The Abe Restoration: Pushing Past Japan's Wartime Legacy and Restoring a Responsible Use of Force

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Executive Summary

December 2015 marks the three-year anniversary of Prime Minister Abe Shinzo's return to office. During his tenure, Japan has redefined its national security strategy through a series of legal and political reforms, reshaping the postwar system of pacifism. From executive actions to legislative authorization, Japan's process for conducting national security policy, as well as its options for exercising force, have been transformed. These changes have occurred concurrently with updating the US-Japan alliance through revisions of the US-Japan Security Cooperation Guidelines.

These reforms are both necessary and beneficial for strengthening Japan's deterrence of potential threats, as well as updating its strategic perspective. They are also necessary for Japan to restore its ability to use force responsibly. As Japan implements these reforms, consideration should be given to systemic changes that strengthen checks and balances on decisions to utilize military force in collective self-defense and collective security operations. This article examines what has been accomplished, why, the costs and benefits, and the important reforms Japan must consider next.

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December 2015 marks the three-year anniversary of Prime Minister Abe Shinzo's return to office. During his tenure, Japan has redefined its national security strategy through a series of legal and political reforms, reshaping the postwar system of pacifism. From executive actions to legislative authorization, Japan's process for conducting national security policy, as well as its options for exercising force, have been transformed. These changes have occurred along with updating the US-Japan alliance through revision of the US-Japan Security Cooperation Guidelines.

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Security reforms under the Abe administration

When Prime Minister Abe took office in December 2012, the Liberal Democratic Party (LDP) returned to power after three years of rule by the Democratic Party of Japan (DPJ). During most of that time, the Diet was "split," with the government controlling one house and the opposition controlling the other. Many of the reforms undertaken by the Abe administration were initiated by the DPJ government, reflecting at that time a consensus between DPJ leaders and the LDP on the redirection of the country's security policy. That consensus has since fallen apart.

Abe's tenure since 2012 has been the longest term of a prime minister since Koizumi Junichiro's time in office, and it has provided stability to the political system. Over the past three years, the government has built a justification for adopting collective self-defense and revising Japan's security policies, particularly related to peacekeeping; countered the influences that prevented previous Cabinets from making these changes; and implemented a series of executive decisions through the legislature and bureaucracy.

In 2013, during Abe's first year of leadership, attention was largely given to economic reforms (termed "Abenomics"), but a number of important security policy changes were also in motion – beginning with increasing the defense budget. While this increase was nominal, it was symbolic as it was the first increase since 2002. In December 2013, the government's efforts culminated in what was the first major signal of how Abe intended to implement his slogan of a "proactive contribution to peace." In that month, the State Secrecy Law was passed, and the *National Security Strategy* and two important defense policy documents were released – the National Defense Program Guidelines and the Medium-Term Defense Program. These documents defined the government's view of the security situation around Japan and the steps it would take to address that, including bolstering defense of the southwestern islands. In addition,

the release of the *National Security Strategy* – the first for Japan – demonstrated a more cohesive, across-the-government approach to security and foreign policy, bolstered by the creation of the National Security Council, featuring equal representation by the Ministry of Foreign Affairs and Ministry of Defense.

Additionally in December, one year after he took office, Abe visited the Yasukuni Shrine. This history issue – and others – are linked by many to current policies and are symbolic of the controversial nature of these policies. Opponents believe the policies are revisionist and will lead to a militaristic, aggressive Japan. Proponents believe they are an appropriate reflection of Japan's right to be patriotic, confident, and protective of its interests.

In 2014, government efforts focused on establishing the legal underpinnings for Japan's new security strategy – including revision of the defense export guidelines, the advisory panel report on collective self-defense, and the Cabinet decision to reinterpret the right to exercise collective self-defense. Once these three executive actions occurred and the prime minister's public support remained high, the legislation that followed in 2015 was nearly a fait accompli. The government had explained its case for a different approach to national defense, and it was a matter of convincing others to agree.

Throughout the process, the reforms faced opposition. It was especially visible during the summer of 2015 with large-scale public protests in front of the Diet. Ultimately, the political and public opposition could not prevent the legislation from proceeding. After the legislation passed in September, Abe's approval rating remained at or near 40 percent in various polls, high enough to stay in office. [1] Public support for the bills was nearly split in half. [2] This suggests a slight shift in the Japanese public's acceptance of a different model of security policy. In comparison, during the November 2001 debate over the Antiterrorism Special Measures Act to deploy SDF vessels to the Indian Ocean in support of the United States after the 9/11 attacks, only 38 percent supported taking action.[3] How far the public is willing to support the active security policy implemented by Abe's legislation remains unclear.

The legislation, consisting of a package of 11 bills, contained a series of amendments to existing laws and new authority for the use of force.[4] The revised authorities expand upon the activities the Self-Defense Forces (SDF) can conduct with the United States during peacetime and allow Japan to broaden its support activities for the United States and others during situations that have an important influence on Japan's security, without geographic limitations.[5] These are the collective self-defense provisions, and are mirrored by the revised US-Japan Security Cooperation Guidelines. Additionally, the amendments revised Japan's conduct in UN

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[1] "Abe's Public Approval Slumps After Security Bills, Polls Show," *Bloomberg*, September 21, 2015. http://www.bloomberg.com/news/articles/2015-09-21/abe-s-public-approval-slumps-after-security-bills-polls-show

[2] "Abe's Public Approval Slumps After Security Bills, Polls Show," *Bloomberg*, September 21, 2015. http://www.bloomberg.com/news/articles/2015-09-21/abe-s-public-approval-slumps-after-security-bills-polls-show

[3] Paul Midford, "Japanese Public Opinion and the War on Terrorism: Implications for Japan's Security Policy," East-West Center Washington, Policy Studies No. 27, 2006. p. 35. http://www.eastwestcenter.org/fileadmin/stored/pdfs/PS027.pdf

[4] Government of Japan, "Japan's Legislation for Peace and Security," November 2015. http://www.mofa.go.jp/files/000080671.pdf

[5] "Factbox: Main elements of Japan's security legislation," *Reuters*, September 14, 2015. http://www.reuters.com/article/2015/09/14/us-japan-security-factbox-idUSKCN0RE2F820150914

peacekeeping operations such as authorizing new rules of engagement for the use of weapons and ship inspection authorities. These are collective security provisions, related to Japan's obligations under the United Nations (UN) Charter.

The new authorities include a mix of collective self-defense and collective security provisions authorizing the rescue of Japanese nationals abroad; the protection of weapons and other equipment for the United States and others; participating in international security coalitions outside of the UN framework; and responding to an armed attack against a foreign country that results in a threat to Japan's survival. The last provision, considered "self-defense plus," authorizes the use of force under the three conditions outlined in the 2014 Cabinet decision: 1) a foreign country with whom Japan has a close relationship is attacked and that attack poses a threat to Japan; 2) there is no other way to repel the attack; and 3) the use of force is limited to the minimum necessary to repel the attack.[6] Additionally, a new permanent law removes the need to gain Diet approval each time Japan provides logistical support, such as refueling, to countries operating under a UN resolution; this will speed the future deployment of Japanese forces.[7]

With the legislation and guidelines, there are several major changes to highlight. The first is that the United States and Japan can now cooperate during gray zone incidents. The term "gray zone incidents" has received a great deal of attention and refers to incidents short of an armed attack that nonetheless pose a threat or a possible threat to Japan's security. Under the new guidelines, the alliance – not just Japanese law enforcement – will be able to respond to these types of situations.

The other major change is the abolishment of Japan's geographical limitation on the SDF's activities for self-defense. The SDF was previously limited to a 1,000-mile radius for operations in defense of the country, termed Situations in Areas Surrounding Japan (SIASJ).[8] The government and the alliance have now adopted an understanding that there are no geographical limits to situations that may affect Japan's peace and security.

It is too early to tell the extent to which Japan's policy changes will affect the alliance, primarily because these new authorities are untested. But there will come a time, sooner rather than later, when the United States will ask Japan to contribute to a military operation. It will then be incumbent upon the United States to couch its request as a threat to Japan's security – and to be accepted as such by the Tokyo government – to even be considered.

Perhaps the most important change of the legislation is that Japan has more options in deciding how to respond to territorial incursions; how to define security challenges that may not be proximate to Japan; and how to influence its neighboring security environment.

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[6] Office of the Prime Minister, Government of Japan, "Cabinet Decision on Development of Seamless Security Legislation to Ensure Japan's Survival and Protect Its People," July 2, 2014. http://japan.kantei.go.jp/96_abe/decisions/2014/__icsFiles/afieldfile/2014/07/03/anpohosei_eng.pdf

[7] "Factbox: Main elements of Japan's security legislation," *Reuters*, September 14, 2015. http://www.reuters.com/article/2015/09/14/us-japan-security-factbox-idUSKCN0RE2F820150914

[8] Jeffrey W. Hornung, "US-Japan: A Pacific Alliance Transformed," *The Diplomat*, May 4, 2015. http://thediplomat.com/2015/05/u-s-japan-a-pacific-alliance-transformed/

Three new options should be emphasized. First, Japan has the option to develop new alliances or act in partnership with a country other than the United States. Most official comments on the new Cabinet decision conditions for the use of force in collective self-defense focused on the fact that any use of force would remain limited to the minimum necessary, and thus these conditions do not signal a significant shift away from current policy. However, the language specifically avoids reference to the United States; it merely states that Japan could exercise collective self-defense with a country with whom it has had a close relationship. Of course, the United States is presumed to be included as a country with close relations, but the language is not exclusive. Thus, it is possible, legally, for Japan to participate in collective self-defense with countries other than the United States. Japan has been developing security relationships with other countries, such as Australia, that complement its alliance with the United States. This option could be used as a "beyond the United States" strategy for Japan to diversify its security posture.

This option to use force with a country other than the United States has raised questions as to which countries qualify as a country with close relations, and what the qualifying characteristics will be – is it a formal alliance, or is it a close economic relationship? The government understandably has resisted specifying which countries qualify because that limits its options, but it will be important to establish a benchmark publicly for what kind of country qualifies.

It is also important to define "the minimum force necessary." As the nature of warfare has changed, a reality reflected in the recent legislation, and the number of operational domains has grown, the minimal force necessary for the defense of Japan must also expand. Activities like rewriting the rules of engagement are a redefinition of new limits for minimal force.

Second, the legislation allows for better execution of peacekeeping missions. The International Peace Cooperation Law, passed in 2002, authorized the deployment of SDF forces for the first time with a number of restrictions, including limiting SDF peacekeepers to rear support operations that did not constitute an integral part of the use of the force, a concept known as *ittaika*.[9] SDF units could only be deployed during a ceasefire, and they were prohibited from discharging a weapon except in an extreme case of individual self-defense.[10] If a peacekeeping unit from another country was attacked nearby, Japanese peacekeepers could not come to the aid of that unit. No other country contributing to UN peacekeeping operations operated under such constraints.

Now SDF servicemembers can come to the aid of other peacekeepers or civilians under attack, which is the international standard. In practice, it means that when the SDF is serving in a peacekeeping capacity, it can use force to create peaceful conditions. This is a significant departure from past practice, and was framed as an international obligation and therefore not a

[9] Office of the Prime Minister, Government of Japan, "Report of the Advisory Panel on Reconstruction of Legal Basis for Security," May 15, 2014. http://www.kantei.go.jp/jp/singi/anzenhosyou2/dai7/houkoku_en.pdf
[10] Ministry of Foreign Affairs, Government of Japan, "Japan's Contribution to United Nations Peacekeeping Operations," http://www.mofa.go.jp/policy/un/pko/pdfs/contribution.pdf.

use of force limited by the Constitution.[11] Japan is preparing to implement these new rules with its peacekeeping mission in South Sudan as early as March 2016.[12]

This argument – linking this change to Japan's international obligation raises a question as to whether Japan will use the same rationale as the United States has in recent years, as in the case of Libya, of having a humanitarian responsibility to act to save others that justifies military intervention. If humanitarian intervention is an international obligation, this argument would not preclude Japan from engaging in collective security operations that use force even outside the UN mandate, and that force would ostensibly fall outside the scope of Article 9.

The third option created by the legislation is the ability to conduct hostage rescue operations, an issue brought to the forefront in January 2015. On January 17, Prime Minister Abe pledged $200 million in foreign aid to Middle Eastern countries dealing with refugees displaced by the Islamic State (IS). Three days later, IS posted a video online of two Japanese hostages – Kenji Goto and Haruna Yukawa – and demanded a ransom of $200 million. Later, IS changed the ransom to demand the release of a prisoner in Jordan.[13] Over the course of two weeks, the Japanese hostages were beheaded. Prime Minister Abe appeared to take a strong line, pledging that the terrorists would "pay for their sins."[14] Yet Japan does not have the capability to attempt a rescue of hostages. In practice, this situation demonstrated the lack of options available to the government and SDF when the safety of Japanese citizens abroad is threatened.

Now the government may have the option to use force to rescue Japanese citizens held hostage abroad. This possibility may impact risk analysis conducted by Japanese firms that conduct business in politically unstable places. Hostage rescue missions are some of the riskiest missions because they are highly specialized, highly unpredictable, and pose the risk of collateral damage – primarily to the hostage. Taking on a hostage rescue mission is a commitment to development of an expeditionary force.

Japan may have to overcome public opposition or indifference to undertake such a mission. The January 2015 hostage case was perceived by many as an attack on individuals abroad, not an attack on Japan. Many Japanese faulted the hostages for ending up in that situation – it was impractical to travel to a place like Syria and not expect to be at risk.[15] When the hostages were killed, personal grief was expressed but not outrage at the government for its inability to prevent their deaths. Japan's willingness to acquire and utilize a hostage rescue capability would indicate its adoption of an outward-looking security policy.

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[11] Office of the Prime Minister, Government of Japan, "Report of the Advisory Panel on Reconstruction of Legal Basis for Security," May 15, 2014. http://www.kantei.go.jp/jp/singi/anzenhosyou2/dai7/houkoku_en.pdf

[12] Interview, July 30, 2015; Interview, August 11, 2015.

[13] Heather Saul, "Isis Japanese Hostages: Who are Kenji Goto and Haruna Yukawa?" *Independent*, January 20, 2015. http://www.independent.co.uk/news/world/middle-east/isis-japanese-hostages-who-are-kenji-goto-and-haruna-yukawa-9989946.html

[14] Yuka Hayashi, "Video Claims to Show Beheading of Japanese Hostage Kenji Goto," *Wall Street Journal*, February 1, 2015. http://www.wsj.com/articles/isis-video-claims-to-show-beheading-of-japanese-hostage-kenji-goto-1422739833

[15] Will Ripley and Yoko Wakatsuki, "ISIS' hostages receive mixed sympathy at home," *CNN*, January 25, 2015. http://edition.cnn.com/2015/01/24/world/japan-hostage-reaction-ripley/

Alternatively, Japan may use its new authority to rescue citizens abroad to enhance its ability to evacuate Japanese citizens from a third country (a Noncombatant Evacuation Operation, or NEO). Japan has been limited to providing transportation to Japanese citizens in need of evacuation, but under the new law, the SDF could help rescue those citizens.[16] While the United States and Japan are each responsible for the evacuation of their own citizens, they have agreed to "coordinate in planning and cooperate in carrying out" NEO missions.[17] This coordination will take place within the context of the Alliance Cooperation Mechanism, which was newly established in the guidelines, and both countries agreed to NEO training and exercises. Such coordination is especially important when conceiving scenarios for conflict on the Korean peninsula, where approximately 150,000 American and 30,000 Japanese nationals live.[18]

Taken individually, these revised and new authorities are not revolutionary. The image of Japan reverting to the militaristic fever of the 1930s appears far-fetched. In comparison to other nations and American allies, Japan is merely catching up, especially regarding peacekeeping operations and its ability to defend an ally under attack. Japan is now legally closer to the international standard of defense, which better befits its economic and political status.

Considered as a whole, these changes are a significant departure from the government's previous strategy that emphasized avoidance of risk and limited commitment to helping others. Now the government and the SDF are being given the option of taking action. One Japanese academic, in explaining the opposition to these changes, voiced the concern that that once Japan has options, it can and will use them.[19] The legislative action enables military action, whether or not such operations are intended right now. Thus, a clear and accountable implementation of these options and authorities will be critical.

Why now?

Why are these changes happening now, and what is driving them? Explanations include Abe himself, a changing regional environment, and that Japan is seeking to become "normal."

In truth, it is all of these things. Ironically though, the complexity of these motivations, coupled with the systematic effort by the government to enact these changes, has contributed to a sense of mistrust both in Japan and outside the country. This mistrust has been compounded by the government's difficulty in specifying its objectives. Unlike previous security reforms, the new policies and legislation were not a response to a specific security situation, such as North Korean missile attacks. It was a complex solution for a complex situation.

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[16] Masaaki Kameda, "Abe Cabinet Oks bills to relax limits on SDF operations abroad," *Japan Times*, May 15, 2015. http://www.japantimes.co.jp/news/2015/05/15/national/politics-diplomacy/abe-cabinet-oks-bills-relax-limits-sdf-operations-abroad/#.VmZIMr-HTGt

[17] Ministry of Defense, Government of Japan, "The Guidelines for U.S.-Japan Defense Cooperation," April 27, 2015. http://www.mod.go.jp/e/d_act/anpo/shishin_20150427e.html

[18] Mark Thompson, "Just in Case: U.S. Has Plans for Americans to Flee South Korea," *Time*, April 5, 2013. http://nation.time.com/2013/04/05/fleeing-imminent-incoming-north-korean-rockets/; Takateru Doi, "Major Security Shift: Japan Ranked Last on list of U.S. military's rescue operations," *Asahi Shimbun*, June 16, 2014. http://ajw.asahi.com/article/behind_news/politics/AJ201406160018.

[19] Interview, July 22, 2015.

In interviews in Tokyo, interlocutors insisted the United States was driving security reform to correct historical mistakes as well as address future security threats in the region. Officials sometimes insinuated that the United States is to blame for the constraints of Article 9, which limits Japan's military potential and the use of force for resolving international disputes. Officials refer to the "MacArthur Constitution," and some interlocutors implied that MacArthur gave Socialist and Communist views a privileged place in Japanese society by supporting liberal reforms. As a result, these groups prevented Japan from normalizing its military. [20]

The 1947 postwar Constitution was intended to be a radical break from the past. Japan's Diet debated and amended the Constitution when it was approved, and it has been within Japan's power to revise it for the past 70 years. The Constitution represents a very different world view from that of today. It speaks to the hope that pacifism would lead to peace, and a significant portion of the Japanese public adopted the commitment to absolute pacifism as their national identity. Nevertheless, as early as 1950, US officials supported reconsidering the Constitution. It was Japanese officials who felt constrained by domestic politics from pushing a revision to Article 9.[21]

Officials also note that these changes reflect US requests that Japan share more of the burden of the alliance, changes evident in the revision of the US-Japan Security Cooperation Guidelines. The United States welcomes Japan to do more in the region and in its own defense, in part because that lessens the United States' load in a time of budget crises, political deadlock and a military stretched around the world. At each step of Japan's security reform process, the US government encouraged and supported the government publicly, downplaying criticism from China and Korea about Japan's intentions.[22]

Officials further highlighted the gap between Japan's current policies and the international commitments of other countries, based on the UN system, to promote international peace and stability. In their view, Japan has an international obligation to do more, particularly in peacekeeping missions, but even after previous efforts to "catch up," Japan remained far behind other militaries that are involved in various interventions.[23] As early as 2005, the National Defense Program Guidelines – a strategy and policy document outlining a five-year plan – noted, "[T]he use of military force now plays a broader role in the international community than simply deterring or responding to armed conflict. Military force is also used for a variety of purposes, including the prevention of conflict and reconstruction assistance." And, "Japan should voluntarily and actively participate in activities that nations of the world cooperatively undertake to enhance the international security environment."[24] These reforms apply that view.

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[20] US Japan Security Seminar, Center for Strategic and International Studies, March 27-28, 2015. http://csis.org/event/us-japan-security-seminar-2015-0

[21] Daisuke Akimoto, *Japan as a "Global Pacifist State": Its Changing Pacifism and Security Identity,* Peter Lang: Bern, 2013. p. 61-62

[22] Daily Press Briefing, US Department of State, September 22, 2015. http://www.state.gov/r/pa/prs/dpb/2015/09/247169.htm#JAPAN; "US officials endorse strategic value of Japan's security bills," *Japan Times*, July 28, 2015. http://www.japantimes.co.jp/news/2015/07/28/national/politics-diplomacy/u-s-officials-endorse-strategic-value-japans-security-bills/#.VbhWQ_nATGt

[23] US Japan Security Seminar, Center for Strategic and International Studies, March 27-28, 2015. http://csis.org/event/us-japan-security-seminar-2015-0

[24] Ministry of Defense, Government of Japan, "National Defense Program Guidelines, FY2005," December 10, 2004. http://www.mod.go.jp/e/d_act/d_policy/pdf/national_guidelines.pdf

The arguments about Japan's international obligations suggest that Japan is changing its security policy to help other countries, and not necessarily for itself. For example, the Report of the Advisory Panel on Reconstruction of the Legal Basis for Security, claims,

> Pacifism is one of the fundamental principles of the Constitution and must be firmly maintained…Nevertheless, the Constitution upholds the principle of international cooperation in the Preamble that 'We desire to occupy an honored place in an international society striving for the preservation of peace'…Accordingly, pacifism in the Constitution should be interpreted from an international perspective and not from a self-centered view…and demands proactive actions to realize peace.[25]

This idea is echoed in statements by Japanese officials. In May 2014, Ambassador of Japan to the United States Sasae Kenichiro commented, "… under the current Japanese Constitution and its interpretation, Japanese self-defense forces are basically not allowed to come to the aid and defense of allies, especially the United States. Prime Minister Abe wants to change this. And the President publicly supported this change … also, we have to take care of our friends like South Korea. They have been also a good ally to the United States. U.S. allies need to be together."[26]

International and alliance obligations have been a useful selling point to distract from the prime minister's personal commitment to a policy that some view as controversial and revisionist. But the United States and the international community are not driving Japan's security reforms. There is a convergence of interests, but the Abe administration's efforts reflect deep-seated views about the need for Japan to better protect itself.

The most prominent justification supporting change that emerged from the debate during Abe's administration is a consensus on the "severe" security environment in which Japan finds itself. From missile and nuclear tests by North Korea to the near-daily air and sea incursions from China and Russia in recent years, Japan faces a basic challenge to its territorial integrity. This evolving security environment has catalyzed discussions about Japan's defense strategy and capabilities and supported a new strategic mindset in the government. For example, the *National Security Strategy* observes that, "…surrounded by an increasingly severe security environment and confronted by complex and grave national security challenges, it has become indispensable for Japan to make more proactive efforts in line with the principle of international cooperation. Japan cannot secure its own peace and security by itself."[27] Rather than relying on others to secure Japan, the government now considers itself responsible for actively securing this peace. Komura Masahiko, vice president of the LDP, stated this bluntly in a speech at the Center for Strategic and International Studies in March 2015: "I do not believe the Constitution, which

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[25] Office of the Prime Minister, Government of Japan, "Report of the Advisory Panel on Reconstruction of Legal Basis for Security," May 15, 2014. http://www.kantei.go.jp/jp/singi/anzenhosyou2/dai7/houkoku_en.pdf

[26] Embassy of Japan in the United States of America, "Speech by Ambassador Kenichiro Sasae at the Japan-America Society of Indiana Annual Gala," May 22, 2014. http://www.us.emb-japan.go.jp/english/html/Ambassador/Speeches/japan-america-society-indiana.html

[27] Cabinet Secretariat, Government of Japan, "National Security Strategy," December 17, 2013. http://www.cas.go.jp/jp/siryou/131217anzenhoshou/nss-e.pdf

intends to protect the people, requires pacifism at the expense of the people. That is against the main point of constitutionalism. What the Constitution requires is to protect peace."[28]

Reinterpreting the Constitution and implementing these reforms are an effort to emerge from the legacy of the Pacific War by action, not by apology. It is not only an effort to restore Japan's confidence and pride, but is also an opportunity for Japan to demonstrate that it can exercise the responsible use of national power – economic, political, and military. In his August 2015 statement on history, Prime Minister Abe highlighted this endeavor:

> We must not let our children, grandchildren, and even further generations to come, who have nothing to do with that war, be predestined to apologize. Still, even so, we Japanese, across generations, must squarely face the history of the past. . . .We will engrave in our hearts the past, when Japan ended up becoming a challenger to the international order. Upon this reflection, Japan will firmly uphold basic values such as freedom, democracy, and human rights as unyielding values and, by working hand in hand with countries that share such values, hoist the flag of "Proactive Contribution to Peace," and contribute to the peace and prosperity of the world more than ever before.[29]

Japan seeks once more to employ all tools of national power. It has committed to do so in ways that benefit the international order and bring stability in Northeast Asia in sharp contrast to other countries that are considered to be challenging this system. While the international order will not prevent Japan from misusing its military power, the national political system can create the right influences to ensure that decisions to use force will be made in an accountable way. The success of Abe's effort to break from Japan's wartime past will depend upon this development.

Costs and benefits to security reform

The full impact of these reforms is yet to be seen, but there is already evidence of both the benefits and costs of a more active security policy. Nationally, this process restarted a debate on Japan's identity as a pacifist state. Many people have assumed that Abe's objective in pursuing legislative reforms is an eventual Constitutional revision of Article 9 – a direct challenge to the state's pacifist identity. Andrew Oros notes that the controversies over deploying SDF troops or exporting defense items are as much debates over identity as they are about specific policies.[30] If constitutional reform is still on the prime minister's agenda, then this revision is emblematic of Abe's overall desire to create "new Japanese" and alter the perception that patriotism is equivalent to militarism.[31] That may explain why Abe tried to define the recent reforms as a different type of pacifism. His slogan, "proactive contribution to peace," literally translates into Japanese as "proactive pacifism."

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[28] US Japan Security Seminar, Center for Strategic and International Studies, March 27, 2015. http://csis.org/event/us-japan-security-seminar-2015-0

[29] Office of the Prime Minister, Government of Japan, "Statement by Prime Minister Shinzo Abe," August 14, 2015. http://japan.kantei.go.jp/97_abe/statement/201508/0814statement.html

[30] Andrew Oros, "International and domestic challenges to Japan's postwar security identity: 'norm constructivism' and Japan's new 'proactive pacifism,'" *The Pacific Review*, 28:1, November 24, 2014, p. 144.

[31] Ministry of Foreign Affairs, Government of Japan, "The 13th IISS Asian Security Summit – The Shangri-La Dialogue-Keynote Address by Shinzo ABE, Prime Minister, Japan," May 30, 2014. http://www.mofa.go.jp/fp/nsp/page4e_000086.html

Opponents of Abe's changes cling to pacifism because they fundamentally mistrust the government, and as one interlocutor admits, they lack confidence in the pacifist nature of the Japanese people.[32] Pacifism is a useful restraint with moral implications, and a healthy, democratic counterbalance to militaristic, revisionist leaders who would lead the country to ruin by unnecessary military force.[33] Opponents are especially concerned about becoming entangled in conflicts initiated by foreign powers, principally the United States. For example, during the January 2015 hostage crisis, opponents in the Diet questioned whether a more active foreign policy would place Japan and its people abroad at greater risk. Proponents consistently argue that this view is unrealistic and leaves Japan vulnerable. They see "one nation" pacifism as a crutch and a blinder, preventing Japan from being "normal" under the UN system and disconnecting it from the security environment.[34] They argue Japan cannot be safe if it is isolated.

Although there is not yet a national consensus on postwar national identity, the debate has been healthy for the country. Further, it seems the Japanese public is shifting in Abe's favor. Abe's success in weathering the 2015 reforms reaffirms Oros' observation that "the extent of political capital required to enact policy contrary to…[the security identity of domestic antimilitarism] seems to be declining in comparison to earlier periods."[35]

Additionally, the Japanese domestic political system has benefited from reforms of national security policymaking. The creation of the National Security Staff has transformed the way that government officials think, work and communicate on national security problems. The Ministry of Foreign Affairs (MOFA) and Ministry of Defense (MOD) are sharing information better, and the MOD has been given a more equal voice in national security policy, albeit at MOFA's expense. One of the most significant changes is that operational information is being incorporated more into national security deliberations, thus increasing the demand for intelligence and analysis.[36]

Utilization of operational information in decision-making and consultation of uniformed officials is a healthy development if Japan is to have a more active security policy. Uniformed personnel – the ones who will carry out decisions of policymakers – should know best the effects of their operations, especially when assessing risks.

The discussion of new missions for the SDF also necessitates a culture shift for the force. While Japan's SDF are professional, they are untested. One MOD official noted that the Ground Self-Defense Force (GSDF) will face the most significant cultural and "spiritual" change as Japan adopts an outward-looking strategy. The GSDF must be prepared to "lose its domestic mindset" to deploy abroad in different cultural contexts.[37] Japan's servicemembers are adopting greater risks in their service, which most appear to accept.[38] As these new policies are implemented, one topic remains taboo – the death of servicemembers either as a casualty in conflict or by suicide. The Diet discussion largely avoided a discussion of the risks to

[32] Interview, July 2, 2015.
[33] Akimoto, p. 20.
[34] "One nation" pacifism refers to a country unilaterally adopting a pacifist ideology, thereby making it reliant on other nations to refrain from attacking it or, conversely, to agree to provide security for that country. Oros, p. 157.
[35] Oros, p. 147.
[36] Interview, July 30, 2015; Interview, August 11, 2015.
[37] Interview, July 18, 2014.
[38] Interview, July 27, 2015.

servicemembers in deploying abroad, with one MOD official noting that the subject could not be discussed.[39] Separately, the MOD reported that between 2003 and 2014, members of the SDF committed suicide at a rate "consistently higher than the national average," with a total of 1,044 suicides over that period. Reportedly 56 members killed themselves after returning from overseas deployments.[40] Within the government, the military, and the nation, Japan must address this issue. This discussion will also be necessary for assessing how the military and veterans system supports servicemembers and their families.

Japan's "proactive contribution to peace" ultimately depends on whether Tokyo is willing to pay the financial cost of that contribution. The defense budget will be a key signal of Japan's commitment to an active security policy. Over the past three years of Abe's term, the defense budget has increased slightly, but has not recovered to the FY2002 level. The MOD's FY2016 budget request reached $4.28 billion (5.09 trillion yen), the first increase beyond the 2002 level (if passed next year in the Diet).[41] Despite this increase, Yuki Tatsumi of the Stimson Center argues that this is less than it seems since the cost of defense acquisition keeps rising.[42]

Finally, one cost to Japan's new security reforms is further diminishment of the political opposition. This is due in part to the inability of the opposition to constructively engage the majority and shape the national security agenda, and in part to a system structured to limit their influence. The political opposition failed to provide a clear alternative in the legislative debate. Only in one instance did a minor party suggest an amendment to the bills.[43] The leading opposition party, the Democratic Party of Japan, failed to reach an internal consensus on the legislation and could not muster a counterproposal.[44] This is shocking considering that three years ago, the DPJ was in power and pursuing a similar agenda.

Instead, the legislative debate became an argument for or against war. There was no nuance to the discussion. Legislators physically brawled on the floor leading up to the votes in both the Lower and Upper House, and protestors outside the Diet held signs that read, "Give Peace a Chance," and "War Is Over If You Want It." One member of the media noted that most of the people involved in the protests were the same people involved in the anti-nuclear movement and protests against new labor rules.[45] In other words, these people were generally anti-Abe. As the protests continued over the summer, they grew in urgency, and the population supporting them broadened with the participation of students and young parents – people not traditionally involved in politics.[46]

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[39] Interview, July 18, 2014.
[40] "SDF suicide rate outpaced national average from 2003 to 2014," *Japan Times*, June 6, 2015. www.japantimes.co.jp/news/2015/06/06/national/politics-diplomacy/suicide-rate-for-sdf-personnel-in-2003-2014-higher-than-national-average/#.VkF43NIrK70
[41] Ministry of Defense, Government of Japan, "Defense Programs and Budget of Japan: Overview of FY2016 Budget Request," August 2015. www.mod.go.jp/e/d_budget/pdf/271016.pdf
[42] Yuki Tatsumi, "Japan's New Defense Budget: Fact vs Fiction," *The Diplomat*, September 5, 2015. http://thediplomat.com/2015/09/japans-new-defense-budget-fact-vs-fiction/
[43] "Opposition party drafts security counterproposal to restrict SDF dispatches abroad," *Asahi Shimbun*, June 17, 2015. http://ajw.asahi.com/article/behind_news/politics/AJ201506170065
[44] Interview, July 30, 2015.
[45] Interview, July 8, 2015.
[46] Linda Seig, "Japan protestors rally as contentious security bills near passage," *Reuters*, September 16, 2015. http://www.reuters.com/article/2015/09/16/us-japan-security-idUSKCN0RG0DZ20150916; "Japanese protestors

In May 2015, after the bills were introduced, a *Kyodo News* survey found that only 14 percent of the public thought that they had been adequately informed about the legislation, with over 80 percent saying that had not been adequately informed about the details of the legislation.[47] At the height of the protests prior to the September Upper House vote, an *Asahi Shimbun* poll noted that 54 percent of the public opposed the legislation, 29 percent supported it, and more than 60 percent said there was no need to enact the bills during the current session.[48]

The opposition failed to capture this momentum. As a result, even though there was a slight reputational cost to Abe, the greater political cost was born by the opposition, which lost influence in the political process. By failing to engage the coalition on the merits of the policy and providing debatable alternatives, the opposition parties all but guaranteed passage of the legislation. The final outcome bears no sign of their influence.

This development is concerning. As Japan implements an active security policy, decisions on the use of its armed forces must be made in a transparent and accountable manner. In a democracy, the opposition should serve as a counterpoint to decisions by the majority, and the legislative branch should balance the executive. If the opposition is stifled or neglects its role, and if there are weak checks and balances, Japan may make decisions that are not in the national interest. This does not mean that Japan will again wage aggressive war. But decisions to use force as a tool of national power assume major consequences and should be fully weighed across the government. Without constructive engagement across the political spectrum on these decisions, democracy and security in Japan may suffer.

Effect on the US-Japan alliance

Many of Japan's recent reforms have been framed in terms of enhancing Japan's self-defense, and are viewed as complementary to the US commitment to the alliance. Japan is taking back some of the burden for its defense, and more importantly, is becoming a more equal alliance partner with expanded authorities to cooperate operationally in peacetime and protect US forces or assets under attack in the defense of Japan. For the United States, this enhances deterrence and makes Japan a more valuable ally. It may also increase US readiness to work with Tokyo simply because the two defense forces can do more together. For Japan, the value of the alliance has also been reshaped. Whereas the alliance was created for the narrow purpose of defending Japan, it also served as a principal constraint on Japan's development of its armed forces. Now the alliance has enabled reform.

As Japan becomes a more equal alliance partner, it is expecting Washington to adjust its views on Tokyo's financing of the US forward-deployed presence. Japan's defense costs are projected to rise in part because of its greater responsibilities in the alliance, and the government is reconsidering Host Nation Support, or the "sympathy budget," provided to the United States to

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rally against controversial security bills that could see troops fighting abroad," ABC News Online, August 30, 2015. http://www.abc.net.au/news/2015-08-30/tens-of-thousands-protest-military-bills-at-japan-parliament/6736314

[47] "Abe's bills baffle 81% of the public: survey," *The Japan Times*, May 31, 2015. http://www.japantimes.co.jp/news/2015/05/31/national/politics-diplomacy/81-say-state-explanations-controversial-security-bills-insufficient-poll/#.VmUu1b-HTGs

[48] Alfred Joyner, "Japan: Brawl erupts in parliament over approval of controversial security bills," *International Business Times*, September 17, 2015. http://www.ibtimes.co.uk/japan-brawl-erupts-parliament-over-approval-controversial-security-bills-video-1520101

defray the costs of deployed forces in Japan. In 2011 under DPJ governance, Washington and Tokyo agreed to a five-year commitment, called the Special Measures Agreement (SMA), to maintain Japan's spending on US forces at $2.02 billion (188.1 billion yen in 2011 exchange rates) annually.[49] Japan also contributes Facilities Improvement Program (FIP) funds annually, and this figure varies above an agreed-upon minimum of $200 million per year. The United States funds an additional $2 billion for its presence in Japan.[50]

The *Japan Times* reported in October 2015 that Japan requested a $415 million cut in SMA funding from FY2016, but in December it reported that the Abe administration agreed to renew funding for five years at a level near the current spending.[51] In FY2015, host nation support totaled 189.9 billion yen, and the previous five-year agreement will expire in March 2016. This decision is significant, given the government's earlier desire to cut SMA funding even though the United States reportedly asked for a 30 percent increase in the SMA.[52] If true, this reflects a US perception that the alliance is being asked to do more for the security of Japan and the stability of the region, and Japan has concurred. Spending has to support these activities.

In addition to changes in the US-Japan Security Cooperation Guidelines, the US-Japan alliance may also be affected by Japan's new defense export guidelines and defense acquisition reforms. Japan's new export guidelines in 2014 aim to broaden defense engagement with other countries and revitalize an underutilized industry. Already, Japan and the United States have committed to joint development projects, such as the SM-3 Block IIA missile, studies on a littoral combat ship for Japan, and the F-35 Joint Strike Fighter. Continued interaction between leading US defense companies and Japanese firms can benefit the struggling industry in Japan and facilitate its entry into the global defense market. In addition, transfers of technologies or platforms to other US allies, such as the Philippines, can supplement US defense relationships in Asia. Coordinating these transfers is another way the alliance can exercise a joint strategic vision for the region.

Reforms for accountability and a responsible use of force

The Japanese government must demonstrate that it can and will exercise a responsible use of military power under these expanded authorities, that the risks of doing so are worth it, and that the Japanese people and the international order will benefit from these efforts. The government needs to lay the groundwork for how it will use its new authorities, so that checks and balances on the government's ability to engage in collective self-defense or collective security are in place and functioning and it can garner public support for these decisions.

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[49] Hana Kusumoto, "U.S., Japan sign new five-year 'host nation support' agreement," *Stars and Stripes*, January 21, 2011. http://www.stripes.com/news/pacific/japan/u-s-japan-sign-new-five-year-host-nation-support-agreement-1.132428

[50] Emma Chanlett-Avery, et. al., "Japan-U.S. Relations: Issues for Congress," Congressional Research Service, January 13, 2015. p. 21.

[51] "Japan seeks cut in host-nation support for U.S. forces," *Japan Times*, October 23, 2015. http://www.japantimes.co.jp/news/2015/10/23/national/japan-seeks-cut-in-host-nation-support-for-u-s-forces/#.VmU0ob-HTGt; "Japan to keep host-nation support for U.S. forces around current level," *Japan Times*, December 15, 2015. http://www.japantimes.co.jp/news/2015/12/15/national/politics-diplomacy/japan-keep-host-nation-support-u-s-forces-around-current-level/#.VnDuEdJ9670.

[52] "Japan, U.S. at odds over 'sympathy budget' for U.S. military bases," *Asahi Shimbun*, October 23, 2015. http://ajw.asahi.com/article/behind_news/politics/AJ201510230058

Here, three considerations are important:

1) Demonstrate how Japan's new options to use force will work in practice and what benefits will be created. The government and SDF need test cases to show how this will work in practice to build the confidence of the Japanese people. Transparency of military operations is essential. Hiding SDF activities does not build support for the armed forces, especially if an incident occurs and people question the objective of the mission.

2) Rethink how the Diet is used in national security policymaking. Legislative oversight over executive actions is one of the most important checks and balances in democratic governance. The Diet is not operating in a way that achieves this key objective. In particular, members of the Diet as a whole do not have security clearances and access to classified information; only Diet members appointed ministers in the government have access. This means, on a basic level, that Diet members vote on deployments of SDF forces, as well as the recent legislation, with the same level of information as the public – what is in the media. Two reasons are given for this: 1) concerns that members affiliated with the Socialist and Communist parties are potential security liabilities; and 2) under current law, Diet members are immune from arrest while the Diet is in session, so a member cannot be prosecuted if he or she leaks classified information. [53]

   It is a fundamental political principle that elected members of government should have access to the same information as bureaucrats, especially if they are going to vote on issues and be accountable for their votes, and to place the responsibility on them to ensure information security. It is possible to amend the National Secrecy Law to grant Diet members access to classified information and impose upon them the same constraints and penalties that apply to other government officials.

   The goal should be to build accountability for the use of force into the political system so that questions on exercising collective self-defense or collective security receive sufficient consideration. Access to information also helps build consensus across the political spectrum because Diet members would have more "buy in" to decisions that have been made.

3) Cultivate a responsible opposition. Not everyone who protests is a Communist. Many people distrust a government that makes decisions unilaterally. It is in the majority's interests to cultivate a responsible opposition that constructively questions policy and works within the political process to amend it. Unchecked majority rule rarely benefits a nation long-term, even if it is politically expedient.

   This is a two-way street, and the opposition must act responsibly. The inability of the opposition to provide substantive amendments during the recent legislative session is a failure of political leadership. If opposition members are concerned about the path that Japan and the SDF are taking, then they should be demanding accountability for executive branch decisions and playing a role in that system. They have not done so.

[53] Interview, July 30, 2015; Interview, September 14, 2015.

Opposition parties also need a more realistic view of national security, including acceptance that pacifism and international isolation are no longer a viable strategy. The debate needs to change, and to do that, opposition members need access to the same information as those in the majority along with the greater responsibility that comes with that information.

If the Japanese public and opposition are concerned about the government's ability to abuse military power, then the logical next step after these reforms is building checks and balances across the government and between political parties. It is this system that distinguishes a democracy from an authoritarian government, and Japan can use this contrast to its advantage to build confidence in its actions domestically and abroad. These changes will not be easy, and they would require support of the Diet, bureaucracy, and general public to succeed. Yet such changes are crucial to promoting an active security policy built on democratic foundations.

Conclusion

The recent security reforms will not keep Japan from future conflicts. But without adapting to the current security environment and modernizing its national security system and defense forces, Japan may find itself backed into a military crisis with its armed forces and civilian leaders unable to make an adequate, mature response. While Japan may have to use force in the future, under these new policies and options, its leaders and armed forces will be more capable of shaping the conditions under which that force is applied and remain true to the national commitment to never again wage aggressive war. For the reforms to be a genuine restoration of Japan, the country must also build political processes and mechanisms that balance the power of the executive and military alongside the will of the people, and demonstrate accountability and transparency in national security decisions.

About the Author

Marta McLellan Ross is a Visiting Fellow at the Japan Institute of International Affairs (JIIA). Previously, she was a 2014-2015 Council on Foreign Relations-Hitachi, Ltd. International Affairs Fellow hosted by JIIA researching Japan's security policy, including the recent reinterpretation of Japan's constitution to enable collective self-defense and the impact of this change on the US-Japan alliance. From 2013-2014, Ms. McLellan Ross served as the Military Legislative Assistant for Senator Joe Donnelly (D-Indiana), and she was the foreign policy adviser from 2009 to 2013 for Senator Jim Webb (D-Virginia), who served as chairman of the Senate Subcommittee on East Asian and Pacific Affairs. Ms. McLellan Ross has also served as Senior Policy Analyst for Foreign Affairs and Energy at the US-China Economic and Security Review Commission, a bipartisan Congressional commission, and has lived and taught in northeast China. Ms. McLellan Ross completed a MA in Law and Diplomacy from The Fletcher School at Tufts University, and a BA in Asian Studies and Political Science from Birmingham-Southern College.