

Japan's Peace Constitution and the Security Dilemma¹

Michael T. Seigel

For the last sixty years Japan has had a constitution that renounces war, and although it has a Self-Defense Force that constitutes one of the strongest militaries in the world (at least in terms of weaponry),² Japan's use of this military potential is strongly restricted by the constitution.

The Peace Clause in the Constitution is article 9, which states:

Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.

In order to accomplish the aim of the preceding paragraph,³ land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.⁴

From the time of its coming into force, there have been some who have sought to remove the peace clause from the constitution. Constitutional change has been a goal of the Liberal Democratic Party from its beginning.⁵ In recent years, this trend has become particularly strong and there are currently concrete moves being made to amend the constitution. During the year 2005 both major political parties and both houses of the Diet separately produced documents on constitutional change, all of which recommend some form of change to the peace clause.⁶ The Liberal Democratic Party has produced a draft for a new constitution, and given the current strength of this party, this draft must be taken as an indicator of the direction in which the movement for constitutional change is moving. The draft makes two important changes in the peace clause. Firstly the second paragraph is changed to a statement that Japan possesses a Self Defense Army for the purpose of defense and secondly it states that the Self Defense Army can carry out actions "in international collaboration to preserve peace and security in international society,"⁷ thus not only removing any restrictions on the maintenance of a military force, but opening the way for that force to be dispatched to any part of the globe. In fact the preamble to the proposed new constitution includes the statement that "While recognizing variety in value systems, we [the Japanese people] carry out unceasing efforts in international society to eradicate oppressive government and human rights abuses"⁸—suggesting the possibility of a fairly proactive and even interventionary approach to international relations.

The Rationale for Changing the Peace Clause

Arguments in favor of Japan changing the peace clause can generally be aggregated into three general rationales.

One rationale is that since the constitution, and particularly the peace clause, was forced on Japan, it does not reflect Japanese national identity, and it would be more consistent with sovereignty for Japan to produce its own constitution. In actual fact, there is more ambiguity than is sometimes realized in how the peace clause came to be in the constitution. It has long been asserted that the recommendation for the clause came from the Japanese Prime Minister of the time, Shidehara Kijuro, although some Japanese commentators have argued that this suggestion is not consistent with Shidehara's political views.⁹ The *Asahi Shinbun*, in August last year, reported that a letter has been found that was addressed to Shidehara from Shiratori Toshio, a Japanese war criminal and former diplomat. The letter recommended that Shidehara make the proposal to MacArthur as a *quid pro quo* for maintaining the emperor system.¹⁰ In other words, since Japan with the emperor would still seem threatening to Japan's neighbors, if the emperor system was to be preserved, something needed to be done to remove this sense of threat. The peace clause, then, was the means to guarantee Japan's peacefulness and thereby maintain the emperor system. This explanation overcomes the conflict between Shidehara's

political views and the proposal of the peace clause.

There can be no doubt that once this proposal was made, there was coercion on the part of the General Headquarters of the Occupation. However, this coercion was necessary only with regard to the Japanese government, not with the people. They welcomed the peace clause, and if it is true that the Japanese government accepted the peace clause under coercion, it is equally as true that the Japanese people were as much a part of the coercion as the GHQ of the occupying forces.¹¹

A second rationale is that the current constitution excessively restricts Japan's capacity for defense. Since, even with the current constitution, Japan has developed one of the strongest militaries in the world, this may not necessarily seem a convincing argument, but in Japan—given the perceived threats from North Korea and China and given that many Japanese are not very aware of the strength of the Self-Defense Forces—it is a persuasive argument. Although, as I will argue later, it is not the rationale that is most driving the actual political decision making process, it does seem to be the one that most convinces the ordinary people of Japan of the need for change.

An associated rationale here is the question of whether Japan should be able to exercise the right of collective self-defense. The current constitution does eliminate this possibility. It is argued by quite a number of thinkers that Japan should change this. The notion that there is a need for Japan to be able to participate in collective self-defense with the US, particularly given Japan's dependence on the US for defense, is what lies behind this thinking. This rationale constitutes an important part, perhaps the most important part, of the driving force behind the movement for constitutional change.

The third rationale has to do with Japan's participation in international peace keeping activities. It is argued that Japan, as a leading economic power, should be willing and able to shoulder a greater burden of the task of maintaining peace in the world. In the debate within Japan, this is often associated with Japan's desire for a permanent seat on the United Nations Security Council. To have a position on the Security Council, it is argued, Japan would need to be able to take full part in UN peacekeeping operations—something that the present constitution does not permit. Therefore, it is argued, constitutional change is a requirement for Japan to get a permanent seat on the Security Council. (Actually, quite the opposite is more likely to be true. It is very unlikely that Japan's neighbors—particularly China and Korea—would be willing to see a remilitarized Japan on the Security Council. The opposition of these countries would probably be insurmountable).

The purpose of this paper is to focus on the rationale relating to defense, both from the perspective of direct defense and of exercising the right to collective self-defense. I will discuss the defense rationale particularly in terms of that central concept of international relations, the security dilemma. I will have a dual focus in this. That is, I will focus both on the implications that the security dilemma has for the question of Japan changing its constitution, and also on the question of what can be learned from Japan's experience over the last sixty years in terms of finding ways to resolve the security dilemma. I will discuss the issue of exercising the right to collective self defense in terms of the risks involved in alliances (entrapment and abandonment) and also in terms of the impact constitutional change would be likely to have on the movement towards multilateralism in the Asia Pacific region and on Japan's participation in that movement.

I. THE DEFENSE RATIONALE AND THE SECURITY DILEMMA

The Security Dilemma

The notion of a security dilemma was first raised by the political scientist John H. Herz in 1951, although there is a slight difference in meaning between Herz's original conception and the

idea of the security dilemma that has been handed on and that Herz himself subsequently used. Herz, in his original postulation of the security dilemma, suggested that as human beings developed consciousness they became aware of the possibility and inevitability of death, and thus became concerned with preserving their own lives. As a consequence of this, human beings started to become conscious of possible threats to their existence, and therefore to see others as possible threats. Perceiving others in this way then led them to a disposition of mistrust and suspicion towards others. This disposition then led them to a stance towards others such that they themselves come to appear as a threat to those others. Thus, distrust and suspicion became mutual:

Cain makes his fellow men appear to him as potential foes. Realization of this fact by others, in turn, makes him appear to them as their potential mortal enemy. Thus there arises a fundamental social constellation, a mutual suspicion and a mutual dilemma: the dilemma of "kill or perish," of attacking first or running the risk of being destroyed.¹²

This leads people to a confrontational and competitive relationship with others. At the same time, however, people have both a necessity for other people in order to survive and a strong feel of affinity to others, a sense of sympathy for and empathy with others (Herz uses the word "pity") that leads them to seek friendly and harmonious relationships.¹³ As Alan Collins describes Herz's view, the original postulation of the security dilemma describes

a situation in which humans, knowing that they require the assistance of fellow humans in order to survive, are faced with a dilemma because they are aware that these same humans are capable of killing them. They must choose social interaction to survive even though this very action could bring about their death. The dilemma arises therefore because of their uncertainty regarding the other's intentions towards them.¹⁴

It is the tension between the perception that others may constitute a threat on the one hand and the need for and sense of empathy with others that Herz originally described as the security dilemma.

As is clear from the above, Herz does make note of the fact that the acquisition of power, motivated by feelings of insecurity, creates a sense of insecurity in others. The notion of the security dilemma as it is understood today, and as Herz himself generally uses the term, refers to the outcome of this insecurity engendered in others who then seek power in order to remove the threats to their own security. In other words, I build up my own power in order to counter what I perceive as a threat. Those by whom I felt threatened see this increase in my power as a threat to themselves. They acquire sufficient power to counter that threat. Thus the attempt I have made to protect my own security, by provoking others to increase their power, has actually increased the threat to my security.

In essence, the security dilemma defines a situation whereby one actor—in its traditional manifestation, the state—in trying to increase its security, causes a reaction in a second, which, in the end, decreases the security of the first. As a result, a (spiral) process of action and reaction is manifest in which each side's behaviour is seen as threatening.¹⁵

Another exponent of the security dilemma, contemporaneous with Herz, was British historian, Herbert Butterfield. His description of how the interaction of fear develops will help elucidate the dynamics of the security dilemma:

It is the peculiar characteristic of the situation that ... you yourself may vividly feel the terrible fear that you have of the other party, but you cannot enter into the other man's counter-fear, or even understand why he should be particularly nervous. For you know that you yourself mean him no harm, and that you want nothing from him save guarantees for your own safety; and it is never possible for you to realise or remember properly that since he cannot see the inside of your mind,

he can never have the same assurance of your intentions that you have.¹⁶

As Alan Collins points out, this

highlights the very essence of the security dilemma. None of the participants intends the other harm, it is just their fear which leads each to view the other with suspicion. This fear and the worst-case thinking it generates (the better-be-safe-than-sorry mentality) can lead to a deterioration in the relationship despite neither intending the other harm. Hence, Butterfield's assertion that the "greatest war in history could be produced without the intervention of any great criminals who might be out to do deliberate harm in the world. It could be produced between two Powers both of which were desperately anxious to avoid a conflict of any sort." The very essence of the security dilemma is that it describes a situation in which uncertainty can lead to the pursuit of actions which are paradoxical because they make matters worse—it is a tragedy.¹⁷

In another work, Herz, (using the term in the sense that has become common) writes, "it is one of the tragic implications of the security dilemma that mutual fear of what initially may never have existed may subsequently bring about exactly that which is feared most".¹⁸

The Security Dilemma in the Post-War Context

It is not surprising that this concept of the security dilemma should emerge in the early 1950s—just as the world was putting the Second World War behind it and bracing itself for the Cold War. The lessons that seemed to need to be learnt from the two world wars were contradictory, thus creating a dilemma. In the nineteen-twenties, there was a widespread perception that the First World War had been brought about precisely by countries taking a strong stance aimed at deterrence. As Garrett L. McAinsh points out,

none of the Great Powers had really wanted a general European War in 1914. The war appeared to have been caused not by some militaristic plot, but by the unwillingness of everyone concerned to back down in the crisis which preceded it. ... the lesson of history seemed to be that patience, compromise, even a willingness to retreat—in other words appeasement—stood a far better chance of preserving peace than did stubborn rigidity in the face of foreign provocation.¹⁹

Disarmament and appeasement, thus were the ways to peace. However, disarmament had left the world unprepared for the emergence of a threat such as Hitler, and appeasement came to be seen as having failed miserably at Munich. Failing to stand up to a dictator, it seemed clear, only resulted in stimulating the greed of the dictator.

Many politicians seem to respond only to the most recent lessons of history, so that the outcome, to a large degree, was for the lessons of the July Crisis (the period from the assassination of the Archduke of Austria in Sarajevo on 28 July 1914 until the actual outbreak of war on 4 August) to be lost and only the lessons of the failure of appeasement to be brought to bear on decision making in the post-war era. As MacGregor Duncan has pointed out, "The popular 'lesson of Munich' – as propounded by countless western leaders – holds that making concessions to an aggressive state can never succeed in pacifying the aggressor and thereby preventing war. As a result, it contends that aggression must be checked early if one is to avoid the proliferation of disaster."²⁰ As Duncan points out, since 1945, there have been repeated references by politicians to the "failure of Munich."²¹ In fact it tends to be drawn into the debate in almost every major conflict that arises. References to the July Crisis in political debate today, however, are for all practical purposes non-existent.

The recognition of the security dilemma in the early 1950s may perhaps best be understood as a way of taking full note of the lessons of Munich without forgetting previous lessons of history, particularly the lessons of the First World War. Precisely because these lessons are contradictory they create a dilemma. A dilemma is a beast of two horns, and the horns of this dilemma seemed to indicate that taking a strong military stance could lead to warfare and so

could the failure to do so. That is what makes it a dilemma, for it leaves the decision maker in a “damned if you do and damned if you don’t” situation. While recognizing the ambiguity that results from this may not be particularly helpful to a politician in terms of the ballot box, nor perhaps in the context of parliamentary debate, it is neither wise nor realistic to lose sight of either side of the dilemma. Only when both sides of the dilemma are firmly held in sight can a realistic approach to policy-making be achieved

The Security Dilemma in History

To understand the significance of the security dilemma, it may be helpful to look at some historical examples. The security dilemma can be found to be relevant to many of the wars of the twentieth century. We will begin with the First World War.

After having achieved unification in 1871, Germany saw its greatest threat to lie in the formation of a coalition by France, Austria and Russia. In the words of David Fromkin, “This, the most dangerous of possibilities, corresponded to Germany’s fear of being surrounded.”²² The risk of Austria taking part in such a coalition was largely relieved by the alliance with Austria in 1879, but even after this, Germany continued to consider as a major threat the possibility of an alliance between France and Russia.

How realistic were these fears? How likely were France and Russia to form such an alliance? Fromkin describes it as “an unlikely combination on ideological grounds, for France was an advanced democracy and Russia was a backward tyranny.”²³ In fact the Czarist government of Russia was more likely to align itself with monarchical Germany than with democratic France, given its desire to resist the rising tide of democracy. However Germany’s fear, and the military build up that it undertook to cope with that misperceived threat created exactly the situation that Germany had feared. France and Russia did, in fact form an alliance in 1894, “Driven together—against the odds—by the German threat,” as Fromkin points out.²⁴

Insofar as the possibility of a coalition between France and Russia posed no threat to Germany to start with, but became a real threat precisely because of Germany’s threat perception, this constitutes a fairly clear example of the security dilemma. Since the confrontation between Russia and France on the one hand and Germany on the other is one of the major factors that led to the First World War, and since Germany was to lose that war, this seems a very good example of a threat anticipation creating the very situation, in fact the absolute worst case scenario, that it sought to avoid. It would be a mistake, of course, to ignore other factors such as competition over colonies, growing economic dependence on arms production, etc., in the background to the war. Still, it does seem clear that the security dilemma constituted a highly important factor in the background to this war.

The July Crisis is also sometimes described in terms of the security dilemma. The quotation above from Garrett L. McAinsh indicating that “none of the Great Powers had really wanted a general European War in 1914” is consistent with this. There are some who argue otherwise. Fromkin points out that German Chancellor Bethman Hollweg did in fact want war—at least as a preemptive strike in what he considered an inevitable war.²⁵ This can be taken as indicating that it was not the security dilemma (in which, strictly speaking, neither side really wants war) that was behind the outbreak of war. However, it may not be appropriate to dismiss the role of the security dilemma so easily. The process of suspicion and threat that characterizes an escalation resulting from the security dilemma is likely to enhance the influence of more hawkish persons on the decision making process and perhaps even bring such persons to the center of government. Therefore the presence of people in the decision making process who actively want war may not necessarily exclude the security dilemma as a factor. It may be that they have come to power precisely because of the apprehension and fear associated with the security dilemma.

There are other major conflicts of the twentieth century that could, at least in part, be considered examples of the security dilemma. The outbreak of the Second World War in the

Pacific, in fact, may be one. Japan had, since the last quarter of the 19th century, sought acceptance by the west. The slogan *datsua-nyuuou* (leave Asia, join Europe), which was one of the main guides of Japanese policy at the end of the nineteenth century and in the first quarter of the twentieth, and the importance that was placed on the Anglo-Japanese Alliance, are both indicators of the intense desire that Japanese had for inclusion within the West. It was its encounters with Western racism and particularly what was felt to be unfair treatment at the Paris Peace Conference in 1919 that caused frustration in Japan and led to the policy of confrontation and eventually to war. What may relate this to the security dilemma is the fact that all this took place at a time when there was a particular threat perception in the west towards the peoples of Asia and particularly towards Japan. This threat perception was expressed in terms of what was called the “Yellow Peril.” To the extent that the idea of the “Yellow Peril” motivated the decision makers to try to suppress Japan, and to the extent that suppression drove Japan into isolation and confrontation, the process is a reflection of the security dilemma.

There were reasons within Japan for Japan’s turn to militaristic expansionism. It would be a mistake to treat it exclusively as a response to the ideas of the “Yellow Peril.” Yet it remains true that Japan’s transition from seeking acceptance by the west to undertaking confrontation did take place precisely at the time that ideas of the “Yellow Peril” were rife. From the last decade of the nineteenth century predictions of a race war were prevalent in the West, and much of this focused on Japan as the prime threat. Indeed it was Japan’s victory in the Sino-Japanese War that had prompted Kaiser Wilhelm II to originally promote the idea of the “Yellow Peril,” and when Japan followed up that victory with a victory over Russia in 1905, Japan came widely to be seen as the power likely to unite the “yellow race” and lead it into war against the west.

It would, of course, be impossible to measure the degree to which the treatment of Japan was influenced by these fears. The actual decision makers may not have held such ideas, although they may still have been influenced by the popular views within their countries. Nevertheless, the exclusivist immigration policies of Australia and the US, the rejection of Japan’s racial equality proposal at the Paris Peace Conference, the frustration of Japan’s goals in China, etc.—all of which had a role in turning Japan towards a confrontational stance—did occur in the heyday of ideas of the “Yellow Peril” and anticipations of future class wars.²⁶

The Vietnam War, too, was grounded on a threat perception, the Domino Theory, which was already being considered to be dubious by the mid-1960s²⁷ and has not been borne out by events—in that the loss of Vietnam did not lead to a spread of Communism to any countries not actually drawn into the war. This, again is an example of an incorrect threat perception leading to a conflict and creating the very situation that it had aimed at averting.

The origins of all these wars are, of course, quite complex and there are numerous factors that give rise to them. The attempt here is not to reduce the causes of wars to one particular phenomenon, but to show that the security dilemma is a real phenomenon—that indeed it does happen that misplaced fears of threats can bring about the emergence of those very threats, in other words that fears can become self-fulfilling prophecies. This is true of course, even when the fears are intentionally created by people in power in order to further their own personal or political agendas.

Since much of the debate about changing Japan’s constitution is centered around threat-perceptions, this would seem to be a serious issue for discussion in regard to constitutional change. What are the risks that changing the peace clause of the constitution would create the very risks that it seeks to avoid? Before taking this up, however, and for reasons that will become clear in the following pages, I will look at possible approaches to dealing with the security dilemma.

Dealing with the Security Dilemma

The problem with the security dilemma is precisely the fact that it is a dilemma. While it

might be easy, in retrospect, to say that a particular fear was unrealistic, to the people at the time it inevitably seems realistic and there may be no sure way of demonstrating that it is false. John Herz suggested that

The way out of this security dilemma of mutual or one-sided fears and suspicions is to place oneself in the other's shoes and view the world from his vantage point. By doing so even American ideologues might get rid of their obsession with communist world-revolutionary plotting and comprehend the Soviets' 'national interest' in preserving a postwar status quo that, after all, has rendered them one of the world's two superpowers and bestowed on them a powerful position in Europe and Asia.²⁸

However, seeing the world from the other's standpoint or placing oneself in the others shoes may not be all that achievable. We can never get fully inside someone else's mind. We may never be absolutely sure that we know another person's intentions, so the "better safe than sorry" approach of taking precautions against a possible threat will always be a powerful argument. If threats could always be dismissed as misperceptions, of course, the solution would be simple. But then there would be no dilemma. The dilemma arises from the fact that the perceived threat may be a misperception, but it may well also be an accurate perception. To focus only on one side of the dilemma would be to ignore either the lessons of the July Crisis or the lessons of Munich. While no one can read the future, we must assume that realistically there will always be the possibility of threats becoming real. If we are to find a way of dealing with the security dilemma that prevents it from giving rise to wars, it will have to be a strategy that takes both sides of the dilemma into consideration.

The problem that lies at the heart of the security dilemma is, of course, the fact that that the very means one takes for one's own defense becomes a threat to others. The solution therefore would be in having a means of defense that did not constitute a threat to others. The idea of collective security as established in the United Nations was seen as a means to achieving this. As Foster Dulles pointed out "A by-product of this [collective security] is that national forces are so combined with each other that no national force, alone, is a menace."²⁹ The idea was to have multiple parties involved in a network of defense, without any particular party being powerful enough to threaten others. However this presumed a certain parity among states that, due to the emergence of superpowers, has not in fact been realized, either during the Cold War or since. Consequently, this resolution to the security dilemma has had limited success although it remains one of the important principles behind the growing interest in multilateralism, which is becoming a more prominent feature of international relations, particularly in Asia.

Japan's Constitution and the Security Dilemma

The security dilemma has received relatively little attention in Japan. There is not even a fixed translation for the term. Sometimes it is simply transliterated using the *Katakana* script.³⁰ Otherwise it is translated literally as *Anzenhoshou no Direnma* (or *Jirenma*),³¹ or *Anzenhoshoudirenma*.³²

There is in fact a good reason for this lack of attention. The whole idea of the security dilemma is predicated on the fact that the means that one country adopts for its defense is perceived as a threat by other countries. Thus a military build-up intended as a means of defense is seen as an indication of aggressive intent by other countries. If there is something that makes it apparent to neighboring countries that this military build-up will not be used aggressively, the security dilemma will cease to be an issue. This is clear from the very nature of the security dilemma. Obviously, whatever it is that guarantees that military forces will not be used aggressively must be convincingly clear to neighboring countries, but if this is convincingly clear, then it should be possible to develop an adequate defense without triggering the kind of escalation of suspicion and threat characteristic of the security dilemma.

Japan is a democratic country with an independent judiciary. While some may argue that

there are limitations to its democracy and to the independence of the judiciary (as there may well be with all democratic countries), the Japanese government could not ignore basic principles of the constitution. It could not ignore article 9 of the constitution and invade another country. This very fact means that even if Japan possesses a strong military, neighboring countries, at least insofar as they are confident that the peace clause of the constitution will be maintained and respected, have no reason to perceive that military strength as a threat. In fact, for most of its post-war history, there has not been a significant short-term prospect for a change in article 9 of the constitution, and for that reason Japan has been able to build up considerable military power without that military power constituting a serious or proximate threat to neighboring countries. In this sense, Japan has been protected from the security dilemma by the peace clause. The lack of attention to the security dilemma in Japan has presumably resulted from its lack of relevance—until now—to Japan.

Since the early 1990s, this has changed significantly. Particularly since the Gulf War, there has been an escalation of talk in Japan about changing the constitution, and this has made neighboring countries much more cautious about Japan. The history of Japanese aggression has not been forgotten in Asia, and moves toward re-militarization are looked at with a considerable degree of mistrust. An Agence France-Presse report in 2004 noted that “Japanese moves to overhaul its 'defense-only' security policy that could enable it to launch pre-emptive strikes on foreign missile bases will trigger a wave of unease across Asia” and that “Any suggestions that Japan is taking a higher military profile have unnerved China and other Asian countries that were invaded by Japan during World War II.”³³

This does make clear one of the risks involved in Japan changing its constitution. If Japan were to change the peace clause of its constitution, the meaning of Japan’s military capacity for neighboring countries would change immediately. The security dilemma would immediately become an issue (in fact the very discussion of constitutional change has already made it an issue). If Japan changes the peace clause in its constitution, the threat that Japan’s military power will come to constitute will be very likely to trigger an arms race, or, more accurately, to accelerate an arms race that is already underway. Such an arms race would heighten tensions generally in the area. It should be remembered that this arms race would take place in a region in which there are already very serious flashpoints, most particularly on the Korean Peninsula and across the Taiwan Strait.³⁴ The risk is not simply that tensions and possibly even conflict could arise between Japan and its neighbors, but that there would be an escalation of tensions in the region that really have nothing to do with Japan, and that such tensions could erupt into conflict.

A Constitutional Peace Clause as a Resolution to the Security Dilemma

What Japan has experienced with its peace constitution over the last 60 years may have significance for finding a means to deal with the security dilemma for other countries as well. Particularly since the First World War, a means of defense that does not constitute a threat to others has been sought. For Japan, having a peace clause in the constitution has been a means of achieving this. Japan has successfully developed a powerful Self-Defense Force that, until the discussion of constitutional change became prominent, did not cause a great deal of threat to neighboring countries. In light of Japan’s history of aggression, its failure to resolve issues from the past with its neighbors, the ongoing mistrust of its neighbors, and also in spite of the serious tensions in the area—tensions in which Japan’s stance is definitely not one of neutrality—this phenomenon of maintaining a strong military force without that force being seen as a threat is a very strong indication of the potential of a constitutional peace clause to remove or at least minimize a sense of threat. In this sense, then, the Japanese constitution has shown a way forward in dealing with the security dilemma.

For decades pacifists and peace activists have advocated disarmament. This unfortunately has been to no avail. The quantity of arms in the world, and their degree of destructiveness, has

continued to escalate. There is too much fear, and those in power can all too easily create an atmosphere of fear. If more and more countries would include a clause in their constitution similar to the peace clause in the Japanese constitution, this could help to alleviate the atmosphere of fear that makes disarmament so difficult.

There seems little reason for a country not to introduce a clause similar to the one that Japan has. Japan has already shown that such a clause can be made compatible with having an adequate means of defense. It therefore does not make the country more vulnerable to attack or less able to defend itself. But as long as the country is sufficiently democratic and has a sufficiently independent judiciary to guarantee that the government cannot ignore the constitution or change it at will, such a clause will guarantee to neighboring countries that they will not be attacked. The spread of such a clause to the constitutions of other countries could therefore serve as a preliminary step towards making a broader disarmament possible.

II. ARTICLE 9 AND COLLECTIVE SELF-DEFENSE

One dimension of the defense rationale for changing the constitution is the argument that, given its dependence on the United States, Japan needs to be able to exercise the right of collective self defense.³⁵ The move to change article 9 became prominent in the period following the Gulf War. Japan was severely criticized for the fact that its only contribution to the Gulf War was financial. There was the perception that, given its standing as the world's second largest economy, Japan should be making more of a contribution to international society.

Much of the argument for this has come from the United States.³⁶ It is one of the paradoxes of the current move toward constitutional revision that, although one of the arguments used in favor of changing the constitution is that it was forced on Japan by the United States, the movement for constitutional change itself is being promoted under pressure from the US. The fact that the discussion emerged because of Japan's limited level of cooperation in the Gulf War and under pressure from the United States to increase its contribution to the alliance suggests that it is Japan's international cooperation, particularly in the area of collective defense but also in regard to cooperation in UN peace-keeping operations, that is driving the move towards constitutional change. This becomes even more clear when the present policy of transformation of the US military and the concomitant policy of interoperability between the Japanese Self Defense Force and the US military is taken into consideration.³⁷

It would be a mistake, therefore, to see the move towards constitutional change as an expression of increasing Japanese self-assertiveness. There are some who see it this way. Claude Larsimont of the European Strategic Intelligence and Security Center refers to Japan as "manifestly losing its military reserve, with the 'Japan that can say no' coming to the fore."³⁸ This is not a particularly accurate reading of the situation. Rather, constitutional change is being promoted in Japan by administrations, such as those of Koizumi and Abe, that are avid about aligning Japan with US interests and policies. The movement for constitutional change does not represent the emergence of a self-assertive Japan, but the reemergence of a Japan that cannot say "no," a Japan that acquiesces to the United States.

Japan has essentially been in alliance with the US since its defeat in 1945, an alliance formalized in a security treaty in 1951 and again in 1960. This is the only formal international military alliance that Japan has and, although exercising the right of collective self-defense is not necessarily limited to formal alliances, when the issue of exercising collective self-defense is given as a reason for changing Japan's constitution, the most obvious reference is to this alliance with the US. At present, the Treaty of Mutual Cooperation and Security between Japan and the United States of America restricts Japan's cooperation with the US to defense against attacks made within Japanese administered territory.³⁹ A change of the constitution would enable Japan to participate in the defense of the US even when the attack against these countries did not take

place in Japanese administered territory.

Risks in Alliances

Just as Japan has been protected from the security dilemma by article 9 of the constitution, this same article has protected it from the risks associated with alliances, namely the risks of entrapment and abandonment. It may be that the Japanese are not all that aware of these risks. Entrapment refers to the risk of being drawn into the conflicts of an allied country that are of no importance to one's own interest. The risk of abandonment is of course the risk that, in spite of an alliance, one's ally might not come to the rescue when help is needed. These risks are particularly enhanced when there is a high level of disparity in the relative strengths of the two allies. A relatively weak country, dependent for its security on a fairly strong country, especially if faced with threats to its security that exceed its capacity for self-defense, will have little choice but to accede to the wishes of its more powerful partner.

A case in point would be Australia's relationship with England in the first half of the twentieth century. Afraid of invasion from Asia and with too small a population to defend itself, Australia was dependent on England for its security. The result was that Australia sent forces to the Sudan in the 1880s, to the Boer War from 1899 to 1902, to the First World War, and to the Second World War even before the attack on Pearl Harbor and therefore before the war directly impinged on Australia. The price paid in these wars was enormous. In the Gallipoli campaign in 1915, of 50,000 Australian soldiers committed to the battle, there were at least 26,000 casualties with 8,000 killed.⁴⁰ Of roughly 22,000 stationed in Tobruk from April to December 1941, there were 3,009 casualties with 834 killed.⁴¹ These battles were not exclusively a result of entrapment. The Middle East lay on the route between Britain and Australia and was important to Australia both for trade and for defense. But Australia's dependence on Britain was a very important factor, and there has been a perception in Australia (as can be seen in such movies as *Breaker Morant* and *Gallipoli*) that Australian soldiers were sacrificed more readily than British. What this means, of course, is that the cost of entrapment can be extremely high, and is likely to be so when the sense of dependence of one party of the alliance on the other is high. To consider the significance of this for Japan, it is enough to consider what would have been the role of Japan in Iraq if it had not had the peace clause in its constitution.

Australia also provides an example of abandonment. The siege of Tobruk, a very important battle for one of the main ports in North Africa, lasted from April 10 to December 7, 1941. December 7, 1941, is a significant date, for that is the day the Japanese bombed Pearl Harbor. Therefore the whole battle of Tobruk took place before the beginning of the war in the Pacific and therefore before there was a direct threat to Australia. Australia was supporting Britain in its war. Yet it is now known that while that very battle was going on, Britain had taken the decision *not* to defend Australia if it came under attack from Japan.⁴² The reasons for this are obvious. Britain simply had its hands full with Germany. But the reasons do not change the consequences for the country that is abandoned and the incident shows that alliances may well be subordinated to other strategic considerations, even when one's own side has a record of contributing a great deal to the alliance partner. Since Australia's fear of Asia now appears to have been misplaced, it can be taken as an indication that erroneous threat perceptions, as well as having the possibility of triggering an escalation of threat and counter-threat as discussed in relation to the security dilemma, can also be the occasion for alliances that may become too servile or entail an unreasonable degree of sacrifice—a somewhat different outcome, but with the potential to become as harmful to one's own country as the security dilemma.

Article 9 and the Risks of Alliance

It is sometimes argued in Japan that changing article 9 would enable Japan to enhance its capacity for self-defense and would therefore be a means of reducing Japan's dependence on the US. We have already seen that article 9, in fact, has not been a limiting factor in Japan's

development of a capacity for defense and therefore there is little reason to believe that changing article 9 would enhance that. More importantly, if, as has already been suggested, a change in article 9 would occasion an arms race in North East Asia, it is very unlikely that Japan could keep up with China in that arms race. China's sheer size along with its burgeoning economy make it very likely that Japan, with its declining birthrate, its dependence on agricultural imports, its relative smallness, would not be able to keep up. It is likely that Japan's dependency on the US would actually increase. This would make Japan significantly more vulnerable to the risks entailed in alliances. If one opts for worst-case thinking, it could feasibly also increase US military interventions overseas (depending, of course, on the kind of administrations that come to power in the US) by providing the US with a significant number of non-US soldiers whose deaths would be less likely to stimulate an anti-war movement in the US.

Alliance vs. Multilateralism

The comparison with Australia may be apt in that both countries appear to have a tendency to seek security in an alliance with a particularly strong country rather than in multilateral relationships among relatively smaller powers.⁴³ At the beginning of the twentieth centuries, both countries made their alliance with Britain the basis of their security, and since the Second World War, both have grounded their security in an alliance with the US. There may be a perception in both countries that such an alliance with the current world superpower enhances their own status in the world. Allan Patience suggests that the "security alliance each has with its 'great and powerful friend' has led to widespread beliefs in both countries that because each has a special relationship with the USA, each therefore has a special standing in regional and global affairs."⁴⁴

What is important here is to realize that the security dilemma is relevant to alliances as well as to arms build-ups. In other words, alliances can affect a country's relationship to countries that are not part of that alliance, possibly causing estrangement and even posing a threat which may provoke other countries to form a counter alliance. A change in article 9 of the constitution would, as has already been noted, deepen Japan's dependence on the US and thereby further estrange Japan from its neighbors. It would be an option, in effect if not in intent, for bilateralism over multilateralism. It would greatly hinder Japan's capacity for participating in the multilateralism that is growing in the Asia-Pacific region,⁴⁵ and would therefore limit the scope of that multilateralism. It is hard to envisage that this would be a contribution to promoting sustainable peace in the region. Multilateralism shows more promise of establishing a basis for peace without provoking the problems associated with the security dilemma and with a substantial reduction in the risks involved in alliances.

CONCLUSION

In this paper, I have focused on the defense rationale for changing Japan's constitution and I have addressed this from the perspective of the security dilemma and from the perspective of the risks involved in alliances, namely the risks of entrapment and abandonment. The reason for focusing on these two aspects is that although they seem to be very important issues, they get relatively little attention in the debate on constitutional change in Japan. The probable reason for this is that Japanese are not all that aware of these issues since they have been protected from the associated problems for sixty years by the peace constitution. Changing the constitution is likely to be another case of "you don't know what you've got till it's gone." Both from the point of view of the security dilemma, and for the preference of multilateralism over bilateralism, the clear suggestion is that conserving the peace clause in the constitution is more likely to provide a basis for Japan and the region.

It has also been noted that Japan's own experience with the peace constitution over the last

sixty years shows a possible way to resolve the security dilemma for other countries as well—namely by inserting a peace clause in the constitution.

Finally, considerations of constitutional change in Japan, like discussions of security anywhere, must focus on the real threats the country faces. It is easy to stir up fears regarding threats but we have already noted that there are great risks involved in threat perceptions. In the world today, some of the most serious threats that countries face are non-military in nature. Without a doubt, the most serious threat that all countries face is global warming. There are other threats associated with the environment, and issues such as poverty, HIV/AIDS, migration, etc., that will require a level of international cooperation hitherto unknown. Military tensions tend to become all-preoccupying. If military tensions increase, it is very unlikely that the will and resources to deal with these other problems will be found. The kind of tension that would result from Japan changing its constitution would not help in dealing with these non-military threats. The resolution of tensions that would result from a peace clause being included in the constitutions of other countries, on the other hand, would be a powerful contribution.

¹ Some of the ideas and a number of references and quotations in this paper are repeated from a paper on a similar topic. See Michael Seigel, *The Dilemmas of Constitutional Revision: Some Considerations for Japan's Peace Constitution*, in Michalis Michael et alii, *Asia-Pacific Geopolitics: Hegemony vs. Human Security*, London: Edward Elgar, 2007 (Due for publication in April 2007), chapter 12.

² The Stockholm International Peace Research Institute ranks Japan as the fourth biggest military spender in dollar terms and eighth biggest in purchasing power parity dollar terms. See *SIPRI Yearbook 2006: Armaments, Disarmament, and International Security*, Oxford: Oxford University Press, 2006, p. 302.

³ Note that there is a slight variation between the implications of this phrase in Japanese version and in the English. Contrary to the English version, the Japanese version can be interpreted as permitting the possession of “land, sea, and air forces, as well as other war potential” for reasons unrelated to the previous paragraph, namely for defense, and there has been persistent debate as to whether it in fact does permit this. In fact this phrase, known as the Ashida amendment, was included in the text by Prime Minister Ashida precisely to give Japan the right to have a means of defense. See Murata Kiyooki, *Kenpou Kyuujou no Nazo: Makkaasaa ha Nani wo Kangete ita ka* (The Riddle of Article 9: What MacArthur had in Mind), in *Kenpou no Ronten: 'Seiron' no Kessakusen* (Points of Debate on the Constitution: Select Papers of the Orthodox Debate), Tokyo: Sankei Shinbunsha, 2004, pp. 158-182, pp. 177-180.

⁴ See the Homepage of the Prime Minister of Japan and his Cabinet: http://www.kantei.go.jp/foreign/constitution_and_government_of_japan/constitution_e.html.

⁵ For an overview of the history of debate on constitutional change, see Jiro Yamaguchi, Can Japan Create a Basis for its Internationality, in Michalis Michael et alii, *Asia-Pacific Geopolitics*, chapter 13.

⁶ See Michael Seigel, *The Dilemmas of Constitutional Revision: Some Considerations for Japan's Peace Constitution*. In Michael et alii, *Asia-Pacific Geopolitics*, chapter 12.

⁷ Liberal Democratic Party, *Shinkenpou Souan*, www.jimin.jp/jimin/shin_kenpou/shiryoku/pdf/051122_a.pdf (Translation my own.)

⁸ Liberal Democratic Party, *Shinkenpou Souan* ㊦

⁹ See, for example, Murata Kiyooki, *Kenpou Kyuujou no Nazo*, pp. 174-176.

¹⁰ ‘*Kenpou ni Sensou houki wo, Motogaikoukan, Shuusen Chokugo ni Shushou he Shokan*’ (“Include Relinquishing War in the Constitution”: Letter of a Former Diplomat to the Prime Minister). Asahi.com, 14 August 2005. <http://www.asahi.com/national/update/0814/OSK200508130084.html>.

¹¹ John W. Dower, *Embracing Defeat: Japan in the Aftermath of World War II*, New York: W.W. Norton, 1999, pp.

¹² John H. Herz, *Political Realism and Political Idealism: A Study in Theories and Realities*, Chicago: The University of Chicago Press, 1951, p. 3.

¹³ Herz, *Political Realism and Political Idealism*, pp. 3-5.

¹⁴ Alan Collins, The Ethnic Security Dilemma: Evidence from Malaysia. In Institute of Southeast Asian Studies (ISEAS), *Contemporary Southeast Asia*, 20: 261, 1998, page, 261.

¹⁵ Paul Roe, *Ethnic Violence and the Societal Security Dilemma*. New York: Routledge, 2004, p. 1.

¹⁶ Herbert Butterfield, *History and Human Relations* (London: Collins, 1951), p. 21. Quoted in Collins, *The Ethnic Security Dilemma*, p. 261.

¹⁷ Collins, *The Ethnic Security Dilemma*, p. 261.

¹⁸ John H. Herz, *International Politics in the Atomic Age* (New York: Columbia University Press, 1966), p. 241. Quoted in Collins, *The Ethnic Security Dilemma*.

¹⁹ Garrett L. McAinsh. Appeasement Policy. In Linus Pauling (ed.) *World Encyclopedia of Peace*. New York:

Pergamon Press, 1986, Vol. 1. p. 28.

²⁰ Macgregor Duncan. *Munich: Reassessing the Diplomatic Value of Appeasement*.
www.wws.princeton.edu/cases/papers/appeasement.pdf.

²¹ Macgregor Duncan. *Munich: Reassessing the Diplomatic Value of Appeasement*.

²² David Fromkin, *Europe's Last Summer: Who Started the Great War in 1914?* New York: Vintage Books, 2004, p. 32.

²³ Fromkin, *Europe's Last Summer*, p. 32.

²⁴ Fromkin, *Europe's Last Summer*, p. 32-33.

²⁵ Fromkin, *Europe's Last Summer*, p. 32-33.

²⁶ For a detailed discussion of these issues see Naoko Shimazu, *Japan, Race, and Equality: The Racial Equality Proposal of 1919*. London: Routledge, 1998, particularly chapter 4.

²⁷ Richard K. Betts and Leslie H. Gelb, *The Irony of Vietnam: The System Worked*, Washington, DC: Brookings Institution, 1979, p. 229.

²⁸ John H. Herz, Power Politics and Policies of Survival, in Vojtech Mastny, *Power and Policy in Transition: Essays Presented on the Tenth Anniversary of the National Committee on American Foreign Policy in Honor of Its Founder, Hans J. Morgenthau*, Westport, CT: Greenwood Press, 1984, p. 42.

²⁹ Dulles in State Department Press Release no. 168 of 1951, Quoted in Renouf. *The Frightened Country*. Melbourne: The Macmillan Company of Australia, 1979, p. 39.

³⁰ See for example Tsuchiyama Jitsuo, *Anzenhoshou no Kokusaiseijigaku: Aseri to Ogori* (An International Political Study of Security: Panic and Pride), Tokyo: Yuuhaikaku, 2004.

³¹ See for example Michael Seigel and Joseph Camilleri (edd.), *Takokukanshugi to Doumei no Hazama: Kiro ni Tatsu Niho to Oosutoraria* (Caught Between Multilateralism and Alliance: Japan and Australia as a Crossroads), Tokyo: Kokusai Shoin, 2006, Chapters 1 and 8.

³² See for example the homepage of the Japan Institute of International Affairs.

<http://www.jiia.or.jp/shuppan/kokusaimondai/j-kokusaimondai99.html>

³³ Tokyo (AFP) Oct 05, 2004. *Japan Defence Shake-up Bound to Unsettle Asia: Experts*.

<http://www.spacewar.com/2004/041005074919.crngr2sb.html>

³⁴ Concerns for the impact that a change in article 9 would have on security in the region were an important part of the discussion at the North East Asia regional meeting of the Global Partnership for the Prevention of Armed Conflict, held in Tokyo in February 2005. See *Global Partnership for the Prevention of Armed Conflict Northeast Asia Regional Action Agenda*, www.peaceboat.org/info/gppac/agenda_0222e.pdf

³⁵ See, for example, Riichi Furugaki. Collective Self-defense for Japan. *CSIS Japan Watch*, May 2000, p. 1.

<http://www.csis.org/media/csis/pubs/jw000501.pdf>

³⁶ For details of this see Michael Seigel, Questioning the Rationale for Changing Japan's Peace Constitution? In Michael et alii, *Asia-Pacific Geopolitics*, chapter 12.

³⁷ See, for example, Secretary of State Rice, Secretary of Defense Rumsfeld, Minister of Foreign Affairs Machimura, Minister of State for Defense Ohno, *U.S.-Japan Alliance: Transformation and Realignment for the Future*, Ministry of Foreign Affairs Homepage, <http://www.mofa.go.jp/region/n-america/us/security/scc/doc0510.html>

³⁸ Claude Larsimont, *Japan's Self-Defence Forces in a Changing World*, European Strategic Intelligence and Defence Briefing Paper, 01.12.05. www.esisc.org/Japans.pdf

³⁹ See *Treaty of Mutual Cooperation and Security Between Japan and the United States of America*, Ministry of Foreign Affairs of Japan homepage, <http://www.mofa.go.jp/region/n-america/us/q&a/ref/1.html>

⁴⁰ Chris Coulthard-Clark, *The Encyclopaedia of Australia's Battles*, Crows Nest, N.S.W.: Allen & Unwin, 2001, p.103.

⁴¹ Coulthard-Clark, *The Encyclopaedia of Australia's Battles*, p. 186

⁴² James Bowen, *Japanese Military Aggression Exposes the Inadequacy of Australia's Defences*.

<http://www.users.bigpond.com/battleforaustralia/battaust/Austinvasion.html>

⁴³ For a discussion of these similarities, see Michalis Michael et alii, *Asia-Pacific Geopolitics: Hegemony vs. Human Security*, London: Edward Elgar, 2007 (Due for publication in April 2007), chapters 4 and 11..

⁴⁴ Allan Patience, Prospects for Japanese and Australian Niche Diplomacy in the South Pacific. In Michalis Michael et alii, *Asia-Pacific Geopolitics: Hegemony vs. Human Security*, London: Edward Elgar, 2007 (Due for publication in April 2007), chapter 11.

⁴⁵ For a discussion of this, see Michalis S. Michael and Larry Marshall, *Securing the Region Post September 11*. Melbourne: Politics Program, La Trobe University, 2005.