

Political Opposition to a Working SDF: From a Legal Perspective

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Introduction

This paper aims to provide an overview on why the military in post-war Japan remained “unusable” for so long, with a particular focus on the legislative activities of the political parties. Japan has established a “positive list” system for what the military must or can do, and no law provided the legal basis for the use of force in the past. In this sense, it would be of much benefit to look into how the state has engaged in the activation of the military. That process was, and still is, one of the domestic factors of Japan’s security policy.

To this end, this paper first shows the importance of the legal aspects of Japanese security policy. It then reviews how legislative immobilism in the field of security policy took root in domestic politics, and how the state overcame the situation. It ends with some concluding observations and a note on the limitations of the analysis.

The basic argument is summarized as follows. First, the Japanese bicameral legislature, the Diet, used to approve military security bills only for arms buildup, but even those bills took a long time to be enacted. Second, the Diet called the SDF into action in the late 1990s, with much shorter time of preparation than before. Third and last, a burst of military security legislation happened concurrently with the political realignment and ideological depolarization in the 1990s when the progressive camp suffered a crushing defeat in the political scene. The changes in military security legislation remind Japanese security policy experts of the need for further work to incorporate domestic factors into a theoretical explanatory framework.

I. Legal Aspects of Japanese Security Policy

It is often mentioned that Japan has provided a comprehensive definition of security policy that emphasizes the political, economic, technological, and even cultural dimensions, as well as a traditional military one. The country has usually dealt with military security affairs through financial and economic means, as exemplified in its response to the Gulf War; Japan’s thirteen billion dollar contribution without military engagement was reputed as “checkbook diplomacy.” Japan’s self-conscious “low posture” on the world stage has been said to bear a distinctive nature, called antimilitarism.¹ It is also notably labeled military minimalism.²

¹ Thomas U. Berger, *Cultures of Antimilitarism: National Security in Germany and Japan* (Baltimore: Johns Hopkins University Press, 1998), and “Alliance Politics and Japan’s Postwar Culture of Antimilitarism,” in Patrick M. Cronin and J. Michael Green, eds., *The U.S.-Japan Alliance: Past, Present, and Future* (New

A close examination of domestic politics is useful to explain the antimilitarist norms in Japanese security policy because:

Normally, a nation's strategic policy reflects a dynamic balance between internal and international considerations, but in Japan this relationship has been disrupted. Prolonged withdrawal from all power politics and the peculiar features of the new diplomatic tradition [postwar antimilitarism] have led to a perspective that is, to an extraordinary extent, derived from politics and ideals unique to conditions *within* the country.³

In fact, many, Japanese and foreign observers alike, do not agree that a system-level analysis alone appropriately describes Japanese security policy.⁴ One should not forget that Japan lost legal authority to use force after all prewar military institutions of the imperial government—the army and navy, their ministries, and the relevant laws—were abolished by the allied occupation. The Japan Defense Agency (JDA), a de-facto defense ministry in the postwar era, was not granted the official status of a ministry, but remained an affiliate of the Cabinet Office (CAO), an administrative ministry in charge of inter-ministerial issues such as gender equality. The Self-Defense Forces (SDF), virtually a postwar military, was not able to fight because there was no due process of law under which Japan could engage in warfare. Even a military campaign for national defense was regarded as “extralegal.”⁵ Therefore, because legal authorization was a prerequisite for using force, legislation is an important part of the antimilitarist norms in Japanese security policy.⁶

So far, studies on the legal aspect of security policy conducted by political scientists have

York: Council on Foreign Relations Press, 1999), pp. 189-207.

² Norman D. Levin, “The Strategic Dimensions of Japanese Foreign Policy,” in Gerald L. Curtis, ed., *Japan's Foreign Policy After the Cold War: Coping with Change* (New York: M.E. Sharpe, 1993), pp. 202-217.

³ Donald C. Hellmann, “Japanese Security and Postwar Japanese Foreign Policy,” in Robert A. Scalapino, ed., *The Foreign Policy of Modern Japan* (Berkeley: University of California Press, 1977), p. 328.

⁴ See, for example, Michael J. Green, *Japan's Reluctant Realism: Foreign Policy Challenges in an Era of Uncertain Power* (New York: Palgrave, 2003); Peter J. Katzenstein, *Cultural Norms and National Security: Police and Military in Postwar Japan* (Ithaca, NY: Cornell University Press, 1996); and Jitsuo Tsuchiyama, *Anzen Hoshō no Kokusai Seijigaku* (International Politics of Security: Anxiety and Hubris), (Tokyo: Yuhikaku, 2004). A few exceptional works based on system-level analysis or external threat-based analysis include Bruce Cumings, “Japan's position in the World System,” in Andrew Gordon, ed., *Postwar Japan as History* (Berkeley: University of California Press, 1993), pp. 34-63; and Kenneth N. Waltz, “The Emerging Structure of International Politics,” in Michael E. Brown, Sean M. Lynn-Jones and Steven E. Miller, eds., *The Perils of Anarchy: Contemporary Realism and International Security* (Cambridge, MA: MIT Press, 1995), pp. 42-77.

⁵ The extralegal use of force had become a concern among SDF officers as early as the 1960s, which caused the controversy raised by Hiroomi Kurisu, the SDF Chief Joint Staff, in July 1978. He stated the SDF could take extralegal action in case of emergency, and was dismissed by JDA Director Shin Kanemaru in the same month.

⁶ Scholars have strenuously examined budget issues (including the national defense programs). Calder represents their efforts. See Kent E. Calder, *Crisis and Compensation: Public Policy and Political Stability in Japan, 1949-1986* (Princeton: Princeton University Press 1986). On the other hand, they only recently began to look into legal issues, and before, their attention tended to be limited to Article 9 of the Japanese Constitution.

usually been policy process analyses with the emphasis on the roles of political leaders.⁷ However, most of them are case studies on particular legislation and are not aimed at describing long-term development of defense legislation. Japanese political scientist Kentaro Fukumoto's work would be the first to undertake a comprehensive review of defense legislation by statistical methods.⁸ However, his interests are the legislative games played by the ruling and opposition parties in the Diet. This paper looks into what kind of defense legislation the Diet has approved.

Defense legislation in Japan includes various types of laws. Legal studies usually classify it into five categories according to policy issue areas: organs and agencies, missions and functions, international activities, internal personnel management, and administrative remedy.⁹ Another study states that defense legislation is generally composed of "laws directly related to national defense and public order maintenance," "laws that don't contribute to national defense in itself but to ensuring Japan's peace and security," "legislation that contributes to international peace and cooperation," and "other laws related to the SDF or U.S. troops."¹⁰ Since neither the overall concept of defense legislation nor these classifications can distinguish laws that address the use of force from related issues, this paper proposes to focus on military security legislation that may be defined as government legislation, a new law or an amendment to an existing law, in order to change the status of either or both of the organization and function of the JDA and SDF for national security purposes.

In Japan, the organization and function of the government are prescribed by law and are thus subject to parliamentary scrutiny. Organizational matters refer to the setup of government agencies and their management. For the military, the structure of the SDF is a good example of organizational matters; even the exact number of the personnel enrollment limit of each SDF branch is set down by law. Therefore, the government needs parliamentary approval every time it plans to change the structure of the SDF, however small that change may be. Functional matters relate to the missions and authorities of government agencies, in short, what they shall, should and can do. For the military, functional matters include overseas missions and wartime regulations (such as legal exemption for the military, civil rights protection and the treatment of prisoners of war).

⁷ For example, Tomohito Shinoda, *Kantei Gaiko: Seiji Ridashippu no Yukue* (Diplomacy by Prime Minister and His Office: Fate of Political Leadership), (Tokyo: Asahi Shimbun-sha, 2004), and *Reisengo no Nihon Gaiko* (Postwar Japanese Diplomacy), (Tokyo: Minerva Shobo, 2006). Shinoda's work was recently published in English as *Koizumi Diplomacy: Japan's Kantei Approach to Foreign and Defense Affairs* (Seattle: University of Washington Press, 2007).

⁸ Kentaro Fukumoto, *Nihon no Kokkai Seiji: Zen Seifu Rippo no Bunseki* (Japanese Parliamentary Politics: An Analysis on All Government-proposed Legislation), (Tokyo: Tokyo Daigaku Shuppan-kai, 2000).

⁹ Tsutomu Muroi, ed., *Shin Gendai Gyoseihou Nyumon 2: Gyosei Soshiki, Shuyou na Gyousei Ryouiki* (New Introduction to Modern Public Law 2: Administrative Organizations and Major Administrative Areas), (Kyoto: Houritsu Bunka-sha, 2004).

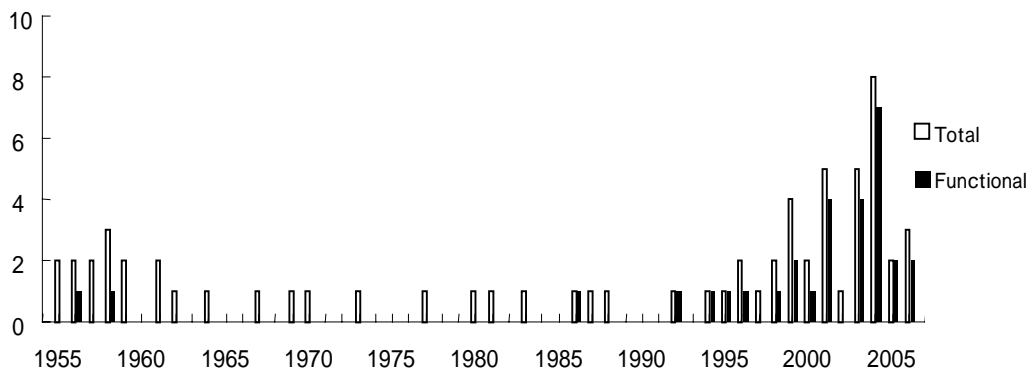
¹⁰ Shigenobu Tamura, et al., *Boueihousei no Kaisetsu* (Explanation of Defense Legislation), (Tokyo: Naigai Shuppan, 2006), pp. 35-39.

II. Changes in Military Security Legislation

Distinguishing organizational and functional legislation makes the examination of legal aspects of Japanese security policy more fruitful. Figure 1 shows how many military security laws the Diet approved. Diet activity was reduced in the 1960s, and remained low through the 1970s and 1980s.¹¹ During this period, almost no functional development for the military occurred. Most of the organizational bills enacted at a limited frequency were proposed to increase divisions and units of the SDF.

Prior to 1986, only three functional laws passed the Diet. The 1956 amendment to the SDF Law was to allow the SDF to provide such services as water supplies to the U.S. troops located close to the SDF bases. The 1958 revision of the SDF Law was to give the SDF a mission on the disposing of unexploded bombs buried in the Japanese territory. The 1987 revision of the SDF Law was to add “ships and vessels,” “wire telecommunication equipment” and “wireless equipment” to the list of the military assets which the SDF are permitted to protect by force if necessary. All the three laws brought about minor changes to the function of the SDF. In other words, the Diet developed force structure alone.

Figure 1. Military Security Laws Approved by the Diet, 1955-2006



Notes: Annual number of laws, except for ritual legal changes; Legislation may be either organizational or functional, or both, and annual number of the functional one out of the total legislation is indicated as “Functional”; A law to extend the duration of an existing temporary is also counted as one approved law.

However, in the 1990s, Japan took significant steps to use the SDF for the following missions. First, the SDF was allowed to participate in international peace activities when the Diet approved the International Peace Cooperation Law (PKO Law) in 1992. Then, the PKO Law was revised twice (in 1998 and 2001) in order to loosen the strict conditions under which SDF units operating abroad may use weapons. In 1995, the Diet approved another law to send SDF officers to the United Nations headquarters to engage in the planning of peacekeeping

¹¹ Diet inactivity in military security legislation becomes obvious given that the Diet approved on average more than 130 laws annually in the past five decades. The data are available at the website of the House of Representatives (http://www.shugiin.go.jp/index.nsf/html/index_housei.htm).

operations. These laws were epoch making because lawmakers were for long cautious about any overseas deployments of the SDF and their precaution often stretched the concept of “deployment” too far. In particular, the left-wing political parties opposed any moves to use the SDF abroad. These parties challenged SDF participation in international military exercises at ordinary times, and even Japanese military officers studying at foreign universities.

Second, the Diet legally authorized the SDF to work more closely with the U.S. armed forces operating in and around the Japanese territory in case of emergency. The 1996 revision of the SDF Law allowed the SDF to provide goods and services to American troops in accord with the U.S.-Japan Defense Cooperation Guidelines. The Diet legislated in 1999 to provide rear area logistic support, and in 2000 to conduct search-and-rescue operations and ship inspection operations. In 2004, the Diet endorsed the revised Acquisition and Cross-Servicing Agreement to further facilitate the operations of U.S. forces and passed a law to implement this.

Third, the Diet finally provided wartime regulations by approving a series of national contingency laws in 2003 and 2004, making the highest point in its activity in military security legislation. For the first time in the postwar period, Japan became legally prepared for national defense operations.¹²

As recent legal development in security policy is quite remarkable, one may wonder why the ruling LDP was not able to pass military security bills from 1955 to 1989. During that period, when it enjoyed “one-party dominance,” the Party in fact failed to pass military security bills forty times. Why did a sprout of military security legislation not happen when the LDP was dominant but rather after the Party lost majority in the Diet and forged a coalition government with other parties? The answer to this question would contribute much to exploring why Japan’s non-use-of-force policy gave way to a more (legally) pro-use-of-force posture in the 1990s.

¹² Scholars have not agreed on Japan’s actual behavior. Whereas Heginbotham and Samuels find “no commensurate change in Japan’s reluctance to use military force,” Green, Hughes, and Kliman see that Japan has come closer to power politics. See Eric Heginbotham and Richard J. Samuels, “Japan’s Dual Hedge,” *Foreign Affairs*, Vol. 81, No. 5 (September/October 2002), p. 111; Green, *Japan’s Reluctant Realism*; Christopher W. Hughes, “Japan’s Re-emergence as a ‘Normal’ Military Power,” Adelphi Paper 368-9 (London: International Institute for Strategic Studies, 2004); and Daniel M. Kliman, *Japan’s Security Strategy in the Post-9/11 World: Embracing a New Realpolitik* (Westport: Praeger, 2006). Recent works on this issue include Kenneth B. Pyle, *Japan Rising: The Resurgence of Japanese Power and Purpose* (New York: Public Affairs Books, 2007); and Richard J. Samuels, *Securing Japan: Tokyo’s Grand Strategy and the Future of East Asia* (Ithaca: Cornell University Press, 2007).

III. Opposition Parties and Military Security Legislation

In the early postwar years, rearmament, then most argued agenda, was tied to the effort of hawks in the ruling conservatives to revive prewar nationalism, whose effort caused serious repercussions for the progressives who supported Japan's democratization and demilitarization.¹³ This political strife undermined the legitimacy of postwar security policy, a process also exacerbated by the conservative government's controversial way of rearmament under the new "Peace Constitution" which renounced war and armed forces. Since the opposition parties secured one third of the parliamentary seats, enough to block a constitutional amendment, the conservatives gave up the option of establishing the armed forces by revising the Constitution. The conservatives instead found a way using an "interpretation" of the Constitution. They claimed that the SDF, the de facto military established as "defense capabilities," should be admitted as constitutional. The oppositions turned down this justification and ever since, the issue of the SDF has been mired in doubts with its legitimacy in question.

The constitutionality debate was embedded in the East-West split. The ruling conservatives chose to join the West, with light rearmament while relying on U.S. nuclear deterrence. On the other hand, the opposition leftists were sympathetic to socialist or communist ideas. The Japan Socialist Party (JSP), the biggest opposition party during the Cold War, supported unarmed neutrality and repudiated the SDF (and the U.S.-Japan security treaty). Thus, the issue of the SDF was enmeshed in the camp conflict.

The fact that both sides never reached a consensus on the basis of security policy soon led to numerous complex legal arguments, making it almost impossible for the political parties to discuss security policy in a strategic or practical manner.¹⁴ Foreign observers were often baffled by the Japanese debates in the political arena, where "key policy issues were radically altered to peripheral arguments over diction."¹⁵ Political parties argued with ardor the differences between individual and collective self-defense, defensive and offensive weaponry, and the use of weapons and force. They were even preoccupied with a range of eyebrow-raising questions such as "shall tanks wait at a red light in wartime?" or "can they fight only in the government-owned land?" In fact, their argumentation was "highly legalistic, prone to hairsplitting, and leads to the placing of cumbersome and—to foreign eyes—bizarre restrictions on the SDF."¹⁶

Under such political conditions, it was obviously difficult for military security bills to clear the Diet.¹⁷ In fact, as the margin of the LDP majority in the Diet became slim, sometimes

¹³ Hideo Otake, *Sengo Nihon no Ideologi Tairitsu* (Post-War Japan's Ideological Conflicts), (Tokyo: Sanichi Shobo, 1996).

¹⁴ Akihiko Tanaka, *Anzenhoshō: Sengo 50nen no Mosaku* (Security: 50-year Groping After the War), (Tokyo Yomiuri Shimbun-sha, 1997).

¹⁵ Michael Blaker, "Evaluating Japanese Diplomatic Performance," in Gerald L. Curtis, ed., *Japan's Foreign Policy After the Cold War: Coping with Change* (New York: M.E. Sharpe, 1993), p. 37.

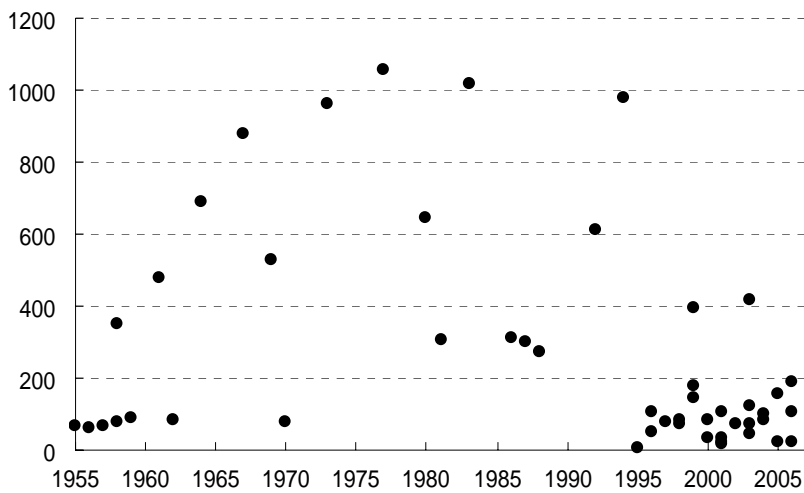
¹⁶ John H. Miller, "The Glacier Moves: Japan's Response to U.S. Security Policies," *Asian Affairs, An American Review*, Vol. 30, No. 2 (Summer 2003), p. 135.

¹⁷ Yoshihisa Hara, *Sengoshi no Naka no Nihon Shakaito: Sono Risou Shugi towa Nani de Attanoka* (Japan

seriously slim, in the 1970s, the Diet became inactive in military security legislation. To give another example, in July 1989, the poor performance of the LDP in the upper-house election resulted in loss of majority standing in the Diet, which significantly reduced the possibilities of military security legislation. A bill rejected by the upper house can be enacted only if the lower house votes on the bill and approves it by a two-thirds majority. Losing majority in the upper house, the LDP passed only one military security bill between the 114th session in 1989 and the 126th session in 1993. During this period, the LDP government submitted defense bills twelve times to the Diet, but without success. It was only after the LDP regained majority in both houses in 1994 that the Diet resumed military security legislation.

Figure 2 summarizes parliamentary politics over military security legislation. For three decades, from the mid 1960s to the mid 1990s, military security bills took more than 400 days to be enacted with a few exceptions, because the opposition parties firmly defied the LDP's attempts to pass the bills. The worst case for the LDP government was the 1977 revision of the JDA and SDF Laws. The initial draft was submitted to the Diet in February 1975, and was then repeatedly rejected. The LDP finally passed it in December 1977, after nearly three years.

Figure 2. Time Needed for Diet Approval of Military Security Laws, 1955-2006



Notes: Time spans from the date of initial submission to the date of final approval, including intervals of Diet sessions in the cases that once rejected bills are resubmitted to the subsequent sessions asking for approval; the number of the indicators does not necessarily correspond to that of legislation in Figure 1 because bills may be submitted and approved all together as if in a package.

Sources: Based on Shozo Okubo, "Boei Niho Kaisei ni Sannen Kakaru Kokkai Jijo" (Why Does the Diet Take Three Years to Revise the Two Defense Acts?), *Gikai Seiji Kenkyu* (Parliamentary Politics Review), No. 1 (March 1987), pp. 34-47, and complimented by my research.

However, in the last decade, many military security laws have taken impressively short periods of time to get approved, even without a stable majority of the LDP in the Diet. Examples include the 2001 revision of the PKO Law, the 2001 law to send SDF ships to the Indian Ocean to support the coalition's Afghan campaign, and the 2004 law to deploy SDF units to Iraq for humanitarian and reconstruction activities, all of which were enacted within one month after being submitted to the Diet. The national contingency law of 2003, the longest case in the last decade, did take about 400 days to clear the Diet, yet not as long as military security legislation in the previous decades.

Figures 1 and 2 together suggest that military security legislation became much more likely to pass after the bill to amend the SDF Law cleared the Diet in November 1994, about thirty-three months following its initial submission in April 1992. Some argue that the end of the Cold War had an enormous impact on this change. The East-West contest became less irrelevant, and so did the conservative-progressive divide in the security policy debate.¹⁸ As the "pro-peace" slogan rapidly lost its appeal, the opposition parties began to reconsider their policy lines.

In the fall of 1990, the LDP government failed to pass the bill to participate in peacekeeping operations during the Persian Gulf crisis, but reached an agreement with the Democratic Socialist Party (DSP) and the Clean Government Party (CGP) or *Komeito* that they would introduce a new law to authorize the sending of non-SDF units abroad. In 1992, the agreement among the three parties was revised to admit overseas deployment of SDF units, resulting in the enactment of the PKO Law. As the DSP and the CGP turned to support military security legislation, ideological polarization over military security issues waned.

Two years later, the Socialists gave up their long-standing antimilitarist policy. The LDP lost power in 1993 for the first time since its establishment in 1955 because of a factional strife inside the Party. Succeeding the short-lived non-LDP coalition governments, in June 1994, the LDP's tactical maneuver led it to return to the majority in both houses again, but this time in a coalition with the JSP. With premiership offered by the LDP, the Socialists agreed to switch security policy. In July of that year, Prime Minister Tomiichi Murayama, a leftist within the JSP, confirmed in the Diet the constitutionality of the SDF. After that, his party finally turned to support military security bills. This reconciliation between the two camps made national security no longer the biggest bone of contention between the political parties.

¹⁸ Hideo Otake, *Sengo Nihon no Tairitsujiku: 93nen Ikou no Seikai Saihen no Naka de* (The Axis of Confrontation in Japanese Politics: In the Midst of Political Realignment since 1993), (Tokyo: Chuo Koron Shin-sha, 1999).

IV. Political Realignment in the 1990s

The reform of the lower-house election system in 1994 accelerated ideological depolarization, changing the Japanese pluralist party system to a two-party system.¹⁹ Of a total of 480 members, the new system provides for the lower house 300 elected in single-member districts and 180 in eleven regional proportional representation districts.²⁰ The Social Democratic Party (SDP, renamed from the JSP in 1996) won only a few seats in the single-member districts in the general elections under the new system: four in 1996, four in 2000, one in 2003, and one in 2005. While winning some in the proportional representation districts, its share of the lower-house seats dropped from 26% in 1990 to 1.5% in 2005. Also, the Communist Party has been unable to win in the single-member districts, winning no seats in each of the last three elections under the new system. As a result of the electoral reform, the progressive parties have significantly lost their voice in the lower house, more powerful of the two houses. The Social Democrats again came to oppose the SDF on the occasion of the party conference in February 2006, but their political influence had already been reduced.

Instead, a newly established party grew larger throughout the repeated mergers and splits of political parties. The Democratic Party of Japan (DPJ), established in 1996, has emerged as the second biggest party in the Diet. The DPJ affirms the legitimacy of the SDF and the U.S.-Japan security treaty and has approved over eight-tenths of military security bills since its creation.²¹ Now the two largest political parties in Japan support the core institutions of security policy, as exemplified in a series of national contingency legislation in 2003 and 2004. Once a forbidden agenda, it was approved by overwhelming majority with the support of the two parties.

Table 1 shows to what extent political parties supported legislative bills submitted to the Diet before and after the 1994 reconciliation between the LDP and Socialists. Before the reconciliation (during the 80th-129th Sessions), the JSP supported no military security legislation. By contrast, the DPJ, currently the biggest opposition party, supports military security bills more than other types of bills. With the CGP's surprisingly high support of military security bills which went up from 25% to 100%, it is not too much to say that ideological polarization has withered away, although the two marginal leftist parties, especially the JCP, do not support the military security bills. The electoral reform contributed

¹⁹ The electoral system before the 1996 general election was the combination of single-entry, nontransferable-vote (SNTV) and multimember district. Given that each district in principle sent three, four, or five members to the lower house, majority votes were not needed to be declared elected under the electoral system. In the general elections of 1986, 1990, and 1993—the last three under the old electoral system, the average shares of votes the candidates elected in the last place of each district received were 20-21% in the three-member districts, 15-16% in the four-member districts, and 12-13% in the five-member districts, respectively. Under that system, relatively small political parties which could not get the majority votes but got more than 10% of votes can be declared elected.

²⁰ The new electoral system initially had allocated 200 of the total 500 seats to the proportional representation districts. Since the 2003 general election, the total seats have been reduced to 480 and the seats for proportional representation were cut by twenty.

²¹ The DPJ can be located in between the LDP and the SDP in the conservative-progressive scale. See, Masaki Taniguchi, "Policy Positioning of Japanese Representatives," *Nihon Seiji Kenkyu* (Japanese Political Studies), Vol. 3, No. 1 (January 2006), pp. 90-108.

much to converge the security policies of major political parties.²²

Table 1. Supporting Rates for Legislative Bills by Party, 1977-2004

Type	Diet Session	JCP	JSP/SDP	CGP/ <i>Komeito</i>	DSP	LDP	DPJ
Military Security	80th– 129th	0%	0%	25%	87.5%	100%	
	130th – 161st	0%	25.8%	100%		100%	85.2%
Others	80th– 129th	55.1%	79.2%	88.5%	89.9%	99.5%	
	130th – 161st	49.6%	82.5%	98.4%		100%	76.8%

Notes: Abstention is counted as disapproval; the CGP's supporting rate excludes the period through the 131st and 141st Sessions (1994-1997) during which its Diet members joined other political parties to forge a bigger parliamentary bloc, and thus the CGP did not vote as an independent party in the lower house; the DPJ's rate applies to the period after the 139th Diet Session (1996), the first session the DPJ attended after its establishment.

Sources: Secretariat of the House of Representatives, *Shugiin no Ugoki* (Report of the Activities of the House of Representatives); National Diet Library, *Kokkai Kaigiroku* (Minutes of Diet Deliberations available at <http://kokkai.ndl.go.jp/>).

This paper stresses the importance of domestic factors of Japanese security policy, shedding light on its legal aspects, and provides an explanation on the role of opposition political parties (although it does not prove any causal relations with possible factors and “functional” legislative development).²³ The sea changes in the Japanese society and economy in the 1990s indicate that many independent variables of Japanese security policy, the public sentiment to the SDF for example, may also be undergoing significant changes. This brief historical sketch does not sufficiently address those variables. There is another limitation to keep in mind. The process of activating the SDF comprises part of the reinstitutionalization of the armed forces, and the rules of engagement in the world security affairs are also at stake. Therefore, the implications of the development of military security legislation deserve broader consideration. For example, its implications may be discussed not only in terms of the “normalization” of the state-military relationship in Japan, but in the context of regional peace and stability in East Asia.

²² Toshihiro Matoba, *Gendai Seito Shisutemu no Henyo: Kyuju Nendai ni Okeru Kiki no Shinka* (Transformation of Modern Party System: Deepening Crisis in the 1990s) (Tokyo: Yuhikaku, 2003); and Robert Pekkanen and Ellis S. Krauss, “Japan’s ‘Coalition of the Willing’ on Security Policies,” *Orbis*, Vol. 49, No. 3 (Summer 2005), pp. 429-444.

²³ Gerald Curtis observed in the 1980s: “Political opposition has now for the most part accepted the [U.S.-Japan security] treaty and recognized the legitimacy of the self-defense forces. Even the Socialist Party has moved to a position of defending the status quo, though it retains a formal commitment to unarmed neutrality in its official doctrine.” This paper does not examine how seriously the oppositions were against the military security issues but rather points out that it was the “formal commitment” that prevented the JSP from making any compromises with the LDP on military security issues. See Gerald L. Curtis, “Japanese Security Policies and the United States,” *Foreign Affairs*, Vol. 59, No. 4 (Spring 1981), p. 862.

V. Conclusion

Postwar Japan restricted the use of force. Ideological polarization among the political parties over security policy prevented the SDF from gaining functions as armed forces. However, legislative immobilism came to an end in the 1990s when the leftist opposition minorities were replaced by the more centrist DPJ. Now the Japanese themselves recognize that their military is under a transition “from an SDF that simply exists to an SDF that actually works.”²⁴

On December 15, 2006, the upper house approved a bill upgrading the JDA to the status of a full ministry and expanding the missions of the SDF to include overseas peacekeeping operations.²⁵ The legislation looked largely symbolic, just to confirm the preceding reality that the JDA has virtually functioned as a defense ministry and SDF units have been dispatched abroad to participate in international peace activities. But the significance of the law should be understood in that the Japanese legislature put an end, with the support of over 90% of the votes from the two biggest political parties, to their longstanding doctrines: non-defense ministry policy and non-overseas deployment posture. Therefore, the law would renew a sense that the “defense allergy” in Japanese politics has been fading away, an irreversible shift emerging in the 1990s.

²⁴ In the words of Shigeru Ishiba, the director-general of the JDA, expressed in foreword of the 2004 defense white paper. Japan Defense Agency, *Defense of Japan 2004* (Tokyo: Intergroup, 2004).

²⁵ The 1992 PKO Law had established a clause to authorize SDF participation in peacekeeping operations and inserted it to Chapter 8 “Minor Regulations” of the SDF Law, meaning that PKO deployment was one of the residual missions for the SDF.