

What Is the Strengthened Japan-U.S. Alliance for? **Defending and Advancing the Liberal World Order**

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Introduction

Since coming back to office in December 2012, Prime Minister Shinzo Abe has been making serious efforts to strengthen the Japan-U.S. alliance. His efforts include setting up a Japanese National Security Council to discuss security matters more closely with U.S. counterparts; introducing a stricter state secrets law, which is indispensable for the reliable exchange of military information with the United States and other strategic friends; revising Japan's military export controls, which had been too strict for the maintenance of a healthy defense industry; turning the tide of declining defense expenditure and actually starting to increase it, though still not by a great amount; and promoting a four-power "Security Diamond" framework in the Indo-Pacific by bolstering security relationships among the Japan-U.S. alliance, Australia, and India.

Most importantly, Prime Minister Abe and his administration last year finally succeeded in revising the legal frameworks for Japan's security policies, making Japan legally more prepared than before to defend itself and to contribute to world peace. Coupled with the Guidelines for Japan-U.S. Defense Cooperation, which were also revised last year, the new frameworks will substantially enhance the mutuality of the Japan-U.S. alliance, enabling much more solid and effective security cooperation.

In this paper I will first examine the historical significance of the new legal frameworks for Japan's security policies with respect to the development of the Japan-U.S. alliance. Then I will discuss how Japan and the United States should further develop the alliance, not only as regional but also global partners. Regarding this point, I will remind readers of the importance of Article 2 of the Japan-U.S. security treaty.

Development of mutuality in the Japan-U.S. security cooperation

I'm told there's a phrase in Japanese culture that speaks to the spirit that brings us together today. It's an idea rooted in loyalty. It's an expression of mutuality, respect, and shared obligation. It transcends any specific moment or challenge. It's the foundation of a relationship that endures. It's what allows us to say that the United States and Japan stand together. Otagaino-tame-ni—"with and for each other."²

President Barack Obama described the essence of the Japan-U.S. alliance using a Japanese phrase at a joint press conference held at the White House after his summit conference with

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² "Remarks by President Obama and Prime Minister Abe of Japan in Joint Press Conference" (speech, White House, Washington, D.C., April 28, 2015).

Japanese prime minister Shinzo Abe. The day before the press conference, Japan and the United States announced the introduction of the newly revised Guidelines for Japan-U.S. Defense Cooperation, which with Japan's new legal frameworks for security will substantially deepen and widen alliance cooperation. The Japanese phrase "otagaino-tame-ni" coming out of the president of the United States symbolizes the evolution of the Japan-U.S. alliance and signals the beginning of a new stage in the relationship. Responding to the president, Prime Minister Abe declared, "Today, we turned a new page in the history of the U.S.-Japan alliance."³

For some 65 years, Japan-U.S. security cooperation has moving in the direction of becoming more mutual, or "otagaino-tame-ni." When Japan made peace with the United States after World War II in the 1951 San Francisco Peace Treaty, Japan's prime minister Shigeru Yoshida believed that an alignment with the United States would bring peace and prosperity to postwar Japan. The U.S. government likewise judged that Japan would be a strategic asset of great value for the United States as it fought the Cold War to defend the liberal world and maintain its hegemonic position in the Pacific (the United States was fighting the Korean War at the time). Thus did the two nations begin their postwar security cooperation, lasting to the present day.

At the center of this alignment has been the Japan-U.S. Security Treaty, on which the alliance has been built. The treaty was signed just hours after the conclusion of the San Francisco Peace Treaty. Actually these two treaties were twin treaties for the United States' postwar settlement with Japan. With 48 nations including the United States as signatories, the Peace Treaty gave Japan peace with honor. This treaty, for instance, did not have any clauses concerning war guilt or demands for heavy reparations. It was a generous peace treaty of "reconciliation and trust," as Ambassador John Foster Dulles called it.

The Security Treaty, on the other hand, gave Japan security but not much honor. The treaty was not formulated as a mutual treaty between sovereign equals. It was formulated as a treaty with which the United States would unilaterally protect a demilitarized and helpless Japan. It accorded the United States broad, unilateral basing rights in Japan for that purpose and also for "the maintenance of international peace and security in the Far East," but it did not formally oblige the United States to defend Japan. Japan had to rely on hope alone that the United States would actually use its forces in Japan for its defense.

As the preamble of the Security Treaty states, the treaty was a "provisional arrangement" for Japan's defense, and it was considered from the outset to be a transitional treaty, which Japan would wish to revise under appropriate circumstances. In Japan, more and more criticism was heard against the treaty as Japan recovered politically and economically from the war, not just from socialists on the left but also from conservatives on the right. Meanwhile Japan created the Self-Defense Forces (SDF), which was an indispensable precondition for concluding a mutual defense arrangement with the United States.

In 1960, Prime Minister Nobusuke Kishi, grandfather of the current prime minister, Shinzo Abe, worked hard with Ambassador Douglas MacArthur II, nephew of the famous General Douglas MacArthur, and succeeded in obtaining a treaty revision. The revision was

³ Ibid.

meant to provide the Security Treaty with much needed mutuality to make it appropriate for sovereign equals and to put the alliance on a solid, long-term footing. To that end, the official name was changed from “Security Treaty between Japan and the United States of America” to “Treaty of Mutual Cooperation and Security between Japan and the United States of America.” The word “mutual cooperation” meant a lot for the bilateral security alignment. Prime Minister Kishi wanted to make Japan’s security relations with the United States “close and equal.” Ambassador MacArthur on the other hand wanted the United States’ relations with Japan to be “reliable and sustainable.” Both agreed that the mutuality of the Security Treaty must be developed for this purpose.

The revised treaty was now so formulated as Japan and the United States cooperating for the mutual purpose of maintaining “international peace and security of the Far East.” Thus the revision gave the treaty two factors of mutuality: mutual purpose and mutual cooperation. It took some time, however, before a real sense of mutuality started to develop from this revision, though it was now clearer than before that the treaty was beneficial both to Japan and to the United States. For one thing, in the Cold War the defense of Japan itself had an aspect of mutuality—for example, the defense of Hokkaido would have the effect of checking the Soviet Pacific fleet from moving toward the United States. Therefore the mutual purpose written into the new treaty did not need to be overly stressed.

More importantly, the forms of mutual cooperation in the treaty have their own limitations in cultivating a real sense of mutuality. There are two forms of mutual defense cooperation in the Japan-U.S. Security Treaty. One is cooperation in which Japan rents military bases to the United States, and the United States stations U.S. troops in Japan (as prescribed in Article 6 of the treaty). The other is cooperation in which the SDF and U.S. armed forces in Japan jointly respond to armed attacks on Japan and the United States (prescribed in Article 5). We may call the former “cooperation between goods and people” (military bases and U.S. forces) and the latter “cooperation between people and people” (SDF and U.S. forces).

Both of these are reciprocal forms of cooperation. However, observers have long pointed the shortcomings in terms of mutuality in both forms of cooperation. A shortcoming in the “goods and people” cooperation is a tendency for it to produce dissatisfaction for both Japan and the United States. Concerns rise to the surface periodically about whether the risks and burdens are fair because the mutuality is asymmetric. It may happen that the side providing “people” will not really respect the side that does not bear the risks, while the side supplying “goods” will not appreciate the side that does not really understand the inconvenience and other costs. Left untended, these shortcomings pose a risk to the psychological foundations of the alliance.

A different flaw found in the “people and people” cooperation is the extremely severe restrictions on what the SDF could do in terms of defense cooperation under the Japanese government’s traditional interpretation of its constitution. According to this view, Japan’s SDF could exercise the right of self-defense to the minimum amount necessary but could not exercise the right of collective self-defense to help the United States. Thus the area of mutual defense has been limited to only “the territories under the administration of Japan.” So in fact, Japan’s contribution to the defense of the United States is just its contribution to the defense of U.S. armed forces in Japan. Moreover, up until 1972 this obligation did not include the defense of Okinawa, and until 1978 Japan and the United States had no official, well-coordinated plan for

even the mutual defense of that narrow area. The Japanese and U.S. governments have tried hard to rectify these shortcomings through many efforts, including the return of Okinawa administrative rights to Japan in 1972. We may safely say that the history of the development of the Japan-U.S. alliance is the history of efforts to enhance the mutuality of the alliance by tackling these shortcomings in the Security Treaty.

The two governments have attempted to correct the former shortcomings mainly through the consolidation and downsizing of U.S. military bases in Japan; cooperation to relocate U.S. forces outside Japan in step with changes in the regional and global strategic environment; the improvement in the application of the Japan-U.S. Status of Forces Agreement to various problems relating to U.S. bases; and the introduction of the so-called “sympathy budget,” which obliges the Japanese government to bear part of the expenses the United States requires for maintaining armed forces in Japan. Of the total cost of stationing U.S. forces in Japan (excluding U.S. military pay), more than 70 percent is now paid by the Japanese government.

Regarding the latter form of shortcoming, Japan and the United States drew up the first Guidelines for Japan-U.S. Defense Cooperation in 1978 as a bilateral arrangement that supplements the rights, obligations, and relations prescribed in the Security Treaty. The first Guidelines gave substance to defense cooperation, setting basic rules for responses in the event of an armed attack against Japan (and against U.S. armed forces in Japan). According to the new rules, the SDF would serve as the “shield” for defensive operations, whereas U.S. forces would be the “spear” for counter offensive operations in defending Japan and U.S. forces in Japan.

In the Cold War, when a total war between the United States and the Soviet Union was conceivable, the strategic value of cooperating to defend Japan and U.S. forces in Japan was obvious, and it was not difficult to see mutuality in the cooperation. The demise of the Soviet Union, however, made the alliance’s mutual purpose less clear. It made both governments worry that the Japan-U.S. alliance might drift after losing its main enemy. That is why the two governments issued a joint declaration in 1996 to reaffirm the essence of mutual purpose in alliance cooperation—namely, the peace and stability of the “Asia Pacific” region—and also revised the first Guidelines in 1997.

The second Guidelines widened the scope of defense cooperation to make the SDF and U.S. armed forces cooperate even outside Japan on the high seas and international airspace around Japan. They would now jointly cope with “situations in areas surrounding Japan” that if left unchecked could have a grave influence on Japan. Japan introduced a new national security law (“Act on Measures to Ensure the Peace and Security of Japan in Perilous Situations in Areas Surrounding Japan”) to deal with such contingencies. In these situations, the SDF were still not able to use force to help defend U.S. forces, but they were now able to perform some limited rear area support. It was a small but important step for Japan to enlarge “people to people cooperation” outside “the territories under the administration of Japan.”

After the attacks of 9/11, the Japanese government introduced a special temporary law emulating the law mentioned above and dispatched SDF vessels to the Indian Ocean to help refuel U.S. warships engaged in the War in Afghanistan. It was not Japan but the United States that had been attacked from outside the geographical scope of the Security Treaty. Japan did whatever it could legally do outside Japan (also outside the Far East) to help U.S. forces fight a

war of self-defense. That clearly showed how much the efforts of both governments to enhance the mutuality of the alliance had been successful by the beginning of 21st century and the 50th year anniversary of the old Security Treaty.

Significance of Japan's new security laws and the new Guidelines

Less than 10 years after 9/11, however, the rapid military rise of China and North Korea's nuclear development pushed Japan and the United States toward more efforts to strengthen defense cooperation. Japan's new security laws (Heiwa Anzen Hosei) and the new Guidelines introduced last year are the results of several years of such efforts. Under these new frameworks, Japan and the United States can now significantly expand "people and people" cooperation.

First, the new Guidelines stress the global nature of Japan-U.S. security cooperation, stating that it can "provide a foundation for peace, security, stability, and economic prosperity in the Asia-Pacific region and beyond." The new Guidelines expand the geographical scope of the alliance from the Asia Pacific to the world at large. This makes it clearer that the alliance is not only for the defense of Japan but also for the United States and its global strategy.

In step with this expanded perspective, Japan's new security laws replaced the security concept of "situations in areas surrounding Japan" with the new concept of "important influence situations." Both are situations that if left unchecked will have a serious influence on Japan's security, but the former are limited to those in the areas surrounding Japan. Now that this limit has been removed, the SDF may provide such rear area support to U.S. forces as was done in the War in Afghanistan without waiting for the enactment of any extraordinary law. Also the new laws increased the range of "rear area support" missions to include, for instance, the SDF providing U.S. forces with ammunition, which had been forbidden under the old law.

Second, under the new Guidelines and the new interpretation of Japan's constitution, the SDF may use force to help defend U.S. armed forces outside Japan, albeit in a limited way. In the past the Japanese government interpreted Article 9 of Japan's constitution as completely prohibiting Japan from exercising the right of collective self-defense, even though this right is enshrined in the United Nations Charter and in fact is the legal basis of postwar alliances like NATO and the Japan-U.S. alliance. Thus in the past, the SDF was able to use force to defend U.S. armed forces only when they were inside Japan by appealing to the right of individual self-defense.

However, with the new interpretation and the new security laws, Japan can now use force "not only when an armed attack against Japan has occurred, but also 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."⁴

⁴ Ministry of Foreign Affairs of Japan, "Cabinet Decision on Development of Seamless Security Legislation to Ensure Japan's Survival and Protect Its People" (press release, July 1, 2014).

That Japan can now exercise the right of collective self-defense—long the desire of many experts who would like to make Japan a “close and equal” alliance partner with the United States—is a great change for the better regarding the mutuality of defense cooperation. In the old government interpretation, this lack of mutuality was always a danger to the spiritual underpinnings of the alliance. For instance, the Japanese government, if asked, might have to make an absurd explanation about the interpretation like this: if a U.S. naval vessel is attacked in service of the alliance within Japan’s territorial waters, the SDF may use force to help the vessel by invoking to the right of individual self-defense; if, however, the vessel is 100 meters outside of Japan’s territorial waters, the SDF may not be able to help because Japan interprets Article 9 of the constitution as prohibiting the use of the right of collective self-defense in any circumstances, even if the U.S. vessel is defending Japan.

As is well known, Japan’s use of the right of collective self-defense is still limited. Japan may use force to help defend U.S. armed forces outside Japan only when an attack against them “threatens Japan’s survival and poses a clear danger to fundamentally overturn people’s right to life, liberty, and pursuit of happiness.” Moreover, the Japanese government still keeps its traditional interpretation of the constitution that Japan in general cannot send the SDF to the foreign territories for the purpose of using force. So in essence, Japan can use force only in Japan and on and above the high seas. This interpretation is in harmony with the Upper House resolution of 1954, which forbids sending the SDF “overseas.”

We may argue that a limited use is far better than no use since the important point is deterrence, not the actual use of the right of the collective self-defense, which will only rarely be necessary. NATO has invoked the right only once in some 50 years. Still, it may not be enough for the daily activities of mutual defense in areas outside Japan.

Therefore, the new Guidelines introduced the idea of “Asset Protection.” The SDF will use weapons, not force per se, to protect U.S. assets like aircraft and naval vessels as if they were the SDF’s own military assets. “Use of weapons” will be restricted to limited and proportional employment—not for armed conflict, but for lawful self-defense and lawful performance of one’s duty. Warning shots against the violation of territorial airspace is an example. If the other side should start firing, the SDF may fire back proportionally. This “Asset Protection” will be done even if the situation does not threaten Japan’s very survival or the fundamental rights of the Japanese people. Coupled with the possibility of using the right of collective self-defense, this idea of “Asset Protection” will enable the SDF and U.S. armed forces to perform security cooperation much more effectively outside Japan.

Third, the new Guidelines announced the establishment of a new standing “Alliance Coordination Mechanism” for the Japan-U.S. alliance. This is an improvement over past ad hoc arrangements. Close communications and consultations between the SDF and U.S. armed forces before something happens instead of after are essential for effective security cooperation. This mechanism is something the Japan-U.S. alliance should have had a long time ago.

Together, these changes have made significant progress in enhancing the mutuality of defense cooperation in the Japan-U.S. alliance. Turning “a new page in the history of the alliance” seems not to be an exaggeration.

Deepening and widening the purpose of the alliance cooperation

After turning this “new page,” Japan and the United States must keep up their efforts to strengthen defense cooperation through enhancing its mutuality, all the more so because the security environment in the Asia Pacific is increasingly severe. North Korea’s adventurism in its nuclear development and China’s adventurism in the East and South China Sea must be dealt with seriously. Japan, for example, needs to increase defense expenditures even more, and the United States should give more substance to its “rebalancing” to the Asia Pacific. Japan should help the Philippines and Vietnam build up their maritime police forces. The United States should also continue conducting freedom of navigation (FON) operations in South China Sea. The two allies should cooperate to put enough political and economic pressure on North Korea and should further their missile defense cooperation to counter the country’s nuclear threat to the region. The two allies also should not forget that one of their important strategic objectives is to encourage “the peaceful resolution of issues concerning the Taiwan Strait” through dialogue.⁵

Meanwhile, the two nations should also try to strengthen the alliance through enhancing the mutual purpose of the Security Treaty—namely maintaining “the international peace and security of the Far East.” There are two ways to do this.

One is to make it clearer what kind of Far East (or Asia Pacific) Japan and United States would like to see in the future. This is important since good security policy involves not only countering particular threats in given circumstances but also striving to build an environment that is non- or less threatening. Regarding this, we need to keep in mind Article 2 of the Security Treaty. It stipulates:

The Parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between them.

Coupled with the preface of the treaty, in which Japan and the United States express a mutual desire to “uphold the principles of democracy, individual liberty, and the rule of law,” this article obligates the two nations to jointly contribute to “the further development of peaceful and friendly international relations” through the political and economic means of “free institutions.” Neither nation should not forget this obligation when they develop their security policies in the Asia-Pacific region. Their recent efforts to fashion a multilateral trade agreement in the region through the vehicle of the Trans-Pacific Partnership (TPP) may be better understood in terms of this alliance commitment.

Another way to enhance the “mutual purpose” of the alliance is to make sure that efforts to ensure security in the Asia Pacific are closely related to those to build security at a global level. The eventual success of the alliance depends on whether it can be a valuable asset not only for the region but also for the world. In this regard we should look at the current situation of the alliance from a broader perspective: the threats the Japan-U.S. alliance is facing are part and

⁵ Ministry of Foreign Affairs of Japan, “Joint Statement: U.S.-Japan Security Consultative Committee” (press release, February 19, 2005), <http://www.mofa.go.jp/region/n-america/us/security/scc/pdfs/joint0502.pdf>.

parcel of the threats facing the liberal world order, which is based on international law and universal values like freedom, democracy, rule of law, and basic human rights. Russian military adventurism in Ukraine and the Chinese military build-up in South China Sea are cut from the same cloth in that they both threaten this order.

Those nations that support the liberal world order should unite and act cooperatively as much as possible to strengthen the order and counter threats to it. On this point it is important to note that Article 2 of the NATO treaty is almost identical to Article 2 of the Japan-U.S. Security Treaty. Through these commitments and as mutual allies of the United States, Japan and the major nations of Europe are partners in the defense and advancement of this order.

How helpful is the Japan-U.S. alliance for defending and advancing the liberal world order? Politically, the very existence of the alliance—an alliance between nations with different histories, cultures, and ethnic makeups—is proof that the values of the liberal world order are not just Western but universal. It helps make the order more appealing to people throughout the world. We should remember that an imperative for successfully defending and advancing the liberal world order is to include as many nations as possible within it.

Economically, the alliance is between nations with the first and third largest economies in the world. It thus cannot be unhelpful to the order. For example, Japan provided the International Monetary Fund (IMF), one of the economic pillars of the liberal world order, with a loan of \$100 billion to bolster the Fund's lending capacity in the middle of Lehman shock.

Militarily, the alliance is one of the most important assets for the defense of the liberal world order. This very much depends on the control of the world seas, which occupy 70% of the globe and through which 90% of world trade passes. The area in which the Japan-U.S. alliance has security interests covers one of the most strategically important seas in the world, the South China Sea, which connects the Pacific and Indian Oceans. The alliance provides the U.S. Navy with essential naval bases from which to project power over the world seas, along with some 30 allied and friendly navies. In addition, Japan's new security laws and the new Guidelines heighten the capabilities of the alliance to cooperate on the high seas throughout the world, which is very important for a maritime alliance like that between Japan and the United States.

In sum, discussions on the Japan-U.S. Security Treaty will need to spend much more time than before on cooperating to defend and advance the liberal world order, in particular by paying appropriate attention to the stipulations of Article 2.

Conclusion

At the joint press conference mentioned earlier, President Obama said that Japan and the United States are “not just allies” but also “true global partners.” The president's words suggest how the two nations should develop the alliance in the future. For more than 60 years, both nations have made many efforts to enhance the mutuality of defense cooperation and become true allies in the Asia-Pacific region. The recent efforts embodied in Japan's new security laws and the new Guidelines will surely strengthen the bonds and effectiveness of the alliance to a level never experienced in the past.

While continuing those efforts, Japan and United States should, from now on, make more efforts to enhance the mutual purpose of the alliance. It should be deepened. Our alliance cooperation must include efforts to make the Asia-Pacific region more favorable to such values as liberty, democracy, rule of law, and basic human rights. Our security in the long term very much depends on those values. The alliance should also be widened. We must not forget that global peace and security are indivisible. Our alliance cooperation must be made to help the defense and advancement of the world order, which is based on our shared values.

Only by enhancing the mutual purpose of the alliance in these ways do we deserve to be called “true global partners” as well as true allies in the Asia Pacific. In all, after turning this “new page” the Japan-U.S. alliance must work hard not just for the region but also the world, defending and advancing the liberal world order with all the means at its disposal.