

Transformation of the Japan-US Alliance Geopolitical Implications



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Right before the April 2015 summit between Prime Minister Shinzo Abe and President Barack Obama, Japan and the United States released the revised bilateral defense cooperation guidelines. These guidelines were last revised in 1997 when the two countries were acutely concerned about North Korea's clandestine nuclear program and its development of medium and long-range ballistic missiles. Satoshi Morimoto, who served briefly as Japan's defense minister in the cabinet of Prime Minister Yoshihiko Noda when the Democratic Party of Japan was in power, first proposed a revision of the defense guidelines when he met with then Secretary of Defense Leon Panetta in August 2012. Morimoto believed that the dramatic changes in the security environment since 1997, especially the rise of China as a military power as well as the challenges of terrorism and cyber and space security, required an update of the basic framework for bilateral defense cooperation.

When the Liberal Democratic Party returned to power in December 2012, Abe followed up and worked closely with the Obama Administration to strengthen the alliance. This multi-year effort culminated in the April 2015 revised guidelines. This document, along with the enabling security legislation proposed by the Abe cabinet, has the potential to transform the alliance by mandating a more efficient and effective institutional framework for security coordination and cooperation. As important as these institutional innovations are likely to be, however, they do not define the concrete policies, much less the strategies, that Japan and the US should pursue together to deal with the myriad of security challenges.

New Framework for Defense Cooperation

What then are some of the important changes in alliance relations that are mandated by the guideline revision? The document mandates the establishment of an Alliance Coordination Mechanism (ACM). The previous 1997 guidelines did call for information sharing and policy consultations during peacetime and a bilateral coordination mechanism to respond to an imminent or actual armed attack on Japan or "situations in areas surrounding Japan" that would have "an important influence on Japan's peace and security". But the new ACM is designed to rectify the previous rigid distinction between peacetime and armed attacks by facilitating timely information sharing, to develop and maintain "common situational awareness" and to address "seamlessly and effectively" *any situation* requiring an alliance response. By entailing a "whole of the government" approach, the ACM will also promote greater inter-agency coordination in both countries to address a complex array of security challenges. Some of the Japan-US coordination difficulties encountered in response to the March 2011 earthquake and tsunami disaster motivated this innovation.

Related to the above, the revised guidelines call for enhanced bilateral cooperation across a broad spectrum of situations: peacetime, large-scale disasters in Japan, emerging threats to Japan (including so-called gray-zone situations that lie between peace and

armed conflict), armed attacks against Japan, and armed attacks against the US or a third country. The guidelines also expand the areas of functional cooperation to include intelligence, surveillance and reconnaissance (ISR); ballistic missile defense; maritime security; mutual asset protection; and the domains of space and cyberspace.

Another important change relates to the geographic scope of the alliance. The 1997 defense guidelines stressed that the concept of "situations in areas surrounding Japan" (SIASJ) is "not geographic, but situational", suggesting that Japan-US defense cooperation would not necessarily be limited to a geographic region. But during the National Diet deliberations on the 1999 SIASJ law, which enabled the implementation of the 1997 guidelines, the government was compelled to invoke the Far East clause in the US-Japan Mutual Security Treaty to limit the geographic scope of bilateral defense cooperation. Subsequently, Japan passed special measures laws to allow Japan's Self-Defense Forces (SDF) to support US and other nations in areas beyond the "Far East" such as the ship re-fueling operation in the Indian Ocean after the 9/11 terrorist attacks. The 2015 guidelines erase questions about geographic limitations by explicitly declaring that the Japan-US alliance is global in nature. As a consequence, the new framework discusses bilateral cooperation for global as well as regional security, including peacekeeping operations, international humanitarian assistance and disaster relief,

maritime security, partner capacity building, noncombatant evacuation operations, and ISR.

The extent to which Japan's SDF will be able to cooperate with the US military in the situations and functional areas outlined in the revised guidelines will depend on the legal changes that the Abe government has proposed to relax legal constraints on the SDF and to permit new activities. The most controversial issue has been the cabinet's reinterpretation of the constitution so that Japan can use force under certain conditions even when it has not been directly attacked. This has understandably triggered an intense debate in the National Diet, the media, and the public at large because of its profound implications for Japan's national identity after World War II, as well as constitutional legitimacy. Supporters of the reinterpretation have argued that Japan cannot shirk its responsibility to support the US more actively when Americans have been assuming so much of the risks to protect Japan's security. Critics have insisted that the proposed changes will cause Japan to become entangled in foreign wars of America's making that do not have a direct effect on Japan's security or survival.

To win Japanese public support for his government's new security legislation, Abe has provided examples of possible SDF operations that should be allowed. They include defending nearby US naval ships that come under attack when transporting Japanese evacuees or engaging in operations critical for Japan's security, shooting down ballistic missiles headed for the US, and engaging in minesweeping operations in the Middle East while hostilities are still going on. These examples, however, have been less than compelling because they have been presented separately from the international context in which they might be required. Moreover, there are many other modes of Japanese defense cooperation with the US that do not entail the actual use of force.

Dangers & Uncertainties about North Korea

Although the 1997 defense guidelines were largely designed to address more effectively the security challenges posed by North Korea, the situation has unfortunately worsened since then. North Korea has detonated nuclear devices, developed more advanced ballistic missiles, and taken steps toward the weaponization of nuclear capabilities. Despite this negative trend, the combination of Republic of Korea (ROK) and US conventional forces in Korea has deterred a full-scale North Korean invasion comparable to the June 1950 aggression that started the Korean War. As implied in the 1997 guidelines, Japan's willingness to provide rear-area support during a Korean contingency has bolstered this deterrence by making even more credible a US-led punishing counterattack if North Korea were to launch a full-scale attack. Japan-US cooperation on ballistic missile defense as outlined in the 2015 revised guidelines helps to offset the effect of North Korean development of nuclear weapons and ballistic missiles. With Tokyo and Washington as well as Seoul developing a more effective BMD network, Pyongyang is less able to use the threat of a missile attack with warheads carrying weapons of

Photo: Official Website of the Prime Minister of Japan and His Cabinet



Prime Minister Shinzo Abe delivers an address to a joint meeting of the US Congress.

mass destruction to prevent a US-South Korea counteroffensive in response to North Korean aggression.

Deterrence against an all-out North Korean attack remains effective, but North Korea has not been deterred from launching small-scale attacks such as the sinking of South Korea's Cheonan naval vessel and the shelling of Yeonpyeong Island in 2010. North Korea has used such "hit-and-run" tactics to maintain a certain level of tension while avoiding an all-out war and to enhance its diplomatic leverage. Also problematic have been efforts to compel North Korea to stop and dismantle its nuclear weapons program. North Korea's progress toward a nuclear arsenal has raised the risks of military options to eliminate North Korea's nuclear program. The imposition of economic sanctions has failed to persuade Pyongyang to change course because of China's priority on regime stability and survival in North Korea despite its public opposition to North Korea's nuclearization.

Although the Six-Party Talks have been suspended, the only viable course for the international community appears to be comprehensive diplomatic engagement with North Korea that combines the right mix of incentives and pressures. In the meantime, the US priority will be preventing the proliferation of North Korean nuclear technology to other countries and terrorist organizations. Japan could play a significant role in such a mission under the revised guidelines by participating in possible UN-sanctioned inspections of North Korean vessels suspected of transporting nuclear weapons technology.

Uncertainties regarding the future of the North Korean regime underscore the importance of being prepared to respond to North Korean instability. Such contingency planning would fall within the purview of the revised Japan-US guidelines. Defining a Japanese role in various Korean Peninsula scenarios, however, demands close coordination and cooperation with not only the US, but also South Korea. Both Tokyo and Seoul must therefore continue to promote reconciliation regarding sensitive historical issues so that the agenda for Japan-South Korea security cooperation can move ahead. Given the suspicions that Koreans still have about Japan's enhanced security role, South Korean understanding and approval of Japanese involvement in Korean security contingencies is essential.

Photo: Official Website of the Prime Minister of Japan and His Cabinet



Prime Minister Shinzo Abe shakes hands with US President Barack Obama after a joint Japan-US press conference.

Tensions in East China & South China Seas

In recent years, China has become more assertive about pressing its territorial claims in both the East China and South China Seas. In September 2012, the Japanese national government purchased three of the Senkaku Islands to prevent then Tokyo Governor Shintaro Ishihara from buying the islands on behalf of the Tokyo Metropolitan government and provoking the Chinese by placing personnel and building structures on the islands. This attempt to avoid a Japan-China confrontation, however, backfired. Arguing that Japan was changing the status quo at China's expense, Beijing responded by sending its Coast Guard on a regular basis into the territorial waters of the disputed islands. And in November 2013, China established an Air Defense Identification Zone that encompasses the Senkaku Islands.

Although the face-off between Chinese and Japanese Coast Guard vessels near the islands has become more or less routinized, Japan fears China's creeping expansionism and the possibility that Chinese paramilitary units could occupy the Senkakus. By establishing a *fait accompli*, China could impose on Japan the burden and risk of escalating the conflict to a military level. The 2015 Japan-US defense guidelines along with Japan's new security legislation address this concern by emphasizing a seamless response to "gray-zone" contingencies that fall between peacetime and military conflict. By increasing the tempo of ISR activity in the East China Sea in cooperation with the US as well as enhancing its Coast Guard capability, Japan seeks to deny China an opportunity to seize the Senkakus.

If China were to attack Japan's outer islands, according to the revised defense cooperation guidelines, the primary responsibility for repelling the attack and, if necessary, retaking the islands would fall on Japan. But consistent with US obligations under the Japan-US Security Treaty, American forces would support and supplement JSDF operations. In addition to Japan's own defense efforts, just the possibility of US military involvement and the limited inherent value of what China calls the Diaoyu Islands should be enough to deter Chinese aggression.

In the South China Sea, conflicts about territorial sovereignty and exclusive economic zones (EEZs) under the UN Convention of the Law of the Sea or UNCLOS are more complex. Although the disputes between China and various Southeast Asian countries (especially the Philippines and Vietnam) have intensified, some of the disputes are between Southeast Asian countries themselves. A further complication has been China's use of the so-called "nine-dash line" to claim much of the South China Sea as its "historic waters" – a concept that is not recognized by UNCLOS. Neither the US nor Japan has taken sides in the sovereignty disputes regarding the Spratly or Paracel Islands in the South China Sea, but both countries share a common interest in navigational freedom and safety and the peaceful management of these sovereignty disputes.

Despite protests from China, the US has continued to use military aircraft and naval vessels in the South China Sea to assert navigational and overflight rights and freedoms. A recent example is the May 2015 US Navy P-8 surveillance flight over Fiery Cross Reef, located in the Spratly Island chain, where China has reclaimed land and is constructing an airstrip. Some defense experts in both Japan and the US have proposed having Japanese forces participate in these surveillance patrols. Such a mission, however, exceeds Japan's capabilities and goes beyond what is explicitly permissible under Japanese law. Moreover, Japanese participation in joint patrols with the US will escalate tensions with China. A more prudent course would be to focus on "partner capacity building" as mandated in the bilateral defense guidelines, such as helping to upgrade the Coast Guard capabilities of the Philippines. Japan can also demonstrate its interest in navigational freedom by participating in joint military exercises and making Southeast Asian port visits.

China's Anti-Access/Area Denial Strategy

The strategic implications of the East China and South China Seas go beyond disputes about territory, access to economic resources, and security of sea lanes. These two bodies of water relate directly to China's interest in preventing military intervention by the US and other states regarding China's core interests, especially Taiwan. The Pentagon has referred to this Chinese counter-intervention strategy as "anti-access/area denial" or A2/AD. Since the 1996 Taiwan Strait crisis during which the US deployed two aircraft carrier battle groups off of Taiwan, China has invested heavily in military capabilities (e.g., anti-ship ballistic and cruise missiles and nuclear-propelled attack submarines) to put at risk US forces that might intervene in a Taiwan contingency.

From China's perspective, US military predominance in the Western Pacific might encourage Taiwan to push for *de jure* independence or at least discourage Taipei from engaging in serious discussions about unification with the mainland. But from the US perspective, because the military balance between China and Taiwan is shifting in China's favor, maintaining the US ability to help defend Taiwan is crucial to deter China from attacking or coercing Taiwan and to encourage peaceful management and resolution of the Taiwan

question. Japan also has a keen interest in peace across the Taiwan Strait since it would become embroiled in any Taiwan-related military conflict for the simple reason of geography.

In the coming years, the US will have difficulty preserving its predominance in the Western Pacific across all military domains because of China's advantage of geographic proximity, its economic ability to allocate more resources to military modernization, and its recourse to asymmetric methods to challenge US military power. But at the same time, the US has strengths that can work to deny Chinese sea and air control within the so-called first-island as well as the second-island chain during a crisis. They include America's technological edge over China, its network of alliances, and its access to forward bases (especially in Japan).

Consistent with the revised defense cooperation guidelines, Japan can help the US counter China's A2/AD strategy by enhancing ISR activities in the East China Sea, by strengthening its anti-submarine warfare and air defense capabilities, by defending the Southwest Islands (Nansei Shoto) which form the gateway between the East China Sea and the Pacific Ocean, and by hardening military bases on Japan to prepare for possible missile attacks. Japan can undertake these measures, which will contribute to collective deterrence and defense, as part of its own individual self-defense.

Even under the evolving military balance between China on the one hand and the US-Japan alliance on the other, stability can still be maintained by discouraging China to risk war in order to coerce Taiwan and by restraining Taiwan from pursuing *de jure* independence. Nevertheless, as the frequency and breadth of ISR activities increase in both the East China and South China Seas, the danger of inadvertent incidents will also grow. Therefore, crisis prevention and crisis management mechanisms as well as codes of conduct have become even more necessary. Strategic dialogues between Japan and China as well as between the US and China must also deepen in order to promote mutual understanding, mitigate distrust, and prevent a costly and dangerous arms race in the region. The various parties to maritime sovereignty and EEZ disputes need to manage them peacefully consistent with the principles and rules in UNCLOS; and it would be desirable if tensions over these disputes could abate enough to enable joint development schemes regarding maritime resources.

Possible Middle East Contingencies

Although the revised defense guidelines define the Japan-US alliance as global in nature, Abe has emphatically declared that "the SDF will never use its force in such combat as the Gulf War or the Iraq War." In other words, Japan will not be like the United Kingdom or France in joining the US to fight wars in the Middle East. Although Japan may depend heavily on energy resources from the Persian Gulf states, direct participation in combat operations in the Middle East would exceed the highly restrictive conditions articulated in the Abe cabinet's July 2014 decision regarding when the use of force would be permissible in cases when Japan is not directly attacked.

Despite the importance of the Middle East to Japan's interests, most conceivable Persian Gulf scenarios would not meet the criteria of threatening "Japan's survival", posing "a clear danger to fundamentally overturn the people's rights to life, liberty and pursuit of happiness" and presenting no appropriate means besides the use of force.

Under the new security legislation proposed by the Abe government, however, Japan would be able to provide non-combat support for the US military engaged in operations to meet the goals of the Japan-US Security Treaty or for forces of other nations engaged in activities to achieve the goals of the UN Charter. The geographic restrictions imposed during the Diet deliberations regarding the 1999 SIASJ Law would no longer apply, freeing Japan to provide rear-area support in areas like the Persian Gulf and the Indian Ocean. Although Diet approval of such assistance will be required, Japan would no longer need to enact special measures laws as it did for support for US and other nations during the post-9/11 military operations against Afghanistan. Moreover, the Abe government has proposed eliminating the restriction that such support be limited to "non-combat areas". If the proposed security legislation is passed, then the SDF would be permitted to engage in support activities as long as they do not take place in "the scene where combat activities are being conducted". In short, although the SDF might not engage directly in combat, it could still become much more integrated in international military operations than before, and Japanese defense personnel are more likely to serve in harm's way.

This relaxation of the legal constraints on SDF operations could force the Japanese government to make hard security policy choices in the future. Rather than focusing so much on the constitutional and legal ramifications of a particular course of action, Japanese leaders and citizens will be compelled to discuss more seriously and openly the substantive pros and cons of different policy options.

Although the revised Japan-US defense cooperation guidelines aim to make the alliance more seamless, this does not mean that Japan has to support the US in every case. There are many instances in which in hindsight US military interventions abroad were mistakes, such as the war against Iraq in 2003. Japan's willingness to contribute more directly to the alliance should give Japan a greater voice in the alliance. If it is willing to support actively and even defend US military forces in some cases, Japan also gains the right to say "no" to the US when it believes that Washington is pursuing a misguided policy. In this sense, the Japan-US security relationship now has the potential to become a more equal and mature alliance.

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