that are in the initial stage of launch.

Accomplishing this requires better intelligence on the North Korean missile threat. To that end, Tokyo has decided to upgrade its intelligence satellite capabilities. Japan shares intelligence information with Washington, but has decided to develop its own independent military satellite capabilities—another element of its incremental defense policy change.

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