

# Japan's New Security Bills: Strategic Considerations and Policy Trends

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On December 12, 2016, the Japanese government sent the Self-Defense Forces (SDF) peacekeepers to Sudan with new tasks of “using weapons to rescue people and defend camps jointly with foreign peacekeepers”. The mandate came as the first practice of the newly approved security bills, a sign that Japan’s security posture shifts are moving from policies to actions. The long-planned package of bills was pushed through the Diet upper and lower houses by the Abe government in 2015, and came into effect in March 2016. It consists of the *Legislation for Peace and Security* and the *International Peace Support Bill*. The former amends ten existing security laws, including the *SDF Law*, *Armed Attacks Situation Response Law*, *Emergency-at-Periphery Law*, and *Act on Cooperation for United Nations Peacekeeping Operations (PKO) and Other Operations*<sup>1</sup>, and the latter is a single piece of new legislation that allows provision of logistical support to foreign forces engaged in international dispute settlement. The NSBs represent significant adjustments in Japan’s security policy, paving the way for collective self-defense operations. Therefore, it is imperative to look deeper into them and assess their impacts on regional security and Japanese society.

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## I. MOTIVES BEHIND THE NSBs

Changes to national security and foreign policies usually accompany shifts in domestic politics, international environment, foreign relations and balance of power. The NSBs are no exception. Defeated in the World War II (WWII), Japan adopted a pacifist Constitution and formally renounced the sovereign right to wage wars and maintain armed forces. Under the Constitution and the Japan-US Security Treaty, the country followed the Yoshida Doctrine, which underlays the foreign policy of relying primarily on the United States for defense and concentrated on economic development instead of military expansion. Thanks in part to this doctrine, Japan grew into one of the world's major economies by the late 1960s, and along with such rapid economic growth came the desire for security independence. This was best reflected in the Comprehensive Security Strategy developed in the late 1970s. It advocated a comprehensive approach to security, encompassing strengthened Japan-US alliance and defense cooperation, augmented Japanese military power, improved economic development, and stepped-up diplomatic efforts. The strategy had been followed until the 2000s when the country started its pursuit of becoming a "normal country" and later a "political and military power". Accordingly, the security policy saw a profound shift towards "combining protection from the Japan-US alliance with as much self-defense and armament efforts as possible". During Shinzo Abe's second term, the shift became all the more visible and evolved into "promoting self-defense as the starting point, while relying on and contributing proactively to the Japan-US alliance". This is when the NSBs are passed, laying the legal foundation for removing the ban on collective self-defense and achieving security independence.<sup>2</sup>

Abe's security policy is as much about inheritance as about extension. It inherits from its predecessors the goal of gaining autonomous defense capabilities, while seeking to expand the country's role in global issues, particularly security ones. Such a major shift comes as a result of multiple factors within and out of Japan, including the international strategic landscape evolving

with changes in the relative strength of China, the US and Japan, and Japan's desire for a greater role driven by its social mentality changes. The paper identifies the rationale behind the NSBs from three perspectives.

### 1. External security threats

The Asia-Pacific region boasts the world's fastest economic growth and is well-poised to become the most vibrant political and economic center. However, along with such development come numerous security challenges. The regional strategic landscape is undergoing adjustments, dotted with competitions of growing intensity and complexity, festering disputes over territorial sovereignty and maritime rights and interests, and looming arms races. This is worsened by increasingly prominent non-traditional security threats such as terrorism, cyber-attacks, and environmental degradation. Together, they lead to regional security uncertainties and instabilities that spark Japan's concerns over its security environment. Particularly, the Abe government's top security concerns are as follows.

The first and most pressing threat comes from the Democratic People's Republic of Korea (the DPRK). The Japanese government closely follows the development of the DPRK's nuclear program, and perceives "The DPRK's development of nuclear weapons and missiles as a major threat to regional and international peace and stability."<sup>3</sup> This is confirmed in the *National Defense Program Guidelines for FY 2014* (NDPG), which states that "The DPRK's nuclear and missile development, coupled with its provocative rhetoric and behavior, poses a serious and imminent threat to Japan's security",<sup>4</sup> and the *Defense of Japan 2015* (DoJ), in which the DPRK's nuclear weapons development is recognized as "a grave threat" to its security.<sup>5</sup> The worries and sense of threat grow even stronger as the DPRK continues to strengthen its nuclear and missile capabilities, particularly extending its missile ranges. For example, the DPRK has conducted several missile tests in 2017, including a lofted trajectory test in May and the successful launch of Hwasong-14 in July, and is also working on vehicles and submarines for missile launch. Some of the test-fires

failed, suggesting that the weapons' reliability is yet to be proven. However, even such failures cannot soothe Japan's nerves. The draft *DoF 2017* dedicated a column to the DPRK's nuclear and ballistic missiles development and threats, expressing particular concerns over extended missile ranges and describing the DPRK as posing "a new level of threat".

Then, there is China. The Abe government regards China as Japan's largest "imaginary enemy" and arch rival, whose rise it blames for regional instabilities. For the government, such rise forms the biggest variable in the evolving strategic landscape of the Asia-Pacific region, bringing great impacts on and uncertainties to Japan's security. The *National Security Strategy* proposed by the Abe government, the first of its kind in the postwar Japan, notes that "China is further increasing its presence in the international community", and that "the change in the balance of power has caused instabilities worldwide, as it triggers attempts to deny current national boundaries and disrupt maritime orders".<sup>6</sup> Specifically, Japan is upset about what it cites as evidence for the "China Threat" theory, including China's increasing military budget, accelerated military development, and extended and intensified naval and air force activities. The country claims that China's increasing military presence in its surrounding seas, coupled with a lack of transparency in its military affairs and security policy, has become an issue of concern to both regional and international communities. The military actions are described as "unilateral attempts to change the status quo in waters and airspace, including the East China Sea and the South China Sea based on its own assertions, which are incompatible with existing order of international law of the sea" in the *Diplomatic Bluebook 2016*.<sup>7</sup> The *DoJ 2017* also views them as signals that "China is poised to fulfill its unilateral demands without compromise".<sup>8</sup> Particularly in recent years, China has frequently dispatched ships to "intrude" into the so-called "territorial waters and airspace of Japan" around the Diaoyu Islands, outlined the Air Defense Identification Zone over the East China Sea, built and deployed military assets on artificial islands in the South China Sea, and rejected Hague ruling. For Japan, such moves are alarming signs

of China's efforts to maintain military superiority and unilaterally change the status quo with coercion—and this is an unacceptable challenge that requires urgent responses.

Finally, diversified security threats in East Asia are also a source of concern, complicating and destabilizing Japan's security environment. The NDPG recognizes that "while the probability of a large-scale military conflict between major countries, which was a concern during the Cold War era, presumably remains low, various security challenges and destabilizing factors are emerging and becoming more tangible and acute; as a result, the security environment surrounding Japan has become increasingly severe."<sup>9</sup> The message is further elaborated in the *Diplomatic Bluebook 2015*, which states that "there have been rapid advances in globalization and technological innovations. This has brought with it rising threats and diversifying risks, such as weapons of mass destruction and ballistic missiles, international terrorist organizations, and cyber-attacks."<sup>10</sup> As is shown in these documents, the Japanese government sees the need to boost its defense capability against various security challenges which include not only traditional security disputes over territories, sovereignty and maritime economic rights, but also non-traditional threats concerning terrorism, the proliferation of weapons of mass destruction, cyber-attacks, natural disasters, and public health.

## **2. Strategic needs of the US**

The US-Japan alliance has formed the cornerstone of Japan's security policy since the end of the WWII. This is reflected by Japan's complete support and adherence to almost any US security strategy. Japan has seen nine prime ministers come and go within ten years, but what remains unchanged during such frequent changes in premiership is the support to the Japan-US alliance and America's strategies for Asia. Therefore, the success of Japan's security system transformation, and more specifically, the adoption of NSBs, depends much on the nod of the US.

The US sees the alliance with Japan as a crucial part of its global strategy. To safeguard its security interests in the Asia-Pacific region, the country needs Japan to serve as an outpost

with enhanced military strength, and such need helps create a relatively easy external environment for the security law reform. The NSBs also come as the US is facing such a decline in its relative strength that it has to rely on allies' larger strategic role for support. According to the *2014 Quadrennial Defense Review*, the US defense budget and army size are shrinking, limiting the country's capability of coordinating multiple missions simultaneously. The result is that it has to depend increasingly on allies and partners to address confrontations and conflicts, and strengthen key alliances and partnerships for its Asia-Pacific Rebalance strategy. That is why President Obama and Trump have repeatedly expressed their expectations of Japan to assume more responsibilities and obligations in regional affairs, as part of the effort to address the ever-changing regional security environment. It is thus no surprise that the US has welcomed the NSBs, which allow Japan to fight alongside allied forces, and backed the Abe government at crucial moments of their passage. On May 14, 2015, Jeff Rathke, US State Department spokesman, said "we certainly welcome Japan's ongoing efforts to strengthen the alliance", and the *Defense Authorization Act for FY 2016* also declared that "the committee further commends the Government of Japan for its July 2014 policy decision regarding collective self-defense".<sup>11</sup>

For the US, Japan serves as a reliable partner it needs to gain an upper hand in controversies with China and intervene in territorial disputes over the Diaoyu Islands and the East China Sea. On the other side, Japan can ride the waves of US strategy shifts to fundamentally reform its security policy on the NSBs. This makes the NSBs a win-win solution, where the US benefits from strengthened military alliance, and Japan achieves the goal of overturning its longstanding postwar security policy.

### **3. Desires to break the shackles of the pacifist Constitution**

The NSBs' allowing for collective self-defense represents the latest progress

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Japan and the US have shared interests in revising Japan's current security policy to strengthen its military capabilities and the military alliance.



towards a goal that has long been held by Japanese conservative politicians—to revise the war-renouncing Constitution so that Japan can get out of the so-called “postwar system” and become “normal” and powerful again.

In the postwar Japan, there have always been voices against constitutional pacifism, and attempts to scrap pacifist arrangements and reassert Japan as a “normal country” with complete political, security, and diplomatic independence. Since its formation in 1955, the ruling Liberal Democratic Party (LDP) has included in its principles the goal of “revising the Constitution”, and made part of its policy platform the task of “reforming the Constitution and examining laws promulgated during the period of allied occupation for necessary adaptation and abolition”. In response to the evolving international landscape, Japan has been on its way towards the complete removal of bans on collective self-defense and an outright constitutional reform, through small steps such as exercising the right of self-defense, reinterpreting the Constitution, participating in overseas peacekeeping operations. Now adding to the list is the latest move of ending restrictions on collective self-defense for the alleged “active pacifism”.

In his 2014 New Year message, Abe said “the fight for a ‘strong Japan’ has begun. By 2020, Japan will have completely restored its status...and contributed to the world’s peace and stability as never before. I believe ‘active pacifism’ is what we should seek in the 21<sup>st</sup> century.”<sup>12</sup> The logic behind the statement is that by outlawing collective self-defense, the current war-renouncing Constitution represents “passive pacifism”, which only leads to a pacifist Japan and cannot protect the country in this globalized world. The only way to protect Japan is to contribute more proactively to the world peace with an expanded role in global affairs, particularly in the field of security. This makes the pursuit of collective self-defense an essential step on the way towards a great country with increased global heft. The Abe government also believes that only when the ban on collective self-defense is removed can the country acquire an equal footing in its alliance with the US and engage in joint military activities overseas. It is thus no surprise that the government would use the NSBs to legitimate the collective self-defense right.

## II. FEATURES OF JAPAN'S POST-NSB SECURITY POLICY SHIFTS

The promulgation and implementation of the NSBs marks an effective departure from the postwar pacifist security policy after years of gradual steps, redefining how, when, and for what its military forces can be used.

### **1. First-ever legislative support for collective self-defense**

The NSBs cover a wide array of security issues, but their primary focus is on lifting the ban on collective self-defense, or allowing Japan to fight alongside allies even when the country is not under attack itself.<sup>13</sup> As a member of the United Nations, Japan possesses the right under the Article 51 of the UN Charter to engage in both individual and collective self-defense. While the exercise of individual self-defense was not deemed problematic, the same was not true of collective self-defense. Successive Japanese governments had interpreted Article 9 as precluding the exercise of that right.<sup>14</sup>

That was until the Abe government began its attempts to revise and reinterpret the Constitution to end collective self-defense bans and restraints on the use of forces.

On May 15, 2014, the Advisory Panel on Reconstruction of the Legal Basis for Security, Abe Cabinet's advisory body, submitted an officially inspired report on the forms and scenarios of collective self-defense engagement. Specifically, the report identifies six cases of military action: "minesweeping in maritime areas where navigation of Japanese ships is significantly affected"; responding to "contingencies in Japan's neighboring areas", with measures including "ship inspections, and repelling of attacks against US vessels"; "supporting the US when it is under an armed attack"; participating in "activities based on a UN decision when an armed attack which significantly affects the maintenance of international order occurs"; responding to "foreign submarines that do not follow the request to leave Japan's territorial sea"; and combating "armed groups that conduct an unlawful act against a vessel or civilian in a sea area or remote island".<sup>15</sup>

Based on the report, on July 1, 2014, the Abe Cabinet made a cabinet decision that scrapped the previous conditions on the use



of forces. Instead, it specified that the right of collective self-defense should be exercised when three conditions are met:

(1). Japan or its close ally is attacked, and the result threatens Japan's survival and poses a clear danger to the life, liberty, and the pursuit of happiness of its people;

(2). There is no other appropriate means available to repel the attack and protect the country and its people; and

(3). The use of force is restricted to a necessary minimum.<sup>16</sup>

This is followed by the passage of the NSBs through the Diet lower and upper houses—both dominated by the ruling coalition of the LDP and Komeito—on July 16 and September 19, 2015, respectively. Built on the updated “three conditions for the use of forces”, the new package of bills expands the coverage of Japan's security operations with articles for “survival crisis” and logistics support to multinational forces. Notably, Article 2 of the *Law of Armed Attacks and Survival Crisis* stipulates that forces can be used when Japan sees its “survival” threatened and “the life, liberty, and the pursuit of happiness of its people” fundamentally endangered, even when it is not directly attacked. Another change is the authorization of SDF peacekeepers to use weapons not only for self-defense, but also for protecting allies.<sup>17</sup>

The adoption of these bills has legally recognized Japan's right to exercise collective self-defense for the first time since the end of WWII, smoothing the way towards practicing the new national security strategy that expands the role of the SDF.

## **2. Long-term overseas military presence**

Overseas military presence had long been unthinkable in the postwar Japan until the end of the Cold War, when in response to the drastic changes in the international landscape and the US strategic needs, the country began to engage in UN peacekeeping missions and US-led military operations abroad under the Japan-US alliance framework. Some of its overseas efforts include demining projects in the Gulf region, peacekeeping and rescue operations in places like Cambodia, and particularly, US-led anti-terrorist activities after the September 11 attacks. However, these moves require new ad hoc laws tailored to their specific needs,

which makes them largely temporary in nature.

Prior to the NSBs, legislations governing SDF's overseas missions are as follows.

(1). *The Act on Cooperation for United Nations Peacekeeping Operations* (1992) for UN peacekeeping and international humanitarian relief operations such as truce supervision;

(2). *The Law Concerning Dispatch of the Japan Disaster Relief Team* (1992) for disaster relief assistance in foreign countries;

(3). *The Emergency-at-Periphery Law* (1999) for assisted departure of Japanese overseas in the event of disasters;

(4). *The Anti-Terrorism Special Measures Act* (2001) for military operations that help the US address threats related to the September 11 attacks;

(5). *The Law Concerning Special Measures on Humanitarian and Reconstruction Assistance in Iraq* (2003) for operations that support reconstruction and security in Iraq; and

(6). *The Act on the Punishment of and Measures against Piracy* (2009) for escort missions against pirates in Somali waters.<sup>18</sup>

As is shown above, Japan has been improving the legal framework for its overseas military engagement. The result is widened and diversified sphere of international military activities that have contributed to the world's peace. However, it should be noted that these laws could not lead to the long-term and autonomous overseas military presence the Abe government is looking for. They still put overseas military operations under the shackles of the UN and Japan-US alliance, and some of them are temporary. For example, the *Anti-Terrorism Special Measures Law* and its successor *Replenishment Support Special Measures Law* (2008) and the *Law concerning the Special Measures on Humanitarian and Reconstruction Assistance in Iraq* expired in 2010 and 2009, respectively. Creating a permanent legal framework for Japan's international military activities and support to multinational forces has always been on the agenda of the Japanese government, and this is exactly what Abe cabinet wants to achieve with the NSBs.

That is why the new *International Peace Support Act*, revised to legitimate dispatching troops overseas, is included in the NSB

package. The Act allows Japan the permanent right to deploy SDF abroad, enabling quicker and more effective support to allies under emergencies. Its core concept is the “joint response to a threat to

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With such flexibility and expanded scope of military operations comes extended discretionary power of the government over military dispatching, consequently increasing the risk of getting embroiled in international conflicts.

international peace”, which means when peace-threatening events take place overseas, as a “responsible” member of the international community, Japan should offer supplies and contribute peacekeeping forces. The significance of this act is that it permits the government to dispatch forces without waiting for ad hoc legislation and offers greater flexibility in military actions by breaking constraints from the UN and Japan-US alliance frameworks. However, with such flexibility and expanded scope of military operations comes extended discretionary power of the government over military dispatching, consequently increasing the risk of getting embroiled in international conflicts.

### 3. Loosened restrictions on the use of forces

To ease restrictions on the use of forces so that Japan “can fight” against various challenges, the NSBs divide threats into three categories by their graveness, namely the “Grey Zone Situation (GZS)”, “Situation of Significant Influence (SSI)” and “Survival-Threatening Situation (STS)”, and specify their responses accordingly. Such classification is alarmingly dangerous, as it expands the scope, pattern, and targets of Japan’s military operations by removing restraints on collective self-defense and the use of forces.

The GZS refers to a scenario that is “neither in peacetime nor in armed conflicts, but somewhere in between”. It encompasses not only “infringements upon Japanese territory, sovereignty and economic interests short of ‘an armed attack’, but threats against the allied US forces”.<sup>19</sup> Responses to GZSs include coordinating

“seamlessly” with the US forces and carrying out operations to protect their arms, and reinforcing the defense and patrol in the surrounding areas of remote islands (particularly the Diaoyu Islands), to guard against possible escalation in a timely manner.

The SSI stands for a situation with significant influence on Japan's security that runs a risk of escalation into armed conflicts if not addressed properly. The concept is a revised version of the “Situations in the Area surrounding Japan (SIASJ)” and makes possible expanded use of forces. For example, unlike SIASJ, the SSI is not bound by geography, which means the SDF can be deployed anywhere around the world as long as the situation influences Japan's peace and security. The laws concerning SSI also authorize support to security partners other than the US military and add ammunition supply and aerial refueling to SDF's existing mandates of fuel supply and medical assistance. In doing so, it helps achieve what Abe government and the Japanese media touted—“SDF can go anywhere in the world”.

The STS describes a situation where “an armed attack against a 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 Japanese people's right to life, liberty, and pursuit of happiness”. Under such circumstances, Japan can use forces if necessary. However, as to what situations should be deemed as “survival-threatening”, Abe and his cabinet members have yet to give a definitive answer in the Diet discussions. Instead, they only cited a blockade in the Strait of Hormuz and crisis in the Korean Peninsula as possible examples. In his deliberation to the lower house on May 26, 2015, Abe explained that “[STS] is not limited to situations with economic impacts. Circumstances where shortage of everyday products and power supplies poses grave threat to the daily life of Japanese people should also be considered”.<sup>20</sup> Other factors that can be assessed to identify STS include the “intent and capability of the offense, place and scale of the incident, probability that the incident may affect Japan, and the suffering of local people”. In practice, such vague definition gives the prime minister great discretion over whether to intervene in a conflict or even a war.

Clearly, all the three situations are ill-defined concepts. This makes the decision-making process vulnerable to subjective judgment of the country's leaders, contributing to capricious and facile use of military forces. The result is loosened restraints on force uses, increased likelihood of proactive military responses, and ultimately growing risk of being sucked into conflicts or even wars.

### III. IMPACTS OF THE NSBs

The NSBs will enable Japan to play a more active role in international security affairs, revealing the increasingly outward-looking and expansionary nature of the country's military power. Such shifts have profound impacts on the regional security landscape, Japan-US alliance and the Japanese society.

#### **1. Regional security**

To begin with, the China-Japan security mutual trust will suffer, which is detrimental to the development of their relations and adds uncertainties to regional security. As is proven by the postwar experience, the stability and security of East Asia depends much on China-Japan relations, and deepening mutual understanding and jointly maintaining peace are featured in all the four bilateral political documents the two countries have signed since their diplomatic tie was established. However, to muster support for the NSBs from opponents and the public and build the broadest possible consensus on the necessity for security strategy reform, the Abe government teamed with think tanks and media in a publicity effort to exaggerate regional security threats and hype up the "China Threat" theory, preaching the need to "contain" and "guard against" China. Such move not only deviates from the consensus between China and Japan, but also undermines their already weakened strategic mutual trust, leading to frosty bilateral relations, increasingly notable frictions and competitions, and ultimately increasing security risks in East Asia.

Japan's accelerated military buildup is also met with increasing concerns and skepticism from China, potentially worsening their "security plight". As the NSBs are rolled out, Japan's outward-

looking and expansionary military strategy is becoming clearer: the focus is to defend the Southwest Islands and develop capabilities for long-range maneuvering and ground and maritime attacks. This means that Japan is more likely to respond to regional disputes with military forces, increasing the risk of head-on conflicts with China over such security issues as the Diaoyu Islands dispute. Japan's strengthened alliance with the US and its belligerent security policy will drive China's military modernization. This move, coupled with increasingly frequent Pacific naval exercises, becomes the fodder for the Japanese government and media to play up China's threats, sparking concerns in Japan and further straining the China-Japan relations. Moreover, due to lack of strategic mutual trust and common security interests, the dialogue mechanisms in place have not yet reached their full potential. Although both China and Japan recognize the necessity and urgency of a crisis management system, they are still divided on how to comply with their agreements and delineate territorial sea and airspace. That explains their occasional frictions in the East and South China Seas, and makes effective security cooperation all the more challenging.

The Abe government maintains that the NSBs are intended to better protect Japan and its people and enable greater contribution to the international community. The irony is, however, instead of improving Japan's security environment, the bills are fomenting—and will continue to foment—regional tensions with increased risks of conflicts, or even wars among neighboring countries. Therefore, it can be forecasted that more difficulties and challenges are waiting as the NSBs are put into practice.

## **2. Japan-US alliance**

It will become increasingly evident that the NSBs are strengthening Japan-US alliance, a relation that is regarded as the cornerstone of Japan's security policy.

For the US, the NSBs help boost its involvement and influence in East Asia security affairs. The country's economic recession and retrenchment in defense budget may create a strategic vacuum in East Asia, and the key to maintaining its dominant role in the Asia-Pacific region is strengthening SDF capabilities to fill the



vacuum. In other words, the US considers its alliance with Japan as the foundation of its military presence in East Asia. That is why the basic framework of the alliance and their shared fundamental interests remain unchanged during Trump's presidency, and why the US has urged and helped Japan to assume a greater role in their alliance. Such demand creates a favorable environment for the enactment of the NSBs. With loosened control over Japan, the need of the US for reinforced alliance can be satisfied, and the Abe government is also able to enhance the defense capabilities and counter China under the US protection.

On the other hand, Japan's role in the alliance has been expanded. The NSBs allow Japan to provide much more than just "bases" and backups to the US—it will fight alongside the ally, and in doing so, enhance its role in the alliance and capability of intervening in regional and global affairs. This is also shown in Japan's efforts to extend the Japan-US alliance for a new regional security system of more partners, marching towards playing a leading role with greater influence in the Asia-Pacific security affairs.

However, instead of reconciling the inherent conflict of strategic interests between the US and Japan, the NSBs can only aggravate it. What Japan wants to achieve through its "normalization" is to shake off the US control and regain its independence as a global power. Such centrifugal tendency will always accompany Japan's moves to strengthen its security system and develop a new regional security system. Predictably, as its relative strength declines, the US may gradually lose the will and wherewithal for its international security commitment, while Japan will step up and take a larger security role. This can erode the foundation of their alliance and consequently deliver a blow to the US strategy for East Asia. This trend is likely to become more obvious amid "limited strategic withdrawal" of the US from the region.

### **3. Japanese society**

The NSBs also have a great social impact. First, they devastate the pacifist principle, a cherished part of Japan's postwar identity. The country's security legislation is designed to keep the government in check and ensure the compliance of its security

policies to the pacifist principle enshrined in the Constitution. However, this is challenged by Abe's security system reform. The NSBs essentially void the pacifist Constitution by offering "legal justification" for abandoning the path of peaceful development. This represents a fundamental departure from the pacifist political norms and Constitution that have featured prominently in postwar Japan.

Second, the NSBs have strengthened the existing unilateral leadership, allowing the prime minister a say in security issues as never before. For example, the revised *National Security Council Establishment Act* puts powers in the hands of the prime minister to set national security policies, command and control the SDF, and decide on responses to contingencies. This consolidates the unilateral leadership of the prime minister, and renders the rest of the cabinet executors without any meaningful participation in the decision-making process. Another example is the amendment of the Article 12 under the *Ministry of Defense Establishment Act*. By allowing SDF officials to assist the defense minister on a par with civilian defense officials, it grants SDF officials a greater role in security decision-making and ends the supremacy of high-ranking civilian defense officials over uniformed military officers. Consequently, a key layer of civilian control and oversight over military operations and security affairs is removed, making Japan's military buildup all the more threatening and uncontrollable.

Finally, publicity around the NSBs fuels biased perceptions of security affairs and changes the strong pacifist vein that runs through the public. To muster public support for a militarily-capable Japan and ultimately end the deeply-rooted postwar pacifism, the Abe government is increasing the public awareness of security issues and fostering "the love for motherland" nationwide.

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Japan has strengthened premiership by putting powers in the hands of the prime minister to set national security policies, command and control the SDF, and decide on responses to contingencies.

Patriotism is nothing new in Japan. Back in 1957, Nobusuke Kishi, then prime minister and Abe's grandfather, promoted the patriotic value of "stabilizing people's livelihood". But unlike his grandfather, Abe's idea of "the love for motherland" is more about fighting against surrounding threats. Even more disturbingly, the preaching of military threats has found increasing audience and supporters. This will undoubtedly drive right-wing shifts in Japan's domestic politics, paving the way for the ultimate repeal of the pacifist Constitution.

### CONCLUSION

The NSBs come as a result of multiple internal and external factors, including an evolving regional strategic landscape that presents increasingly challenging and complicated security environment, America's support out of its own interests, and the desire of Japan's political elites—Abe in particular—to end constraints on the country's security role. The bills lift the ban on collective self-defense operations and effectively break the shackles of the pacifist Constitution. They not only provide a solid legal ground for more outward-looking and expansionary security policies and give the government more discretion to use forces, but also fundamentally alter Japanese people's perception of and attitude to security issues, which challenges the postwar pacifism. After the breakthrough in the security legal framework, the Abe government has remarkably ramped up its efforts to develop military capabilities and security alliance, which is seen in Japan's increasing engagement in bilateral and multilateral defense cooperation and more active role of SDF in international and regional affairs. Such engagement helps enhance SDF's capabilities and speed up Japan's progress toward a militarily-capable country, or even a military power. It also offers Japan the opportunity to garner domestic and international support for military capability development.

However, it should be noted that the shifts in Japan's security policy heralded by the NSBs have a profound and significant impact on neighboring countries and Japanese society. Without providing

any clear answer to historical issues, Japan pursues military power in preparation for the alleged challenging security threats. This will inevitably upset its neighbors and put them on high alert. The result is that they also resort to military buildup in response, adding to regional security tensions. Domestically, instead of convincing the public for support and understanding with sufficient explanations, Abe chose to ram the bills through the Diet by using his party's hefty parliamentary majority, leading to a deeply divided Japanese public. Voices against the NSBs and Abe show no signs of subsidence even under the government's efforts to silence them. There are also uncertainties in the adjustments of America's Asia-Pacific policy under Trump administration and Japan's responses to them. These are the variables Japan's security strategy faces, and should be taken into consideration as the Japanese government puts the bills in practice.

For all the uncertainties about the direction and implications of Japan's security policy, it is still necessary to take precautions and prepare to defend China's national security and development. Specific measures include:

(1). Conducting studies to follow Japan's strategy development with detailed analyses of possible impacts of factors within and outside Japan. This helps keep tabs on the evolving regional security landscape and avoid biased and rushed strategic decisions;

(2). Strengthening coordination and consultation among major countries to maintain regional stability. China, the US and Japan are major powers in the Asia-Pacific region and have great impacts on regional security. Establishing communication channels and consultation mechanisms between them is of crucial importance to stabilize the regional balance of power;

(3). Facilitating China-Japan exchanges and cooperation at various levels and channels to enhance mutual understanding and trust and foster a consensus on peaceful development and win-win cooperation. This may dent the vigorous expansionism of Japan's far-right politicians; and

(4). Enhancing China's defense capabilities. Strengthened military capabilities and strategic deterrence is essential to securing a peaceful and stable environment for China's development.

<sup>1</sup> Laws that are amended include the *Self-Defense Forces Law*, *Act on Cooperation for United Nations Peacekeeping Operations and Other Operations*, *Ship Inspection Operations Law*, *Law Concerning Measures to Ensure Peace and Security of Japan in Situations That Will Have an Important Influence on Japan's Peace and Security*, *Armed Attack Situation Response Act*, *Act Related to the Actions of the US Forces and Others*, *Act Concerning the Use of Specific Public Facilities*, *Law Concerning the Restriction of Maritime Transportation*, *Law Concerning the Treatment of Prisoners of War and Other Detainees*, and *Act for the Establishment of the National Security Council*.

<sup>2</sup> Akihisa Nagashima. (2013). *The Way to Utilize the United States: Realism in Diplomacy and Security* (『活米という流儀』), Kodansha, pp. 234-240.

<sup>3</sup> The Ministry of Foreign Affairs. *The Diplomatic Bluebook 2015*. <http://www.mofa.go.jp/mofaj/gaiko/bluebook/2015/pdf/pdfs/1.pdf>. Accessed on December 28, 2016.

<sup>4</sup> The Ministry of Defense. *The National Defense Program Guidelines for FY 2014*. <http://www.mod.go.jp/j/approach/agenda/guideline/2014/pdf/20131217.pdf>. Accessed on December 30, 2016.

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