

Testing Japa

By Colum Murphy

Asia

Many in Japan consider the legal framework governing the country's security no longer appropriate. Yet a consensus on how best to increase Japan's security is still a long way off

CALL it the mushroom cloud with a silver lining. Just a few weeks after Shinzo Abe took over as Japan's prime minister, North Korean leader Kim Jong Il decided it was time to test a nuclear bomb. In so doing, Kim gave the new Abe administration the perfect opportunity to accelerate the normalisation of Japan, complete with a fully capable military force.

Currently, Japan's military equivalent, its Self-Defence Forces (SDF), are forbidden to use force outside of Japan. Article Nine of the Japanese Constitution stipulates, in part, that "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". In other words, Japan cannot use force outside of Japanese territory to defend itself nor come to the rescue of its allies.

The implications of this are very real. In the North Korean crisis, for example, Japan cannot use force when conducting maritime inspections outside Japanese waters. Pre-emptive strikes against North Korean missile bases could also be problematic — even if there was credible evidence of an imminent ballistic missile attack.

Furthermore, if a US vessel were attacked outside Japanese waters, the SDF would not be able to come to the aid of the Americans unless a Japanese vessel were also attacked. Such a scenario would make it difficult to convince Americans of the value of a US-Japan alliance.

Not surprisingly, many in Japan consider the legal framework governing the country's security no longer appropriate. Yet a consensus on how best to increase Japan's security is still a long way off.

The ruling Liberal Democratic Party has been seriously considering how to handle the North Korean threat for some time — well before the October test and the July missile launches. The LDP's election manifesto for the September 2005 lower-house elections stated that normalisation of relations with Pyongyang would not take place unless the two countries could first agree to a host of issues, including a satisfactory explanation from Pyongyang as to what happened to the Japanese citizens (at least 13 people) who were abducted by the North and forced to serve the regime. More tellingly, for the first time ever the manifesto threatened economic sanctions against North Korea.

In May 2005, Ichita Yamamoto, an upper-house member of parliament for the LDP and frequent commentator on foreign policy issues,

warned in an interview with the *Far Eastern Economic Review* that failure to stop North Korea from going nuclear would have serious implications for Japan and "change the whole paradigm of security in East Asia". Mr Yamamoto even raised the spectre of a nuclear Japan.

Whether Japan might opt to go nuclear is a question often heard — particularly in foreign media. The Japanese government has vehem

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mentally denied this as a possibility. Sugio Takahashi, a research fellow at the National Institute for Defence Studies (NIDS), a think tank attached to the Japan Defence Agency, concedes that the number of people in Japan considering the nuclear option is increasing, but, he says, this doesn't mean that support for the idea is growing. Mr Takahashi believes the October test in itself is insufficient to drive Japan to revise its constitution. "The test is only

an's resolve

one variable," he says.

Significantly altering Japan's pacifist constitution would take time. As journalist and occasional Review contributor Kenta Tanimichi explains, the first step would be for Japan to pass a law allowing a referendum on the issue. "Without this law, amendment is impossible even if both upper and lower houses of the Diet agree," he says. But getting agreement from the Diet will also be trying, since a two-thirds

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majority of a joint session of both houses would be required. "This may involve achieving a compromise with the LDP's current coalition partner, the Komeito [party] and the Democratic Party," he says. Komeito has expressed strong opposition to amending Article Nine.

The DPJ's Tsuyoshi Yamaguchi says that in principle he is "not allergic" to Japan having the right to collective self-defence, but that in the present political context, it could prove danger-

ous. "Opinions have been swinging rather extremely to the right," he says. "In this context . . . I am rather cautious about it." His party agrees that constitutional reform may be necessary — but not Article Nine. "It all comes down to Nine and the right to collective self-defence," he says, adding that his party still needs to come up with a common line on the issue.

This politically divided atmosphere effectively means that any move to amend the constitution is off the table until at least after the July 2007 upper-house elections. Even then, there is no guarantee that the LDP could muster enough support. Thus many analysts expect meaningful change to the constitution to be at least another five years off. An alternative to formally amending the constitution would be for the Abe administration to reinterpret Article Nine's notion of self-defence.

But Mr Takahashi of NIDS doesn't foresee the Abe administration doing so anytime soon. Instead, he says, there may be some "minor reinterpretation" to allow, for example, Japan's Maritime Self-Defence Forces to offer protection to US vessels in Japanese waters. The more tangible outcome, he believes, will be the earlier deployment of defensive weapons. For example, the Japanese government has decided to deploy Patriot Advanced Capability — three missile batteries by the end

of March 2007 — several months ahead of the original schedule.

It could be that one of the most important results of Pyongyang's nuclear test is its impact on Japanese public opinion. Most Japanese seem to have taken the test in stride — Mr Takahashi describes the reaction from the public as "modest" and says there was a more pronounced reaction to July's missile tests. But, taking a longer-term view, journalist Mr Tanimichi says that the attitude of the Japanese towards militarisation has changed "quite dramatically". He elaborates: "If you look back to say, 1990, few people thought Japan could send troops into a war zone," he says. "The Japanese government was forced to withdraw its offer to cooperate during the Gulf War. Then in 1992, the government met fierce opposition when it tried to pass the Peacekeeping Operations Law — and not just from leftists."

But things are very different now. A turning point, says Mr Tanimichi, was in September 2002 when the North finally admitted its involvement in the abduction of Japanese citizens. From then on, the public began to see North Korea as a "hostile nation". The October test marked another escalation in animosity — but this time the long-term repercussions for regional security are greater. **COURTESY WSJ**

The writer is deputy editor of the Far Eastern Economic Review. This is an edited extract of an article in the Review's November issue