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ANALYSIS OF THE CURRENT SITUATION

1. Growing confusion in domestic politics

The Asô government has been slow to adopt new measures to support the economy.

The vote in favour of an initial packet of measures on October 18th 2008 provided for 11.5 trillion yen to alleviate medical charges for elderly patients, and to support small and medium enterprises. The remedial finance bill for the 2008 fiscal year, which had been rejected, was voted through on January 27th 2009. Together with a law passed on March 4th, this bill laid out a new plan costing 27 trillion yen. This covered support for individuals, government payment of all medical costs incurred through pregnancy, a special allowance for laid off employees, and a reduction in motorway tolls.

The 2009 budget, which has been debated since January 19th, provides for 37 trillion yen to support employment, provide regional aid, lower social charges levied, and taxes.

Additional measures, such as the further development of public works already being supported, are likewise planned. The 2009 budget was passed on March 29th. By May a remedial finance bill may be put to the vote.¹

The government is trying to take further steps in some of their reform projects, such as the reform of public administration whose main aspects are as follows ². In the first place, the Personnel Office (comprising 680 people), which was attached to the Cabinet under a reform law passed in June 2008 (Kokka kômuin seido kaikaku kihon hô) will be reorganised. The sections of its staff office, which deal the management of examinations and training courses, will be amalgamated with the sections of the Careers Office concerned with promotions. These will form part of a «Cabinet Bureau in charge of the management of administrative policy and personnel» (naikaku jinji, gyôsei kanriyoku)

1 »Baramaki kokufuku kadaï» and «Kaisan, natsu madenai?», Yomiuri, March 17th 2009.

2 «Kômuin kaikaku nankô no kizashi. Jinjiin ga ki-nôikan kyôhi», Yomiuri, January 28th 2009.

comprising between 300 and 350 officials.³ This Bureau would have more extended functions than the Office, which at present has no influence on careers but simply endorses ministerial decisions, so the new arrangement is intended to permit central control over careers. The aim is to limit the practice of amakudari (by which a minister places his former officials into bodies under his tutelage) or of watari (by which former officials occupy various posts in succession before their retirement, allowing them to build up additional retirement benefits), both of which the Prime Minister wishes to eliminate. In December 2008, a decree forbade these practices, while allowing for a three-year suspension in the case of watari authorisations. In the three years between 2006 and 2008, around thirty such authorisations were granted.⁴

For the same purpose, the Prime Minister wishes to transform the current entrance examination system. The entrance grades serve as a reference point for promotion to senior positions. This explains the recourse to amakudari, which ensures that, in any given ministry, not all of the original entrants can be promoted to the director's grade at the same time. This system will be abolished from the 2011 fiscal year onwards. To avoid the need to resort to amakudari, the length of civil servants' careers will be increased.

In the second place, under the terms of the law of June 2008 already mentioned, new categories of staff will be introduced. Those dealing with «strategic State planning» will be assigned to the Prime Minister and those dealing with «policy» matters will serve under the other ministers. All these members of the staff will be chosen by the politicians. Currently,

3 «Kômuinkaikaku doroshiai», Yomiuri, January 31st 2009.

4 «Kômuinkaikaku mikiri hassha», Yomiuri, February 4th 2009.

their functions in Japan are carried out by civil servants, so that a minister is not free to select his own collaborators, but simply inherits staff with the ingrained habits of their ministry. The new measure should strengthen the hold of the political class over the administration.

These reforms could be adopted in 2009 and implemented from 2010 onwards, provided they manage to overcome the strong opposition which they encounter from the civil service.

In addition, Mr. Asô is keen to undo the reforms of his predecessors, including the Post Office reform, even though this had been passed thanks to the LPD's overwhelming victory of October 2005, which amounted to a plebiscite in their favour. The fact that in October 2008 the Minshutô proposed to revise this reform, in accord with the Social-Democrats and the New People's Party (which split from the LDP on this issue), and that in December it reached an agreement with the latter to drop the reform if it won the elections, seems to be influencing Mr. Asô's judgement. But he does not appear to have fully made up his mind, as his contradictory statements show.

Mr Asô's statements on the privatisation of the Post Office⁵

February 5th (questioned by the Minshutô representative, Tsutsui Nobutaka, on the budget committee):

What reforms are you going to make?

The time has come to question whether the division into four organisations [insurance, customer service, savings, and mail] is a good thing.

5 «Shushô 'shûseidewanai to iukeredomo'», Yomiuri, February 10th 2009.

You were the Minister of the Interior at the time of the reform ...

Under Mr. Koizumi, I disagreed already. As a member of the government, I eventually supported the reform. I was not in charge of privatising the Post Office.

February 6th (press conference):

Are there any criticisms being raised in the party against your declared intention to reverse the privatisation?

I have never said that I was going to renationalise the Post Office.

February 9th (questioned by the Minshutō representative, Tsutsui Nobutaka, on the budget committee):

To call into question the division into 4 organisations amounts to reversing the privatisation already approved by the electorate ...

The elections posed the question of privatising, not of dividing into 3 or 4 companies.

At that time, were you opposed to privatisation or the division into 4 different companies?

I was in agreement with the privatisation. Let me make that quite clear.

If you agreed with the privatisation, what were you against?

I was against the privatisation when I was appointed as Minister of the Interior. Two years later I came to think that from the point of view of the management of the Post Office, privatisation was preferable, so I signed the decree.

February 9th (press conference):

Were you against the privatisation or the division into 4 different companies?

At the time, there were many different opinions over whether to divide it into 2, 3, or 4 companies. I am not going to go into detailed explanations now.

Mr. Asō had some similar clumsy moments over the «consumers' cheque» as part of his second plan for revitalising the economy (if everyone had such a right, would he cash his own cheque or not?). Already in November, some of his pronouncements had caused offence (the doctors, he said on November 19th, were «totally lacking in any social conscience»). His misreading of two written characters (on November 12th) earned him the nickname of «Shin KY» («the new KY»). These letters stand for Kanji yomenai (virtually «the illiterate») but they also refer to the surname of Abe Shinzō who, for his part, was unable to «grasp the atmosphere» («Ganso KY» - Kūki yomenai).⁶ His popularity rating fell below 10%. The figure whom the Japanese nowadays consider to be the most capable of carrying out the duties of a Prime Minister is Mr. Koizumi.⁷

In the same opinion poll, Mr. Ozawa came second. In early February 2009, the Minshutō was very close behind the LDP in the polls: 51% of those polled considered it capable of forming a government.⁸ Never before had the two parties been so close in the opinion polls.

But Mr. Ozawa has been involved in a financial

⁶ «Shūinsen senryaku to rendō», Yomiuri, January 25th 2009.

⁷ 14.4% of those questioned in a poll published in Yomiuri on February 5th 2009. Mr. Asō scored 10 points lower (4.7% of the respondents).

⁸ According to a poll conducted by Kyōdō tsūshin, and published on February 6th 2009.

scandal, which will certainly not be forgotten when the elections take place sometime between April and September. This scandal may encourage the LDP to dissolve the Chamber before the end of the legislative session in September.

The law on the financing of political parties allows an enterprise to give donations to a party or one of its branches, but forbids a firm from donating to a politician or his support group. It also allows donations from an organisation set up to handle the policy objectives of a firm to a party or a politician's support group. However, it does not allow donations from such organisations to a party branch, which is in fact what happened. The Nishimatsu construction firm set up two organisations headed by two of its former employees.⁹ Their contributions to the local branch of the Minshutô in the Iwate prefecture, under the chairmanship of Mr. Ozawa (elected to constituency no. 4 in Izawa), are reported to have amounted to 25 million yen (170,000 euros) every year since 2003.¹⁰ Other irregularities have been uncovered in the accounts of Mr. Ozawa's organisation, Rikuzankai, since the enquiry began.

The Minshutô built up its strength during its break with the LDP, on the basis of calling for radical reforms in the financing of the political parties. In May 2002, the party put forward a bill calling for the prohibition of donations from firms engaged in public works. Its manifesto of November 2003 reiterated this proposal and added to it an obligation to declare publicly all donations (in effect abolishing the 50,000 yen threshold, which in fact has been raised since then). Its July 2004 manifesto for the elections

to the Chamber of Councillors, proposed to make external auditing mandatory for political parties. In July 2007, the Minshutô promised to make it compulsory to produce invoices for all office costs or political expenses, and to lengthen the period during which parties can be asked to show receipts, from 3 to 5 years¹¹.

Sources : *Mainichi shimbun, Asahi shimbun, Yomiuri shimbun.*

11 «Seiji to kane kaikaku apîru», *Yomiuri*, March 18th 2009.

9 «Nishimatsukara kôkin hisho no ninshiki shôten», *Yomiuri*, March 6th 2009.

10 «Ozawashi gawa ga Nishimatsu kensetsu ni kô-nkin seikyûsho ... 'kigyô kôkin' ninshiki ka», *Yomiuri*, March 4th 2009.

2. Continuity in relations with the United States

Japan was apprehensive about the effects of a new Democrat presidency on its relations with the US. According to a BBC opinion poll published by the Yomiuri, the Japanese, along with the Russians, were those who least expected any change from the election of Mr. Obama. The proportion who believed that it would impact negatively on American diplomacy was highest among the Japanese (eleven points higher than Russian respondents).¹²

12 Yomiuri, January 20th 2009. The countries polled were Germany (where 78% believed that relations between the US and the rest of the world were going to improve), France, Britain, China, the United States, and finally Japan and Russia (where the proportions were 48% and 47% respectively).

The first meeting between Mr. Asô and Mr. Obama took place in Washington on February 24th. On that occasion, Obama declared that Japan had been «a great partner» on issues ranging from the fight against climate change to Afghanistan.

Even before that meeting, the Japanese government was relieved to see Mrs. Clinton make Japan the first stop on her Asian tour, and first overseas visit, in mid-February, shortly after Mr. Obama took office.

Japan asked the new administration to confirm that the US considered the Senkaku Islands to be part of Japanese territory. Last December, there was an incursion into the surrounding waters by a Chinese oceanographic vessel.

Dates of the first meetings between US and Japanese heads of state following American presidential elections, with the time between the elections and the meetings (source «Bei senkaku wo bôei meigen sezu», Yomiuri, February 27th 2009) :

Eisenhower	November 9th 1954	1 year 9 months (Yoshida)
Kennedy	June 20th 1961	5 months (Ikeda)
Johnson	November 25th 1963	3 days (Ikeda)
Nixon	November 19th 1969	10 months (Satô)
Ford	September 21st 1974	1.5 months (Tanaka)
Carter	March 21st 1977	2 months (Fukuda)
Reagan	May 7th 1981	3.5 months (Suzuki)
Bush sr.	February 2nd 1989	2 weeks (Takeshita)
Clinton	April 16th 1993	3 months (Miyazawa)
Bush	March 19th 2001	2 months (Mori)
Obama	February 24th 2009	1 month (Asô)

Back in 1996, the Assistant Secretary of State, Kent Calder, had already declared that Chinese aggression against the Senkaku Islands would have the same consequences for US commitments to Japan as an attack on any other part of Japanese territory. In March 2004, George Bush took the same line. Mrs. Clinton limited herself to stressing that the dispute should be settled by peaceful means,¹³ but the general Cabinet secretary, Kawamura Takeo, issued a statement later that he had obtained confirmation that the position of the US government had not changed.¹⁴

Mrs. Clinton welcomed the government's efforts in support of the international fight against piracy in the seas off Somalia. In fact, on March 4th the Defence Minister, Mr. Hamada, ordered the deployment of two destroyers, with two helicopters each, in the Gulf of Aden to protect ships registered in Japan or carrying Japanese citizens or goods. This deployment of 400 members of a specially trained combat battalion was based on article 82 of the law which provides for the use of the Self Defence Forces in the maintenance of public order. They are taking with them eight coastguards in what is effectively the third SDF police operation after those of March 1999 and November 2004, and the first outside Japanese territorial waters. Since the 1990s, Japanese interventions in the Straits of Malacca have been conducted by the coastguards.

A law is being proposed which would allow the coastguards to protect both Japanese and foreign ships, whether or not they have a connection with Japan.¹⁵ The SDF would be

required to intervene only in cases where the coastguards were unable to repel the pirates. Their intervention would have to be authorised by the Minister of Defence with the approval of the Prime Minister (meirei).

The bill to introduce this law was put forward on March 13th (kakugikettei).¹⁶ The New People's Party and the Social Democratic Party opposed it. The Social Democratic Party (the former Socialist Party) repeated its opposition to the deployment of the SDF overseas. As for the Minshutō, Mr. Ozawa declared at the end of last December that there could be no doubt that the Constitution allowed Japan to defend its ships under attack by pirates. However, in a press conference after the party meeting on January 18th, he expressed the view that «one [could] allow for the defence of Japanese goods or people, but that the requirement to use the SDF for that purpose [was] another question». ¹⁷ In mid-March he remained cautious over the conditions for the use of armed force permitted by the bill (if the pirates do not obey the SDF's orders to stop, and if they make a threatening approach).¹⁸

According to a government poll reported in the press, more than 60% of the Japanese people believe that Japan should take part in the fight against piracy in the Gulf of Aden.¹⁹

Mrs. Clinton made use of her visit to have a meeting with Ozawa Ichirō on February

they came to the aid of a ship flying the Singaporean flag as it was approached by another vessel, which fled when the Japanese destroyer arrived on the scene.

16 «Kaijōkeibi kōdō hatsurei», Yomiuri, March 14th 2009.

17 «Minshu sanpi shimesezu», Yomiuri, January 29th 2009.

18 «Sentai shageki kitei kokkai shōten ni», Yomiuri, March 15th 2009.

19 «Somariachū kaiji haken, 6warichō ga shiji naikakufu», Mainichi, March 14th 2009.

13 «Bei senkaku wo bōei meigen sezu», Yomiuri, February 27th 2009.

14 «Bei senkaku shotō nihon no shiseiken kakunin, kanbōnchōkan akirakani», Asahi, March 5th 2009.

15 In practice, the naval Self Defence Forces have not waited for this law to be passed. On April 3rd,

17th. One week later, the latter declared in a press conference, that if Japan took on a greater role, the role of the US would become smaller. There would no longer be any point in the United States keeping so many soldiers in Asia, since its presence would be adequately maintained by the Seventh Fleet. The rest of the burden would be taken over by Japan in concert with the US.²⁰ On the 27th Mr. Ozawa had to clarify his position, stating that the SDF would never intervene to settle crises in other countries; his remarks a few days earlier in no way implied a strengthening of Japan's self-defence capabilities.²¹

20 «Tōtotsu hatsugen hihan no uzu», Yomiuri, February 27th 2009 (following a press conference on February 24th).

21 «Bōeiryoku no kyōka hitei», Yomiuri, February 28th 2009.

The positions of the Minshutō on the main areas of US-Japanese policy²²

The party is in favour of a truly equal Japanese-American alliance. Japan must develop and clearly formulate its international strategy. While implementing with the US a proper sharing of the roles of each side, Japan must actively assume its share of responsibilities in maintaining international security (Seiken seisaku no kihon hōshin (Seiken maguna karuta), December 2006).²³

The party proposes that Japanese contributions to the cost of the American bases should be regularly reassessed (Seisaku Index 2008).

Following a cease-fire in Afghanistan, the possibility of humanitarian aid to be delivered largely by the SDF could be considered (idem).

The party wishes to see the Marine base at Futenma relocated away from Okinawa, and even away from Japan if the strategic situation permits (Okinawa Bijon 2008).

Whenever a civilian is the victim of an attack by an American soldier, the payments of damages and the interest owing to him/her must be borne entirely by the United States. The United States must likewise bear the costs of environmental restoration after any degradation for which the American forces have been responsible (idem).

Source: Yomiuri, Asahi, Mainichi, Kyōdō tsūshin.

22 «Nihon no seikinin, bei wa jūshi», Yomiuri, February 18th 2009.

23 <http://www.dpj.or.jp/governance/taikai/magunacarta2006.html#03>

POINTS OF VIEW ON CURRENT AFFAIRS

Nakagawa Hidenao, and Tahara Sôichirô,
«In the next elections I will propose a New Deal for Japan»
[Tsugi no sôsenkyo de nihon han nyûdîru rendô wo teishô suru], Chûô
kôron, March 2009, pp. 98-108.

The Asahi TV journalist interviews the former general Cabinet secretary, Nakagawa Hidenao, who is considered to be a reformer.

Tahara : You seem quite quiet at the moment!

Nakagawa : I didn't know I was supposed to be a chatterbox!

Tahara : There is currently a movement to reject Mr. Asô. Why is that?

Nakagawa : If you take Mr. Koizumi and

consider the «dissolution over the Post Office reforms», we want to follow someone with a similar sense of conviction, even if we are not in complete agreement with him. Mr. Asô does not stand out. He is quite unlike Mr. Obama, who really speaks to and for his audiences; his politics are theirs.

Tahara: And those are the reasons why Watanabe Yoshimi left the party on January 13th. I believe he asked for your advice, didn't he?

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Tahara: And those are the reasons why Watanabe Yoshimi left the party on January 13th. I believe he asked for your advice, didn't he?

Nakagawa : No, he really didn't. He called me the day before, to tell me that he wanted to go on working with the reformers in the party. If he had asked for my opinion, I would have told him that, at the present moment, it is important to achieve results together, as members of a majority party.

Tahara : Nobody left at the same time as he did. When Mr. Watanabe declared that it was necessary to vote as quickly as possible in favour of the second remedial financial bill [providing for further economic stimulation, rather than putting off the vote until the next parliamentary sitting], people like Shiozaki Yasuhisa or Shigeki Toshimitsu, and a group which eventually comprised 43 supporters, were in agreement. What do they think of Mr. Watanabe's decision?

Nakagawa : Some certainly understand it, but many must feel that it was premature.

Tahara : Mr. Watanabe can face the coming

elections with equanimity, but that is not the case for the others. Perhaps he reflected that as an independent he stood a better chance of winning? Did he perhaps make that calculation?

Nakagawa : No, he is not a person who thinks in terms of electoral advantage!

Tahara : Are you going to keep in touch with him?

Nakagawa : If we think beyond the vote on the budget, in order to change Japanese policy, we are going to have to build a new framework.

Tahara : Do you mean that the current relationship between the majority party and the opposition will be destroyed?

Nakagawa : It will if we do nothing. I am talking about creating a new dynamic. It is not a matter of knowing who agrees with whom, or who is waging the same old struggles. I am talking about something beyond all that.

Tahara : We are going to give the impression here that you are in the eye of the approaching storm, but what new framework do you see emerging?

Nakagawa : To begin with, what is important is that the people wish to see a renewal of the political scene. According to a Yomiuri poll at the beginning of the year that was the opinion of 37.6% of the people of Japan, whereas 24.3% wanted a grand LDP-Minshutô coalition, 11.7% a Minshutô government, and 11.6% an LDP government. An opinion poll by Asahi showed that 60% of respondents favoured a change in the political scene linked to a grand LDP-Minshutô coalition.

Tahara : These polls show that the Minshutô is more popular than the LDP, but that does not mean

that the people want a Minshutô government.

Nakagawa : I see things like this: people are fed up with an LDP which is not in control of the administration; they understand the disorder which would arise if the Minshutô comes to power, but they think that they will give it a chance. However, there is no sense of feverish expectation, as though we were on the eve of a shift in power. Neither the LDP nor the Minshutô enjoy the full support of the people.

Tahara : Rather than a grand coalition, many people wish for a renewal.

Nakagawa : What they are asking for is leaders with a vision for Japan in 10 or 20 years, and who clearly state the measures they will enact to get there. Unfortunately, neither the majority party nor the opposition show that ability. Many people draw the conclusion that a new political force is needed.

Tahara : Is that feasible?

Nakagawa : In stating my wishes at the beginning of the year, I said that the reign of money power had come to an end with the so-called crisis. From now on, effort will be rewarded. I added that we had to be confident. One condition for such confidence is that people with a project for the nation should spell it out, and join together with people inspired by a single will. If the change goes no deeper than in the past, it will be transitory. If the Minshutô take power with its confused political views, we will only have a repetition of the spectacle that Hosokawa and Hata have already given us; that is crystal clear.

Tahara : And in your view, when will the elections come to trigger this outcome?

Nakagawa : The budget is going to scrape through in March. The complementary laws will no doubt be passed on a second reading by the Lower Chamber with a two-thirds majority, sixty days after the texts are sent to the Upper Chamber. Given that for its part, the Upper Chamber will probably not vote them down, this should happen at the end of May. At the very earliest, then, the elections will be held between late May and early June.

Tahara : The Tôkyô city hall elections are in July.

Nakagawa : To wait for September would seem like keeping things going on a drip feed. That is why many would prefer dissolution in May. An earlier dissolution, negotiated with the opposition in exchange for a vote against the complementary laws in the Upper Chamber, cannot be ruled out. ...It is a question of moving in tune with the society of one's time, not just of passively holding a finger up to feel the wind. We now have the chance to build a government led by the people, and to get away from the top-down administrative model.

Tahara : How many LDP members of parliament follow you?

Nakagawa : About a hundred.

Tahara : I think that half of the members of the Minshutô agree with you. If the Minshutô were to win 260 seats and 130 of those elected were reformers, you would have 230 members of parliament with you. You could take power.

Nakagawa : I expect to fight my way through.



**Kitagawa Masayasu, and Sonoda Hiroyuki,
«Transforming the political scene is not on the immediate agenda» [Seikai
saihen wa ima janai], Chûô kôron, April 2009, pp. 90-97.**

Kitagawa Masayasu, a professor at Waseda University, was a governor of the Mie prefecture from 1995 to 2003. He is an LDP member of parliament, who is part of the Sentaku reform group. Here, he is in conversation with Sonoda Hiroyuki, who split from the LDP in 1993 and rejoined in 1999. Mr. Sonoda is currently vice-chairman of the political affairs committee of the LDP.

Kitagawa : Mr. Sonoda, sixteen years ago, when the LDP government was overthrown for the first time, you joined the Hosokawa government as a member of the Sakigake

party. Now that the LDP may again become the opposition, how do you see the situation?

Sonoda : The situation is different now. I left the LDP before you at that particular moment, but frankly we were not planning to reshape the political landscape. The major opposition party at the time was the Socialist Party. We did not leave in the hope of taking power with them. Moreover, in the LDP the benefits of belonging to a faction were shared out in turn, which affected its activities. The party no longer had any dynamism, its policies seemed to be

suspended, and those of us who wanted to challenge the power of the factions gathered together, believing that sooner or later a transformation would come about.

Kitagawa : And yet the Hosokawa government was immediately installed.

Sonoda : Before the reform of the voting system, it was unchallengeable. The move to the single-vote system within a framework of small constituencies was desirable because it weakened the factions, but with hindsight I think that the political landscape could have been truly transformed if we had gone about it differently.

Kitagawa : You are more critical than many of the other protagonists of the time!

Sonoda : I wonder what remains of it all now! The change in the voting system did restore some dynamism to the LDP, but we are a long way from what we hoped for then.

Kitagawa : My experience is different from yours, because I distanced myself as soon as I could from the centre ground. That is certainly why I do not see the gains we have made in the same light as you. To me they seem considerable. It is precisely because a system has been set up which one could call bi-partisan, that the forthcoming elections may make way for a shift, whose possible realisation is rapidly coming into view. From the standpoint of parliamentary government and Japanese democracy, that is a huge step forward.

Sonoda : But the new voting system [adopted in 1994] forces parliamentary candidates to gain more votes to win a seat, which brings about a slide towards populism. The Minshutō is putting forward facile arguments, but if

it won the elections, could it put them into practice? In the LDP too, many talk in favour of the reforms, without believing a word of what they are saying. The second problem with the new system is that it cannot be said to satisfy the electorate. Many people are losing interest in elections which only offer them simple black and white alternatives.

Kitagawa : But I take a more regional view of things, and for me a return to medium sized constituencies means the return of centralisation.

Sonoda : The new system is better, in spite of its faults.

Kitagawa : The next elections will be historic, and necessarily so. For the first time, voters will be able to ask themselves to which party they want to entrust the power to govern.

Sonoda : The Minshutō's problem is that its proposals are not yet finalised.

Kitagawa : And, looking at the state of play after the election, even if it won and the divisions in the Diet were to disappear, I don't think that means we would find ourselves in a calmer situation. What would you wish to happen?

Sonoda : What we need is a dynamic political class capable of carrying the reforms through. Take the case of the public service reform: in the absence of a strong political class, we would only get a reform without content. In that regard, both the LDP and the Minshutō will need to play their shared aces. That will remain true for the Minshutō if it wins.



Sakaiya Taichi,

«We must not lose this chance to deprive the government of its dominant position» [Kanryō shihai datō no chansu wo minogasuna], Chûō kōron, April 2009, pp. 98-103.

An economics graduate from Tōkyō University, Mr. Sakaiya joined the Ministry of the Economy, Trade, and Industry, from which he «withdrew» in 1978. From 1998 to 2000, he was Director of the Economic Planning Agency. In the article reproduced below, he denounces the collective mentality of the civil service.

The resistance by civil servants to the reform of public administration was exemplified by the recent statements from the Director of the Personnel Office, Tani Masahito. Last year a law was passed which seemed to be a step in the right direction, but the debates in the Reform Bureau since then have revealed a departure from its spirit. Accordingly, the former personnel office is being combined with civil service management, but at the same time it is to be put under the authority of the general secretary of the cabinet, who is the highest State functionary. The law of June 2008 provided that by 2012 the Prime Minister should be supported by «strategic personnel» of about thirty members. At first it was envisaged that these people would not be civil servants but journalists or academics who, irrespective of their career status or age, could be appointed at a level equivalent to assistant director. But an amendment was put forward

to extend the availability of these positions to civil servants. The latter would subsequently return to their ministries; so the intention is clearly that the ministries would have their own «representatives» with access to the Prime Minister. In order to do away with the practice of amakudari, careers will be extended to the age of 65, but as a counter-measure the civil service is taking steps to cut down the number of open advisory posts.

Japan is losing the race - not just in terms of the economy, but also in diplomatic relations, medical care, and education; in demographic terms, its international competitiveness is in decline, and the suicide rate is rising.... These problems arise from our public administration. For example, a pregnant woman dies after being sent from hospital to hospital, because fewer and fewer hospitals have maternity facilities, and that is because of increasing constraints on the medical services. In 2002, the Minister of Health made it compulsory to have medical assistants at all gynaecological operations; But there had never been any accidents when childbirths were handled by doctors and nursing staff...



Maeda Tetsuo,
**«We should use soft power in the fight against piracy» [Kaizoku taisaku ni wa
sofuto pawâ wo], Sekai, March 2009, pp. 32-35.**

Maeda Tetsuo is an expert on military affairs who teaches at Tôkyô International University. He believes that the deployment of the Self Defence Forces in the Gulf of Aden infringes article 9 of the Constitution, and he proposes another approach which he considers closer to its spirit.

Piracy has become an international problem. It has practically disappeared from its former «paradise» playground which was Southeast Asia. According to the International Maritime Office, the 262 acts of piracy committed there used to represent half the global total of all such acts. But, by way of contrast, in 2008 there were only 28 attacks carried out in Indonesian waters (a reduction of 90%) and 2 in the Straits of Malacca. This success was achieved through setting up «negotiated maritime security measures» which included the sharing of information, joint patrols and exercises, and preventive efforts based on forms of «soft power» such as development aid. By co-operating over the maintenance of maritime safety to the extent permitted by its capability for maritime policing, Japan has made a substantial contribution to the international effort.

Co-operation in the international fight against piracy in Somalia is important, but what we have there is an «Asian model». Moreover, as we turn to this particular precedent for non-military police operations on the high seas, partly initiated by Japan, there are some

people here who claim to regret the «lack of any other possibilities» than the deployment of the SDF in Somalia. Clearly there is an undeclared agenda.

After the Gulf War, SDF naval operations were extended to minesweeping (1991), and refuelling operations in the Indian Ocean were carried out in support of American forces fighting in Iraq. The plan of achieving a de facto presence of the SDF is being covertly pursued.

In support of the current deployment off Somalia, a «special police force» is projected, which will enjoy an extension of the right to use armed force. This will no longer be restricted to cases of self-defence or extreme urgency, as at present, but will cover preventive actions including the sinking of a hostile vessel. The SDF are truly about to regain the right to make war. If they act in conjunction with other armed forces, this will have overturned the taboo on the exercise of collective self-defence, on the ground of the need to fight against piracy. Admittedly, the fight against piracy is not a case of «overseas war» [forbidden by the Constitution], but it is nonetheless a step towards allowing the right of collective self-defence. To do this under the cover of a policing operation is contrary to both article 9, section 2 of the Constitution, and the law governing the Self Defence Forces. The Constitution is being made a mockery.

The legitimacy for this maritime police operation is based on article 82 of the law on the SDF. Just like articles 77 and 78, which cover land-based operations and actions permitted in the case of airborne invasion, these measures apply to the national territory of Japan. They were only invoked in 1999, with the approach of a vessel carrying no national flag, and in 2004, against the presence of a Chinese submarine. The conditions for recourse to these measures are restricted geographically, since they concern an invasion of national territory or the need to prevent an attack on Japanese sovereignty. They provide for the actions of the SDF to remain within the bounds of a national policing operation.

In 1980 [August], when fire broke out on a Soviet nuclear submarine passing through Japanese territorial waters, the government did not send in the SDF. The Defence Agency had pointed out that the invocation of the relevant articles would only be justified if, in the face of an imminent threat which the SDF navy was unable to confront, Japanese lives or possessions needed protection. A simple incursion into Japanese waters was not sufficient to justify acting on their basis. When [in 1999] a destroyer and a P3C were sent out for the first time on the basis of article 82, the SDF gave up their pursuit as soon as the suspect vessel had left the Japanese air defence zone. In 2004, the justification for launching a police operation was that a submarine was passing through Japanese waters completely submerged. So the enactment of these provisions is related to the nature of the policing and the geographical situation, i.e. whether it is undertaken in territorial waters, the economic exclusive zone, or Japanese airspace. However much the issue is stretched or twisted, the articles cannot be legitimately invoked to justify an operation 10,000 kilometres from Japanese coastal waters.

The international community first became concerned over piracy in the Gulf of Aden in September 2008, when a Ukrainian merchant ship carrying tanks and other weapons was seized by pirates, and the United States and NATO intervened. In December, the Security Council passed a resolution, and China announced that it was considering a naval deployment. Mr. Asô's advisers thought that Japan could not let itself be overtaken by China (Mainichi, January 15th 2009), which shows both the feeling of rivalry with China and the fear of missing the boat. That decision was aimed less at pursuing the fight against piracy than at boosting Japan's status, and it reflects other concerns. It has no place in Japanese naval policy or international affairs. What is more, the naval Defence Forces, and the Ministry of Defence which wishes to allow them to have a «more normal» role, saw it as an opportunity to extend the area of deployment and to push back the boundaries limiting the recourse to armed force. Having sent the SDF out on a policing operation, the government plans to get this arrangement legally approved by a vote. That undermines the very basis of the interpretation and implementation of our laws, as well as the principle of civilian control.

...In October 2008, the Maritime Security Agency in conjunction with the Japanese International Co-operation Agency (JICA) organised a month's training course on international maritime criminality. It normally invites [and has done so annually since 2001] all the organisations in Asian countries, in charge of maritime surveillance. But now, for the first time, some Middle Eastern countries (Yemen and the Sultanate of Oman) were also represented. So the Asian model is being extended. This non-military co-operation is functioning, but it does not necessarily entail any implementation of the right to collective defence.



Murata Kôji, and Furukawa Katsuhisa, «What attitude should we take towards Obama's war on terrorism?» [Obama no tairerosensô ni dô mukiauka], Shokun, March 2009, pp. 62-75.

Murata Kôji, who teaches at Dôshisha University (Kyôto city), and Furukawa Katsuhisa, a researcher at the Japan Science and Technology Agency's Research Institute of Science and Technology for Society exchange their impressions of the new US administration.

Furukawa : Mr. Obama has to pay close attention to the economic and financial crisis, the fight against terrorism, nuclear proliferation, and global warming. In the face of these global

problems, the Japanese-American Alliance, which is just an instrument for managing bilateral relations, has very little importance in itself. The Alliance is only a political instrument, but it tends to focus on questions of particular importance, North Korea, the question of China, and the Asian region. In the confrontation with global problems, Japan plays a considerable partnership role, without being absolutely indispensable.

It is more important than ever that Japan should show leadership on the international scene, and that it should work together with the US to draw up action plans on issues of common interest. Next year we will commemorate the fiftieth anniversary of the 1960 treaty on joint security, but to what extent has Japanese-American co-operation given rise to the «world-wide co-operation» envisaged in the bilateral directive of 1997? It is time to work on this.

Terrorism is an issue of major importance to President Obama. While Mr. Bush's attention was focused on the Iraq war and the overthrow of Sadaam Hussein's government, Afghanistan was left to itself. Now the central government there is unable to strengthen its control, and the situation is getting worse. The United States is building up its forces, but the terrain is more difficult than in Iraq. Moreover military operations have to go hand in hand with economic reconstruction.

Murata : From Japan's point of view, international co-operation in Afghanistan [in which Japan does not participate directly] is more legitimate than that which operated in Iraq. The International Security Assistance Force has been authorised by the Security Council. This is the kind of operation which the SDF will probably have to carry out in the future. Even logistical support or fuel supply operations will require transport aircraft and helicopters, whenever they involve interventions in such mountainous terrain. The Self Defence Forces could come under mortar fire. In Afghanistan, Canada has lost several hundred soldiers. Given the present political confusion, in which there is a delay in presenting to the Diet a bill to allow the re-provisioning of coalition members in the Indian Ocean, could Japan really be in a position to make a contribution in terms of boots on the ground?

Furukawa : There are many people in the opposition who stress that a deployment of the SDF would not violate the Constitution, provided that it was a matter of an international support unit deployed on the basis of a UN resolution, and therefore that is the path to take. But it is not so simple. We do not know how many casualties such an operation might incur. We must begin by asking how we envisage the future of this country and what strategy we need to get it there.

Murata : We faced the same problem over deployment in Iraq. To explain why the SDF were going to participate in the reconstruction of Iraq, the government fell back on repeating to the Diet that it was a «combat-free zone», without putting forward any strategic vision in support of their decision.

Furukawa : When Japanese people hear the words «anti-terrorist struggle», they only think of armed operations. In reality, that is completely misleading. Certainly, an armed intervention is necessary, but it has to be carried further through a policy of social and economic development. Moreover, this struggle is not a conflict of the classic type. Preventing terrorists from crossing borders, pursuing them, forestalling attacks, and helping the victims are all matters for the government and the judiciary. The departments of Justice and the Police are equally involved.

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