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# Japan Loosens Guidelines for Defensive Operations

## Ban Put in Place After World War II

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Japanese Prime Minister Shinzo Abe discusses Tokyo's decision to proclaim the right to go into battle in defense of allies, in a highly controversial shift in the nation's pacifist stance announced Tuesday. (Kazuhiro Nogi / AFP via Getty Images)

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**TOKYO** — Following an extraordinary meeting Tuesday, the Cabinet of Prime Minister Shinzo Abe approved a constitutional reinterpretation allowing Japan a limited right of collective self-defense, overturning a 67-year ban on allowing the Japanese self-defense forces to assist close allies such as the United States if they come under attack.

The Cabinet resolution came just a few hours after Abe's ruling Liberal Democratic Party (LDP) reached an agreement with political alliance partner New Komeito on a series of restrictions on the use

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of the right. Komeito, which is backed by a pacifist-leaning lay Buddhist organization, insisted on the restrictions before allowing the LDP to make the constitutional change.

According to Tuesday's historic reinterpretation of Japan's famous Article 9 of its US-imposed 1947 constitution, which forever renounced war as a sovereign right of the nation and the threat or use of force as means of settling international disputes, Japan will be now able to exercise the right only if the following three conditions are met:

! Japan can come to the aid of an ally with which it has a "very close relationship" if the threat also poses a threat to the constitutional rights to life, liberty and happiness of Japanese citizens.

! There is no other diplomatic or negotiated means to protect both that nation and its citizens but through the use of military force.

! The use of military force is kept to a "bare minimum," the interpretation of which has yet to be defined.

In a news conference aired on prime time TV, Abe stressed that in his opinion, the reinterpretation was the minimum necessary to establish Japan's right to defend itself and its allies in case of a real threat to both and several times emphasized that it would not allow Japan to become involved in military conflict to defend other nations overseas.

"No matter what the circumstances, I will protect Japanese people's lives and peaceful existence," Abe said.

"There is no change in the general principle that we cannot send troops overseas. There is a misunderstanding that Japan will be involved in war in an effort to defend a foreign country, but this is out of the question," he said. "It will be strictly a defensive measure to defend our people. We will not resort to the use of force in order to defend foreign forces."

The move comes just six weeks after a specially-convened panel recommended that Japan allow limited rights to collective self-defense, but comes on top a decade-long quest by Abe and conservatives in the LDP to remove what proponents of the change say is a fundamental contradiction in the interpretation of Article 9, while assuring the principle of democratic control over the use of force.

On May 15, the Advisory Panel on Reconstruction of the Legal Basis for Security set up by Abe [recommended reinterpretation of Article 9](#) as long as a number of "brakes" were applied, similar to the three conditions imposed by Komeito, with the main difference



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being that any use of force would now be the minimum necessary, rather than “proportional.”

Other key provisions will include: Any exercise of the right will be considered only if a close partner specifically requests military support from Japan; that Japanese forces cannot enter the territory of another country, widely interpreted as South Korea, without express permission of that country; and that the use of military force is approved by the Diet.

More fundamental to this, proponents of the reinterpretation have argued that the ability to exercise limited rights of collective self-defense removes a major anomaly in Japan’s ability to defend itself, as it is seen as an inherent right of every sovereign state under Article 51 of the UN Charter. Under a 1972 interpretation, Japan denied itself this right, a decision that Shinichi Kitaoka, former Japanese ambassador to the United Nations and one of the major architects for Tuesday’s change, has called “ridiculous.”

New Komeito party chief Natsuo Yamaguchi told Japanese media on Tuesday that his party could accept the reinterpretation as the new restrictions imposed by his party emphasized a basic stance that the change was necessary to improve Japan’s ability to defend its citizens rather than getting involved in the conflicts of other states — a veiled reference to the United States. He also stressed that any decision to exercise the right would have to be approved by the Diet, ensuring civilian control, attempting to allay fears of Japan’s militaristic past when the armed forces seized control of Japan’s foreign policy resulting, ultimately, in the Pacific War.

New Komeito’s pacifist sensitivities on the issue are informed by a deeper debate in Japan on the country’s security policy as it faces the threat of a more assertive China and instability on the Korean Peninsula against widespread popular sentiment in Japan that it not be involved in military engagements of any kind.

On Sunday, in an event that shocked the nation, a man set himself on fire outside Shinjuku Station, one of Japan’s major rail transport hubs, in protest against the impending decision. Tokyo has also witnessed by a series of unusually large public demonstrations, one of which was staged outside the prime minister’s residence. While results vary on the specific questions and who is conducting the questionnaires, public opinion polls consistently show either a small majority or a large minority of Japanese oppose Tuesday’s decision. At best, support by the Japanese public is lukewarm.

Japan military expert Christopher Hughes, a professor of international politics and Japanese studies at the University of Warwick, said the reinterpretation amounts to a “very important turning point for the start of radical change in Japan’s security policy.” He called the decision an important “breach” of the principle of Japan not getting involved in military conflict, that may lead to further changes in interpretation later.

“Naysayers have long tried to argue that Japan’s anti-militaristic culture will resist this entirely, or if it comes, as they have been forced to come to terms with reality, that it will be so bereft of content that it will be meaningless. They have clearly been wrong on the first count and are more or less wrong on the second,” he said.

Hughes agreed that New Komeito had managed to add important constraints on the exercise of the right with the three new conditions, which is likely to keep any fighting by the Japan Self-Defense Forces limited to regional contingencies.

“However,” he continued, “the LDP has got what it wanted, which is the breach of the ban, and enough leeway for future interpretation for collective self-defense to lever open the way to other types of contingencies.”

Narushige Michishita, director of the Security and International Studies Program at the National Graduate Institute for Policy Studies, said the decision poses a crucial test for Japan’s international reputation as a liberal democracy. Intense negotiations will unfold in this fall’s upcoming Diet session as lawmakers decide how to enshrine the decision on a legal basis.

While more hawkish LDP members may see the move as the minimum action to take Japan out of its isolationist stance, Michishita said the decision represents the first in a stepwise approach toward Japan feeling its way on the international stage as a country that can contribute to regional and global security.

During the 1991 Persian Gulf War, Japan was widely derided for its “checkbook diplomacy” as, despite being the world’s second largest economy, it was completely unable to join the US-led coalition to oust Iraqi forces from Kuwait, instead providing a large financial donation only. A quarter-century later, Japan has the chance to prove that it can be a “positive force for international security and peace,” he said.

“We can say now that we have the right. But it’s only a right and exercising it is a different proposition. We have to make sure to use the right in a positive and constructive manner and show that we are no longer a clumsy, sloppy and selfish country,” Michishita said.

Next, the Diet will have to debate a huge raft of legislation that will involve scrutiny of 17 major laws and specific rules, restrictions and permissions for eight major scenarios in which the right may be exercised, including protecting Japanese citizens aboard US military ships, protecting and or refueling US ships in combat, using armed force to intercept and inspect suspicious vessels, intercepting ballistic missiles in flight targeted at the US, protecting US ships under attack in waters in Japan’s vicinity and, for example, minesweeping.

“The precedent-setting and breach of the ban will not mean the floodgates open, and Japan will still remain highly cautious, plus more collective self-defense legislation to come will limit things, but nevertheless the levies are starting to leak significantly,” Hughes said. †

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