



POLITICAL AND
SECURITY AFFAIRS



THE FUTURE OF U.S.-JAPAN-ROK TRILATERAL COOPERATION

A JAPANESE PERSPECTIVE

A brief for the Pacific Trilateralism Project
by Yoshihide Soeya

In East Asia, each country is struggling to find an optimal strategy in the context of a shifting power balance between the United States and China. Against this backdrop, Japan and the Republic of Korea (ROK) stand out as two countries whose levels of economic and political development, regional and global agendas, and even national interests are comparable. Indeed, Tokyo and Seoul are in the same boat and must jointly steer a course through bumpy waters toward a better future.

Japan and South Korea are similarly situated in the evolving East Asian regional order as important allies of the United States. This, however, does not necessarily mean that they are united as a counterbalance against a rising China. Instead, the three countries constantly adjust their views and agendas amid a shifting East Asian order where the roles of the United States and China are the most important factors shaping the future. Ideally, Japan and South Korea should lead this process of adjustment. In doing this, their standing between the United States and China is conceptually neutral, even if as U.S. allies they are closer to the United States in reality. Japan and South Korea must remain conceptually neutral because they must coexist in the region as close neighbors of China. At the same time, they continue to share concerns about the way China is using its growing power in attempting to consolidate a China-centered Asia, somewhat reminiscent of traditional Sinocentrism, which is not a reassuring sign for China's neighbors.

Given this dynamic, Japan and South Korea need close relations with the United States in order to promote a liberal international order in East Asia and to socialize China into this order. Here there is a paradigm clash between the postwar liberal international order created by advanced democracies led by the United States, which Japan and South Korea have joined, on the one hand, and the Sinocentric order that China might be interested in reviving, on the other. Two basic factors, however, make this clash not necessarily preordained: China's spectacular economic rise is a result of the country entering the liberal international order, and there are liberal internationalists in Chinese society and the government. This, however, does

not mean that China's liberal internationalists are entirely happy with the institutions and rules of the existing order. Thus, the danger always exists of power politics damaging China's relations with the liberal international order, despite the economic logic of China's participation in it.

In this broad picture, from a Japanese perspective there are two dimensions of trilateral cooperation among the United States, Japan, and South Korea. One is the domain of traditional security, most notably relating to the North Korea issue but also involving some other areas, such as the South China Sea, where the United States plays a key role. The other domain involves nontraditional security cooperation, where Japan and South Korea can and should promote substantial cooperation and involve other regional actors in efforts to consolidate political and nontraditional security cooperation among East Asian countries.

This essay does not look at the controversies over history that often prevail in the domestic politics of both South Korea and Japan, often with negative effects on the actual management of the bilateral relationship. While I am fully aware of the importance of these issues in reality, the management of the history problem, on the one hand, and the discussion of the importance of cooperation between South Korea and Japan, on the other, should be compartmentalized and proceed side by side, without one interfering with or hindering discussion of the other. This essay is concerned with the latter track. First, I will look into the recent security legislation passed in the Japanese Diet in September 2015 and discuss its implications for trilateral security cooperation.

JAPAN'S LEGISLATION FOR PEACE AND SECURITY: IMPLICATIONS FOR TRADITIONAL SECURITY

The Legislation for Peace and Security, passed in the National Diet in September 2015, consists of revisions of ten existing laws and the drafting of one new law. They could be categorized into three areas of Japanese security and defense policies: (1) situations threatening Japan's survival, (2) situations of important influence, and (3) international peace cooperation. The first category of situations relates to the question of the right to collective self-defense, whereas categories two and three involve important changes from the typical Japanese self-restraint in the management of the U.S.-Japan alliance (the guidelines of defense cooperation between Japan and the United States) and participation in international peacekeeping operations.

Category two concerns situations that have an important influence on Japan's peace and security, which is essentially the expansion of the revised guidelines for defense cooperation between Japan and the United States concluded in the late 1990s. Revision of the existing laws in this category has opened up a new horizon for Japan's logistical support in the event of regional contingencies in two dimensions: expanding the activities of the Japan Self-Defense Forces in logistical support (short of the actual use of force) and enabling the provision of support activities to foreign countries' armed forces (beyond the United States).

This revision is an important change from the previous regional contingency legislation that limited Japan's logistical support to

the United States. Now, at least legally and theoretically, Japan is able to work not only with the United States but also with South Korea, or even trilaterally, in case of a contingency on the Korean Peninsula, to conduct various support activities. In reality, however, the political environment of Japan–ROK relations is still quite premature, or even hazardous, because raising such traditional security cooperation alone, even at the level of logistical support, would make the relationship difficult despite the obvious security logic. It is important for both governments and interlocutors to continue to nurture a political environment for military planners to be able to proceed rationally and realistically.

Category one, which pertains to the most controversial issue of the right to collective self-defense, gives rise to more complex issues. As a result of the new security legislation, the revised “three conditions for the use of force for self-defense” now allow for the use of force under the following conditions:

1. The use of force is allowed 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* (emphasis mine).
2. The use of force is allowed when there is no other appropriate means available to repel the attack and ensure Japan’s survival and protect its people.
3. The use of force should be limited to the minimum extent.

The italicized passage above gives room for the exercise of the right to collective self-defense, which successive Japanese governments have previously rejected due to the limitations arising from Article 9 of the Japanese constitution. Now, the Shinzo Abe administration has released a new interpretation of the constitution, stating that the self-defense allowed by Article 9 consists of both self-defense and collective self-defense.

As to the substance of the right to collective self-defense as a security policy, the issue is not very straightforward. First of all, the domestic opposition’s argument that Abe’s legislation is a “war-making” law is misplaced, as is the case with South Korean concerns about Japan’s military “expansion.” This is so primarily because the right to collective self-defense is a legitimate one for all sovereign states in the world, which is justified by Article 51 of the UN Charter.

These objections are even more misplaced because the revised interpretation in the new law allows Japan to exercise at most only 50% of what is justified by the UN Charter—i.e., it applies only in situations where Japan’s survival is directly threatened. In other words, the new legislation would not allow Japan to engage in military operations with the United States and other nations with which Japan has friendly relations if the case has no direct bearing on Japan’s security.

Regarding a Korean Peninsula contingency, however, such an event would clearly be interpreted as a threat to Japan’s survival. With this new legislation, therefore, at least legally speaking, Japan would be able to fight side by side with the United States and South Korea in the unwanted event of a military conflict on the

peninsula. In reality, politically and otherwise, however, it is hard to imagine that such military cooperation, involving Japan's actual use of force, would be realized even between Japan and the United States, let alone between Japan and South Korea or trilaterally.

It should be clear, therefore, that traditional security cooperation in a trilateral context—one that would involve the actual use of force by the Japan Self-Defense Forces—while now possible legally, would not happen in the foreseeable future. It is important, however, to recognize that in an actual crisis scenario this is an option that exists if indeed South Korea wants assistance. The task of trilateral cooperation involving category two of the new security legislation—situations of important influence—is more urgent and should be given more attention. Examples would include logistical support activities by Japan Self-Defense Forces for U.S. and South Korean forces, such as provision of food, fuel, and communication equipment. The United States and Japan have started to revise the Acquisition and Cross-Servicing Agreement on the basis of the new security legislation. Involving South Korea in this arrangement, however, seems politically unrealistic for some time to come, although this would be perfectly logical and rational from an operational perspective in the event of an emergency on the Korean Peninsula.

MIDDLE-POWER SECURITY COOPERATION BETWEEN JAPAN AND SOUTH KOREA

Category three of Japan's new security legislation concerns Japan's international peace cooperation activities, such as UN peacekeeping operations. In this area, too, the scope of Japanese

activities and the range of cooperation with foreign countries engaging in the same missions are expanded by the new legislation.

This category of course applies to possible cooperation between Japan and South Korea, which would be a tremendous contribution to international peace cooperation as well as to building a substantial security relationship between the two countries. In essence, this means that Japan has come closer to the international standard accepted and implemented by normal actors engaging in nontraditional security cooperation, such as Canada, Australia, and South Korea. Japan–ROK cooperation in this domain, therefore, could be termed as typical middle-power cooperation for sustaining the liberal international order.

Here, “middle power” is not about the size of a nation. It is a strategic concept, implying a particular style of diplomacy or a characteristic of a national strategy backed by a commitment to the liberal international order. As such, a middle-power country does not have the option of directly and unilaterally engaging in the balance-of-power game among great powers. Instead, its strengths are to be exerted most effectively in the middle ground between great powers, primarily in the domain of nontraditional and soft security through mutual cooperation among middle powers.

Due to the importance of vested interests in the post–World War II liberal international order, as well as the magnitude of uncertainties associated with the rise of China, the choice for Japan and South Korea has been and is likely to remain for the foreseeable future to maintain

strong security relationships with the United States. Both countries, however, share interests in not destabilizing bilateral relations with China for two fundamental reasons.

First, an ultimate strategic clash between the United States and China, if it were to actually happen, would deprive the regional middle-power countries of the freedom of decision as well as action. In such an event, the choice for both Japan and South Korea should be nothing other than working closely with the United States as its allies. Second, there are many issues and areas where cooperation with China is important for the national interests of middle powers as well as for regional stability. These include maintaining a prosperous economic order and stable economic relations with China and involving China in regional institutions for trade, investment, financial, and other functional cooperation.

Japan has had an image problem, particularly in Northeast Asia if not elsewhere, which has prevented many observers from focusing on and appreciating the real strengths of its de facto middle-power national strategy. In fact, Japan has been using its financial and diplomatic resources in many of the typical areas of middle-power strategy. This includes participation in various activities of the United Nations and other global institutions in nuclear and conventional nonproliferation, economic governance, social welfare and education, poverty reduction, and more recently human security.

In reality, Japan and South Korea are natural partners, both engaging in a middle-power strategy. The two countries face common challenges and opportunities presented by the rise of China and its impact on the future of

the regional order in East Asia. In coping with these challenges, it is critical that they share an assessment of the impacts associated with a rising China. Given that no middle power can play a meaningful role alone, cooperation among middle powers is an absolute necessity here. Objectively and logically speaking, there is no more natural partner for South Korea than Japan, and vice versa.

In the domain of regional security, nontraditional security cooperation among middle powers is a natural first step. The Japan-Australia Joint Declaration on Security Cooperation, signed in March 2007, is an embodiment of such nontraditional security cooperation between middle powers. South Korea and Australia signed a similar, but much more comprehensive, agreement in 2009, titled the Joint Statement on Enhanced Global and Security Cooperation between Australia and the Republic of Korea. Efforts were made by Tokyo and Seoul to reach a comparable agreement toward the end of the Lee Myung-bak government, with the two sides making progress on the bilateral Acquisition and Cross-Servicing Agreement and completing the General Security of Military Information Agreement (which, however, has not been signed yet due to domestic opposition in South Korea).

In sum, the strategic clash between the United States and China has the potential to deprive both Japan and South Korea of freedom of decision and action. The two countries are faced with the complex task of managing their security relations with the United States in the middle of a power shift, the outcome of which is precarious at best. Under these circumstances, the common denominator for the national strategies and interests of Japan

and South Korea is to maintain and strengthen the liberal international order through middle-power cooperation. In the short to medium term, this is both countries' survival strategy, and in the long run it should reinforce the common ground on which both nations coexist with a strong (or, to the contrary, disorderly) China. ∞

Yoshihide Soeya is Professor of Political Science and International Relations at the Faculty of Law of Keio University.

Note: The second section of this commentary draws on Yoshihide Soeya and Geun Lee, "The Middle-Power Challenge in East Asia: An Opportunity for Co-operation between South Korea and Japan," *Global Asia* 9, no. 2 (2014): 84–91.

The U.S.-Japan-ROK Pacific Trilateralism Project

The U.S.-Japan-ROK Pacific Trilateralism project is a three-stage initiative that identifies ongoing and future security challenges affecting the United States, Japan, and the Republic of Korea (ROK); proposes policy recommendations to strengthen trilateral cooperation; and promotes increased discussion of the trilateral relationship within the U.S., Japanese, and ROK policymaking communities.

This briefing series is part of the first phase of the project, which explores the current issues in the trilateral relationship and identifies areas for further analysis. In this phase, area experts authored commentary pieces from their national perspectives. This brief reflects the Japanese perspectives on the U.S.-Japan-ROK trilateral relationship and was produced with support from the Korea Foundation and the Japan–United States Friendship Commission.



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1414 NE 42ND STREET, SUITE 300
SEATTLE, WA 98105 • 206-632-7370

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