

Shinzo Abe pushes ahead on constitutional reform amid heated debate within Japan

Written by Nick Bisley, Executive Director of La Trobe Asia and Professor of International Relations, La Trobe University



The helicopter carrier Izumo sails out of Yokosuka. Reuters/Kyodo Kyodo

On May 1, the largest vessel in the Japanese Maritime Self Defence fleet, the vast helicopter carrier Izumo [sailed out of Yokosuka](#). Its mission was to escort the US naval contingent that was deployed off the Korean peninsula in response to [North Korea's missile tests](#). Two days later, on Constitution Day, Prime Minister Shinzo Abe announced that he intends to [amend the post-War constitution](#) to clarify the standing of the [Self-Defence Forces](#).

Although these events seem relatively low key, they are of considerable significance in Japan and beyond. The Izumo's deployment is the first time that Japan has contributed actively to an alliance operation. It is a significant step toward realising Abe's ambitions for Japan to be able to operate in security terms as a country like any other. While articulating a specific vision for change to the constitution, however subtle, is a concrete commitment by Abe to use his considerable domestic political capital to revise the post-war document.

[Japan's constitution](#) was written in haste by the Americans during the postwar occupation. Its signature was a requirement of the surrender and it retains a number of important provisions. Most obviously, it turned the country from a dynastic empire into a conventional liberal democratic constitutional monarchy.

But its most unusual feature is Article 9. Often described as the pacifist clause, it renounces the use of force as a legitimate tool of statecraft and declares that land, sea and air forces as well as other "war potential" will never be maintained.

Yet Japan now has one of Asia's most sophisticated defence forces and is among the world's top-ten [military budgets](#). In spite of language that seems unambiguous, within years of being inked Article 9's meaning was being stretched. Now it is almost out of recognition.

Shinzo Abe pushes ahead on constitutional reform amid heated debate within Japan

Written by Nick Bisley, Executive Director of La Trobe Asia and Professor of International Relations, La Trobe University

The original intent was to remove the country's capacity to return to the militarism of the 1930s. But over time Japan's security circumstances changed and it needed some capacity to defend itself. To manage this without changing the constitution a practice known as 'reform through interpretation' began. This involved the Cabinet Legislation Bureau issuing interpretations of what was permissible. The most important step was to allow the creation of a standing military, known as the Japan Self-Defence Force.

Crucially, in the 1950s Japan's Supreme Court accepted that Article 9 allowed for self-defence and it has not challenged the right of the Bureau to have [this interpretive function](#).

Japan is now a wealthy liberal democratic country that operates within the norms of contemporary international society. It has a large and capable military and it exists in a region that is increasingly turbulent. North Korea presents an immediate and acute security threat, and in the longer run China presents a profound challenge the underlying strategic balance.

Within the constraints of prevailing laws and norms the country wants to be able to do more to defend its interests. Abe's aim is to reconcile those realities with its constitution. And given how much twisting and stretching that has occurred it is important align the law with the political and strategic reality.

Yet change is hugely controversial, even at the margins. This is, in part, because the constitution has not been amended since it came into effect in May 1947. Equally, the politics of constitutional revision is highly polarising. Any reforms can be painted as moves by the far right to wind the clock back and recreate Japanese imperialism. In turn, reformists tend to paint critics as naïve and oblivious to the real challenges Japan faces in an increasingly contested Asia.

Abe's position in this polarised debate is intriguing. Understandably, he presents a moderate face to the electorate about the scope of change and the reasons he gives for taking such steps. Abe has consistently argued that reform to the constitution is about normalising Japan's military but retaining its [defensive posture and operating squarely](#) within the letter and spirit of international law. Yet he is closely associated with some of the country's most right wing groups and indeed even members of his cabinet represent overtly revisionist views.

Shinzo Abe pushes ahead on constitutional reform amid heated debate within Japan

Written by Nick Bisley, Executive Director of La Trobe Asia and Professor of International Relations, La Trobe University

The Constitution Day announcement was made to an event linked to the conservative Nippon Kaigi group. [Nippon Kaigi](#) advocates for a new constitution based on Japan's "traditional characteristics" and wants to put the Imperial family at the centre of Japan's identity. This makes convincing the public, which [remains sharply divided](#) about the need for constitutional reform, that much harder.

Japan's constitutional debates are not only a question of domestic politics. They are keenly watched across the region. Any moves tend to draw a splenetic response [from Beijing](#), while Koreans tend also to oppose any shift, however subtle, from the status quo. This exacerbates already strained relations between America's two key allies. In contrast, Washington has for many years been keen for Japan to play a greater strategic role and contribute more to sustain the prevailing regional order.

In many respects, Japan's constitutional debate is a microcosm of Asia's international order. It reflects a basic mode of operation now past its use-by date. But any move to adjust it in response to changing circumstances is frightening because of the possible instability and risk inherent in moves to the unknown.

Abe plainly wants to change the constitution. His ultimate aim is the transformation of Japan's international role from dependent ally to a significant force upholding the liberal rules based order in Asia. If the current regional order is to be sustained he will need to be successful. But he knows this will be a long and difficult path.

Shifts in Japan's international environment have both prompted the move and provided a political context for the dominant Japanese politician of his generation to take those crucial steps.

The Izumo is currently touring the [South China Sea](#) and will take part in multinational exercises later in May. Expect to see this more often and expect Beijing to respond in kind.

Disclosure

Nick Bisley is Executive Director of La Trobe Asia, a member of the Australian Institute for International Affairs' National Executive, a member of the Australia-India Institute's Board and part of the Advisory Board of China Matters. Each of these groups have received funding from

Shinzo Abe pushes ahead on constitutional reform amid heated debate within Japan

Written by Nick Bisley, Executive Director of La Trobe Asia and Professor of International Relations, La Trobe University

Australia's federal government.

Authors: Nick Bisley, Executive Director of La Trobe Asia and Professor of International Relations, La Trobe University

Read more <http://theconversation.com/shinzo-abe-pushes-ahead-on-constitutional-reform-amid-heated-debate-within-japan-77949>