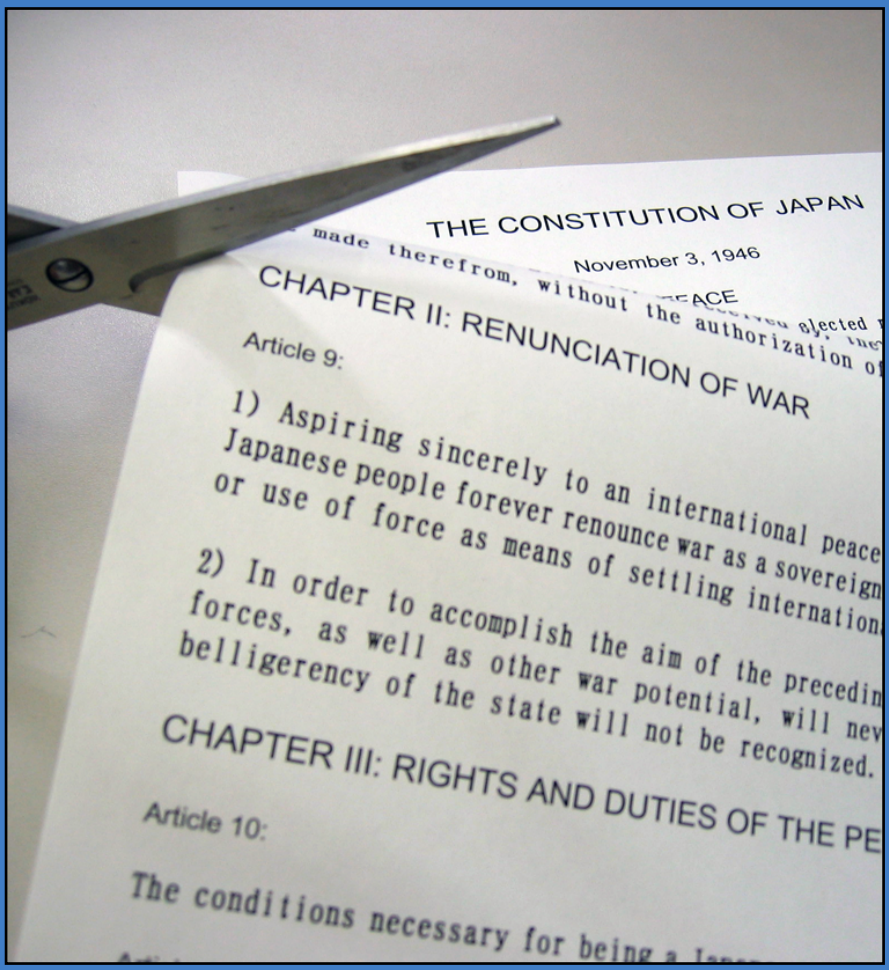
Some Considerations Regarding Article 9 of the Japanese Constitution

based on the discussion at the Joint Australia-Japan Workshop 12-15 Sep, 2005

Michael T. Seigel



Nanzan University Institute for Social Ethics

Some Considerations Regarding Article 9 of the Japanese Constitution is a summary of the discussion at a Joint Australia-Japan Workshop held at Nanzan University, Nagoya, Japan, September 12-15, 2005.

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Other outcome documents from the workshop:

1. Michalis S. Michael and Larry Marshall, *Securing the Region Post-September 11* (A report based on the overall discussion at the workshop, available from The Politics Program, School of Social Sciences, Latrobe University, Victoria 3086, Australia.).
2. *Kenpoudaikyujo ni Kansuru Ichikosatsu* (A Japanese translation of *Some Considerations Regarding Article Nine of the Japanese Constitution*, available from Nanzan University Institute for Social Ethics).
3. *Ajia-Taiheiyo no Anzenhosho—9.11 Iko* (A Japanese translation of *Securing the Region Post-September 11*, available from Nanzan University Institute for Social Ethics).

Further publications based on the proceedings of the Symposium are being prepared in both Japanese and English. For further information contact the Nanzan University Institute for Social Ethics.

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Michael T. Seigel

A summary of the discussion
at a Joint Australia-Japan Workshop
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12-15 September, 2005,

Nanzan University
Institute for Social Ethics

Preface

About the workshop:

The workshop brought together senior scholars and experts—six from Australia, seven from Japan (including one Australian resident in Japan), and two from Asia (one from Malaysia and one from Pakistan)—to discuss the international relations of Japan and Australia, especially in the context of developments since September 11, 2001. The theme was "Searching for Equitability and Peace in the Post-9.11 World: Exploring Alternatives for Australia and Japan." The discussion was premised on the understanding that the situation of the two countries (particularly in regard to policies and attitudes to the outside world) is remarkably similar (e.g. in regard to relations with the United States, involvement in the War on Terror, and engagement with Asia). The goal of the workshop was to explore ways in which Japan and Australia might more effectively contribute to regional and global security and a more equitable world order.

About this paper:

In the course of the workshop, the question of Article 9 of Japan's constitution came up frequently and the question of constitutional change was discussed intently and in depth. It was widely understood that the outcome of current moves to change this article will have a major impact in the region and globally. The decision was made therefore to pull together the threads of the discussion that related to Article 9 and to disseminate the resulting paper, most importantly, to those who will have a direct role in the decision-making process regarding changes in the constitution: the members of the Diet, and more broadly the Japanese public. Because of the broad regional significance of the proposed change to the Japanese constitution, this paper will also be distributed in Australia and other countries in the region as well as in Japan.

This paper is a summary of the discussion and may not necessarily represent the individual views of all those present. However, it does present comprehensively the substance of the discussion as it took place. Most particularly, it represents both the perspective and the depth of concern of those who came from overseas to participate in the workshop and therefore demonstrates the depth of concern that exists in the Asia-Pacific region with regard to the issue constitutional change. In the interests of providing as accurate a summary as possible of the discussion at the workshop, the paper has been formulated in consultation with the participants in the workshop. Nevertheless, responsibility for the text and the content lies with Michael Seigel of Nanzan University, Nagoya, Japan..

Acknowledgements:

Thanks are due to all participants in the workshop for the level of depth and mutual openness that characterized the discussion at the workshop. Particularly to be thanked are Allan Patience, Larry Marshall and Joe Camilleri whose detailed comments on earier drafts of this paper helped a great deal in the formulation and refinement of the paper.

Michael T. Seigel

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SOME CONSIDERATIONS REGARDING ARTICLE 9 OF THE JAPANESE CONSTITUTION

Michael T. Seigel

A change in Japan's peace constitution will have a profound impact on the Asia-Pacific region. It will change radically the meaning that Japan's military strength has for neighbouring countries, integrate Japan ever more into US military strategy, and further distance Japan from Asia. This in sum was the conclusion of the workshop. Because of the importance of Article 9 for the region, the issue of constitutional change was an important one throughout the workshop, although it was not the specific topic of the workshop. The discussion relevant to article nine at the workshop can be grouped under three headings: the impact that a change in article nine would have on stability in the region, the effect that it would have in terms of integrating the Japanese Self-Defense Forces (or Self-Defense Army, if the Liberal Democratic Party's proposed draft for a new constitution is accepted) into US military strategy, and the question of constitutional change in relation to other more important dimensions of peace-building.

1. ARTICLE 9 AND THE ASIA-PACIFIC REGION

One of the more important issues raised was the question of the impact that a change in the Japanese constitution would have on stability in the Asia-Pacific region. There are a number of serious issues to be faced in the region. Both the military build-up in China and North Korea's flirtation with nuclear arms are creating apprehension in Japan. China has increased military spending (an increase of 12.6 % in 2005, bringing it up to 29 billion dollars) and has flexed its muscles in recent years in regards to Taiwan, the Spratly's, the Paracells, etc. Likewise, in the words of one participant, North Korea "never gives up irritating American hegemony in this region by refusing nuclear disarmament. Russian influence is reduced and even China could not fully control this minor neighbour." Apprehensions in Japan about these threats are an important part of the public discourse regarding the question of constitutional change.

These apprehensions are not necessarily the most important factor driving the move to constitutional change. Rather, the main factor is likely to be the goal of integrating Japanese forces into US military strategy. Nevertheless, these apprehensions are an important part of the public debate and of the reasons that the general public appears to be acquiescing to the possibility of constitutional change. Additionally, a change in Article 9 of the constitution, regardless of its intent, will have a very serious impact on the region. I will begin, therefore, with a summary of the discussion that emerged in the workshop regarding these apprehensions that have emerged in Japan, focussing particularly on how the perceived threats should be understood and on the most appropriate responses to them.

Perceptions of the situation

The first question is to what extent China's economic growth and military build-up should be considered a threat—how likely is China to initiate conflict?

The view was expressed that China's primary goal is economic development and it is not likely to undertake any military adventures that will interfere with that. "China is being careful to keep a good relationship with the US and the West," it was argued, "both to gain access to technology and because the Chinese know that if China gets into a fight with America right now it would be a setback for the economic development which is their primary goal." In spite of some muscle flexing, therefore, China will try to avoid a military confrontation with Japan or the United States. The issue of Taiwan is still a problem, but apart from Taiwan, China has decided to concentrate on economic development.

This view is contrary to that of the United States and its allies, who appear convinced that China's economic transformation will produce a military power that, by dint of its existence, will challenge American interests. However it is not contrary to the views of other neighbouring countries who do not feel the same apprehension with regard to China that the US and Japan feel. Many in the region feel rather that China should be treated as a status quo power and not contained.

Further, at least one aspect of the problem with China is America's desire to contain China, and this desire derives not from some threat that China poses to America or its allies but from the fact that projecting China as a military threat is part of the US strategy of perpetuating its own military dominance.

In solidifying themselves into an alliance system with the US that displays an anti-China bias, both Australia and Japan may be contributing to the very instability they seek to diminish and may be locking themselves out of other regional multilateral security efforts. The rest of

the region has adopted a hedging strategy and both Japan and Australia seem to be denying themselves this option.

One participant argued that "it is far from clear that a military response to China's rise is the most effective means of stabilising the region. At the most basic level this runs the risk of creating a self-fulfilling prophecy whereby concerns about China enhance China's own sense of insecurity which then fuels a more militarised approach to defence and security policy which in turn prompts a classic security dilemma response from the US."

In international relations, perceptions can become self-fulfilling prophecies. Therefore, perceiving situations accurately and in all their complexity is extremely important. The question is how that accuracy is to be achieved. How do we judge a threat accurately? Even an arms build-up does not necessarily indicate military intent. Arms build-ups can be motivated by economic and other domestic considerations, by collusion between arms manufacturers and government, by the desire of the military to enhance its domestic standing, etc. This does not change the fact that a military build-up does in fact constitute some degree of threat. Given the difficulty of reaching an accurate interpretation of the threat involved, however, it is essential that a response to the threat be sought that does not generate an escalation of threat and counter-threat, leading to arms races, tensions, and possibly even conflict. The risk of this kind of escalating threat and counter-threat is an important part of the context that must be considered in regard to the question of constitutional change, particularly in regard to changes in Article 9.

Responding to Perceived Threats

The impact of changing Japan's peace constitution was discussed in terms of the security dilemma—the idea implicit in what has been said above, namely that our anticipations of threats can become self-fulfilling

prophecies and the very strategies that we adopt to promote our own security can provoke reactions from others that threaten that very security.

There is already a significant degree of distrust of Japan in the region, partly because of the past, partly because of such things as Prime Minister Koizumi's visits to Yasukuni Shrine, textbook issues, the perceived failure of Japan to apologise for the past (I say "perceived failure" because some at the workshop argued that Article 9 is in fact an apology), disagreements about such historical matters as the Nankin Massacre, etc., and partly because of the depth of Japan's identification with the United States. Given the fact of this distrust and the many disagreements Japan has with its neighbours, and regardless of what position one takes on these issues, it must be understood that, in the words of one participant, "a rearmed Japan can only send shivers down the Chinese spine." Obviously, this applies to many of Japan's other neighbours as well.

This is particularly the case when discussion of preemptive strikes comes into the picture. Reference was made during the workshop to the strong negative reaction created in Asia by the suggestion of Australia's Prime Minister Howard that Australia could carry out preemptive strikes against terrorists in neighbouring countries. The reaction to this statement was very strong, even from countries close to the United States such as the Philippines (which, in fact, was the first country to protest). Thus if constitutional change were seen as including the possibility of preemptive strikes (and there have been mentions of this in the debate on constitutional change), this would really provoke a very strong reaction from other countries in the Asia region—more than perhaps any other aspect of the change.

Various factors are already creating an atmosphere of threat and counter-threat between China and Japan. China has been specifically identified as a threat in, for example Japan's rationale for its cooperation

with the United States in developing anti-missile defence technology and in the 10-year defence program released in December 2004 which openly labels China as a potential threat to Japanese interests. Such statements as these already indicate that Japan's own military potential is directed towards China and is therefore very provocative in terms of China's concerns about its own security. The joint statement with the United States that Taiwan was a "common security issue" and therefore highly relevant to the US-Japan military alliance, the announcement in February 2005 that the Japanese Coast Guard would officially take control of the disputed Senkaku Islands, the strong diplomatic support extended to the United States in opposing the European Union's plan to end the arms embargo imposed against China in the wake of the Tiananmen events of June 1989 are among recent moves made by Japan that have set Japan more in opposition to China.

The net effect of these initiatives has been to signal an enhanced regional policing role for Japan and a greater willingness to participate in future conflicts under US leadership, and this, it was noted, has compounded "the rising and widespread displeasure of a number of neighbouring countries, notably China and South Korea. For them at least, Japan's actions reflect an attempt to assume a more assertive role on the international stage in ways that are oblivious to their historically grounded sensitivities or current preoccupations."

Another area in which a unilateral and confrontational approach was seen as counter-productive was in regard to the goal of a denuclearized Korean peninsular. It was argued as follows: "From a security point of view, and particularly in a context where Japan has not fully reconciled with its neighbours on Second World War issues, it would be unsurprising if both North and South Korea were not concerned about agreeing to denuclearize without Japan also agreeing to be part of a binding regional denuclearization agreement. This is particularly the case when Japan

has the advanced technology, large plutonium stockpiles, and missile capabilities to be able to develop a nuclear weapons capability within a short space of time, possibly even months. Japan appears to want its nuclear cake and eat it too: insisting that the Korean Peninsula be denuclearized while retaining the options of developing its own nuclear weapons and making use of the US nuclear umbrella. While it insists on retaining these options, there is obviously going to be an adverse effect on proliferation within the Northeast Asian region, with North Korea and even, conceivably, South Korea seeking to counter Japanese nuclear capabilities."

Article 9 and the Security Dilemma

The above indicates that there is already a significant degree of tension between Japan and its neighbours, and that this tension derives in part from Japan's own actions. Nevertheless, Japan's Peace constitution has acted as a brake on this tension. Because Japan is prevented by its peace constitution from carrying out military activities against its neighbours, it has been able to build up a tremendously powerful military, the second most powerful in the world, without this military constituting a major immediate threat to its neighbours. For this reason Japan has been, at least to some degree, protected from the security dilemma. It may therefore be the case that Japanese tend to be less aware of the security dilemma as an issue.

However it is clear from what has been said so far that a change in the peace clause of Japan's constitution would have an immediate and profound impact on the meaning that Japan's military strength has for neighbouring countries. Regardless of Japan's own intentions, it will be seen as a more threatening power by neighbouring countries. In terms of the security dilemma, a change in the constitution would be equivalent to an overnight arms build-up of massive proportions. It would almost

definitely precipitate an arms race (or, more accurately, accelerate one that is already under way), significantly enhancing military tension in the region.

In fact, Article 9 has not provided a restraint on Japanese military expenditure and development and therefore it does not make sense to argue that Japan needs to change Article 9 in order to build up its defence capability. Depending on how military spending and defence capability are measured, it can be argued that Japan currently has the second largest defence capability in the world. In terms of military expenditure Japan is spending about fifty billion US dollars annually, substantially greater than China's expenditures. Further, there is already an arms race under way. The Asian proportion of world defence expenditure went from about fifteen per cent at the end of the 1980s to over 40 per cent around 1997. About 85% of that is spent in North East Asia (Japan, China, South Korea, and Taiwan). Clearly, if the principle element of an arms race is action-reaction dynamics, reciprocal developments in one country following developments in another country, then there is already a very vigorous arms race underway in northeast Asia. Factors such as this should be a crucial part of the public discourse regarding Article 9 of the Constitution.

Further, the increase in military tension that would result from a change in Article 9 would take place precisely in the context of two of the world's most inflammable situations, namely the Korean peninsula and the Taiwan Strait. A change in Article 9 would not only affect Japan's relations with its neighbours but the whole stability of the region, exacerbating the tension and thereby increasing the risk of conflict. Japan has a great deal of responsibility for the impact it has on these two hot spots.

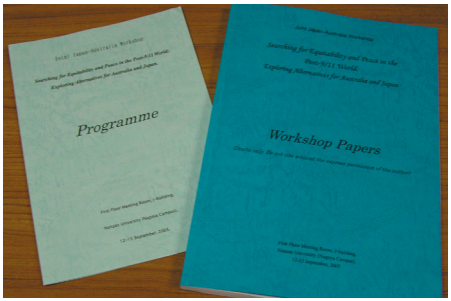
In Japan, some politicians speak of constitutional change as if it were a purely domestic issue. It should be clear that it is a far more complex matter. The question of Article 9 must be considered in relation to the security dilemma and that dilemma must be considered in terms of the

real and concrete relations that exist in northeast Asia at the present time. To simply dismiss international perspectives on constitutional change as infringements on sovereignty is misguided. Domestic politics can no longer be carried on without reference to the international context. Domestic issues of all kinds and even our very identity are bound up in a web of international relations. To consider a change in the constitution without considering comprehensively its impact on all international relationships would be myopic and unrealistic. A change in the constitution will have a substantial international impact and that impact will rebound on Japan. It is incumbent on Japan's decision makers that they take that fact into consideration.

Additionally, the increased tensions between China and Japan that would almost definitely result from a change in Article 9 would create a dilemma for Japan's allies, for many of whom China is an important trading partner. This is certainly the case for Australia, although Australia like Japan is so integrated into the US system that it is fairly certain that in an ultimate confrontation the alliance would stand. This does not dispel the dilemma however, and it is likely to affect many of Japan's other allies as well. The impact that this dilemma could have on Japan's international relationships should also be an important consideration in the debate about constitutional change.

Further Considerations Regarding Article 9 and the Security Dilemma

There have been various approaches to dealing with the security dilemma. One described at the workshop was of defensive defence, i.e. the idea of coming up with a force posture which while it may have various substantial limitations in terms of power projection becomes fairly impenetrable when one is being attacked. Since this strategy doesn't depend on particular perceptions it avoids the risk of erroneous



perceptions becoming self-fulfilling prophecies. It is an approach that was adopted in Australia in the 1970s, and Japan also followed a similar strategic posture up until a decade or so ago. This kind of defence posture is quite feasible for Japan, given that it is an island and more defensible than a country with land borders. It is also a defence strategy that is compatible with Article 9 as it stands.

Collective security in extensive multilateral security networks in which no partner is so strong as to constitute a threat is also an approach to security that is less susceptible to the security dilemma. It is an approach quite different to that of having bilateral collective defence agreements with particularly strong powers.

Japan's own experience also points in the direction of a solution to the security dilemma. Japan has been able to build up a degree of military strength that overshadows all its neighbours without provoking a security dilemma anywhere near in proportion to that military strength. Surely this suggests that one way to deal with the security dilemma would be for each country to have a peace constitution similar to Japan's. If Japan, instead of changing its constitution, would put its diplomatic effort into encouraging other countries to adopt similar peace clauses in their constitutions, it would move the world much closer to peace.

One final point that was brought up in relation to the security dilemma is that the War on Terror itself is not free from the security dilemma. As a classical example of the security dilemma, the very efforts to suppress terrorism seem to be increasing it. Since participation in the War on Terror is frequently brought into the discussion on constitutional change, this too is something that should be kept in mind.

2. CONSTITUTIONAL CHANGE AND THE INTEGRATION OF JAPANESE FORCES INTO THE US MILITARY MACHINE

Some in Japan see a change in article nine and the development by Japan of the capacity to defend itself as a means of gaining independence from the United States. In response to this, it was argued at the workshop, firstly, that the real intent of the movement towards constitutional change in Japan is not towards greater independence of Japan from the US but quite the opposite, the integration of the Japanese forces into US military strategy. Secondly, it was argued that whatever the intent, the outcome of a change in Japan's peace constitution would be greater dependence on the US, not greater independence from it.

An Arms Race and Increased Dependency on the US

This latter point is based on the view that a change in Article 9 would give rise to an arms race and given China's population, resources and current economic growth, it would be a race in which Japan could not compete. If current trends continue China will become the dominant influence in East Asia, thereby confronting Japan with a decidedly unfavourable shift in the Asian balance of power. (There was a reference on this point to a CIA forecast which suggested that China's GDP would equal that of Britain in 2005, Germany in 2009, Japan in 2017 and the United States in 2042). An arms race in this context would not be one that Japan could win. Japan would have no choice but to increase its dependence on the US.

Integration into the US Military Machine

However, as already noted, the real goal of constitutional change was seen by a number of workshop participants as precisely this increased dependence, or in other words the integration of Japanese forces into American military strategy. If that were not so, it is very unlikely that the US would be pushing Japan to change its constitution. As was noted during the workshop, Richard Armitage has expressed both the view that Article 9 is interfering with US relations and that Japan should become the UK of Asia, i.e., that it should become the kind of ally for the US in Asia that the UK is in Europe. That surely is an expression of US intentions for Japan.

Already, the security treaty is no longer simply a guarantee of Japan's security. Rather, it is already something that draws Japan into the worldwide military strategy of the United States. Japan is expected to provide support and logistics wherever and whenever the United States demands—as is shown by the dispatch of the Self-Defense Forces to the Indian Ocean and Iraq. These policy orientations show that most mainstream conservative leaders have chosen to deepen Japan's

Participants in discussion at the workshop

commitment to American military strategy and it is this commitment that is the driving force behind the movement for constitutional change.

Undoubtedly many in Japan will welcome such integration with the US as both guaranteeing Japan's security and as enhancing Japan's status in the world. Doubts were, however, raised at the workshop about the wisdom of this. The doubts that were raised centred on the dual problems associated with alliances, namely the problems of entrapment and abandonment, and also on the question of the impact that the alliance has on Japan's other international relations.

Entrapment and abandonment are risks inherent in alliances, particularly when there is a substantial disparity in the strength of the respective partners in the alliance. Entrapment involves the risk of being dragged into conflicts that that would normally have been avoided, and abandonment refers to the fact that alliance guarantees might not be honoured when help is needed. The greater the disparity in the strength of the alliance partners, the greater the risk of both entrapment and abandonment for the weaker partner in the alliance. Australia, which depended on Britain for defence up until the Second World War, has experienced both entrapment (sending troops to battles which had little importance for Australia and where the loss of life was very high) and abandonment (in that even while Australian soldiers were fighting on Britain's behalf in North Africa, England decided to abandon Australia to the Japanese; Australia was eventually defended by the US, not because of any alliance, but because of its strategic location). A change in Japan's constitution that enables Japan to send its young men (and perhaps women) to fight overseas will inevitably create these risks of entrapment and abandonment. Japanese forces will be used in battles that have no real significance for Japan, and they will do so with the risk that, in the future, circumstances may emerge such that Japan will not receive the anticipated support from the US.

The Impact on Other Relationships

The impact that such an enhanced alliance with the US will have on Japan's neighbours should not be overlooked. Already the relationship with Asia is a somewhat estranged one and one factor in this estrangement is precisely the relationship that Japan has with the United States—one of the many characteristics today that Japan has in common with Australia. Both Japan and Australian misjudge the impact that their relationship with the US has on their other relationships. One participant in the workshop pointed out that "Japan and Australia share a flawed imagining that their separate but similar alliances with the United States mark them out as unique, even superior, in the region. The security alliance each has with its 'great and powerful friend' (to borrow the words of a former Australian Prime Minister) has led to widespread beliefs in both countries that each has a special place in Washington's heart and that this gives them a special standing in regional and global affairs. This arrogation of American regard puts the rest of the region off-side."

Australia and Japan, by aligning themselves with the US at the expense of their relationships with other countries, are putting all their eggs in one basket. The fact that sixty years have passed is sometimes presented as an argument in favour of constitutional change. One participant argued rather that it should raise questions about the alliance with the US. "The alliance system that was born in the early years of the Cold War cannot continue on as it has in the past. Beyond the basic point that the strategic setting which it was intended to stabilise has fundamentally changed, one can no longer be certain that the states of the region prefer the predominance of the US to all other scenarios. ⋯ The region has witnessed a distinct shift in which the growth in power and influence of China, coupled with its normalised policy to its regional neighbours, has encouraged many, especially ASEAN states, to move slightly away from their previous position favouring an American brokered status quo. Given

At work during a coffee break

that the US approach is predicated on a confrontational approach to China, this slight movement becomes more distinct. The region does not want to see a growing rivalry between China and the US (this was one of the primary motives behind the formation of the ASEAN Regional Forum), but if pressed most will not side with the US over the People's Republic of China. Moreover, China's actions have promoted rather than undermined regional trust. For most, this move is slight. The jury is still very much out about China. But the signs thus far are promising. ⋯ For regional stability the most important element is not perpetuating US military predominance but increased trust and amity between the major powers, and particularly between China and Japan and the US and China."

There were also doubts raised about the effectiveness of the US as a superpower. "The meaning of power, in the realist sense, is the ability to impose your will to shape history in accordance with your own clearly formulated objectives. The US is finding it difficult to impose its will. Clearly that has implications for the Asia-Pacific region. Here you have this imperial power that reconstructed almost single-handedly Japan and much of Western Europe, not to speak of other parts of the world. At the moment it is not able to reconstruct Iraq's small power and electricity system. And I think that is an indication of the road it is travelling." This fact too raises questions about the wisdom of sacrificing too much in other relations for the sake of the bilateral relationship with the US.

3. THE REAL FOUNDATIONS FOR A SUSTAINABLE PEACE

A more stable and secure approach to peace was seen to be found in emphasizing cooperation rather than confrontation, in adopting a more multilateral approach, and in promoting an increased multi-polarity in the region and the world. These goals can be achieved by placing less emphasis on ever closer alignment with the US and more on developing multiple relationships of mutuality and fairness as middle powers. This was discussed at the workshop in relation to both the traditional notion of national security and to what has come to be called human-security.

Multi-polarity and Multilateralism

With regard to security and stability in the region, it was argued that, since, as already noted, a strong US military presence is no longer likely to be the best approach, emphasis should be placed rather on regional cooperation. Both the EU in Europe and the AU in Africa provide a mechanism for peace cooperation in their respective regions, but there is no equivalent mutually trusted mechanism for peace cooperation in the Asia-Pacific region. This fundamental lack limits Japan's own capacity for action, making action in concert with the UN and with the US the only possibilities. The consequence is that regardless of the intentions of the government or the policy-makers, acting alone by Japan with the UN and more particularly with the US naturally causes apprehension among Japan's neighbours. Therefore, some sort of regional mechanism to deal with peace and security issues is necessary. The ASEAN Regional Forum does constitute a significant step towards the establishment of such a mechanism.

Japan should also review its alliance with the US in light of its other relations on a regular basis and in an ongoing way. “Any friendship and any alliance,” it was argued, “must at all times be subjected to probing scrutiny. And that subjecting to probing scrutiny from time to time can only be done genuinely if it’s done in consultation with one’s neighbours.” Indeed an accurate evaluation of the relationship must be grounded in a balanced approach to local interests, regional interests and global interests. Any alliance worthy of the name must take all of these interests into consideration. For this reason, given the unilateral approach of the US in the last few years “it behoves both Japan and Australia to distance themselves from Washington’s unilateralist inclinations. The close support that Tokyo and Canberra have extended to US actions in Afghanistan and Iraq, and more generally to the ‘War on Terror’ has thus far yielded few positive results either in the specific theatres of conflict or for Japanese and Australian security. One of the less controvertible effects of these adventures has been the increasing diplomatic isolation of the United States and its close allies. In responding to the terrorist threat, both Japan and Australia would be better advised to pursue a reasoned approach which places the emphasis on prevention rather than cure and on causes rather than symptoms.”

High level presentations held the attention of participants

It is true that many states are distrustful of multilateralism and see bilateral alliances as the

Particpants from Malaysia and Pakistan brought an Asian perspective

preferred solution to security issues. Bilateral relations may seem simpler and the allure of a bilateral relationship with the world's sole super power cannot be denied. Yet it is clear from the above that stability and security are more likely to be achieved by working through the complexities of multilateralism.

Further, in areas of broader human security, including such areas as poverty, human welfare, ecology, human rights, governance, etc., a multilateral approach is essential. Many of the issues we face today—climate change, poverty, health epidemics (HIV/AIDS, mad-cow disease, Ebola, E. coli infection, the West Nile Virus, etc.) to name only a few—are far more significant sources of fear and insecurity than traditional territorial disputes. Dealing effectively with these issues will require an unprecedented degree of international cooperation at both state and non-state levels. A more holistic approach is needed than can be achieved through a focus on an insular kind of self-interest or through approaches centred on bilateral relationships. As one participant noted, "money spent on military programmes with the US is money not spent on other means to secure themselves (i.e., Australia and Japan) and the region from new security problems for which military approaches are often inappropriate." Dealing with these problems too is an important dimension of human security, and of national security too, when one considers that these problems do contribute to a world conducive to the growth of terrorism.

Article 9 and Peacekeeping

A reason given for constitutional change is that Japan needs to be able to participate with other countries in peacekeeping operations and humanitarian interventions. This too was discussed at the workshop, though, at least in so far as it pertains to the question of constitutional change, not in quite the same depth as the other issues described so far. It was noted that peace-keeping and humanitarian interventions are extremely complex. They necessarily involve an armed force from outside, the very presence of which will create problems. These outside forces may not be able to make the right judgements in the complex situations to which they will be sent. They may not even be able to accurately distinguish their friends from their enemies—thereby creating a situation similar to what the US experienced in Vietnam and is currently experiencing in Iraq. As much as possible, therefore, alternatives to military action should be sought.

Around the time that Japanese Self-Defense Forces were sent to Iraq, there were many interviews with Iraqis broadcast on television and it was clear that the Iraqis welcomed the Japanese Self-Defense Forces precisely because of Japan's Peace Constitution. They had the confidence that the Self-Defense Forces were not coming to fight. In the end, the fact that Japan has been so aligned with the US seems to have reduced this sense of welcome. Nevertheless, the initial welcome does surely suggest that Japan can have a special role in situations like this precisely because of its peace constitution. To change the peace clause of the constitution would be to discard a resource whose value has yet to be fully discovered. It may well deprive Japan of the opportunity to make the best contribution it possibly could make to countries in situations of conflict. It would be sad to see Japan discard its Peace Constitution without thorough reflection on all that both Japan and the world would lose by doing so.

CONCLUSION

The conclusion of the workshop is therefore that the approach of military confrontation and integration into the military strategy of the US implicit in the movement towards constitutional change is not an effective means to security but will rather threaten the very security it is intended to provide. Japanese security can only be achieved by the establishment of a sustainable order in East Asia, and this will require an entirely different approach. It would be helped greatly by a resolution of the history issue (It was noted by one participant that this resolution should not simply include an assessment of Japan's wrongs towards its Asian neighbours, but also to the various other problems, including the wrongs of the Allies, that led to the Pacific War in the first place), and by a commitment on Japan's part not to become a military power again.

Middle powers such as Australia and Japan can play a leadership role in promoting global security and therefore their own security. They can do this by making human security an important focus, thereby bringing about a world that is significantly safer from threats such as those that arise when people are desperately marginalized. The role played by Norway in negotiating a cease fire in Sri Lanka and in bringing international pressure on the military junta in Burma over its imprisonment of democracy leader Aung San Suu Kyi is an example of this.

Security and stability can also be promoted by developing multi-level relationships between countries, including cultural exchange programs, joint civil society activities, etc., so that people of different countries come to know each other more and more as human beings and so that friendships develop. By focussing too much on military responses to the international situation "it tells the rest of the world that Japan and Australia care not so much for other dimensions of cooperation—such

as cultural and artistic exchanges, environmental programs, health and disease prevention programs, or scientific and technological exploits. It suggests that the Australian and Japanese people have little compassion, little commitment to social justice and little imagination of quality of life as a universal concept. Is this really the case? Is it really the image we wish to convey to the rest of the world?" A reaffirmation of Article 9 and a commitment to promote similar articles in the constitutions of other countries would, on the contrary, send a powerful message of peaceful intent.

"From September 12 to September 15, 2006, a Joint Australia-Japan Workshop was held at Nanzan University, Nagoya, Japan. The workshop brought together senior scholars and experts to discuss the international relations of Japan and Australia, especially in the context of developments since September 11, 2001. ...The discussion was premised on the understanding that the situation of the two countries is remarkably similar (e.g. relations with the United States, the war on terror, engagement with Asia). The goal of the workshop was to explore ways in which Japan and Australia might more effectively contribute to regional and global security and a more equitable world order. ... In the course of the workshop, the question of Article 9 of Japan's constitution came up frequently and the question of constitutional change was discussed intently and in depth. ... The decision was made therefore to pull together the threads of the discussion that related to Article 9 and to disseminate the resulting paper, most importantly, to those who will have a direct role in the decision-making process regarding changes in the constitution: the members of the Diet, and more broadly the Japanese public." ——*Preface*

Article 9 of the current Japanese Constitution:

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 of belligerency of the state will not be recognized.

Article 9 of the Liberal Democratic Parties proposed draft for a new Constitution:

1. 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.
2. 1) In order to secure the peace and independence of our country and the safety of the country and the people, a self-defence army is maintained under the command of the Prime Minister.
...
3) The Self-Defence Army, in addition to activities carried out to fulfil the tasks determined in paragraph 1, in accordance with what is established in law can carry out activities in international cooperation in order to secure international peace and safety, to maintain public order in emergency situations, or to protect the life and liberty of the people.

(Note: the omitted paragraphs 2 and 4 of part 2 refer to the relationship of the Self-Defense Army to the government.)

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