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Has Komeito Abandoned its Principles? Public Perception of the Party's Role in Japan's Security Legislation Debate

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Summary: This article discusses key political issues surrounding Japan's Legislation for Peace and Security that came into effect on 29 March 2016. The past two years have seen heated public debate and political protests with opposition parties uniting in their opposition to the legislation in their attempt to challenge the LDP-Komeito ruling coalition in the July 10 Upper House election. This challenge continues. In this article, I discuss opposition claims that the security legislation is 'war legislation' that poses a threat to Japan's pacifist Constitution. I also discuss the central role played by Komeito in the passage of this legislation and examine the often antagonistic relationship between the LDP and its junior coalition partner, which is often ignored in the simplified narratives of the choice between 'war and peace' played out in the public sphere. This article, therefore, addresses not only the legislation but also public perceptions and misperceptions of the issues involved and the underlying political process.

Despite the push for more fundamental change and the heated rhetoric that followed the July 2014 Abe Cabinet Decision on the security legislation and its enactment in September 2015, this article argues that it was a centrist pragmatic development in Japanese politics rather than a radical change, due in large part to the moderating influence of Komeito.[1]

Keywords: Japan's Constitution, Article 9, constitutionality, historical memory, war legislation and the public.

Politics and its representations

The introduction of Japan's Legislation for Peace and Security (平和安全法制*Heiwa anzen hōsei*) has brought about increased political activism amongst groups who believe that its embrace of the notion of collective self-defence (CSD) is a throwback to Japan's imperial past and a betrayal of Article 9 of the Constitution that renounces war and the use of force in settling international disputes. The debates surrounding the legislation have become increasingly polarised, reflecting the different visions of Japan as a nation held by ideologies on the left and the right. In this article, I look beneath the polemics and the rhetoric to examine to what extent Komeito, also known as the Clean Government Party, has succeeded in acting as a brake on Prime Minister Abe Shinzō and the majority of the Liberal Democratic Party (LDP) who seek a full-fledged collective self-defence policy and the revision of Article 9.

John Dewey, the American educational reformer who wrote in great detail about democracy, argued that the presence of a public that could evaluate and judge politics in an informed manner was crucial to the practical working of the democratic process. However, he also noted that citizens were often ill-equipped to understand the complex details of policies and, while repudiating Walter Lippmann's notion of the public as a non-existent 'phantom',[2] also described the public as at times 'a ghost which walks and talks, and obscures, confuses and misleads governmental action in a disastrous way.'[3] The many conspicuous street protests that have arisen in Japan in recent years indicate that at least parts of the public are alive and well. Often lauded as indicating the rise of civil society,

this part of the public has presented itself as the voice of people in its strong opposition to the current government and the security legislation that it views as a gateway to war. How does the public with its multiple voices speak to complicated legislative issues? This question is particularly relevant when public discourse is polarised and constructed so as to render a nuanced and informed debate of security issues almost impossible.

The right-leaning Yomiuri Shimbun in an article titled 'SDF activities should be expanded to deal seamlessly with threats to Japan' (22 March 2015)[4] criticised the proposed security legislation under discussion between the LDP and Komeito for imposing too many limitations on what Japan's military could and could not do. These restrictions were primarily the result of pressure exerted by Komeito. For example, whereas the LDP had not wanted any limits on the logistical aid that Japan's Self-Defence Forces (SDF) could provide to its security partners, this was criticised by its opponents and, in the end, the LDP was forced to accept the stricter limitations proposed by Komeito. The criticism of such limitations articulated by the Yomiuri article reinforced the view of Komeito politicians that they had achieved significant success as a result of their hundreds of hours of negotiation with the LDP.

The opposition parties, on the other hand, opposed the legislation for going too far by allowing Japan to engage in collective self-defence (CSD) of its allies, even if it was not itself under threat. By paving the way for the SDF to use force overseas to defend Japan's allies, the legislation was viewed by its critics as a return to the militarism of the past and was labelled 'war legislation' that undermined Japan's post-war position as a peaceful nation.

Since its inception in 1964, Komeito's most significant role in contemporary Asian geopolitics has been its diplomatic efforts over several decades to promote good relations with China, and it was a major force in the normalisation of Japan-China relations in the early 1970s.[5] It is backed by arguably the largest and most enduring grassroots peace movement in Japan, the Nichiren Buddhist movement Soka Gakkai, whose founder and current honorary president, Daisaku Ikeda (b.1928) called for normalising relations with China as early as 1968. Soka Gakkai has itself engaged for decades in building civil ties and diplomatic connections with counterparts in China, while serving as the main support base for Komeito.

Protesters I have interviewed at demonstrations against the security legislation, such as those that have taken place in front of the Japanese parliament, have invariably described Komeito as 'just the same as the LDP' and regarded it as complicit in the passing of 'war legislation'. This perception that Komeito has betrayed its fundamental commitment to peace presents the party with a profound conundrum.

The term 'war legislation' has been consistently used by the Japanese Communist Party (JCP), which has become the most strident opposition voice and the main organiser of demonstrations. The war label has also been used by other opposition parties. For instance, during rallies for the Upper House election in July 2016, Democratic Party candidate Ogawa Toshio, who was narrowly elected in sixth place in Tokyo, campaigned against allowing Japan to go to war and the ruling parties from achieving a two-thirds majority that he claimed would result in a revision of the Constitution.[6]

The media alluded to the idea of 'war legislation' early on; for example, the headline of The Japan Times on 30 June 2014, the day before the Cabinet Decision on the legislation, read: 'Japan on verge of legalising war as Komeito bends'.[7] But was this an accurate description of Komeito's position—and of the legislation itself?

The first step in assessing the justification for the label 'war legislation' must be based on whether the legislation allows Japan to wage war. Article 9 of the Japanese Constitution prohibits Japan from engaging in the threat or use of force except for the purpose of its own self-defence. So has this position been fundamentally changed by the new legislation? Komeito maintains that the answer is 'No' and that Japan's renunciation of war and exclusively defensive security policy (専守防衛*senshu bōei*) remains intact. One of the purposes of this article is to assess this claim.

A brief outline of the legislation and chronology of events

The security legislation is made up of two parts: 1) Japan's Legislation for Peace and Security consists of 11 bills that amend existing laws, and 2) a new International Peace Support Law that enables the dispatch of SDF troops abroad to provide logistical support for the military operations of other countries. According to the government, the legislation enables Japan to make 'seamless responses to any situations to secure the lives and peaceful livelihood of the Japanese people' and makes it possible to 'contribute more proactively to the peace and security of the international community.'[8] It involves amendments to the following laws:

1) Self-Defence Forces Act (SDF Act)

2) International Peace Cooperation Law (Law Concerning Cooperation for United Nations Peace-keeping Operations and Other Operations) (PKO Law)

3) Law concerning measures to ensure the peace and security of Japan in areas surrounding Japan

4) Ship Inspection Operations Act

5) Law regarding response to armed-attack situations (include the use of force under three new conditions)

6) Act on measures conducted by the government in line with US military actions in armed-attack situations

7) Law concerning the use of specific public facilities

8) Marine Transport Restriction Act

9) Act on the Treatment of Prisoners of War and Other Detainees in Armed Attack Situations

10) National Security Council Establishment Act

Chronology of events:

15 May 2014: Advisory panel on the legal basis for the security legislation submits its report to Prime Minister Abe.[9]

20 May 2014: First meeting between the LDP and Komeito on the legislation, followed by six weeks of frequent meetings and intense discussion.

1 July 2014: Cabinet Decision on Three New Conditions for Self Defence.

24 Dec. 2014: Third Abe Cabinet established after general election.

13 Feb. 2015: Meetings between the LDP and Komeito resume.

27 Apr. 2015: New guidelines announced for Japan-US defence cooperation.

14 May 2015: The LDP and Komeito reach agreement on Japan's Legislation on Peace and Security; a Cabinet Decision is made.

15 May 2015: Legislation is submitted to the Lower House.

22 May 2015: 116 hours of deliberation in the Lower House begins.

16 Jul. 2015: Legislation is passed in the Lower House.

27 Jul. 2015: 100 hours of deliberation in the Upper House begins.

17 Sep. 2015: Legislation is passed in the Upper House.

19 Sep. 2015: Legislation enacted.

29 Mar. 2016: Legislation takes effect.

Japan's political ghosts

War is the political ghost of Japan's national politics, a historical memory that continues to shape political discourse on national identity and the imagined future. Central to such discourse is Japan's 1947 post-war Constitution. This legal document and the interpretation of its war-renouncing Article 9 have taken on shifting contours over the years for political groups on both the left and the right. These underpin the many rhetorical battles about national legitimacy.

In 1951-2, Japan and the US struck a bargain on security strategy whereby the US guaranteed to defend Japan amidst rising Cold War tensions and, in return, was permitted to build and maintain military bases in Japan. This security alliance with the US became fundamental to the way that Japan approached its foreign policy. It meant that Japan did not need to undertake costly offensive capability and nuclear weapons. Despite Article 9 that prohibits Japan from maintaining military forces, the Self-Defence Forces were established in 1954 after the Korean War (1950-53) amidst rising Cold War tension. This 'defence-only' position that enabled Japan to focus on economic development while it outsourced its defence needs to the US came to be referred to as the 'Yoshida doctrine',[10] a position that dominated foreign policy until 1990.

Over the past twenty years, the constitutionality of the existence of the SDF has come to be accepted as the status quo by the vast majority of the general public and by almost all political parties apart from the Japanese Communist Party. Although the JCP is now one of the fiercest critics of the current security legislation, the party opposed Article 9 until 1994, due to its ultimate aim of establishing a communist government in Japan backed by a 'revolutionary military force (*kakumei bōeitai*). The JCP now adopts a pacifist position with the abolishment of the SDF as one of its stated aims,[11] although it has adopted a more pragmatic stance towards the security treaty with the US and the temporary need for the SDF in order to enable cooperation with other political parties in opposing the security legislation.[12]

Despite widespread support for Article 9, the existence of the SDF has been widely accepted as necessary by the majority of people in Japan. Public support for the SDF has been strengthened by the significant role that it plays in disaster relief and rescue operations in

Japan, particularly since the Tohoku triple disaster of March 2011. Public support has also increased for the role that the SDF has played in UN peacekeeping operations (PKO) overseas since 1992. Komeito has been a major supporter of these activities and was a key political player in ensuring the passage of the PKO legislation in 1992, for which it received much criticism at the time. Following this, it was necessary to enact special measures bills on each occasion that the SDF were involved in PKO operations, but now the temporary legislation used over the past twenty years has become permanent law under the new security legislation.

During the negotiations on the security legislation, Kitagawa Kazuo, a member of the Lower House who led the discussions for Komeito, pushed for specific controls on the dispatch of SDF personnel for PKO purposes. In an interview in the party's newspaper, Kitagawa explained Komeito's approach as follows:

> By making a permanent law, the Self-Defence Forces can conduct drills and prepare their personnel in peacetime, which will enable them to swiftly coordinate with the United Nations and other countries and conduct on-site research and other activities in preparation for an emergency situation that threatens the peace and stability of the international community. This would allow us to choose roles and tasks appropriate for the Self-Defence Forces.

This might appear to grant the government a free hand in dispatching the SDF forces, but Kitagawa explains that this is not the case:

> Komeito proposed the following three principles to put brakes on overseas dispatch of SDF personnel: 1) legitimacy under international law; 2) public understanding and democratic control; 3) securing the safety of SDF personnel.
>
> In terms of legitimacy under international law the permanent legislation will require consistency with the United Nations Security Council resolutions and other relevant resolutions, reflecting Komeito's emphasis on the fact that earlier special measures legislation was created on that basis.
>
> Komeito has also strongly emphasised public understanding and democratic control through the involvement of the Diet in the process. As a result, every overseas dispatch of the Self-Defence Forces would require Diet approval in advance without exception. In addition, the extension of any dispatch after two years would have to be approved by the Diet.[13]

The extent to which the SDF can bear arms, the conditions under which they can use them during peace-keeping operations and the extent to which they can aid other countries with whom they undertake such operations have been much debated. Nakano Kōichi, a political science professor at Sophia University, is a prominent critic of the security legislation and of the Abe government in general, focusing on the issue of constitutionality. In an interview, he voiced his concern about the safety of PKO personnel and the danger of SDF embroilment in battle.[14]

Jimbo Ken, a former foreign policy advisor to

the DPJ during their time in power (2009-12) and a current government advisor and assistant professor at Keio University, argues that PKO personnel operate in a vastly different environment from twenty years ago and need to be able to defend themselves. He does not view the security legislation as a drastic change from previous policy,[15] noting that the previous LDP administration under Prime Minister Koizumi (2001-06) and later the DPJ government all built up Japan's anti-ballistic missile defence system in cooperation with the US.[16]

The geopolitical changes that began in the 1990s with the end of the Cold War have brought about different suggestions as to how to deal with the complexity of the Asian region today, in which a major factor is the rise of China and its militarisation of the South China Sea.[17] Rhetorically, left-right positions run along ideological lines that intersect with historical memory, and different interpretations of Japan's imperial history, on both sides, and often entail a simplification of an extremely complex history of aggressive warfare. For example, the crucial role that public opinion and the mass media played in the 1930s and 40s in shaping nationalist sentiment in support of war overseas is largely ignored.[18]

The examples in the following sections serve to illustrate how the political ghosts of the past continue to shape political debates about security in 2016.

Defenders of 'the ethnic nation' denounce the Abe administration

It is a sunny Sunday morning in April 2016 and a strident voice can be heard from loudspeakers in front of Ikebukuro station in central Tokyo. It is a message of frustration over the lack of progress made by the Abe administration in changing the Constitution to allow a greater role for the SDF in protecting Japan. Right-wing activism involving trucks fitted with loudspeakers is a common urban phenomenon in modern Japan. With its display of masculine strength resembling a martial art, it addresses a public that is perceived as unwilling or unable to recognise Japan's primordial heritage.[19] 'Our land is sacred. This is about protecting our land. This is our mission as Japanese!' a man declares from the top of the truck, holding a large Japanese flag. Other trucks are lined up, all decorated with numerous banners and Japanese flags several metres long. 'To protect the Emperor . . . this is what it means to be Japanese, isn't it?' he asks rhetorically, as if scolding people for having forgotten their duty. 'Being Japanese isn't just about making money and buying whatever you like. Please, everyone, be aware that we need to revise the Constitution.' One of the slogans on the banners reads: 'Abolish the Abe administration!' and is accompanied by a drawing of a shamefaced Prime Minster Abe. The man continues, 'They have failed to protect Japan yet again, just like the DPJ with the Senkaku Islands …' Nathaniel Smith argues that such right-wing groups base their rhetoric on an idiosyncratic mix of pre-war ideology and post-war geopolitics and that such 'sonic activism helps to shape the social dynamics of their movement and helps activists to construct the illusive object of their activism: the ethnic nation.'[20]

Although, in recent decades, right-wing groups have been the most visible and prominent form of activism, other types of street protest have also become common since the Fukushima nuclear accident in March 2011. Many of these protests have been about the security legislation and the Constitution, but for different reasons from those described above.

Right-wing group in front of Ikebukuro station in April 2016

Defenders of peace and democracy denounce the Abe administration

Since April 2011 Friday night has become a regular protest night for many people who gather in front of the Japanese parliament; they use megaphones to chant slogans and opposition party leaders come to give speeches. The content of their message is very different from the right-wing rhetoric described above, but the target of their protest is the same: the Abe administration. Here, criticism of the government is centred not on any supposed failure to protect 'the ethnic nation' but on its alleged willingness to go to war.

Many of these protesters view themselves as defenders of a democracy that is threatened by Prime Minister Abe. On this Friday evening in April 2016, several hundred people have gathered to protest against the restarting of a nuclear power plant in a region recently struck by a series of powerful earthquakes. Most of them are regular attendees and many are of retirement age in their mid-60s to late 70s; hence they remember the more radical student protests of the late 1960s and early 1970s.[21] One woman tells me that she has been coming faithfully every Friday night for the past five years, ever since these protests began. She is a pensioner but still contributes 1,000 yen every week to help finance posters and other costs of such events. Some younger faces are visible in the crowd, but only a few. The woman explains that the Students Emergency Action for Liberal Democracy (SEALDs), a student group established in May 2015, is not present as they are organising to oppose the security legislation in June before the upcoming Upper House election.[22] She also expresses her concern about people who are poor in Japan, who have few job opportunities and feel betrayed by the current government—these are all reasons for her attendance at the demonstrations in addition to the security legislation. 'Why do you oppose it?' I ask her. 'Because Abe wants to go to war. His economic plan has had no effect, so the only way is to go to war. People who come here oppose the Abe administration's policies, but although for five years we've shouted, "Stop nuclear power!" and "Abolish war legislation!" nothing changes.'

'What do you think about the idea that the current legislation is only a gradual expansion of the role played by the SDF forces and that it is only a limited form of collective self-defence?' I ask. 'Well, I agree that the situation with North Korea is dangerous, but if everyone responds to each other by force (*chikara de*) there will be no solution, only escalation. So it should be our police force that protects Japan, not the SDF.[23] Japan should not be allowed to go to war with other countries. Of course, it can't be helped if it is in self-defence, but Japan can't go off to fight in Afghanistan or against the Islamic State and suchlike. Japan hasn't engaged in war for 70 years. Yes, I know that America is protecting Japan, but that is not the only reason. Japan is a country that does not engage in war.'

'What do you think of the PKO activities undertaken by the SDF?' I ask. Until last year what the PKO did was okay, but now with the

new law they can carry weapons.' 'But aren't the weapons just for self-defence?' I inquire. 'Yes, but once you go into a combat zone, you can't avoid conflict and engaging in war'.

Protesters in front of the Diet in June 2015

Nakano Kōichi, mentioned previously as an intellectual driving force behind the opposition to the security legislation, stresses that there are many other things Japan can do to contribute to the international community, such as taking in more refugees, instead of directly taking part in PKO activities. He has been involved in establishing a new think tank called Remos together with students from SEALDs,[24] who have been trying to make politics appear relevant and 'cool' among their largely disinterested peers by using up-to-date designs, colours and hip-hop music to communicate their message. SEALDs placards were clearly visible in support of opposition candidates in the Upper House election, such as Ogawa Toshio mentioned previously. [25]

Democratic Party supporters of Ogawa Toshio in July 2016

Remos aims to create unity among liberals in protecting parliamentary democracy from the Abe administration, which it portrays as authoritarian and undemocratic.[26] The slogans of 'collective defence' and 'war legislation' evoke strong responses in supporters for whom Article 9 is a passionately held symbol of peace.[27] With few legal or historical specifics, it is possible to narrow political discourse and represent a very complex situation as a choice between war and peace. Given this choice, there are few people who would opt for anything other than peace. Nakano recognises that political messages have been simplified but sees this as a pragmatic use of available means to mobilise people who would otherwise take no interest in politics.[28]

A simple question of peace versus war?

The DPJ spent three years in government advocating changes that were more far-reaching and included a greater capacity for collective self-defence than the current security legislation allows. Their current opposition to the legislation therefore comes as something of a surprise. The DPJ's former vice minister for defence, Nagashima Akihisa, laments the fact that the issues are being fought on a joint

platform with the JCP based on the argument that legislation which allows CSD 'is shameful and will not make the Democratic Party appear a viable alternative for government,' laments. 'We should have chosen to engage in a much more substantial debate on the actual law itself rather than become an oppositional force like the JCP without much say in the actual policy outcome. We need the right to CSD to deal with current geo-political reality.'[29]

Former DPJ Defence Minister Morimoto Satoshi also disagrees with the DP's current stance and views the security legislation as a step in the right direction, while agreeing with Nagashima that the changes do not go far enough. According to Morimoto, 'Komeito played a significant role in mediating between the LDP and the cabinet lobby groups. [They were able to do that] because they have a long-established understanding of constitutional and legislative issues [their own political leadership being lawyers], and they have been involved in the question of how to interpret the Constitution and the issue of CSD for a long time. In a unique position as a coalition partner with a thorough knowledge of constitutional law, Komeito opposed the engagement of the SDF in conflicts or wars overseas and instead supported the expansion of its PKO activities. Komeito is highly regarded [in terms of its knowledge] both amongst bureaucrats and within the LDP cabinet, but they share a similar diplomatic approach toward China [as the DP and the US], and are inclined to engage with China [rather than confront it]. Komeito and the Chinese Communist Party are very close and have a long history of engagement. Although the number of Komeito politicians is not large, each member of the party has a vast network of supporters, and LDP politicians rely on these Komeito supporters to get elected… so this is another factor that influences the LDP… However, the main issue is still how to deal with China.'[30]

Nagashima agrees with Morimoto and notes that there is a split within the DP over the legislation. He believes that the criticism of the use of CSD is like a phantom debate, in the sense that the security legislation does not allow for CSD in its true form and, in this regard, the legislation is constitutional. 'At first I supported the security legislation, but it became a very limited form of CSD that deals only with the defence of Japan. This is actually because of Komeito.' He outlines how he believes the legislation should have focused on the situation surrounding Japan, rather than merely seeking to expand PKO activities. 'The lack of focus on operational management fell short in the areas surrounding Japan because the legislation does not touch upon the defence of territorial waters [in relation to China].' [31] In his view, the legislation is unable to respond to current geo-political challenges, particularly in the area of the South China Sea.[32] Many policy advisors and academics of geo-politics and strategic studies agree with this view and argue for greater use of CSD as a strategic deterrence.[33]

Concerning the overlap in policy between the previous DPJ government and the current Abe administration, Nagashima comments: 'When we [the DPJ] proposed the revision [to the defence guidelines], we weren't totally ignoring the question of whether to go ahead with allowing the exercise of the right of collective self-defence from the outset. But we started bilateral discussions with a view to the needs of those on the front line, and when the LDP returned to power [in Dec 2012], we passed our work on to the Abe administration, which was eager to allow the exercise of this right. That's how the present guidelines came into being. North Korea now has more than two hundred Rodong missiles, which are mobile and have a range that covers almost all of the Japanese archipelago. It has built small nuclear warheads that can be mounted on its missiles, some of which can now reach as far as the US mainland. Meanwhile, China's military power is three or four times that of Japan's.'[34]

We have seen the complex political background that surrounds the security legislation and indicates that Komeito prevented the push for constitutional revision of Article 9. The well-known political commentator Satō Masaru praises the legislation for having saved Article 9 while attempting to recognise the geo-political reality.[35] So having examined the political background, let us look more closely at key parts of the legislation.

Article 9 and Article 13: the question of constitutionality

> Article 9: 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, land, sea, and air forces, as well as other war potential, will never be maintained. The right to belligerence of the state will not be recognised.
>
> Article 13: All of the people shall be respected as individuals. Their right to life, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare, be the supreme consideration in legislation and in other governmental affairs.

The tension between forgoing the right to maintain a military force and the duty to protect one's citizens from a potential existential threat is the pacifist conundrum, and one that questions the viability of a non-violent state. This conundrum and the contradiction in how it has been addressed through the Yoshida doctrine, which allowed for US defence of Japan, including nuclear defence, is an issue that has been hardly touched upon in the current debate.

Japan has clearly demonstrated its desire for peace and renunciation of war over the past 70 years. The entire opening paragraph of the Cabinet Decision of 1 July 2014 was inserted by Komeito into the original LDP document in order to stress Japan's position as a nation devoted to peace.

> Since the end of World War II, Japan has consistently followed the path of a peace-loving nation under the Constitution of Japan. While adhering to a basic policy of maintaining an exclusively national defence-oriented policy, not becoming a military power that poses a threat to other countries, and observing the Three Non-Nuclear Principles, Japan has flourished as an economic power through continuous efforts of its people and built a stable and affluent livelihood. Japan, as a peace-loving nation, has also been cooperating with the international community and international organizations including the United Nations (U.N.), and has proactively contributed to their activities, adhering to the Charter of the United Nations. The course that Japan has taken as a peace-loving nation has garnered significant praise and respect from the international community, and Japan must continue these steps to further fortify such a position.[36]

Here, the emphasis is on postwar Japan as a country that has steadily established a track-

record of peaceful intent and as a country that adheres to internationally agreed structures of global governance centred on the UN. Strengthening the UN and increasing Japan's contribution to an international community committed to peace has been part of Komeito's vision for the nation for a long time. Most commentators, including Komeito, refer to this position as being based on Japan's 'pacifism' (*heiwashugi*); however, as Japan has never formally renounced its need for self-defence but in reality has outsourced this function to the US, it could be argued that Japan has never been pacifist in the strict sense of the word.

By most standards, Article 9 might be regarded as extremely idealistic because it stipulates the position of a pacifist, non-violent state. Many people, particularly those who grew up in the immediate post-war period, identify with Article 9 as a symbol of their pacifist intent and interpret any discussion about changing the Constitution as a sign of a return to right-wing militarism. Thus, while the majority identify with the concept of Japan as a pacifist nation, there have been very few public discussions about how to actually achieve and maintain this. The mass media, the general public and politicians of all persuasions routinely refer to Japan's 'pacifist' Constitution and prefer to avoid acknowledgment of the role of the SDF within it, but at the same time few argue that the SDF is unnecessary or call for abolition of the US-Japan security alliance. This reluctance to address the need for preparedness and self-defence in the public sphere because of deep sentiments linked to past militarism results in a blurring of objectives and concerns across the party spectrum and activist groups.

As discussed previously, the post-war defence of Japan has mostly been undertaken by the U.S. within the context of the US-Japan security alliance. "True pacifists do not allow other countries to protect them and fight their battles, nor do they believe in only self-defence.'[37] This point was made most recently by the veteran political observer Ellis Krauss, who, while holding the ideals of Article 9 dear, asks whether 'the gap between the wording of the Constitution and the way it has come to be interpreted and implemented without revision or adequate judicial review is unhealthy for Japan's democracy, and actually aids the administration of the moment in doing what it wants.'[38]

To see Japan's Constitution as pacifist is possible only if the sole focus is on Article 9. What is rarely mentioned is the existence of Article 13, which can be viewed as bestowing constitutional legitimacy on the existence of the SDF as part of the government's duty to take all necessary measures to ensure 'the right to life, liberty and the pursuit of happiness' of the Japanese people. Although in the past people argued against the SDF on the basis that a defence force was unconstitutional, few people in Japan today regard the maintenance of an almost quarter-million strong self-defence force with powerful naval and air power as either redundant or unconstitutional. Article 9 was part of the Constitution created under the US occupation in 1946 and, through the decades since then, the government has interpreted it to allow for self-defence and the existence of the Self-Defence Forces that were established in 1954.

Thus Article 13 has been the legal basis for establishing and maintaining the SDF. How one interprets the constitutionality of the current security legislation hinges upon one's view of the SDF. If the SDF is regarded as constitutional, it becomes difficult to argue that the current security legislation is unconstitutional because it is limited exclusively to self-defence. If one regards the SDF as unconstitutional, then any role, let alone an expanded role, for the SDF is unconstitutional. As we have seen previously, the conundrum of having no constitutional right to maintain armed forces whilst also having the constitutional duty to ensure people's safety

and livelihood was addressed by the Yoshida doctrine through relying on the military umbrella of America, which allowed Japan to remain "pacifist" by shelving the issue of its own self-defence.

Yet, most Japanese constitutional scholars have voiced their objections to the security legislation based on the view that it is unconstitutional because it allows Japan to engage in collective self-defence. According to a survey by NHK, 377 out of 422 members (89%) of the Japan Public Law Association regarded the legislation as unconstitutional and only 28 members (7%) supported it as constitutional.[39] As stated above, this judgement hinges primarily upon how one views the existence of the SDF and the extent to which the activities of the SDF are considered to be limited solely to Japan's defence.[40]

Article 9 is significant in maintaining a 'defence-only' position, but the argument that Article 9 in itself equals peace and that an expansion of the role of the SDF in the defence of Japan to supplement defence activities already undertaken by US forces equals a desire to go to war is a vast oversimplification and ignores many of the limitations and controls stipulated in the legislation that emerged as the result of lengthy negotiations. It also ignores the real contradictions that exist in the Yoshida doctrine under the pretence of being pacifist.

In the debates, rather than focusing on strengthening such controls, emotions have tended to take over. For instance, Edano Yukio, the then Secretary General of the Democratic Party (DP), declared at the party's founding convention when the DPJ merged with the Japan Innovation Party on 27 March 2016: 'The Abe administration is destroying the constitutional government, democracy, and the livelihoods of people. There is not much time remaining to save Japan.'[41] This assumes a clear binary divide between pro-constitutionalism and pro-revisionism, which is far from the case, and largely ignores the extensive overlapping of positions between the opposition and ruling parties; it also fails to recognise the limitations and controls put in place largely due to the insistence of Komeito. As we have already seen, the DP is not unified in its opposition to the security legislation and the LDP does not speak with one voice on the issue either.

According to Jimbo Ken, the current legislation 'is a very complicated document with 11 bills and 472 pages. I was asked by the Upper House to give an assessment so I was obliged to read it. It has multi-layered meanings, which do not really respond to the immediate geopolitical situation of North East Asia, but its agenda reflects what we were requested to respond to and have discussed for the past twenty years.'[42] In this view, the legislation does not represent a sudden change in policy but reflects continuous discussions over the past twenty years. But if this is true, why has it roused so much opposition now?

Prime Minister Abe's wish to amend the second paragraph of Article 9 has been clear since the LDP issued the draft of a revised constitution in April 2012 coinciding with the 60th anniversary of the San Francisco Peace Treaty. However, the National Referendum Law, which was enacted in May 2007 by the first Abe cabinet, specified that any constitutional amendment must be subject to a national referendum and is not simply a matter for parliamentarians to decide upon. From their draft constitution it is clear that the LDP intend to 'make every effort to amend the constitution' through a national referendum.[43] The amendments proposed by the LDP include the following three issues: 1) stipulating the Emperor as the Head of State, the Rising Sun as the national flag and Kimigayo as the national anthem, 2) while maintaining its long-held pacifism, prescription of the right of self-defence, the existence of the

SDF and the maintenance of territorial integrity; and 3) in the case of national emergency, including armed attack by foreign countries, prescription of the right of the prime minister to declare a state of emergency and take measures in response.[44] Issues 1) and 3) warrant a separate article and may have consequences in their own right for driving a more ideological and right-wing agenda, but issue 2) with its proposal to prescribe in the Constitution Japan's right to self-defence and the existence of the SDF does not appear particularly radical given that the SDF has been in existence for over half a century and is widely accepted as constitutional today.

The LDP's objective in its draft revised constitution was arguably a push for qualitative change as argued comprehensively by Lawrence Repeta.[45] This has been the concern of Komeito and its supporters as it may have been for the opposition parties although Komeito has chosen to deal with it differently. In the debate on the security legislation, Komeito's objective was to make it consistent with previous government interpretations that regarded the right to collective self-defence as unconstitutional. The result was that, in the end, the outcome differed from the initial LDP proposal. Critics point to inconsistency and, indeed, the government often lacked clarity in explaining what the changes entailed. The competing political interests that allowed the standard of judgement to be set through representing the "other" as a culprit also obscured the fact that negotiations were continuously being pulled back to pragmatics over ideology. This, of course, is nothing new in politics as we see such politicisation and populist appeal in many situations throughout the world. Yet, the rhetoric of binary choices prevents a public discussion of pragmatics, of nuances in positions, and how to respond to a changing world and intertwines in complex ways with taboos and strongly held sentiments that surround any discussion of Article 9.

Can Japan maintain Article 9 and respond to today's geopolitical situation?

While some academics, political scientists and political commentators recognise the role that Komeito plays in Japanese politics,[46] the majority of Japanese voters are largely unaware of the ways in which the party has sought to address the complex questions surrounding the security legislation. They are also unaware of Komeito's considerable impact on the shaping of the following 'three new conditions (*sanyōken*)' that significantly limit what Japan can do militarily compared to the original document proposed by the LDP. (I have shown in italics the words that were inserted into the original document at the insistence of Komeito.)

> 1) When an armed attack against Japan occurs or when an armed attack against a foreign country *that is in a close relationship with Japan* occurs and *as a result* threatens Japan's survival and poses a clear danger to fundamentally overturn people's right to life, liberty and pursuit of happiness;
>
> 2) When there are no other appropriate means available to repel the attack and ensure Japan's survival *to protect its people*;
>
> 3) Use of force should be limited to the minimum extent necessary.

With these conditions for the use of force in place, Komeito believes that Japan can both maintain Article 9 and maintain a more realistic capability of responding to today's geopolitical reality. But many others do not accept this middle-ground approach and wish to either maintain the previous position of the Yoshida doctrine or revise Article 9. For critics, the

restrictions are too vague and the expansion of the role of SDF goes too far by including a form of CSD. Others argue that there are cases when there is an overlap between the defence of Japan (individual self-defence) and the defence of other countries (collective self-defence).[47] The details of the argument lie in a space far from populist slogans framed within the binary 'war versus peace' discourse, so let us examine further some of these issues.

'"Under armed attack" is the condition for when Japan can use force, but only to defend itself. It spells out the exceptional measures when force can be used,' insists Komeito legislator Toyama Kiyohiko, who was present at the discussions on the legislation with LPD representatives that extended over more than 200 hours. In his view, Article 9 sets up and remains the basic principle of the Constitution and the use of force cannot be recognised unless there is a threatened violation of Article 13. 'This seems to be the only way to interpret the extensive contradiction between these two articles. Article 13 requires governments to protect people, but Article 9 stipulates that the use of force, under any circumstances, is prohibited.'[48]

The Cabinet Decision on 1 July 2014, under the section on 'Measures for Self-Defence under Article 9 of the Constitution', states:[49] 'Such measures for self-defence are permitted only when they are inevitable for dealing with imminent unlawful situations where the people's right to life, liberty and the pursuit of happiness is fundamentally overturned due to an armed attack by a foreign country, and for safeguarding these rights of the people. Hence "use of force" to the minimum extent necessary to that end is permitted.' Toyama stresses that 'this is the so-called basic logic of the view consistently expressed by the government to date with regard to "use of force" exceptionally permitted under Article 9 of the Constitution. This is clearly shown in the document "Relationship between the Right of Collective Self-Defence and the Constitution" submitted by the Government to the Committee Audit of the Upper House on 14 October 1972. This basic logic must be maintained under Article 9.'[50]

If this is the standard, official interpretation of the two contradictory articles of the Constitution concerning self-defence rights and the legal use of force, what does 'to the minimum extent necessary' mean? Toyama explains: 'This means that even when the Japanese forces are mobilised and allowed to use force against an imminent attack by a foreign country or by a random people and so on, once those attacking forces retreat, the mission of the SDF ends there. They cannot pursue the enemy which initially attacked Japan. This is a completely different approach compared to the US or to the UK.'[51] Hence, due to constitutional restrictions, Japan is not permitted to pursue an enemy to take revenge for an attack. This important point has rarely been mentioned in the Japanese media or by many of the scholars, who in Toyama's view apply the term 'war legislation' rather too liberally.

Furthermore, he explains that the SDF cannot engage in operations that do not relate to the life, liberty and pursuit of happiness of the Japanese people: 'It is not to protect US forces under attack by Islamic State in the Middle East, for instance. Japan cannot use force in this regard although the US is the allied force of Japan.'[52]

Toyama continues: 'This is the basic logic of the view consistently expressed by the government to date with agreement to use force only when exceptionally permitted under Article 9, and this is important. Why the exception? Because the basic logic of Article 9 is not to use force, even for self-defence. However, when we are fundamentally threatened, when it is a life or death situation, then the SDF can use force. But to the extent that the enemy retreats, we

cannot. If they continue attacking, of course the SDF can use force and the US military will also come to help, which is permitted as part of Japan's self-defence.'[53]

The statement, 'This basic logic must be maintained under Article 9', was inserted into the Cabinet Decision at the last minute by Komeito, because of the fear, shared by left-wing critics, that those LDP politicians who wanted to argue for revision of Article 9 might try to use the document to justify such a move. Toyama explains: 'Komeito's position is that we do not have to change Article 9 in order to protect Japan, nor in order to strengthen our alliance partnership with the US. Instead, we are already doing that even under Article 9.'[54] From working in close proximity with LDP decision-making circles, Komeito politicians such as Toyama are well aware that right-wing conservative members wanted the negotiations between the LDP and Komeito to fail; this was due to their dissatisfaction over the limitations imposed by Komeito that hindered their objective of moving towards revising revision of Article 9.

It was against this background that Komeito insisted on the three new conditions discussed above, by which future governments would have to judge any potential deployment of the SDF. Fear of involvement in war is a legitimate concern but, as Ellis Krauss suggested, to fail to precisely to specify the role of the SDF in a way that corresponds with today's reality potentially increases the risk of arbitrary decisions being made when a situation occurs that requires a response. The decision to deploy the SDF overseas should be the last resort, as in any other democracy, but the existence of these three conditions means that any decision by the government can be referred to the scrutiny of the Supreme Court to judge whether it meets the conditions.

Abe's original argument presented in his book *Utsukushii kuni e* [Towards establishing a beautiful country] published in 2006 was that Japan as a member state of the UN had the right to both individual and collective self-defence as clearly stated in Article 51 of the UN Convention. Hence, despite the existence of Article 9, Japan had the right to exercise CSD as stipulated by international law. However, during more than 100 hours of intense theoretical, constitutional and legal discussions between representatives of the LDP and Komeito (including Toyama) that took place between May and July 2014, 'Abe as the prime minister dropped that position, which is why he accepted what Komeito asserted to be the three new conditions upon which any future government will have to judge whether to employ the limited exercise of CSD for self-defence only.[55]

The more this perspective is challenged, the greater the likelihood of a push for a full revision of Article 9 as a result of the increasing geopolitical tension that makes it difficult to argue that some form of preparedness is unnecessary. The pressure from the US on Japan to carry more of the burden of its own self-defence also continues. As mentioned above, when discussions between the LDP and Komeito initially began, some senior LDP politicians wanted the discussions to collapse. Why? 'If discussions had ended unsuccessfully, they could use that as a major reason to justify their new movement to change the Japanese constitution itself,' explains Toyama.[56]

The President of Komeito, Yamaguchi Natsuo, described Komeito's intentions in an interview with the Mainichi Shimbun:

> In our initial years, we were an opposition party and I cannot deny that what we advocated was a theoretical pacifism against the backdrop of the Cold War. It was after we faced the Gulf War and the UN peacekeeping operations

> there that we set out to work on the question of how Japan's peace could be protected in a practical sense. It was during this time that we discussed and modified our approach to security policy and the Self-Defence Forces to help draft the International Peace Cooperation Act and the so-called 'emergency-at-periphery laws', which eventually led to the new security legislation today. As you know, the security bills were proposed by the LDP. Komeito responded in a realistic manner . . . our goal was to impose limitations on the legislation while respecting the original intentions of the Constitution and emphasizing the legal stability that has developed over the years.[57]

Yamaguchi stated at an early stage of the negotiations that Komeito would not leave the coalition because of disagreement with the LDP on the issue of the security legislation. He was immediately criticised by the media for giving away what was considered to be his negotiating trump card. My understanding of the situation, however, is quite different. Yamaguchi's trump card was to state publicly that Komeito would not leave the coalition, thus preventing any push from conservative forces that hoped the coalition would break down.[58]

Why would Komeito allow that to happen? According to Nakano, Komeito's apparent compromise is due to lack of courage to become an opposition party again, but Toyama explains as follows: 'Some LDP politicians today lament that the LDP has been pushed too much by Komeito. But when they read articles that present Komeito as just a follower or state that Komeito has been pushed by the LDP, or when they read articles that describe what was once taboo in the history and philosophy of Komeito [in its long history of opposing the right-wing of the LDP] and that Komeito is now giving in to them, they are very happy.'[59]

This is a paradox because, in reality, Komeito's influence appears to be increasing on various levels, as can be seen in the LDP's reliance on Komeito supporters during elections and also in the calibre of its policy arguments and its standing among civil servants, as observed by Morimoto[60] and other journalists and political scientists with an intimate knowledge of the political scene. For instance, Sōga Takeshi credits Komeito with having a "censoring" role and a "cooling" effect on Japanese politics through its emphasis on trying to deepen the understanding of all parties about the issues involved. Sōga is an experienced political commentator and Asahi staff writer who worries about the representation of political issues that have a huge influence on public perception but may not be well understood.

For Sōga, such a case was the major political platform presented by the opposition parties in the July Upper House election to preventing the ruling coalition (the LDP and Komeito) from achieving a two-thirds majority.

> A ghastly spectre is stalking Japan—the power of the two-thirds majority to amend the Constitution. The situation itself is not well understood, but the number seems to have taken on a life of its own as a huge dreadful thing, an image that continues to grow and assert a huge influence on politics.[61]

More concretely in terms of Komeito's influence, Mikuriya Takashi, an emeritus professor at the University of Tokyo and a long-term political observer, points to a qualitative shift in the increasing reliance of bureaucrats on Komeito rather than LDP politicians for

advice and consultation.[62]

> According to bureaucrats in Kasumigaseki, members of Komeito, be it parliamentarians or their secretaries, are impressively zealous. They visit Kasumigaseki to directly ask bureaucrats questions again and again until they are satisfied. You don't often find those kinds of people in today's LDP… Basically, they engage with and study everything seriously. And what's more, there are an increasing number of lawyers and University of Tokyo graduates among them, so it is not surprising that Komeito is able to talk the same language as the bureaucrats. So we can now view talking to Komeito as a means of persuading the LDP[63].

The devil is in the details: the three new conditions for SDF deployment

In this section, we will look carefully at the words that were inserted by Komeito in the text of 'the three new conditions' before the Cabinet Decision on 1 July 2014; they may appear as minor alterations but they play a crucial role in limiting the potential use of military force. In condition 1) 'when an armed attack against a foreign country *that is in a close relationship with Japan* occurs and *as a result* threatens Japan's survival', the addition by Komeito of the words 'as a result' makes clear the necessity of a relationship of causality between the attack on the foreign country and the threat to Japan. The insertion of the words 'that is in a close relationship with Japan' further limits the occasions on which military force can be used and leaves considerably less room for ad hoc judgements by the ruling government than the original wording. According to Toyama: 'In parliamentary discussions that lasted more than 200 hours, the opposition repeatedly sought to clarify the meaning of 'in a close relationship with Japan'. Komeito submitted guidance to the government on how to answer this question based on the interpretation that 'a foreign country that is in a close relationship with Japan' is actually a country which is engaged in defending Japan from a potential enemy.'[64]

These conditions send a message to the international community that Japan is not willing to use force unless Japan itself or another country in a close relationship with it is under attack and as a result Japanese people's lives are under threat; otherwise, it is not legally possible to use force. 'This means that Japan will remain one of the most peaceful and peace-oriented nations in the world,' says Toyama. 'Most parliamentarians know this, unless they haven't studied very much. Most of us are highly confident that unless the government betrays these conditions [in which case the matter would go to the Supreme Court] then these new conditions will not change Japan from what it was before.'[65]

Opponents have criticised these new conditions on the basis that they allow for CSD. This is one possible interpretation as, until now, the SDF could not be mobilised unless Japan itself was under attack, but now they can come to the aid of US forces if they are attacked while protecting Japan.[66] For example, if the US navy patrolling the Sea of Japan was attacked by North Korean missiles, the SDF would not have been able to come to their aid before the new legislation was enacted, because no Japanese ships had been directly hit. Toyama explains: 'Now in light of such a scenario, if US ships engaged in operations to protect Japan come under attack and we know that if we don't do anything those military ships will be destroyed—what is the next target? It is likely that it will be Japan. In this situation under the new conditions it is possible to mobilise the SDF, even though it is not Japan but those

protecting Japan that have been attacked. It is only for this purpose that there has been a slight expansion of the constitutional interpretation. Although this could be effectively regarded as collective self-defence under international law, it is a very specific and limited expansion that does not extend to other situations, such as engaging in joint military operations with the US in Latin America, North Africa or the Middle East.'[67]

A controversy arose following the Cabinet Decision on 14 May 2015 over whether the new conditions could be used to allow for Japan's participation in minesweeping operations in the Strait of Hormuz.[68] The government's reluctance to clarify exactly what kind of situation would be judged 'a clear threat' to Japan as defined by the three conditions gave rise to concern. On several occasions, Prime Minister Abe alarmed many with assertions that the conditions could be used to justify the use of the SDF for minesweeping in this area through which 80% of Japan's imported crude oil passes. After repeated attempts to clarify this issue by Komeito politicians, Yamaguchi Natsuo, the president of Komeito, in a role normally played by the opposition, questioned the prime minister and finally succeeded in pushing him to clarify that such activities would not be justified under the security legislation.[69]

Toyama also believes that conditions 2) and 3) are of vital importance: 'For example if North Korea declares that they are going to attack Japan, we would first resort to diplomatic and UN influence to stop that declared attack on Japan. If they stop, then there is no need for the SDF to use force. So this is clearly stated in the second condition.' Referring to the insertion by Komeito of the words 'protect its people' in the third condition: 'This is coherent with the notion that the SDF is allowed to use force always as an exceptional measure in light of constitutional restraints in order to protect people—not for any other reason. It was to clarify this that "to protect its people" was inserted'.[70]

Komeito supporters and the security legislation

Had Komeito been solely reliant on public opinion and not benefitted from a committed supporter base that largely came to understand and trust what it was doing, it may not have been able to survive as a party in the face of the onslaught of accusations of having compromised its principles of peace. However, building understanding and trust is an ongoing process. Komeito's complex, middle-ground position has not been easily understood and was not acceptable to all of its supporters, at least in the beginning. Many of its supporters are personally engaged in various peace-related activities, and their own philosophy and practice of Nichiren Buddhism is about living in such a way that considers the interests of others. With a label of 'war' attached to this legislation backed by their party, how did supporters respond?

Komeito supporters of Takeya Toshiko in July 2016

Komeito supporters whom I interviewed during June and July 2015 expressed apprehension about a possible push by conservative LDP politicians to revise Article 9. The desire to

'protect Article 9' was unanimously seen as important, but did not necessarily entail opposition to the security legislation. 'Specifying what the SDF can and cannot do seems a valid argument to me in terms of actual operational functions. I also agree with the importance of peace-keeping operations, which I support as a way of contributing to refugee problems and other humanitarian issues under the UN,' explained a man in his fifties, while others nodded in agreement. 'Yes, but we need to keep Article 9,' added another man. 'Have you joined the current protests against the security legislation?' I asked. 'I don't really like to join protests and I don't think they achieve much. It's not that I'm against demonstrations—maybe sometimes they are important—but the current issues seem to have become very simplified. I don't think the label of "war legislation" is fair or accurate,' a women in her forties chipped in.

Yet, it was clearly an issue of discussion in the lead-up to the July 2016 Upper House election. 'I prefer to talk with people and discuss issues directly [rather than attending demonstrations], but I believe that Komeito is doing what it can to protect Article 9,' another woman in her forties told me, before going on to express her view that the three new conditions were intended to define the role of the SDF as self-defence only. 'However, I don't really understand all the details as it is so complicated,' she admitted. How to judge the complexity of the details of the legislation and what was good for Japan's defence and for international relations was clearly an issue for many supporters.

Supporters often find Komeito's middle-ground position of neither all-out opposing nor supporting the revision of Article 9 a difficult one to explain to friends and those they canvass for their votes. One active female supporter in her mid-fifties, who lives in central Tokyo, told me after the July 2016 election: 'Always after an election, I go back to my friends who supported Komeito to thank them. When I called this time, they all said, "Please make sure that Komeito really does stick to its promise regarding Article 9."' This was clearly a topic that often came up in conversation, as was the perceived danger of the ruling coalition achieving its two-thirds majority. I also observed many dialogues where supporters were unsuccessful in persuading their friends who, because of their dislike and distrust of Prime Minister Abe, were not going to vote for Komeito this time, even if they had in the past. Clearly, supporters expend considerable effort on the one-on-one level in making the case for Komeito's middle-ground position, but this is not always successful against the background of a mass media in which a binary discourse prevails and Komeito is largely portrayed as giving in to the LDP rather than exerting influence on the outcome.

I have conducted extensive first-hand research focused on direct observations of election activities and, over the years, have attended hundreds of meetings and smaller gatherings of Soka Gakkai members who support Komeito, talking to them about the reasons for their support and the issues on which they agree and disagree. These meetings, mainly in Tokyo but also extensively in Okinawa, reveal that Komeito supporters are not unanimous in their views. However, those that canvass actively for the party are broadly in agreement with its liberal and people-oriented political philosophy and believe that the party 'provides a more nuanced approach to Japanese politics where a left-right ideology tends to prevail,' as expressed by an active campaigner in his early thirties from central Tokyo. Many have personal contact with local politicians, which creates a sense of 'closeness' to politics: 'We can always contact our local MP about anything, which is a surprise to many of my friends who see politics as something that happens far away from their personal lives,' says a women from Okinawa, who had brought her friend to her local MP to raise the issue of

the lack of help for autistic children. The fact that supporters tend to find their local Komeito representatives approachable and helpful creates a level of trust and openness in their discussion of policies, especially when this occurs in smaller meetings.

However, as the public debate about the security legislation became increasingly politicised, even active supporters could be found questioning what exactly the party was doing with regard to the issue of constitutional revision. 'I worry about any talks about changing Article 9 and want to be clear about the role that Komeito plays in ensuring Article 9 is kept intact… I had to get it clear in my mind that the war-label used by the JCP was not true before I could explain it to my friends with any confidence,' explained one young woman, while also telling me how difficult it was to understand the various arguments about constitutionality.

Some people in their fifties and from the older generation, who had supported the party's stance on PKO activities in the past, also began to feel that the current legislation was going too far. 'Komeito's position has changed in allowing for collective self-defence which is not acceptable under Article 9,' said a man around the age of fifty, who had been a Komeito supporter but now sometimes joined the anti-security legislation demonstrations in front of the Diet. When I asked if he disagreed with the SDF being allowed to come to the aid of US forces engaged in the defence of Japan, he replied: 'I suppose it makes sense theoretically. Why should it be okay for US soldiers to risk their lives defending Japan but not Japanese soldiers so that they can remain pacifist? I see the contradiction, but I am still apprehensive about any change to Article 9. Rather than working with the Abe administration, I would like to see Komeito join the opposition again.'[71]

Not all who vote for the party are necessarily that interested in politics, but in my observation, active supporters usually make an effort to study the details of policies and try to come to grips with the main points. 'I can agree to the *kaken* position[72] of adding legislation to clarify the role of SDF. Also, I support some constitutional change such as environmental rights, but I cannot support changes being made to Article 9 and its renunciation of war,' a male supporter in his forties told me at a gathering with a local Komeito politician in June 2015. The discussion at this meeting was so frank and the atmosphere so informal that I did not initially realise that supporters were talking with their local representative rather than with a well-versed colleague. At the meeting, two female supporters in their fifties admitted that they found both the legislation and what the party was doing very difficult to understand; they concluded that they needed to study more.

Many supporters engage in smaller study groups in the lead-up to an election and, as described above, gatherings are sometimes attended by local politicians. These direct interactions have been significant in terms of gaining understanding from supporters, some of whom did not immediately accept or understand the security legislation proposals. Small meetings to ask questions and hear about recent policy initiatives are also held regularly at which a local politician will attend, whom many supporters will know on a personal level. Taken on a nationwide scale, this creates a vast grassroots network of interaction between supporters and their representatives, which to some extent substantiates Komeito's claim to be bringing the voice of ordinary people to politics.

Many larger gatherings also take place and national politicians have been able to use these as a forum to explain Komeito's stance towards and impact on the security legislation. Reports of these meetings tend to be limited to Komeito's own news outlets as they are rarely featured in the mass media. Thus it is either

through such news organs or by hearing about issues directly from politicians that supporters gain an understanding of what their party is doing.

Komeito's national politicians have made a concerted effort to explain and gain support for the party's stance. For example, Toyama crisscrossed Kyushu and other areas speaking at numerous larger and smaller gatherings to increase understanding of the legislation. Sometimes heated debates erupt at these, but many who attended such gatherings appeared to have had some of their concerns allayed. One man in his sixties remarked, 'I still have mixed feelings about any changes related to Article 9. However, I now feel reassured that the party will ensure that Article 9 remains unchanged and that what they are trying to achieve is necessary to be more relevant in today's world.'[73]

From observing such activities and conducting numerous group and individual interviews with supporters including both Soka Gakkai members and non-members, I concluded that the majority had come to largely endorse Komeito's position on keeping Article 9 intact and adding additional legislation to stipulate a slightly expanded role for the SDF. In their support for Article 9, everyone agreed with the sentiments expressed by a young man from Okinawa who had just returned from a trip in July 2015 to engage with counterparts in China that 'continuous diplomatic effort and dialogue are the most crucial processes for achieving peace.' A similar emphasis on dialogue was expressed by an enthusiastic young woman who was a member of the Soka Gakkai Okinawa Peace Committee: 'I am personally committed to having dialogue with anyone to sort out any differences.' At the same time, many agreed that 'operational preparedness may be necessary to actually know how to react in the face of potential conflict.'

Soka Gakkai Okinawa Youth Peace Committee performs a drama about the Okinawa Battle as part of their 'Peace-action' campaign of 2015. Performed at the Soka Gakkai Training Centre in Okinawa, a former missile launch site under the US occupation.

Over the past two and half years since the beginning of talks on the security legislation, I have observed and have been told by many supporters that although somewhat apprehensive about the legislation due to media reports and protest movements with people holding placards reading 'Don't let Japan go to war!' and 'Protect peace!', they did not take part in such protests themselves. A small minority may have participated in such protests in front of the Diet and no longer support Komeito because of the legislation, but the vast majority of supporters do not regard protesting as the way they wish to engage in the political process even if they are sympathetic to the concerns expressed.[74] 'I feel that right-wing forces are a big influence in Japanese politics, and I do not think there is much support [from Komeito supporters] for some of the LDP candidates in my area where no Komeito candidates are standing. But I don't express this in the form of protest. The only way is to try to transform such attitudes and beliefs,' says a young woman in her twenties,

adding, 'I believe Komeito is trying to do that within its specific political circles.'

In the recent Upper House election on 10 July 2016, Komeito obtained seven seats in the multiple-seat election districts and seven proportional representation seats, thus securing an overall increase of five seats. These results help to confirm my observations that Komeito maintains a committed base of supporters who understand to some extent the arguments for the legislation and are aware of their party's influence on the final legislative outcome.

The outlook for constitutional revision

In this article, I have argued that a more substantial and detailed discussion has been largely eclipsed by the heated rhetoric that has filled the public sphere. In these last few paragraphs, I would like to consider the future outlook for revision of the constitution and of Article 9 in particular.

Everyone agrees that it is not easy to revise the Constitution—not only does any proposed change need a two-thirds majority approval in the Diet, it also requires a national referendum on revision. Vice-president of the LDP, Komura Masahiko, stated on 26 July 2016 that although the majority of LDP members see the need to revise Article 9, 'We can't do so,' and 'we won't do what we can't.'[75]

Various parties agree upon a number of initiatives that might appear in a revised constitution: stipulating the right to free education; the establishment of a constitutional court; restructuring the relationship between central government and prefectural authorities; possible changes to the bicameral political structure of the Diet; and new human rights legislation including specific environmental rights and rights to privacy. Revision of Article 9 and the role of SDF is just one of the potential items for inclusion. It is also the most controversial.

So far, however, any talk about constitutional change has resulted in accusations of a return to the right-wing militarism of Japan's past. As argued in this article, this inflames and simplifies many complex issues that require careful scrutiny and debate. This was the subject of various media reports after the July 2016 election, many of which recognised the central role played by Komeito in the current debates. Jeffrey Hornung in the magazine *Foreign Affairs* commented that 'Changes to Article 9 will face the most scrutiny, mostly owing to Komeito's opposition to revising that clause.'[76] And in the same article, it concluded: 'If Japan revises its constitution after lengthy debates in Diet and a national referendum, it will not mean the country is returning to militarism: it will be a sign of a healthy democracy in action.'

This does not mean that right wing rhetoric should be dismissed as insignificant; it clearly is not. However, even though the Abe coalition made significant gains in the Upper House election on 10 July, constitutional revisions are not an easy feat to accomplish and, as the past few years have proven, the biggest challenge is likely to be Komeito's insistence on maintaining Article 9. During the election campaign, Komeito's president, Yamaguchi Natsuo, made the following comments during a TV programme on the BS Asahi channel:

> The government created the security legislation package and defined the limits of interpretation of the current Constitution. They are defined so precisely that any use of armed force beyond them will require constitutional change. We need to see how far this legislation can succeed in protecting Japan and contributing to the international community under the current Constitution. There is no need to revise Article 9

> immediately. The bottom line is to maintain Article 9.[77]

To initiate constitutional change, at least 100 MPs in the Diet's Lower House or at least 50 MPs in the Upper House are required to submit a bill proposing constitutional amendments. This would be followed by lengthy discussion, which may or may not result in a two-thirds majority in both houses passing the bill. To achieve its passage, the LDP would require the support not only of Komeito, but also of Nippon Ishin no Kai (an Osaka-based party) and the conservative Nihon no Kokoro o Taisetsu ni suru Tō (Party for Japanese Kokoro); this would be difficult to achieve as the parties differ in their views on what should be revised. Thus, before a draft could be voted on, MPs from each party would have to reach agreement in order to submit a final draft for introduction to the Diet for debate. Any proposals for changes to Article 9 would face severe scrutiny before such a submission, primarily because of Komeito's opposition to its revision. There are some in the party who argue for adding a clause to Article 9 to recognise the existence of the SDF, but there is as yet no party consensus on this.[78]

If finally, after prolonged debate, two-thirds of both houses voted in favour of the constitutional proposals, they would have to be put to a national referendum. This public vote would almost certainly be accompanied by heated debate amongst opposition parties and street protests similar to those surrounding the security legislation. Obtaining a public vote of confidence would require an enormous effort by any promoters of constitutional change, particularly if it involved revision of Article 9.

Terasaki Hirotsugu, the vice president of Soka Gakkai, who recognises Komeito's moderating influence on the security legislation, is adamant that constitutional change will not be easily achieved.

> Some predict that the government will immediately begin moving toward constitutional change as soon as the ruling coalition obtains a two-thirds majority in the Upper House election. I think it is very unlikely, and even more so with Article 9. It would not be easy. Regarding the security bills that were passed last September [2015], the legislative process was completed with much difficulty, during which Komeito repeatedly held discussions with the LDP to ensure the laws comply with the framework of the Constitution and Article 9 in particular. I do not believe that the ruling coalition has the extra energy left to further revise those bills, into which enormous efforts have been invested, in order to change Article 9…
>
> … During the discussions with the LDP on the bill for the national referendum necessary for any constitutional change in 2007, Komeito insisted that the law requires a referendum in which voters place a vote for each and every item to be amended instead of a vote simply between plan A and plan B for the entire constitutional text. This is how the national referendum law, which had been an inadequate part in the process of constitutional revision, was adopted during the first Abe administration. With this process in place, changing the Constitution is not easy unless public debate over each item takes place in order to do so.[79]

It is clear that those representing Komeito's

main support base are confident in the effectiveness of the democratic process and the party's ability to influence policy. The crucial aspect required to enable meaningful and constructive debate to take place remains, as suggested by this research, an informed, non-ideological discussion that helps inform public opinion on the issues involved. As we have seen during the security legislation debates over the past couple of years, this is not how politics tends to work; however, this article provides grounds for hope that the middle-ground of informed political decision-making will continue to carry the day.

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Notes

[1] This article draws on my long-term first-hand research amongst supporters of Komeito (primarily Soka Gakkai members) and recent interviews with key Komeito politicians involved in the negotiations. Additional interviews were conducted with former defence ministers from the main opposition party, the Democratic Party of Japan (DPJ), current government policy advisors directly involved with the legislation and foreign policy experts who advised during the DPJ administration. I also include the voices of a number of political activists and academics who have been particularly vocal in their opposition to the legislation. The DPJ was renamed Democratic Party (DP) after its merger with the Renovation Party in March 2016 so there is reference to the party at times as DPJ or as DP.
[2] Walter Lippmann (1927/1993), *The Phantom Public.* New Brunswick: Transaction Publishers.
[3] Dewey, John (1927/2003) 'The Public and Its Problems', reprinted in *The Civil Society Reader* p. 139, edited by Virginia A. Hodgkinson and Michael W. Foley. Hanover and London: University Press of New England.
[4] See here.
[5] See Anne Mette Fisker-Nielsen (2016) 'Peace Through Friendship? The Soka Gakkai 1968 Youth Peace Movement between Japan and China', *New Religious Movements in Asian History.* Australia: Brill (2016).
[6] Ogawa did not use the term 'war legislation' in his campaign pamphlets, but made reference to the 'unconstitutionality' of the legislation.
[7] See here.
[8] For a summary of the security legislation, see here.
[9] English version here.
[10] Named after Yoshida Shigeru, who was prime minister during 1946-7 and 1948-54, the doctrine prioritised economic growth while relying on the military protection of the US.
[11] For the October 2015 change in the JCP position on the issue of the US-Japan Security Treaty and the use of the SDF see here.

[12] Author's interview with Miyamoto Tōru 11 April 2016. See also here.
[13] 'Security bills and Komeito' *Komei Shimbun*, 16 May 2015.
[14] Interview with author 18 April 2016.
[15] At the Daiwa Foundation in London (22 Oct 2015) Alessio Patalano, a policy expert at King's College London, made the same argument. See his *Japanese Military Power after the Security Legislation* (2015). Brunswick: Bloomsbury Publishing.
[16] This missile defence system alone would make it extremely difficult for Japan not to be called upon to protect American assets in Japan, such as military bases. See Sheila Smith.
[17] For example, see Peter Lee 'China Not Leaving the "South China Sea"' in *The Asia Pacific Journal: Japan Focus*, Vol 14, Issue 6, March 2016.
[18] For example, see Masakazu Yamazaki (1992) *The Intellectual Community of the Showa Era* in Showa: The Japan of Hirohito edited by Carol Gluck and Stephen R. Graubard, W. W. Norton & Company
[19] Nathaniel Smith (2013) 'Facing the Nation' in *Sound Space and Sociality in Modern Japan*. Edited by Joseph D. Hankins and Carolyn S. Stevens. Routledge 2013: 41.
[20] Ibid. 40.
[21] See Oguma Eiji 'Japan's 1968: A Collective Reaction to Rapid Economic Growth in an Age of Turmoil', in *The Asia Pacific Journal*, Vol. 13, Issue 11, March 23, 2015.
[22] Tens of thousands, including students from SEALDs, attended a demonstration on 5 June calling for a change of government.
[23] The extent of the role of the SDF and the maritime police formed part of the debate on the security legislation.
[23] NHK (Nippon Hōsō Kyōkai) *Kenshō anpo hōan: ima nani o toubeki ka [*Investigation of the security legislation: What should be debated?]
[24] See here.
[25] SEALDs disbanded in August 2016.
[26] See for instance SEALD's recent and much celebrated statement.
[27] See for example here.
[28] Interview with author 18 April 2016.
[29] Interview with author 21 July 2016.
[30] Interview with author 19 April 2016.
[31] Interview with author 21 July 2016.
[32] See also here.
[33] Jimbo likewise finds the stance of the current DP leadership difficult to grasp. When I asked his opinion of the joint campaign by the five opposition parties to win the Upper House election based on their opposition to the security legislation, he replied, 'I would say unbelievable. Especially the DP. They were the ruling party for three and a half years; I have many friends there and I personally supported their security policy inside the government. I was foreign advisor to Foreign Minister Maehara and actually wrote his speeches. But what I found, to my great disappointment, when it comes to political debate with regards to the security legislation, those people who worked with me during the administrative processes completely changed their view. They tried to attack the legislation and its due processes. So I was very disappointed with them. But probably the most important motivation that created such a stance against the LDP is their conceptualisation of illegality in terms of the

Constitution. They thought that this agenda would capture people's attention and turn them against the legislation. And that is what has actually happened. If you look at the public polls, they show that the majority of people are against the legislation.' Interview with author 15 April 2016.

[34] See here.

[35] See assessment by political commentator Satō Masaru.

[36] Cabinet Decision 1 July 2014.

[37] See here.

[38] Ibid.

[40] A more detailed discussion of the various legal arguments forms part of my forthcoming book.

[41] See here.

[42] Interview with author 15 April 2016

[43] A partial English translation is available.

[44] For the Japanese original, see here.

[45] Lawrence Repeta, 'Japan's Democracy at Risk – The LDP's Ten Most dangerous Proposals for Constitutional Change', *The Asia Pacific Journal: Japan Focus*, 14 July, 2013, Vol. 11, Issue 28, No. 3.

[46] Ehrhardt, George et al. (eds.) (2014) *Komeito: Politics and Religion*, USA: Japan Research Monograph 18, Institute of East Asian Studies, University of Berkeley.

[47] See Akimoto Daisuke pp. 159-162, 'Exercising the right to collective self-defence: an analysis of Japan's Peace and Security Legislation', ZJAPANR/JJapan.L Nr./No 41 (2016). This provides details of the 116 hours or debate in the House of Representatives and 100 hours debate in the Upper House on the Security Legislation.

[48] Author's interview with Toyama 20 April 2016.

[49] For the full legislative statement in English, see here.

[50] Author's interview with Toyama 20 April 2016.

[51] Ibid.

[52] Ibid.

[53] Ibid.

[54] Ibid.

[55] Author's interview with Toyama 30 June 2015.

[56] Author's interview with Toyama 20 April 2016.

[57] Translated by author. Mainichi Shimbun 25 February 2016, interview by Mainichi special advisor Takakazu Matsuda.

[58] Author's interview with Toyama 20 April 2016.

[59] Ibid.

[60] Author's interview with Morimoto 19 April 2016.

[61] Translated by author.

[62] Takashi Mikuriya 10 November 2015.

[63] Ibid. translated by author.

[64] Author's interview with Toyama 20 April 2016.

[65] Ibid.

[66] See also Akimoto 2016 on the overlap between individual self-defence (ISD) and CSD.

[67] Author's interview with Toyama 20 April 2016.
[68] For example, see 'Minesweeping in Mideast "OK under changes"', Japan Times, 14 July 2014.
[69] See minutes from the 20th meeting of the Special Committee of the House of Councillors on the Legislation for Peace and Security of Japan and the International Community, the 189th Diet Session, 14 September 2015.
[70] Author's interview with Toyama 20 April 2016.
[71] Interview with author September 2015.
[72] Adding content to the existing Constitution rather than all-out constitutional revision.
[73] Interview with author June 2015.
[74] For an in-depth discussion of some of these issues, see Levi McLaughlin 'Komeito's Soka Gakkai Protesters and Supporters: Religious Motivations for Political Activism in Contemporary Japan', *The Asia-Pacific Journal* 12 October 2015, Vol. 13, Issue 40, No. 1.
[75] 'LDP Vice President Negative about Revising Constitution's Article 9', Jiji Press English News Service, 26 July 2016.
[76] See here; see also here and here.
[77] Translated by the author. Asahi Shimbun online 9 July 9 2016.
[78] Author's interview with Ueda Isamu, chairman of Komeito's International Affairs Committee June 2015.
[79] Comments made at a press meeting 5 July 2016.