



WHAT IS HOLDING UP A JAPANESE TAIWAN RELATIONS ACT?

BY BILL SHARP

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“Taiwan is an extremely important partner and a precious friend of Japan, with whom Japan shares fundamental values including democracy, and has close economic and personal ties. Peace and stability across the Taiwan Strait is an indispensable element for the security and prosperity of the international community, and Japan will continue to make various efforts based on its position that the cross-strait issues are expected to be resolved peacefully (pg.14 National Security Strategy of Japan, December 2022).”

If so, what is holding up a Japanese version of the American Taiwan Relations Act?

Despite 50 years of Japanese colonialism, both [Japan and Taiwan](#) get on very well. In fact, Taiwanese look back on the period of 1895-1945 with some [sense of nostalgia](#) given the large [infrastructure projects undertaken](#). Many Taiwanese are more interested in going to Japan rather than China. Popular music and TV are influenced by Japan. The [Taiwanese dialect](#) of Chinese has been influenced by Japan. For example, “pian-tong”–lunch box—is derived from “bento” in Japanese. Unlike several places in Asia, Japanese feel welcomed in Taiwan. The Taiwanese [system of voting](#) and the new [citizen jury system](#) reflect Japanese influence.

Taiwan is important to Japan geostrategically, Taiwan shields Japan, especially Okinawa and the Senkaku

(Diaoyu Tai) Islands. Yonaguni (the southernmost island in Japan) is only 70 miles from Taiwan (it is closer to Taiwan than to Tokyo, in fact). Former Japanese Prime Minister Abe Shinzo saw the handwriting on the wall: China was militarily building up and America’s commitment to the defense of Japan was in question. Abe began saying “A Taiwan contingency is a Japan contingency.” This feeling has become more pronounced as China continues to intimidate Taiwan and Russia tries to subdue Ukraine. There could be no doubt after former speaker of the US House of Representatives Nancy Pelosi visited Taiwan in 2022—China fired five missiles into Japan’s exclusive economic zone. The Yoshida Doctrine, which emphasized Japanese economic growth with little concern for national defense, has [become passé](#).

Japan has defense policies which led up to the passage of the 2015 Legislation for Peace and Security and benefit Taiwan. The [1996 shuhen jitai](#) commits Japan to defend areas close to Japan. [China demanded that Taiwan be exempt](#); however, Japan refused. In 2014, the cabinet [reinterpreted](#) Article 9 of the constitution. The result allowed Japan to protect another country if an attack on that country was thought to be an existential threat to Japan. Such a reinterpretation strengthened the shuhen jitai.

Under the constitution, Japan’s security policy has been based on [an exclusively defense-oriented policy](#), which states that Japan will use its defensive capabilities only when the three conditions for the use of force are fulfilled. The three conditions were redefined in [the 2015 Legislation for Peace and Security](#):

1. “When an armed attack against Japan has occurred, or when an armed attack against a foreign country that is in a close relationship with Japan occurs and as a result threatens Japan’s survival and poses a clear danger to fundamentally overturn people’s right to life, liberty and pursuit of happiness;
2. When there is no appropriate means available to repel the attack and ensure Japan’s survival and protect its people;
3. Use of force to the minimum extent necessary.”

In addition, Japan is undergoing the [most significant changes](#) to its security strategy since the end of World War II. In late 2022, Prime Minister Kishida Fumio's government approved three policy documents—the [National Security Strategy](#), the [National Defense Strategy](#), and the [Defense Buildup Program](#)—that propose a significant expansion of Japan's military capabilities and a major increase in military spending over five years. The documents enable important modifications of the *senshu boei* (exclusively defense-oriented policy) that Japan has followed since 1946, not least allowing Japan to participate far more actively in collective self-defense with the United States and to substantially increase its ability to project force beyond its border

There are signs that Japan is more willing to openly defend Taiwan interests, even if it angers Beijing. The Taiwan Semiconductor Manufacturing Company (TSMC) is [building a foundry](#) in Kumamoto. Already there is talk about building a [second one](#). Japan has repeatedly expressed [support](#) for Taiwan's bid to join the Comprehensive and Progressive Agreement for Trans-Pacific Partnership trade pact. Japan ordered a record 6,000 tons of Taiwan pineapples to help salvage any losses when China suddenly banned the import of the fruit in March 2021. During the pandemic, Japan shipped more than 4 million COVID-19 vaccines to Taiwan after Taiwan President Tsai Ing-wen accused Beijing of using its influence to block a large delivery of vaccines. Prime Minister Kishida replaced his pro-China foreign minister. He also replaced the head of the Ministry of Defense with Minoru Kihara who has a long record of being pro-Taiwan. The Japanese government appointed a high level civil servant to increase communication with Taiwan and to improve intelligence gathering with the Taiwan military. At the same time the de facto Japanese embassy in Taiwan changed its name to "Japan-Taiwan Exchange Association."

Given the above, why doesn't Japan come out with a Japanese version of the US Taiwan Relations Act? Japan and Taiwan do not have formal diplomatic relations. In fact, Japan perpetually walks a tight rope in its relations with Taiwan and China. China is a key Japanese market! During the [27-year period](#) from

1995 until 2022, the exports of Japan increased at an annualized rate of 6.86% from \$22.5 billion to \$135 billion. The Japanese companies with the largest investments and doing the most business in China represent the largest, most powerful companies in Japan. At the same time, they are backed up by the politically powerful Keidanren (Japan Business Federation).

The Japanese see the US 2024 presidential contest as too close to call. Although Trump's foreign policy has been labeled "[transactional](#)" rather than values-based, he has wide support; Biden largely advocates for a [values-based](#) approach to foreign policy, including Indo-Pacific. What this [might mean](#) for Taiwan is [unclear](#). Moreover, Japan's Liberal Democratic Party of Japan is enmeshed in a fundraising scandal, the prime minister's approval rating is low, and the ruling party just lost three by-elections. Taiwan has begun to worry the partnership with Japan [lacks stability](#).

Japan should create its version of the Taiwan Relations Act. Despite the role of the Chinese market, Japan substantially profited from business in China before establishing formal diplomatic relations. Economically, China needs Japan and Japan needs China, and that will not change if Japan establishes its own
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