

WATCHING BRIEF: JAPAN'S CONSTITUTION

The visit of Shinzo Abe, Japanese Prime Minister, to Australia recently highlighted the moves he has made to reinterpret the 'peace' clause of the Japanese Constitution to allow more freedom to participate on military activities beyond its borders. This has generated considerable alarm in the region. This Watching Brief gives background details and some points for consideration among Friends.

The Japanese Constitution

Article 9 of the Japanese Constitution outlaws war as a means to settle international disputes. The Constitution came into effect in May 1947 after World War 2, and formally enshrined the aim of international peace based on justice and order. It is generally accepted that the then Prime Minister Kijuro Shidehara wanted to include the 'pacifist' clause in recognition of the shame brought on the country by the military establishment. The clause has not prevented the creation of 'self-defence' forces, although the current forces are probably already beyond the original idea of policing.

The official English translation of Article 9 of the Constitution is as follows:

Aspiring sincerely to an international peace based on justice and order, 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. To accomplish the aim of the preceding paragraph, land, sea and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

Our Friend Kevin Clements (Director of the National Centre for Peace and Conflict Studies at Otago University in New Zealand) summarises the recent developments and their implications as follows:

- The reinterpretation of Article 9 was made by the Prime Minister because he did not have parliamentary or electorate support to seek a two-thirds majority in the Japanese Diet for a formal change.
- The reinterpretation extends the right to self-defence to include collective defence in support of allies, and will allow Japanese forces to work alongside allies (principally the USA) in the Middle East or elsewhere.
- Opinion polls show that over 50% of the population oppose the decision, and many see it as an attack on democratic government.
- When seen in the context of the Prime Minister's other actions to reinterpret WW2 history so as to play down issues such as comfort women, Nanjing massacre, and medical experimentation, it suggests a return to Japanese militarism.
- Whilst the USA has welcomed the move – wanting Japan to contribute more militarily in the region – others such as China and Korea have expressed concern.
- The Japanese Government has also been increasing defence expenditure and plans even more in the next 5 years. This adds to nervousness about the impact of Japan's moves on the wider region.

The Australian Government appears to be comfortable with the new approach. Part of the joint statement issued by the two Prime Ministers during the Australian visit (8 July 2014) said:

The two leaders welcomed the recent growth and deepening of the bilateral defence and security relationship in support of international peace and stability. This builds on the 2007 Joint Declaration on Security Cooperation to ensure Australia and Japan can work effectively together in the region and beyond. Prime Minister Abbott expressed support for Japan's recent efforts on its security policy of "Proactive Contribution to Peace" based upon the principle of international cooperation and the updating of its legal framework for security, including through the exercise of its UN Charter right to collective self-defence.

Hugh White (professor of Strategic Studies at ANU) has made the following points about the Japanese Prime Minister's move to change the interpretation of Article 9 (The Age, 7 July 2014):

- Mr Abe is looking for allies (eg Philippines, Vietnam, India, Australia) to fight alongside against China – not to enable more peacekeeping activities by Japan.
- It is hard to see how a stable future can result from a division of Asia into mutually-hostile armed blocs.
- Australia should think carefully whether it wants to support the Japanese PM's strategy, lest we become embroiled a Japan-China conflict (eg over the Senkaku/Diaoyu islands).

The Canberra Times editorial on 8 July included the following point about Mr Abe:

His decision to "reinterpret" Article 9 of Japan's post-war constitution outlawing war as a means of settling international disputes was poorly received in Beijing and Seoul. And there are other instances such as a December 2013 visit to the Yasukuni Shrine by Mr Abe, attempts to backtrack on an apology to comfort women and his stacking of the board of national broadcaster NHK with like-minded conservatives that also attest to the strength of Chinese concerns.

Japan has every right to pursue its security needs as it sees fit, and to adjust its defence posture in response to the rise of a neighbour which has not always demonstrated that it respects the rule of international law. However, Japan's reluctance to confront and deal with its own military past makes many people, Koreans and Chinese in particular, doubt the sincerity of its motives, well meaning though they may be. It would be ironic indeed, if in responding to legitimate home-grown concerns about future Chinese intentions, Mr Abe were to contribute to a build-up of tensions in east Asia. If nothing else, he has, through his fervent embrace of Mr Abbott, complicated Australia's ability to steer a middle course in its own relations with China.

Quaker Responses

In its submission to the Government about the 2013 Defence White Paper, QPLC made the following general comment:

Our view is that the Government should put more resources and attention towards preventing crises from escalating into violence, use the international system to put in place better ways to achieve this, and work collaboratively with other agencies in the field.

QPLC will continue to watch developments and consider appropriate action at the national level. Friends may wish to take up the matter in their own way with other groups and with MPs. Ronis Chapman, Secretary of the Asia-West Pacific Section of FWCC, will keep in touch with Friends in the region to gauge their views, and we will pass these on where appropriate.

Canberra
July 2014

Appendix

Friends may not be aware that, during the Allied occupation of Japan after the war, Elizabeth Gray Vining – an American Quaker writer - was invited by Emperor Showa in 1946 to become a private tutor to Crown Prince Akihito, heir apparent to the Imperial House of Japan. As part of her teaching program, she arranged for closely-supervised occasions when four Western teenage boys in Tokyo would get together to help the prince practice English conversation. She also introduced the children of the Imperial Household to Western values and culture, and lectured at Gakushuin University. As a result of her work she was awarded the Order of the Sacred Treasure for meritorious service. She returned to the USA in 1950.

Elizabeth wrote several books about her Japanese experience, the most famous being *Windows for the Crown Prince* which was a best-seller. The prince clearly was greatly impressed by her, and kept in touch in her later years. She once spoke of the prince as a sincere boy whose eyes expressed a lively sense of humour within. He had been transformed from an isolated person into a poised young man. She was the only foreign guest at his wedding ceremony as emperor in 1959. As a result of her influence, the emperor and his wife changed Japanese tradition by raising their own children themselves.