

**Discourses of Civilisation in International Politics:  
The Case of Japan**

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## **Abstract**

Recent discourse in international politics has seen a remarkable increase in the use of the word 'civilisation'. This phenomenon has stimulated research that seeks to investigate the concept of the 'standard of civilisation' in the historical development of international politics, and the implications that this has had and may continue to have on the regional and global level. In this context, this thesis examines the evolving idea of the standard of civilisation as it relates to Japan. Throughout this investigation, the thesis sheds light on a nexus between the discourse of civilisation and militarisation.

The linkage between civilisation and militarisation is most evident in the debate over Japan's remilitarisation in the post-Second World War era. In analysing this case, the thesis also points out the potential ramifications of the discourse of civilisation in international politics, including issues surrounding the promotion of liberal democracy and the military alliance relationship between the United States and Japan. The thesis concludes by stating the importance of an awareness of dangers that may manifest themselves as a consequence of the linkage between civilisation and militarisation.



## **Chapter 1**

### **Introduction**

The term ‘civilisation’ has increasingly been used in international political discourse. Nine days after September 11, 2001, the United States President, George W. Bush, claimed that the response to the attacks should be understood as “civilisation’s fight” (Bush 2001a). Bush also stressed that terrorism was a ‘new’ threat that America would now face (Bush 2001b), with the consequence that the American military would have a ‘new’ mission for the twenty-first century (Bush 2002a). A close friend of Bush, Japanese former Prime Minister, Junichiro Koizumi, has used similar language to describe contemporary world politics, arguing that the attacks were a “grave challenge against civilised society” (Koizumi 2002). In this regard, ‘civilisation’ has become a key word in justifying war in contemporary international politics. This raises several questions: What is ‘civilisation’ in the context of international politics? What or who is ‘civilised’? Is it a ‘new’ phenomenon, as Bush has argued? What are the potential implications of adopting the discourse of ‘civilisation’? These are some of the key questions that this thesis seeks to address. Specifically, rather than uncritically accepting what civilisation means in international politics, this thesis attempts to reveal implicit and explicit issues surrounding political discourse of civilisation in the context of Japanese remilitarisation.

### **Discourses Analysis and Civilisation**

The French linguist Emile Benveniste has argued that “[t]he whole history of modern thought and the principal intellectual achievements in the western world” are closely linked with “the creation and handling of a few dozen essential words which are all the

common possession of the western European languages” (Benveniste 1971, p. 289). The term ‘civilisation’ can and should be understood as being one of these ‘essential words’ (Bowden 2004a, p. 26). Indeed, ‘civilisation’ has been used in French, English and German language from the thirteenth century onwards (Bowden 2004a), and has been recognised as playing a crucial role in the expansionist era of the Western-centric international society in the nineteenth century (Bull & Watson 1984a, p. 427; Gong 1984, pp. 3-4; Watson 1984, p. 138).

The French historian, François Guizot, claimed that “[c]ivilisation is a fact like any other – as a fact susceptible, like any other of being studied, described, narrated...civilisation is the fact *par excellence*” (Guizot 1856, pp. 4-5). From Guizot’s perspective, civilisation could be said to exist in a neutral and objective sense as a fact to be discovered, studied and utilised. Yet Guizot’s historical claim does not seem to fit with the use of the term civilisation which is, in political practice, far more complex and subjective. As Anthony Pagden argues, “[civilisation] describes a state, social, political, cultural aesthetic – even moral and physical – which is held to be the optimum condition for all mankind, and this involves the implicit claims that only the civilized can know what it is to be civilized” (Pagden 1988, p. 33). In terms of this tautological assumption, the French linguist, Jean Starobinski, points out that the “historical moment in which the word *civilization* appears marks the advent of self-reflection, the emergence of consciousness that thinks it understands the nature of its own activity”. Consequently, “as a value, civilization constitutes a political and moral norm” (Starobinski 1989, p. 32). In this light, civilisation is neither discovered nor defined as a fact in philosophical, intellectual, scientific or cultural arenas; but rather that, in

emphasising the political, normative and value dimensions, civilisation is subjectively constructed.

In generating a critique of civilisation as a fact, this thesis employs discourse analysis to reveal how, why, and for whom the discourse of civilisation has been constructed in international society.<sup>1</sup> In general, it may be said that discourse analysis is:

fundamentally concerned with analysing opaque as well as transparent structural relationships of dominance, discrimination, power and control as manifested in language. In other words, CDA [Critical Discourse Analysis] aims to investigate critically social [and political] inequality as it is expressed, signalled, constituted, legitimized and so on by language use” (Wodak 2001, p. 2).

Put simply, those adopting this approach study not only the connections between discourse and social life, but also the power generated between them and its consequences. It is ‘critical’ to the extent that it attempts to expose unequal power relations between different groups of people (Jorgensen & Phillips 2002, pp. 63-4). In this regard, it seeks to reveal “hidden and ‘out of sight’” perspectives (Paltridge 2006, p. 178).

More specifically, there are several key elements of discourse analysis that need to be understood in detail. Initially, discourse analysis is important because it denaturalises ideas and terms that might otherwise be taken for granted (Macdonell 1986, p. 6), and exposes the value-laden foundations of meaning (van Dijk 2001, p. 352). As prominent discourse theorists such as Ernesto Laclau and Chantal Mouffe claim, discourse “constructs the social world in meaning, and that, owing to the

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<sup>1</sup> Discourse analysis has been developed from Michel Foucault’s philosophical works on the relation between discourse, power and knowledge. Whilst I acknowledge the importance of Foucault’s foundational work, a question of how his work has contributed to the development of the framework of discourse analysis is beyond the focus of this thesis. There are, however, a number of excellent works from critical discourse analysts to comprehend this question (see Fairclough 1992, p. 38; Fairclough & Wodak 1997, pp. 258-68; Riggins 1997, p. 2). Sara Mills (2003, pp. 53-79) also gives us a good overview of Foucault’s discourse, power and knowledge.

fundamental instability of language, meaning can never be permanently fixed” (Jorgensen & Phillips 2002, p. 6). Because it is never fixed, discourse “opens up the way for constant social struggles about definitions of society and identity, with resulting social effects” (Jorgensen & Phillips 2002, p. 24). Critical discourse analysts such as Diane Macdonell, Norman Fairclough and Ruth Wodak take Laclau and Mouffe’s point in the sense that discourse, or the usage of language in speech and writing, is “social” (Macdonell 1986, p. 1) and “a form of ‘social practice’” (Fairclough & Wodak 1997, p. 258). Teun van Dijk reinforces this point by adding that it is also part of the system of politics, including political decision making and the establishment of legislation (van Dijk 1997, p. 40). Discourse is, therefore, socially and politically constitutive. That is, it constitutes social and political life, identities, and relationships amongst people in a society. Given this perspective, it is argued that the meaning of civilisation is neither naturally found nor neutrally determined.

Another key element of discourse analysis is the assumption that discourse generates ideological power effects through the deployment of discursive practices in the social and political world (Fairclough & Wodak 1997, p. 258). Since discourse is socially and politically constitutive, discourse constructed by a group of people often produces and reproduces unequal power, and relations of domination and subordination. Such unequal power relations are often seen in the divisions between social classes, gender categories, and ethnic or religious majorities/minorities (Fairclough & Wodak 1997, p. 258; Jorgensen & Phillips 2002, p. 63; Paltridge 2006, p. 182). Putting this perspective in the context of civilisation, people who consider themselves to be ‘civilised’, therefore, generate power over others to justify the legitimacy of their own ideology (or their understanding of what ‘civilisation’ is and should be) by deploying

language. Consequently, an asymmetrical relationship is built up between the creators of discourse and others who are usually forced to accept their subordinate status within the dominant discourse. These asymmetrical power relations are produced and reproduced by the 'civilised' in relation to others who fall outside of the category of 'civilisation'.

Jacob Torfing argues that dominant or asymmetrical ideological power can also be understood as 'hegemony', which is defined as "the expansion of a discourse, or set of discourses, into a dominant horizon of social orientation and action by means of articulating unfixed elements into partially fixed moments in a context crisscrossed by antagonistic forces" (Torfing 1999, p. 101). Discourse and hegemony, according to Torfing, are "*mutually conditioned* in the sense that hegemonic practice shapes and reshapes discourse, which in turn provides the conditions of possibility for hegemonic articulation" (Torfing 1999, p. 43; emphasis original). The idea of power, dominance or hegemony is also important since discourse analysts aim to reveal the construction and reconstruction of power relationships between the 'dominators' and the 'dominated' through discursive practices.

Identity formation is also a key for understanding the significance of discourse analysis. As mentioned above, where there is discourse, there is one who constructs it and another who faces the constructed discourse. Torfing identifies this division as a 'social antagonism', which "help[s] to establish the boundaries of discourse and also serve to distinguish hegemonic articulations from other types of articulations" (Torfing 1999, p. 43).

A social antagonism can also be interchangeable with Stephen Riggings's 'discourse of difference', which establishes the identity of 'Self' and 'Other' (Riggings

1997, p. 4). This means that, through the use of language, the ‘Self’ must always find an ‘Other’ in order to identify itself as it is, and in order to exercise power over the ‘Other’. Additionally, what makes these identities compelling is “the persuasive construction of a *threat*”, a threat posed by the ‘Other’ to norms, values, social, economic and political systems, and the way of life of the ‘Self’ (van Dijk 1997, p. 61). It is asserted that discourse deployed by the ‘Self’ through hegemonic power, sets a ‘bar’ for the purpose of excluding the ‘Other’, which has little or nothing in common with the ‘Self’. Such practices are essential to the constitution of the identity of the ‘Self’, which must always defend itself from the threat posed by the ‘Other’. Torfing (1999, p. 124) refers to this threatening ‘Other’ as “a *constitutive outside*” without which the ‘Self’ could not be distinguished’, nor be able to exercise its hegemonic power over the ‘Other’. David Campbell makes a similar point, arguing that:

Identity is an inescapable dimension of being. No body could be without it. Inescapable as it is, identity – whether personal or collective – is not fixed by nature, given by God, or planned by intentional behavior. Rather identity is constituted in relation to difference. But neither is difference fixed by nature, given by God, or planned by intentional behavior. Difference is constituted in relation to identity... the constitution of identity is achieved through the inscription of boundaries which serve to demarcate an ‘inside’ from an ‘outside,’ a ‘self’ from an ‘other,’ a ‘domestic’ from a ‘foreign’ (David Campbell 1992, p. 8).

Applying these analytical insights to the discourse of civilisation, Starobinski claims that “[civilisation] is the criterion against which barbarity, or non-civilization, is judged and condemned” (Starobinski 1989, p. 32). As Richard Jackson also points out, it is impossible to speak about civilisation without raising the spectre of ‘barbarism’ (Jackson 2005, p. 21). This understanding of discourse is also evident in the work of Edward Said, who focused attention upon the antagonism of identity between the ‘Orient’ and the ‘Occident’. In explaining Orientalism as a product of the West, Said stresses that, without an examination of how the West dominated, restructured and had

power over ‘the Orient’, “one cannot possibly understand the enormously systematic discipline by which European cultures were able to manage – and even produce – the Orient politically, sociologically, militarily, ideologically, scientifically and imaginatively” (Said 1978, p. 3). Likewise, Torfing suggests that:

The limit of discourse of ‘western civilization’ is established by the exclusion of countries, habits and people that are all somehow considered to be ‘barbaric’. However, as the chain of equivalence is expanded to include still more elements, it becomes clear that what all these elements have in common is only the negation of western civilization. Thus, as Africa, India, Asia and South America are caught up in the chain of equivalence, the concept of ‘barbaric’ is gradually emptied to the point where it can only be defined as uncivilized, i.e. as threat of civilization (Torfing 1999, p. 125).

Viewed in this light, it is crucial to understand that discourse is not only a form of social practice, but, at the same time, is an exercise of dominant and hegemonic power that generates ideological effects. It is also important to be aware that discourse analysis is closely related to issues of identity politics. In the context of this thesis, discourse analysis is appropriate as it aims to reveal the way in which the discourse of civilisation has constructed contemporary Japan. It also seeks to shed light on the consequences and dangers of the exercise of unequal, dominant or hegemonic power in relation to issues surrounding Japan.

### **The ‘Standard of Civilisation’ in Academic Literature**

In order to more fully understand the discourse of civilisation, it is necessary to confront the idea of the ‘standard of civilisation’ in Western theory and practice. In one of the first explorations of this concept, Georg Schwarzenberger (1955) identified a close coalescence between the standard of civilisation and international law. This assessment was based upon his investigation of the historical process of transformation in international law from natural law to positive law in the late eighteenth and the early

twentieth centuries. Reflecting on this period, Schwarzenberger argued that “the generation of pre-1914 international lawyers was fully justified in regarding international law as a powerful civilisation agency” (Schwarzenberger 1955, p. 222), but concluded that the idea of the standard of civilisation vanished with the end of the two world wars (Schwarzenberger 1955, p. 227). According to him, therefore, the idea of the standard of civilisation is no longer valid in explaining contemporary international politics.

Another approach to this subject has been provided by Gerrit Gong, in his book *The Standard of ‘Civilization’ and International Society* (1984). Here, Gong argues that the idea of the standard of civilisation was “an expression of the assumptions, tacit and explicit, used to distinguish those that belong to a particular society from those that do not” (Gong 1984, p. 3). It was conceived and consolidated in Western states in the nineteenth century, and was applied to non-Western nations through the imposition of five requirements for the title of civilisation (Gong 1984, p. 4).<sup>2</sup> His study emphasises that the standard of civilisation can be understood not only as the foundation stone of international law, but also of a dominant Western global culture. In the culturally diverse world of today, according to Gong, the idea of the standard of civilisation remains “a determining factor in the processes by which the modern international society continues to evolve” (Gong 1984, p. 4). Gong’s work is significant, therefore, in not only recognising the nexus between the idea of the standard of civilisation and international law, but also the cultural implications of the concept.

In one of the most influential recent works on civilisation(s), Samuel Huntington argues – departing from the analyses of Schwarzenberger and Gong – that the concept

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<sup>2</sup> This point will be discussed in chapter two, page 15.



of civilisation is now generally understood in the plural. According to Huntington, during the nineteenth century the concept of civilisation was established on the foundation of the dominant Western international system to judge the degree of civilisation in non-Western countries. Huntington, however, claims that in the contemporary international system, “people increasingly [speak] of civilizations in the plural”. Taking Gong’s (1984) and Fernand Braudel’s (1980) works on the history of civilisation, this phenomenon, according to Huntington, signifies that the world has rejected the idea of civilisation in the singular as the only ideal, shifting away from “the assumption that there was a single standard for what was civilized” (Huntington 1996, pp. 40-1). Instead, he claims that since there are at least seven civilisations in the contemporary world (Huntington 1996, pp. 45-7), and since a world order based upon distinguished realms of civilisations has emerged, the danger of “fault line wars” between different civilisations has become more acute (Huntington 1996, p. 20).

More recently, taking Gong’s framework, Brett Bowden (2002a; 2002b; 2004b; 2007) and Christopher Hobson (2006; 2008) have investigated the importance of the idea of the standard of civilisation and its continuing relevance in contemporary international politics. According to Bowden, human rights principles, democracy, and means to peace such as anti-terrorism measures are fundamental to the contemporary concept of the standard of civilisation. Anti-terrorism campaigns, in particular, are a crucial and controversial tenet for that idea in the post-September 11, 2001 era. As will be studied in further detail below, one of the predominant discourse of the war on terrorism, portrays the war as being between a singular ‘civilisation’, and its contrast ‘barbarism’ (Bowden 2002b, p. 37). Hobson, on the other hand, focuses more upon a claim of ‘democratic entitlement’ and suggests that democratic governance “has become

the benchmark for full international legitimacy” in the post-Cold War world (Hobson 2008, pp. 83; 85). The consequence of this, for Hobson, is the creation of a contemporary version of the standard of civilisation.

Other scholars have also examined human rights principles and liberal democracy in accordance with the idea of the standard of civilisation. In terms of human rights principles, Jack Donnelly (1998) suggests that the respect of human rights is a requirement to be considered a civilised state today, to the extent that these universal values are normatively and legally protected on the international stage. As Thomas Franck (1992; 1995) also argues, democracy is more likely to be recognised as a legitimate form of governance system, and therefore, is another criterion for civilisation. Michel Doyle (1983a; 1983b), and Francis Fukuyama (1989), also reinforce this assertion. They reason that liberal democracy with its pacifist nature contributes to not only the protection of human rights, but also more comprehensively, the expansion of what Doyle calls the “liberal zone of peace” (Doyle 1983a, p. 213). These democratic peace theorists mentioned above argue that judging whether a state is ‘civilised’ or not depends upon the degree of the commitment to these three dimensions, the respect of human rights, democracy and the means to peace (Doyle 1983a, b; Franck 1992, 1995; Rawls 1999; Russett 1993; Slaughter 1995).

Although the idea of the standard of civilisation has been explored by the above-mentioned scholars, it is important to examine how individual states have dealt with this notion, and how they have transformed their societies since the nineteenth century. The investigation of these aspects will shed further light on the continuation and evolution of the idea of the standard of civilisation at a more practical level. Gong examines the states of Russia, China, Japan and Siam, yet his focus is only on their transformations in

the nineteenth century. The case of Japan, in particular, is reviewed by Shogo Suzuki (2003; 2005). His research explains Japan's motivation to enter the portals of Western-founded civilisation, but again, his scope is the nineteenth century. Moreover, although Gong concludes his book by noting that the standard of civilisation is crucial for understanding contemporary and future world politics, little subsequent research has focused on individual states. This is a gap in contemporary scholarship that this thesis aims to address. Hence, this thesis will show the evolution of the idea of civilisation with particular reference to Japan, within two specific timeframes: from the mid-nineteenth to the early twentieth century as the period of Japan's first encounter with civilisation, and from the end of the Second World War to today as the 'second wave' of civilisation.

### **Structure of the Thesis**

This thesis first studies the evolution of the idea of the standard of civilisation. Through the lens of this idea debates over Japan's remilitarisation, particularly in the post-Second World War era, are investigated. It also attempts to point out several implications of the discourse of civilisation, including the linkages with liberal democracy and issues surrounding the military alliance relationship between the United States and Japan. The thesis concludes by stating the importance of an awareness of dangers that may be seen within this link.

The thesis consists of five chapters. Following the introductory chapter, chapter two outlines the two concepts of the 'standard of civilisation' in two different timeframes. The first half of chapter two focuses on the 'classical standard of civilisation' that played an important role in relations between the Western states and

non-Western countries, including Japan, in the nineteenth century, whilst the second part of the chapter examines the so-called 'contemporary standard of civilisation' in the post-Second World War era. The transformation of these two concepts in different periods is studied.

Chapter three examines the application of the concepts of both the classical and contemporary standard of civilisation to Japan. The first part of the chapter investigates the ways in which Japan 'failed' the test of the classical standard of civilisation, and sought to gain the title of a 'civilised state'. It also focuses on the outcomes of Japan's commitment to the achievement of a higher degree of civilisation with particular reference to military aggression within Asia. It then looks at the complexity of the discourse of civilisation in the context of Japan in the early twentieth century. In doing so, it examines the debates surrounding Japan's status as a 'second-class' nation. The second half of chapter three focuses on how the idea of the contemporary standard of civilisation played a significant role in the post-Second World War reconstruction of Japan. This section provides a clear example of the reinvigoration of the idea of the standard of civilisation in the second half of the twentieth century.

Extending from the discussions undertaken in chapters two and three, chapter four first discusses the way in which the remilitarisation of Japan was justified within the political discourse of civilisation during the early Cold War period. Following this investigation, chapter four then goes on to examine discourses premised upon the distinction between civilisation and barbarism in order to continue the reinforcement of Japan's military roles with the re-energising of the security alliance system with the United States in the post-Cold War and war on terrorism eras. This discourse analysis

indicates the continued relevance of the standard of civilisation in contemporary international politics.

Finally, the concluding chapter explores the ramifications of the analysis undertaken in the previous chapters. Highlighting the hierarchy of international politics, it underlines the potential dangers for regional and global instability generated from this hierarchy, and the nexus between Japan's remilitarisation and the political discourse of civilisation.

## Chapter 2

### The ‘Standard of Civilisation’

The mid-nineteenth century saw some of the most widespread and influential articulations of the discourse of civilisation in the history of international politics. The prevalence of these debates is evident in the work of John Stuart Mill. In his essay *Civilisation* (1836), for example, Mill attempted to clarify the meaning of civilisation as an analogue of the Western societies and particularly their common norms and practices (Mill 1836, pp. 46-7).<sup>3</sup> This definition of civilisation, and its opposition to an external barbarism, inaugurated the conceptualisation of the ‘standard of civilisation’ as a tool for shaping a divided world (Bowden 2007, p. 5). This formulation also led to the argument that a hierarchical relationships between these two worlds was necessary and desirable (Jahn 2005, p. 196). Considering this point, this chapter examines two formulations of the ‘standard of civilisation’, the first of which – the ‘classical’ standard – emerged in the mid-nineteenth century, and the other – the ‘contemporary’ standard – in the post-Second World War era. After investigating the incarnation of these two separate dimensions of the standard, the focus of this chapter turns to the transformation from the classical to the contemporary standard. The examination of this change underlines the ongoing relevance of the concept of the standard of civilisation in the history of international politics.

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<sup>3</sup> In his early essay, *Civilisation* (1836), Mill suggested that civilisation was the “direct converse or contrary of rudeness or barbarism” (Mill 1836, p. 46). For Mill, there was civilisation where humans were densely gathered and dwelled “in fixed habitations, and largely collected together in towns and villages”, in which commerce, trade, agriculture and manufacturing could flourish (1836, p. 46). In such societies, people cooperated to achieve “common purposes in large bodies” for “social intercourse” (1836, p. 46). On the other hand, Mill described that barbarism existed where there were only “a handful of individuals, wandering or thinly scattered over a vast tract of country” and where there was “no commerce, no manufactures, no agriculture, or next to none” (1836, p. 46). From Mill’s perspective, ‘uncivilised’ individuals neither enjoyed the pleasures of having their own society, nor those of interactions with other societies. Mill concluded that the elements of civilisation existed “in modern Europe, and especially, in Great Britain, in a more eminent degree, and in a state of more rapid progression, than at any other place or time” (Mill 1836, p. 46-7).

### The 'Classical' Standard of Civilisation

Reflecting on the important characteristics of civilisation, exemplified in Mill's essays in the nineteenth century, Gerrit Gong elucidates an explicit set of criteria for drawing the line between civilisation and barbarism. The set of criteria for civilisation in the nineteenth and the early twentieth centuries were as follows:

1. A 'civilized' state guarantees basic rights, i.e., life, dignity, and property; freedom of travel, commerce, and religion, especially that of foreign nationals.
2. A 'civilized' state exists as an organized political bureaucracy with some efficiency in running the state machinery, and with some capacity to organize for self-defence;
3. A 'civilized' state adheres to generally accepted international law, including the laws of war; it also maintains a domestic system of courts, codes, and published laws which guarantee legal justice for all within its jurisdiction, foreigners and native citizens alike;
4. A 'civilized' state fulfils the obligations of the international systems by maintaining adequate and permanent avenues for diplomatic interchange and communication.
5. A 'civilized' state by and large conforms to the accepted norms and practices of the 'civilized' international society, e.g., suttee, polygamy, and slavery were considered 'uncivilized' and therefore unacceptable (Gong 1984, pp. 14-5).

According to the first criterion, because civilised Western states automatically guaranteed basic rights to foreign nationals in their own countries, non-Western societies also had to protect those rights for Western foreigners in their territories (Gong 1984, p. 16). Once basic rights of Western foreigners were successfully protected, then non-Western societies could step up a ladder towards the title of civilised states. In contrast, if non-Western nations failed to guarantee basic rights, the West would label them uncivilised (Gong 1984, pp. 15-6). It signalled that they fell into the trap of the hierarchical system in which state sovereignty was denied, and the imposition of extraterritorial jurisdiction was justified.<sup>4</sup>

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<sup>4</sup> As will be discussed in chapter three, Japan was also treated very differently from major Western powers with the forcible establishment of unequal treaties after having failed the test of 'civilisation'. It is also important to point out that there was convenient flexibility as to what constituted the basic rights of Western nationals. Although several rights, such as freedom of travel, commerce and religion may be

The second criterion, the establishment of an effective government, was related to the acceptance of the Westphalian state-system for entry into the circle of civilisation. For non-Western countries to be regarded as civilised, they had to have an effective political institution (Gong 1984, p. 16; Keene 2002, pp. 6-7). John Westlake, an influential international lawyer in the nineteenth century, for instance, argued that a civilised state had to possess not only “an old and stable order of its own, with organised force at the back of it”, but also had to be founded upon “the principle that the institution, whether of government or of justice, which the inhabitants of a state find suitable to themselves, must normally be accepted as sufficient for the protection of foreigners among them” (Westlake 1914, p. 103). Westlake contended that “[w]hen people of European race come into contact with American and African [and also Asian] tribes, the prime necessity is a government under protection of which the former may carry on the complex life to which they have been accustomed in their homes” (Westlake 1914, p. 143). Therefore, in relation to the protection of basic rights, the standardisation of the political organisation and state sovereignty rooted in the Westphalian political system was crucial for a non-Western nation to join civilised international society.

In addition, a civilised state had to be capable of repelling any external aggression from barbarians (Gong 1984, p. 17). This idea, however, was easily turned from defensive behaviour to more offensive and aggressive behaviour in the name of civilisation. It was evident from Mill’s argument that a civilised government “cannot help having barbarous neighbors: when it has, it cannot always content itself with a defensive position, one of mere resistance to aggression” (Mill 1859, p. 378). Military

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included, as Gong assesses, “the [Western] foreigners seemed to benefit from any ‘right’ gained in any sphere” (1984, p. 16). There was a high chance that what they wanted as basic rights could later be constituted as their ‘basic rights’ in the name of ‘civilised’ rules.



interventions against those who were considered ‘dangerous’ barbarians were, therefore, often justified as ‘civilising missions’, a term which was often invoked in support of military imperialism and colonialism.

Following the commitment to the protection of basic rights and the establishment of a central sovereign government, another necessary requirement for the title of civilisation on the international stage was the observance of international law (Gong 1984, p.17; Schwarzenberger 1955). International lawyers such as John Westlake argued that international law was the very foundation of civilisation. For this reason, once non-Western countries were able to commit themselves to the observance of international law, civilised states would welcome them joining the circle of civilisation.<sup>5</sup> In addition to the observance of international law, the creation of certain consistent domestic laws was expected in non-Western societies. Accessibility of written civil and criminal laws, independence of court systems, and, “acceptable jurisprudential underpinnings for their domestic legal systems” were essential conditions for them to be considered civilised (Gong 1984, p. 18). In short, the observance of international law and the reform of domestic laws compatible with the essence of Western international law became both compulsory requirements and incentives for non-Western societies to gain the title of civilisation.

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<sup>5</sup> As Henry Wheaton argued, however, international law was always limited to the civilised peoples of Europe (Wheaton 1866, p. 15). According to Wheaton, international law was not ‘international’, rather the law amongst Western states. It was, therefore, more accurately seen as ‘Western’ international law. As Antony Anghie points out, active international lawyers in the nineteenth century such as Westlake and Wheaton believed that the imposition of Western international law over the uncivilized non-Western states was essential to bring them up to the high ideal of civilisation (Anghie 2005, p. 54). Indeed, uncivilised people in Asia, Africa and many other parts of the world had to observe this Western-centric law of nations, which inevitably undermined the importance of their own legal systems. The observance of Western-based international law was seen as important in wartime particularly when considering the extent to which non-Western states were able to conduct war in a ‘civilised’ manner. The importance of the observance of the laws of war was quickly understood by Japan when it waged the war against China in 1894, which will be addressed in further detail later.

Fourth, the establishment of an effective diplomatic communication path was vital to be considered civilised. Diplomatic communication was understood as a catalyst for the export of social, political and legal knowledge to non-Western societies. In turn, this idea would reinforce “dialogue and consent, common rules and institutions” (Bull & Watson 1984c, p. 1) and “[r]eciprocal interests” (Gong 1984, p. 18), which were considered to be the basis of civilised international community. Furthermore, since the principle of non-intervention under the supreme rule of state sovereignty was the crucial rule in Western international relations, unwanted tensions within civilisation were to be addressed through effective diplomatic dialogues. Thus, as proper tools for their international interactions, diplomacy became one of the key criteria for civilisation.<sup>6</sup>

The final requirement for civilisation was to behave according to the accepted norms and practices of civilised states, which was conveniently flexible, and as Gong argues, “most subjective” (Gong 1984, p. 19). Although non-Western societies may have met the first four criteria for civilisation, the fifth requirement that non-Western nations had to conform to accepted norms and practices represented “an intuitive effort to guarantee the general acceptability of its [the West’s] cultural practice before declaring it ‘civilized’” (Gong 1984, p. 19). In this regard, as Anghie puts it, “[a]ll non-European societies, *regardless of whether they were regarded as completely primitive or relatively advanced*, were outside the sphere of law, and European society provided the model which all societies had to follow if they were to progress” (Anghie 2005, p. 62, emphasis added). Hence, no matter how much non-Western societies attempted, the bestowing of the civilised status was in the hands of Western states, indicating that there

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<sup>6</sup> As will be examined in further detail in chapter three, the Japanese policy of self-imposed isolationism was seen as unacceptable behaviour by the major Western powers, and it led them to label the Japanese as barbarians (Neumann 1963, pp. 30-1).

was little or no space for non-Western nations to demonstrate their social, political and cultural or even legal legitimacy.

The classical standard of civilisation explained above, therefore, seemed to designate a set of social, political, legal, and normative criteria that non-Western states had to adopt in order to gain full recognition of their own sovereignty. Due to the nature of imperialist expansionism in the nineteenth century, however, the standard of civilisation served as a clear borderline between civilisation and barbarism, establishing the hierarchical relationships between them. Historical experience also provides many examples of aggressive imperialism and colonialism by civilised states in the name of civilising missions in barbaric societies (Anghie 2005; Bowden 2002a; 2004b; 2007; Fidler 2001, p. 142; Gong 1984; Mozaffari 2001, p. 251; Schwarzenberger 1955, p. 220). By means of civilising missions, complex techniques such as colonisation, assimilation and protectorates were imposed by Western powers upon its outside (Anghie 2005, pp. 67-90). In this regard, there was a connection between the concept of the standard of civilisation and some degree of justified violence conducted by Western states in the name of the “promotion of *civilization*” in order to expand ‘peaceful’ international society in the nineteenth century (Keene 2002, p. 98).<sup>7</sup>

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<sup>7</sup> The hierarchical relation between the West and the non-West in accordance with the standard of civilisation was also comprehended and replicated by a powerful non-Western state such as Japan, once it attempted to gain the title of civilisation. As will be discussed in chapter three, the Japanese approach to gaining the title of civilisation in Asia, was similar to the way in which the Western powers had behaved towards Japan. Having being recognised as a civilised state in Asia by international lawyers such as Westlake, Japan began utilising Mill’s logic of differentiation and hierarchisation between Japan and other Asian countries, in order to justify its own aggressive military colonialism and expansionism in the guise of the promotion of civilisation. Japan replicated the behaviour of the West and justified itself as the only civilised state in Asia, just as the Western states had maintained the same logic previously. Whilst this complexity will be investigated in chapter three, questions as to how the idea has evolved in the post-Second World War era are addressed in the following section.

### **The Emergence of the ‘Contemporary’ Standard of Civilisation**

With the end of the Second World War and the rush to decolonisation, some international lawyers and scholars rejected the relevance of the classical standard of civilisation. Hersch Lauterpacht (1947), for example, argued that the concept faded from international law to the extent that, in his words, “international law knows of no distinction, for the purpose of recognition, between civilized and uncivilized states within and outside the international community of civilized States” (Lauterpacht 1947, p. 31n). Schwarzenberger also argued during the Cold War era that the imposed judgement of civilisation vanished from practices of international law (Schwarzenberger 1955, p. 227). From this perspective, it appears that the demarcation between superior/civilised states and inferior/barbaric countries is no longer relevant for understanding the contemporary world.

Nevertheless, it is likely that the standard of civilisation that was recognised in the nineteenth century have faded in post-Second World War international law, but this did not necessarily signal that the concept had also vanished from international politics (Bowden 2004b, p. 52). Instead, some elements that comprised the classical standard of civilisation may have persisted in the new international order. Christopher Hobson (2008, p. 83), for example, argues that the classical standard of civilisation may have become formally extinct, yet traces of the concept remained in the pluralist order of the post-Second World War period, grounded on sovereign independence and equality. It may be more accurate to argue that the standard of civilisation has evolved into what can be called the ‘contemporary’ standard of civilisation. The important requirements for civilised states are not based primarily upon the five standards seen in the nineteenth century. Rather, a more ideological and value-laden distinction is crucial for the

contemporary standard of civilisation. Specifically, the three dimensions of adherence to human rights principles, democracy, and the means to peace have constituted the basic norms for the identification of legitimate thereby civilised states.

In terms of human rights principles, Jack Donnelly argues that internationally recognised human rights have become a pillar of the standard of civilisation (Donnelly 1998, p. 1). He goes to claim that human rights “represent a progressive late twentieth-century expression of the important idea that international legitimacy and full membership in international society must rest in part on standards of just, humane or civilized behaviour” (Donnelly 1998, p. 21). In this light, commitment to the sufficient protection of human rights principles is a clear measurement for judging international legitimacy of statehood and therefore civilisation.

Donnelly’s argument is based upon international normative and legal frameworks. The *Universal Declaration of Human Rights* and the *International Covenant on Civil and Political Rights (ICCPR)* have created the foundation for this proposition. The second paragraph of the Preamble and Article 1 of the United Nations Charter also contributed to it as it acknowledges that all individuals determine “to reaffirm faith in fundamental human rights” (*Charter of the United Nations* 1945). Hence, according to Donnelly, this contemporary version of the standard of civilisation founded by these texts, protects “us from the barbarism of a pristine sovereignty that would consign countless millions of individuals and entire peoples to international neglect” in contemporary international politics (Donnelly 1998, pp. 15-6). For this reason, the idea of universally recognised human rights principles constitutes a pillar of the contemporary standard of civilisation.

Closely related to human rights principles as the first measure of the contemporary standard of civilisation, liberal democracy is another requirement needed for states to be considered civilised today (Hobson 2008), although the principles of democracy has remained controversial (Anghie 2005, p. 285). Regarding the concept of the standard of civilisation, Schwarzenberger argued for the efficacy of democracy:

This criterion [of civilisation] gives the key to understanding whether, and to what extent, democratic States may claim to be more civilised than totalitarian or authoritarian systems; why it is useful to distinguish between groups which are called savage, because they have not yet reached any appreciable stage of civilisation, and groups which may be termed barbarian because they have forsaken civilisation (Schwarzenberger 1955, pp. 218-9).

More recently, the most well-known thesis on this topic is Francis Fukuyama's *The End of History?* (1989). Fukuyama argues that liberal democracy is the final stage of the intellectual evolution in the form of governance (Fukuyama 1989).<sup>8</sup>

Following Fukuyama's argument, the 'universality' of liberal democratic principles has particularly become an essential idea for the contemporary standard of civilisation in the post-Cold War era. In relation to the universal human rights principles, Franck argues that the international political climate has shifted towards "a clearly defined democratic entitlement, with national governance validated by international standards" (Franck 1995, p. 139). Thus, with the end of the Cold War, the central question regarding government is no longer whether democracy is the best governance system, but rather "whether global society is ready for an era in which only democracy and the rule of law will be capable of validating governance" (Franck 1992, p. 49). Furthermore, the representation of a state on the international stage "should be dependent upon its government satisfying the system's standard for democratic

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<sup>8</sup> Although the promotion of liberal democracy as another standard of civilisation was particularly evident after the collapse of the Soviet Union, America's occupation for Japan's post-Second World War reconstruction was also clearly driven by this belief. This point will be investigated in further detail in chapter four.

validation” (Franck 1995, p. 139). In contrast, the absence of democracy could generate the violation of basic human rights thereby threaten peace (Franck 1995, p. 134). In this regard, democracy is the only choice for all states to govern themselves as it is considered another key dimension of the contemporary standard of civilisation.

This point is also evident from some international normative and legal texts. Article 21 of the *Universal Declaration of Human Rights* recognises a right of every citizen to participate in “public affairs, directly, or through freely chosen representatives” (*Universal Declaration of Human Rights* 1948). Article 25 of the *ICCPR* also emphasises the importance of representation of government (*International Covenant on Civil and Political Rights* 1966).

The argument in favour of ‘democratic validation’ has also gradually been reinforced by international organisations (Bowden 2002a; Franck 1995; Hobson 2008, p. 86; Stivachtis 2008, p. 76). The United Nations, for instance, did not tend to use the term ‘democracy’ during the Cold War, but it has evidently revealed its own preference in the rise of the democratic norm as a legitimate system of governance. Taking a statement of the United Nations Security Council resolution 253 in 1968,<sup>9</sup> Franck argues the absence of democracy could pose a threat to international peace, because “compliance with the norms prohibiting war-making is inextricably linked to observance of human rights and democratic entitlement” (Franck 1995, pp. 136-7). Bowden (2002a, p. 11) gives us a more recent example, citing the United Nations General Assembly Resolutions of 1997. The General Assembly encouraged the Secretary-General to pursue an active role in democratisation in many parts of the world:

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<sup>9</sup> This resolution was terminated under resolution 460 in 1979. The whole texts are available from <http://www.un.org/documents/scres.htm> Retrieved: 27 October, 2007.

As a universal concept, democracy has retained its appeal throughout the centuries. It has more practical relevance to United Nations activities now than ever before. In the late 1990s, the international community witnesses *coup d'états*, threats of rebellions, corruption of officials and problems in elections, governance and transitions to market-economies on a daily basis. All these difficulties are related to questions of democracy as the world approaches the twenty-first century. As the international community deals less with interstate wars and more with internal conflicts, democratization has gained an immediate relevance for millions who aspire to achieve its implementation. The United Nations has an obligation to these peoples across the world to devise a revitalized programme of work with greater unity of purpose and coherence of action. The system-wide process of reform on which the Organization is embarked provides a timely moment for it to do so (*The United Nations General Assembly* 1997).

This resolution implies that democracy is an acceptable and civilised governance system and thereby a legitimate “political conditionality” (Stivachtis 2008, p. 76), as it is integrated with the protection of human rights principles and the maintenance of peace. Overall, as Hobson argues, “[d]emocracy has taken on the conceptual characteristics of ‘civilisation’, associated with notions of progress, development, modernisation and a host of other laudable traits” (Hobson 2008, p. 85).

In the post-Second World War era, a well-known phrase from the United Nations Charter – a “threat to the peace” –, has also become an integral dimension in the emergence of the contemporary standard of civilisation. Despite the fact that there may be a potential danger of overuse of the phrase, the early period of the post-Second War era showed a relatively positive start. There was an emphasis on the absence of war, or the outlawing of war, under the United Nations Charter. In particular, aggressive war was outlawed in Article 2.4 with the declaration of the illegitimacy of the threat or use of force against territorial integrity, political independence or for other any reason incompatible with the purpose of the United Nations (*Charter of the United Nations* 1945).

In the post-Cold War period, ‘active’ contributions to address a threat to international peace and security have become the primary focus on the international



stage. Authorised United Nations members are legitimately able to take necessary actions (inevitably including the use of force) for a threat to international peace and security. Under the auspices of Chapter VII, a wide range of peace operations such as nation-building and election monitoring for promotion of democracy, and humanitarian military interventions for the protection of human rights principles, have often been validated through the initiatives of international organisations such as the United Nations (Annan 1997; Boutros-Ghali 1992). Donnelly, for example, argues for the moral legitimacy of humanitarian military interventions in situations where genocide and humanitarian emergencies break out (Donnelly 2002). Moreover, because of the ‘universal’ norm of the protection of human rights, Fernando Tesón suggests from a legal perspective that the people who are at risk of serious human rights violations have the right to seek help from outside. In his words, “[h]umanitarian intervention can be defended as a corollary to the right to revolution: victims of serious human rights deprivations, who have rationally decided to revolt against their oppressors, have a right to receive proportionate transboundary assistance, including forcible assistance” (Tesón 1992, p. 68). He goes on to argue that humanitarian interventions on the grounds of protecting universal human rights principles are “appropriate cases” (Tesón 1992, p. 93f).

A recent case of humanitarian intervention has drawn attention to the legitimacy of the use of force for humanitarian purpose without the authorisation of the United Nations Security Council. North Atlantic Treaty Organisation (NATO) intervention in Kosovo, 1999, in particular, was understood as necessary for civilised member states of NATO to deal with barbaric human rights abusers such as Slobodan Milosevic. Mehdi Mozaffari argues that measured by the standard of civilisation, the air

strike conducted by NATO represents “the most important intervention, an intervention as usual”, because the prevention of ethnic cleansing and genocide “as *humanitarian* belongs to the new standard of civilization” (Mozaffari 2001, p. 262). In this regard, effective contributions to address threats to international peace and security are expected of civilised states, on the grounds that they have a ‘responsibility’ for playing a role as members of the family of nations.

In the wake of the war on terrorism in the post-September 11, 2001 world, anti-terrorism issues have become more acute for the maintenance of peace and security in international society, showing a more obvious coercive aspect. The United Nations has passed a large number of related resolutions, conventions and statements. Amongst them, Security Council resolution 1373 has demanded that under Chapter VII, all states should take the necessary means to maintain international peace and security against terrorism (*The United Nations Security Council* 2001). Furthermore, at the individual state level, Japan amongst other countries quickly established anti-terrorism legislation.

In addition to the legal framework for the war on terrorism at both the state and international level, a large number of statements from world leaders have invoked an image of antagonism between civilisation and barbarism. United States President George W. Bush announced that “[c]ivilization and terrorism cannot coexist. By defeating terror, we will defend the peace of the world” (Bush 2002c). This discourse of the war on terrorism in the world, as Bowden argues, delineates the clear cleavage of two dimensions between “the civilized defenders of everything that Civilization represents and the barbarous terrorists who oppose it and want to tear it down” (Bowden 2007, p. 4). As Richard Jackson also argues, the war on terrorism is constructed through the political discourse exemplified in Bush’s statements that depict a clear dichotomy

between good and evil, superiority and inferiority, and civilisation and barbarism (Jackson 2005). In this view, the means to maintain international peace and security becomes inevitably connected to military practices against 'barbaric' terrorists. The outbreak of the Afghanistan War in 2001 and the Iraq War in 2003 are two major examples of this war on 'barbaric' terrorism.

The three particular dimensions mentioned above – human rights principles, democratic norms, and anti-terrorism measures – have been closely linked with one another in the post-September 11 period. Larry Diamond (1992), for instance, claims that terrorism tends to prevail in states where democratic norms are lacking, and conversely a democratic state does not “sponsor terrorism against other democracies”. For Diamond, the terrorist attacks were a convincing example of his belief that not only are military and operational components essential, but also a long-term political strategy is vital for winning the war on terrorism (Diamond 2002, p. 2). To this end, the expansion of democracy is the most important factor because bad governance and the lack of democratic principles generate fertile soils for terrorism (Diamond 2002, p. 2). From this perspective, the promotion of democracy is an effective way to defeat terrorism, thereby bringing a lasting peace on a global scale. Here, the protection and the promotion of liberal democracy has become the central responsibility for all states to deal with ongoing terrorism issues, consolidating the idea of the 'contemporary' standard of civilisation. As Hobson demonstrates, the peaceful nature of democratic states “helps to represent and inform [its] 'virtue', while non-democracies increasingly are targeted as obstacles on the road to 'perpetual peace'” (Hobson 2008, p. 88). For this point, Bush emphasises this deeper distinction between 'our' democratic defenders and 'their' terrorism after the outbreak of the Iraq War:

In the long run, the only way to defeat the terrorists is by offering an alternative to their ideology of hatred and fear. So a key component of our strategy is to spread freedom. History has proven that free nations are peaceful nations, that democracies do not fight their neighbors. And so, by advancing the cause of liberty and freedom in the Middle East, we're bringing hope to millions, and security to our own citizens (Bush 2005a).

It is now evident that through three phases – the Cold War, post-Cold War and the post-September 11 eras – three synchronised dimensions comprise the idea of the contemporary standard of civilisation: the protection of human rights principles, democracy, and contributions to peace. These contributions include the illegitimacy of aggressive wars, participation in peacekeeping missions, and more recently, participating in anti-terrorism campaigns.

### **The Evolution of the Idea of the Standard of Civilisation**

As has been outlined in this chapter, the classical standard of civilisation was conceived from the Western states' encounters with non-Western countries. The Western powers attempted to establish hierarchical relations with non-Western states. Shaping five standards of civilisation, the Western states imposed them on non-Western countries on the grounds of creating and expanding 'proper' and more 'peaceful' international relations. With the gradual consolidation of the Western-style social, political, and legal systems in the non-Western states, the standard of civilisation itself appeared to vanish from international stage through the end of the Second World War and the era of decolonisation. Crucial parts of this idea, such as people's basic rights, a 'proper' centralised governance system, and the means to maintain international peace and security, however, remained as the accepted measures for identification of legitimate states in the post-Second World War era. From this perspective, this chapter has argued

that the idea seen in the nineteenth century has evolved into a contemporary standard of civilisation.

There are several remarks on the transformation from the classical to the contemporary standard of civilisation. Firstly, although it did require the non-Western societies to respect basic rights of foreign nationals, the guarantee of the same rights to non-Western peoples was not necessarily included in the classical standard of civilisation. That is, the idea of guaranteeing basic rights was applied *partially*, but not *universally* (Donnelly 1998, p. 11, 15). Secondly, the form of an effective government was not precisely identified under the classical concept. Rather, it only required non-Western states to establish a central political organisation with their state sovereignty. As Donnelly depicts, the concept of the classical standard only outlined “a path for non-Western states to become recognized as sovereign equals” (Donnelly 1998, p. 8). Fidler concurs:

The [classical] standard did not require that non-Western countries have specific forms of government or treat their own nationals in the same way that Western nationals had to be treated. The standard did not require non-Western countries to be fully Western; it merely required them to be Westphalian in their ability to interact in the international system and international society (Fidler 2001, p. 146).

In the contemporary standard of civilisation, nevertheless, these two elements have evolved into more *inclusive*, *universal* and more *concrete* forms. The protection of human rights principles amongst *all* peoples under international norms has become a new benchmark of civilisation (Fidler 2001, p. 148). An ‘effective form’ of government in international society in the classical idea has been considered to be liberal democracy, which is also based heavily upon international normative and legal force. In regard to the third dimension, the classical standard of civilisation neither clearly created a criterion for peace nor denied the right to wage war if the purpose was to ‘civilise barbarians’. Rather, conquests of barbaric people through civilising missions were

encouraged for the purpose of the construction and expansion of peaceful international society. However, after the Second World War, contributions to the promotion of peace have been brought to the forefront of international relations, thereby shaping another element of the contemporary standard of civilisation. Aggressive wars have been outlawed under the United Nations Charter in the post-Second World War era whilst participation in peacekeeping missions and humanitarian military interventions are recognised as responsible actions amongst legitimate, civilised states in the post-Cold War era. Even more recently, taking necessary action against terrorism is requisite for all states to gain the title of civilisation. Hence, the concept of the standard of civilisation has evolved from more exclusive to more inclusive, and from vague to concrete.

In the following chapter, this concept of the standard of civilisation will be applied to Japan. Key questions are: how and why was Japan considered uncivilised? What processes did Japan undertake to achieve the title of civilisation? What were outcomes of civilising processes in Japan? How was civilised Japan considered by other civilised Western states?

## Chapter 3

### **‘Civilising’ and ‘Recivilising’ Japan**

Major attempts to bring Japan into line with the Western standard of civilisation have occurred twice in history. The first began with the arrival of Commodore Perry in Tokyo Bay in the mid-nineteenth century, and the second started under the command of General MacArthur in the years following Japan’s defeat in the Second World War. This chapter examines the discourses of civilisation that were prevalent in these two periods in the case of Japan in order to shed further light on the finding in the previous chapter that the idea of the standard of civilisation has continued to evolve. In addition to this, it reveals the complex and often hypocritical nature of the standard through attention to what may be called the ‘double-standard of civilisation’.

#### **The First Encounter with Civilisation**

Japan had had irregular contacts with Western states and nationals as early as the mid-sixteenth century, but closer interactions did not develop until the nineteenth century. As a consequence of the development of industrial technologies in Western states, in particular maritime technologies and powerful military equipment (Anand 2003, p. 5), the expansion of trade and commerce relationships beyond the West was actively sought, leading to the rapid conquest and colonisation of many parts of Asia, Africa and Latin America. During this period, Japan was also identified as a useful archipelago for whaling vessels, and a convenient port for merchant ships sailing between the United States and China (Neumann 1963, p. 23). It was also a source for supplies of natural resources such as coal and water, and as a place of rest for crews (Anand 2003, p. 9; Gong 1984, p. 167).

Despite these attractions for Western travellers and seamen, Japanese attitudes towards the outside world during the mid-nineteenth century also generated negative sentiment among Western states. In particular, Japan's longstanding self-imposed isolationism under the Tokugawa Shogunate frustrated the United States President Millard Fillmore, whilst the inhumane treatment meted out to shipwrecked crews by Japanese authorities was seen as unacceptable (Fillmore 1852). Two major incidents contributed to these sentiments. The first occurred when the American whaling ship *Lawrence* was wrecked in northern Japan in 1846, after which the stranded sailors were arrested and imprisoned by the Japanese authorities. In 1852, ill treatment during their imprisonment caused the deaths of some crewmen, and poor conditions came to light when the *New York Daily Times* interviewed a surviving sailor, Murphy Wells (*New York Daily Times* 1852). In 1848, a similar incident occurred. Another whaling ship *Lagoda* was wrecked and 15 crew members managed to land on the Japanese coast where they were imprisoned. Again, they felt that the condition of their imprisonment was 'substandard', causing the deaths of two sailors (Wiley & Ichiro 1990, pp. 22-9). The negative response to this perceived ill treatment of foreign seamen, and also Japan's longstanding policy of isolationism was also evident in an article in *The Times* on 26<sup>th</sup> March 1852, which clearly showed the mind-set that Japan needed to be brought into line with the accepted standard of civilisation:

Now, we deny the right of any nation situated upon, and occupying a portion of the sea-coast of the world, to refuse all commercial intercourse with other nations. Such a course may be tolerated by civilized nations so long as it does not interfere with their commerce and the welfare of the human race; but we insist that it is the right of civilized and Christian nations to compel barbarians thus situated to submit to the general law of nations, and to a certain degree of intercourse and especially is it the right of all the nations of the world to have free access to every port and every part of the coast of the world in times of distress and danger (*The Times* 1852).



The negative sentiment towards Japan, and emerging feelings of America's responsibility to bring Japan up to a higher level of civilisation were also supported by a navy commander, Matthew Perry, who was appointed by Fillmore. Perry believed that because Japan and its people were "weak and semi-barbarous" and "deceitful", "extraordinary diplomacy" would be necessary for opening it up for further interaction and development (Neumann 1963, pp. 24; 30-1). In this sense, the absence of both free access to the Japanese ports and the basic rights of the Western nationals served as justification for the West to label Japan as 'barbaric', which raised the possibility of a military-cum-civilising mission as "equivalent to progress of mankind" (Neumann 1963, p. 30).

Japan's failure to live up to the required standard of civilisation led to extraordinary diplomacy, which resulted in the signing of unequal treaties with the United States when Perry arrived in Tokyo Bay in 1853. Perry primarily demanded the opening of Japanese ports for the provision of supplies for American ships and shelter for their crews (Suzuki 2003, p. 14). In early 1854, Perry successfully concluded the *Treaty of Kanagawa* with the Japanese Emperor, which gave the United States 'most favoured nation' status prior to any other Western powers (Anand 2003, p. 11; Gong 1984, p. 167). The treaty did not only allow the United States to freely use ports in Shimoda and Hakodate,<sup>10</sup> but also permitted it to establish a Consul Office in Shimoda (*The Treaty of Kanagawa* 1854, Article 2; 11). Under this treaty, further agreements were made in the following years. The *Harris Treaty* of 1858 led to the opening of the ports at Nagasaki, Niigata and Hyogo<sup>11</sup> for the United States, whilst losing Japan's autonomous power over trade and commercial tariffs (*The Harris Treaty* 1858, Article

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<sup>10</sup> Shimoda and Hakodate are located in 140km south and 700km north from Tokyo, respectively.

<sup>11</sup> Nagasaki, Niigata and Hyogo are found 960km west, 250km north-west and 400km west of Tokyo.

3-4). Perhaps most importantly, the extraterritorial jurisdiction for the trial of criminal offences committed by U.S. citizens in Japan was also acknowledged in the same treaty (Article 6). Other Western states, including the Netherlands, Britain, Russia, France, Portugal, Prussia, Sweden, Norway, Spain, and Austria-Hungary followed the initiative of the United States and made similar treaties and agreements with Japan (Anand 2003, pp. 11-2; Gong 1984, pp. 168-9). Consequently, Perry praised the establishment of these treaties as follows:

Japan has been opened to the nations of the West... It belongs to these nations to show Japan that her interests will be promoted by communication with them; and, as prejudice gradually vanishes, we may hope to see the future negotiation of commercial treaties, more and more liberal, for the advancement of Japan, and for the upward progress of our common humanity (Beasley 1988, p. 270).

The loss of Japan's autonomy over tariff control and the imposition of extraterritorial jurisdiction by the Western states signified that Japanese state sovereignty was now conditional, indicating that it was considered something less than civilised and not worthy of equal status.

In response to the sense of injustice generated by the unequal treaties, Japanese authorities accelerated the transformation of their own society by attempting to fulfil the requirements of the classical standard of civilisation. Japan's first attempt to meet these standards was through a guarantee of the basic rights of foreign nationals. Although there were some restrictions placed upon the movement of foreigners due to the possibility of attacks conducted by robbers and xenophobes, Japan tried to protect foreign nationals' rights of freedom and property in and around opened port cities such as Shimoda and Nagasaki. Meanwhile, by 1870, the possession of samurai swords was also banned in order to help prevent violent attacks against foreign nationals (Gong 1984, p. 175). Furthermore, although there was a mixed response from Japanese society in the early stage of the Meiji Restoration (1850s-1860s), a variety of Western norms

and practices permeated into Japanese society by the end of the nineteenth century. Traditional territorial clan systems, for instance, were replaced by new prefecture-ruled systems. Modern education and school curricula, land tax reforms, new postal schemes and railway transportation infrastructure were also introduced, whilst Western literature, painting, music, philosophy, architecture, religion and fashion became more popular (Gong 1984, pp. 186-7).

In a further attempt to satisfy the classical standard of civilisation, the Japanese government deployed its own diplomatic envoy to learn Western social, political and legal principles. The first major diplomatic mission to the Western states was led by the Minister of Foreign Affairs, Tomomi Iwakura, followed by Hirobumi Ito and forty-eight ministers and officials in 1871 in order to renegotiate the unequal treaties (Anand 2003, p. 17; Gong 1984, p. 177-9). In the course of this diplomatic mission, the Iwakura mission observed and subsequently sought to implement a number of 'ideal' Western models for Japanese development in areas such as politics, law, education, military, industry and agriculture (Hirakawa 1989, pp. 464-5). In particular, what Iwakura brought back from the mission was a strong sense that Japan had to 'catch up and even overtake' the West to the extent that Japan could revise the unequal treaties and play a major role in global politics (Henshall 2004, p. 79). This aspiration assisted Japanese domestic proponents of Western systems, and helped consolidate the restoration goal of 'Civilisation and Enlightenment' (Gong 1984, p. 180). Furthermore, through their experience of diplomatic travel, the Japanese representatives learnt the importance of diplomatic skills as a step towards gaining recognition as a civilised state.

Following Iwakura's diplomatic experience, Japanese elites undertook radical reforms of Japan's traditional feudal governing system, transforming it into a more

Westphalian political system, despite the occurrence of widespread internal conflicts between traditional clans and proponents of westernisation and modernisation (Gong 1984, p. 176). They also hastened to draft a ‘modern’ constitution and to set up a bicameral government with the establishment of the House of Representatives and Peers. Hirobumi Ito, a leading member of the Iwakura mission, initiated the writing of a Western-style constitution, before himself becoming the first Prime Minister under the Japanese Imperial Constitution in 1889. Despite the fact that the constitutional representative government at the time was not truly ‘representative’, due to the very low proportion of eligible voters (approximately six percent of 450,000 males, who paid sufficient taxes), the government attempted to replicate Western-style political organisations, in order to demonstrate Japan’s commitment to the process of civilisation. In fact, although Japanese comprehension of the new arrangements was minimal, it led to the creation of new words for ‘political party’, ‘constitution’, ‘sovereignty’, and ‘national’ in the Japanese language (Gong 1984, p. 177).

Japan also modified its own domestic legal system, which was maintained by Tokugawa’s rule-by-status, implanting the fundamental essence of the Western-based rule-by-law jurisprudential principles (Gong 1984, p. 181-2). Whilst maintaining a monarchical authority of the Emperor as the holder of state sovereignty, the Japanese new Imperial constitution attempted to protect a variety of citizens’ rights (*The Constitution of the Empire of Japan 1889*, Article 24). Although there were some conditions governed by expressions such as ‘unless according to law’, the constitution promised the public conduct of trials and judgments (Article 59). Moreover, the Japanese had the right to freedom from arbitrary arrest, detainment, unfair trial or unjust

punishment (Article 23). The adoption of a Western-style constitutional monarchy was another visible demonstration of Japan's engagement with the standard of civilisation.

Moreover, the observance of international law was also important for the Japanese authorities in order to remove the imposed labelling of 'conditional sovereignty' and equalise its status under international law. Japanese intellectuals such as Yukichi Fukuzawa and Tomomi Iwakura thought that the observance of international law would help Japan to achieve this goal (Anand 2003, p. 23). In particular, the laws of war posed another challenge as well as a chance for Japan to gain recognition as a civilised state in non-Western regions (Gong 1984, p. 180). In short, Japan tried to pass the test of civilisation by meeting the five criteria that Gong has specified and this marked the beginning of Japanese attempts to shed the label of 'barbarism' that many early Western observers had applied to it.

### **'Civilised' Japan?**

It is interesting to note how Japan started behaving internationally once it began transforming itself to 'catch up' with the West. In trying to live up to the classical standard of civilisation, Japanese leaders quickly recognised the utility of diplomacy and international law for the pursuit of their foreign policy goals. There were two concrete outcomes from this recognition. Firstly, the diplomatic skills that Japanese leaders had learnt from early encounters with the Western powers eventually led to the revision of the unequal treaties. Secondly, Japan's claim that it had an ability to sufficiently observe international law, particularly the laws of war, became a 'convenient' justification for its own military aggression as it sought to build its own empire in Asia in the name of civilisation (Suzuki 2005, p. 139).

With regard to the first point, after failing to gain any concessions on the treaties at a variety of multilateral conferences, due to the Western states' "united front" policy for sustaining individual and collective advantage (Gong 1984, p. 188), Japanese elites determined that like Perry's negotiation of the *Treaty of Kanagawa* in 1853, bilateral diplomacy would help Japan to renegotiate one after another (Gong 1984, pp. 193-4). Japan initially succeeded in the signing of the *Treaty of Amity, Commerce and Navigation with Mexico* in 1888. Following this success, and in the shadow of increasing tensions with China, Britain and Japan then established the *Anglo-Japanese Treaty of Commerce and Navigation* – also known as the *Aoki-Kimberley Treaty* – in 1894. Under the terms of this treaty, Britain promised to abolish its extraterritorial privileges in Japan as soon as Japanese judicial codes became operational. By mid-1899, the adoption of Western-style diplomacy had seen the progressive outcomes of the renegotiation of the unequal treaties with other Western states, such as the United States, Germany, Russia and France. Within a decade, Japan was also able to gradually reduce tariff restrictions with the United States and Britain (Gong 1984, pp. 191-5). Accordingly, unlike the two and half century isolationist policy, the conduct of sufficient diplomatic negotiations played an important role in allowing Japan to join the circle of the family of 'civilised' nations.

The second point of concern relates to Japan's adherence to international law, particularly the laws of war. The commitment amongst Japanese elites to this standard of civilisation took a central place in support of a 'just cause' argument for the Sino-Japanese War in 1894. Yukichi Fukuzawa, for example, applied the logic of civilisation:

Admittedly this was a war between Japan and China, but in reality [it was] a war between civilization and barbarism. Its result would decide the future of civilization. Accordingly the Japanese who recognized themselves as the most progressive people of the East must be ready to fight not only for their country but also civilization in the world. Japan should attack and defeat China definitely.

It is necessary for the Japanese to fight against China until she surrenders herself to civilization (Yamauchi 1996, p. 8).

Reinforcing this point, Fukuzawa went on to argue that the basic rights of Chinese civilians in Japan would be protected in light of the standard of civilisation:

According to the custom of civilized nations it is only navies and armies who fight against each other. It is usual that no harm will be inflicted on any civilians by enemy soldiers unless they fight against them spontaneously. The supposition that only soldiers fight in wars and civilians never take part in this fighting itself is the good custom of civilization. We must realize this custom (Yamauchi 1996, p. 9).

Following the outbreak of the Sino-Japanese War in 1894, Japanese elites openly adhered to Fukuzawa's plea for civilised behaviour in war. For instance, a Cambridge educated international law adviser for Japan, Sakue Takahashi, insisted that it was necessary for Japan to observe international laws of war, including the prohibition of the employment of volunteers, the use of privateers in reprisals and plunders, as well as the provision of sufficient treatment for wounded personnel during the war (Gong 1984, p. 185).

Japan's adoption of the civilised manner in war on the basis of laws of war convinced a number of Western international lawyers such as Thomas Holland and John Westlake that Japan was indeed now a respectable member of international society. In his book published soon after the war, *Studies in International Law* (1898), Holland argued that Japan "conformed to the laws of war, both in her treatment of the enemy and in her relations to neutrals, in a manner worthy of the most civilized nations of Western Europe", whereas China gave "no indication of her acceptance of the usages of civilized warfare" (Holland 1898, p. 288). More explicitly, Westlake accepted that Japan represented "a rare and interesting example of the passage of a state from the oriental to the European class" (Gong 1984, p. 185).

Hence, claiming to be a civilised state due to the successful revision of the unequal treaties and its conformity to the laws of war, Japan used the same logic as Western states in identifying China as 'barbaric', in order to justify the Sino-Japanese War. From this perspective, Fukuzawa and others understood the Sino-Japanese war as one between civilisation and barbarism, but also as the best stage for Japan to show its capability of being a civilised state (Suzuki 2003, p. 36; Yamauchi 1996, p. 9). This logic was also evident in the deployment of Japanese expeditionary forces to Taiwan, with the Japanese Imperial government emphasising the lack of effective governance by China even prior to the war. Consequently, as soon as the Sino-Japanese war was over, the occupation of Taiwan and the subsequent annexation of Korea were also justified by the Japanese leadership as an exercise in spreading 'civilisation' around Asia (Suzuki 2005, p. 138). In this light, the Sino-Japanese war and colonisation of Taiwan as well as Korea followed "exactly the same logic used by the West to interfere or colonize those 'uncivilised' states" (Suzuki 2005, p. 156). Anand similarly claims that Japan "started following 'European' policies of expansion in their relations with the other 'uncivilized' peoples of East Asia and its own neighbours" and Japan believed that the Sino-Japanese War was "the sacred mission of the progressive civilization" in Asia (Anand 2003, p. 24; 27). It seems beyond doubt that Japan's aggressive acts emerged from the same superior attitudes from which Western powers had earlier 'lectured' Japan. After making concerted and deliberate efforts to become civilised, Japan utilised this logic to differentiate itself from other Asian states, to create the hierarchical superior/inferior relationship between them, and eventually to justify its own aggressive behaviour in the guise of the need for civilising missions. Simultaneously, in conducting their wars in accordance with the laws of war, Japan reinforced its civilised status. Suzuki (2005, p.



139) reveals the utility of diplomacy and international law in two respects: firstly, for the achievement of the title of civilisation; and secondly, for a justification of Japan's aggressive military actions towards 'uncivilised' Asia. It is here that the problematic relationship between civilisation and militarisation becomes evident. This, as I will argue later, remains a challenging issue in contemporary international relations.

### **Japan as not '*Fully Civilised*'**

Another interesting dimension in the context of the standard of civilisation applied to Japan at the end of the nineteenth and twentieth centuries is the Janus-faced nature of civilisation. A number of historical examples can be given to show that Japan was not considered *fully* civilised in international society, despite its ongoing efforts to live up to the standard of civilisation. The way in which the Triple Intervention was conducted by France, Germany and Russia in the year following the Sino-Japanese War illustrates the 'second-class' status of Japan at this time. After achieving victory in the Sino-Japanese War in 1895, Japan expanded its territory to include parts of China. Yet, despite Japan's commitment to civilised reform and a commitment to non-intervention in the war between China and Japan made by the Western states, the three Western countries intervened to overturn the China-Japan compensation scheme in order to protect their own interests in the Liadong Peninsula. This incident led Japanese leaders to believe that their efforts to adhere to international law and diplomacy in order to gain recognition as a civilised state were meaningless, indicating that only military power mattered in the conduct of international affairs (Anand 2003, p. 36; Gong 1984, p. 196). The Triple Intervention, therefore, is a key feature in understanding the development of aggressive Japanese imperialism and militarism. As Storry asserts, "the psychological

effect of the Triple Intervention lasted for decades...Now [Western states] were distrusted, despised even, as hypocrites” (Storry 1990, p. 127). The overturning of the compensation scheme led Japan to conclude that a ‘double-standard of civilisation’ was applied to Japan. This meant that Japan was understood by the Western powers as a civilised, but not fully civilised state.

This double standard of civilisation was also evident in the context of the Paris Peace Conference in 1919, after the First World War. At the conference, Japan attempted to insert a racial equality clause in the Covenant of the League of Nations. This clause aimed at formalising the equal standing of Japan with other Western states, but did not give the same equality to other Asian countries (Shimazu 1989, p. 94). Despite the apparent inconsistency, the Japanese delegation persisted in the inclusion of the clause in their preferred draft the Covenant:

The equality of nationals being a basic principle of the League of Nations, the High Contracting Powers agree to accord, as soon as possible, to all alien nationals of states, members of the League equal and just treatment in every respect, making no distinction either in law or in fact, on account of their race or nationality (Shimazu 1989, p. 95).

Although the clause was not included in the final draft, a further attempt was made by Japan to insert the phrase “by the endorsement of the principle of equality of nations and just treatment of their nationals” (Shimazu 1989, p. 96). Although eleven out of seventeen participant states in the conference voted in favour of the clause, United States President Woodrow Wilson denied its place in the final document due to his insistence on unanimity in the conference as essential to the subsequent enforcement of the Charter (Miller 2002, p. 392).

One factor behind Wilson’s denial of the racial equality clause was his belief that the insertion of the clause would allow unlimited Japanese migration to the United States. Wilson, furthermore, believed that a racial equality clause would generate

domestic problems in the United States and elsewhere, insofar as it might provide oxygen for autonomy movements amongst African-Americans or other immigrant groups, as well as complicating the British decolonisation of India (Shimazu 1989, p. 99). In this regard, Western states were not only reluctant to accept a new and non-Western power, but also they were not prepared to address any unwanted consequences generated by the racial equality clause (Shimazu 1989, p. 99). This experience indicated the difficulty of Japan's quest for equal status, even when Japan adopted Western norms and practices to adhere to the standard of civilisation.

A further example of the double-standard of civilisation against Japan was the prevention of Japanese immigrants to the United States from purchasing and leasing farm land, and also owning companies with agricultural land holdings under the *California Alien Land Act* in 1913 (Higgs 1978, p. 218). At the time of ratification, State Attorney General Ulysses S. Webb explicitly stated that the objective of this act was "to limit [the Japanese immigrants'] presence by curtailing their privileges which they may enjoy here; for they will not come in large numbers and long abide with us if they may not acquire land" (Higgs 1978, p. 215). In addition to this provision of the *California Alien Land Act*, the right of naturalisation for Japanese migrants to the United States was also denied whilst some immigrants were forcibly moved from their homes to concentration camps with the coming of the Second World War (Higgs 1978, p. 205). From this perspective, as both Suzuki (2005, p. 139) and Gong (1984, p. 199) argue, Japan was not understood as being on the same level as civilised Western states.

In the context of the classical standard of civilisation in the late nineteenth and the early twentieth centuries, therefore, Japan attempted to become a civilised state, and on the surface, its entitlement was given by several Western international lawyers such

as Holland and Westlake. Replicating Western behaviour, Japanese leaders emphasised their own full commitment and adherence to bringing civilisation to Asia, and used a similar argument for justifying the war against 'barbaric' China. On a deeper level, however, Japan was understood to be a civilised state that had not reached a degree of civilisation equivalent to major Western powers. As has been seen from three historical experiences – the Triple Intervention, the failure of the insertion of the racial equality clause in the Covenant of the League of Nations, and discriminatory acts against the Japanese in the United States –, Japan was faced with what might be better termed the 'double-standard of civilisation.' From this perspective, the example of Japan helps illustrate the complexity of the classical standard of civilisation and simultaneously reveals the inconsistencies and injustices that may be carried out in the name of civilisation.

### **MacArthur and the Contemporary Standard of Civilisation**

The reactions to Japanese aggression in the Second World War give the clearest indication that it failed to fully reach the standard of civilisation. The colonial invasions within Asia and the Pacific, and the attack on Pearl Harbour were, according to President Roosevelt, "ample evidence of the flagrant Japanese disregard of American rights and civilized standards" (Roosevelt 1941). Mississippi Representative John Rankin, furthermore, explicitly showed his intention to label Japan as barbaric: "the white man's civilization has come into conflict with Japanese barbarism... I say it is of vital importance that we get rid of every Japanese" (Smith 2000). This tone was also taken up by Roosevelt's son, Elliott Roosevelt that the United States should bomb Japan "until we have destroyed about half the Japanese civilian population" (Smith 2000). As

an influential historian, John Dower noted, these discourses among American officials at that time were also taken up by major newspapers. The Hearst newspapers wrote that the war between the United States and Japan was “the perpetual war between Oriental ideals and Occidental” (Dower 1986, p. 7). This discourse elucidated barbaric Japan in the logic of the classical standard of civilisation.

The Second World War, however, ended with the experiences of atrocities being committed on both sides. With the dropping of atomic bombs in Hiroshima and Nagasaki, and Japan’s subsequent defeat on 15<sup>th</sup> August, 1945, an American occupation for the purpose of post-war reconstruction began immediately. Statements made at that time clearly indicate that this occupation was driven by the concept of the contemporary standard of civilisation, with particular emphasis placed upon the protection of human rights, liberal democracy and demilitarisation. From this perspective, this section examines the process of Japan’s adoption of these principles through three key elements: America’s initial occupation policy, the writing of a new constitution, and the establishment and conduct of the Tokyo Tribunal.

The contemporary standard of civilisation can be seen in several important guidelines for the American occupation of Japan, as well as in the statements made by General Headquarters or the Supreme Commander for the Allied Powers (GHQ/SCAP), Douglas MacArthur. With respect to the guidelines, there were three important documents relevant to the ‘recivilising’ of Japan. Firstly, the *Potsdam Declaration*, prepared by the United States, Britain and China on 26<sup>th</sup> July, 1945, outlined the Allied Powers’ plans for Japanese reconstruction. It clearly noted the following:

The Japanese military forces, after being completely disarmed, shall be permitted to return to their homes with the opportunity to lead peaceful and productive lives (*Potsdam Declaration* 1945, Article 9).

We do not intend that the Japanese shall be enslaved as a race or destroyed as a nation, but stern justice shall be meted out to all war criminals, including those who have visited cruelties upon our prisoners. The Japanese Government shall remove all obstacles to the revival and strengthening of democratic tendencies among the Japanese people. Freedom of speech, of religion, and of thought, as well as respect for the fundamental human rights shall be established (*Potsdam Declaration* 1945, Article 10).

The *Potsdam Declaration* set out the need for the complete demilitarisation of Japan for future peace, whilst establishing democracy for the guarantee of human rights principles.

It is interesting to note that prior to the defeat of Japan, and even prior to the victory of the democratic bloc in the post-Cold War era, the importance of democracy as part of the contemporary standard of civilisation was already recognised as an essential aim of Japanese reconstruction.

The second relevant document, the *United States Initial Post-Surrender Policy for Japan (U.S. Initial Policy)*, laid down the guidelines for the American occupation of Japan. Reflecting on the basis of the objectives in the *Potsdam Declaration*, the *U.S. Initial Policy* repeatedly underscored that democracy, human rights principles, and peace were the three ultimate objectives for the reconstruction of Japan, whilst the punishment of war criminals was also essential. It particularly emphasised the United States' desire that Japan would have to conform to democratic principles to respect "the freely expressed will of the people" (*Potsdam Declaration* 1945; *U.S. Initial Policy* 1945). Furthermore, individual liberties and the guarantee of fundamental human rights would need to be respected. These included the freedom of religion, speech, assembly and press (*U.S. Initial Policy* 1945). Importantly, the policy indicated that the United States intended to have a 'hands-off' policy for Japan's democratisation. If this was a genuine commitment, it would mean that democracy would have to be established by the Japanese citizens via democratic processes.

MacArthur's personal plans, which he summarised prior to his arrival in Tokyo in August 1945 and revealed in his memoir later, also highlighted the aims of the American occupation of Japan. The priorities MacArthur made were consistent with the *Potsdam Declaration* and the *U.S. Initial Policy* in terms of three points: democratisation, the complete elimination of Japan's military power, and the punishment of war criminals. In order to construct a peaceful and democratic Japan, MacArthur then determined to "[m]odernize the constitution" (MacArthur 1964, p, 282). Hence, the common aims in the *Potsdam Declaration*, the *U.S. Initial policy* and MacArthur's own thought were to create the guidelines for the process of restoring democracy, human rights principles, and peace, all of which constituted the contemporary standard of civilisation in concert with very liberal norms. It is also important to note in terms of commonality that these documents acknowledged that the punishment of war criminals had to be conducted through trials, whilst reconstructing a responsible society amongst the Japanese people.

In addition to these guidelines, the importance of the contemporary standard of civilisation was also illustrated in MacArthur's statements. Immediately prior to his arrival in Tokyo in August 1945, MacArthur stressed the victory of the West in the war against 'barbaric' Japan:

The struggle is now over – the cause of right and justice has prevailed. Christianity, democracy, and the essence of Western culture have survived – and the East is about to be opened to an enlightened age wherein its peoples progressively may attain that higher degree of human dignity which the war has been fought to preserve (Whan 1965, p. 146).

In MacArthur's eyes, Western culture would now enlighten Asia which had been subjugated by Japan, and would provide the fruits of civilisation that had been enjoyed by Western states for centuries. This idea that the United States was a great 'civiliser' for the re-enlightenment of Japan became more obvious in MacArthur's first speech in

Japan in September, 1945. Undoubtedly, MacArthur believed that he was the second greatest leader of American civilisation in Asia, second only to Commodore Perry:

We stand in Tokyo today reminiscent of our countryman, Commodore Perry, ninety-two years ago. His purpose was to bring to Japan an era of enlightenment and progress by lifting the evil of isolation to the friendship, trade, and commerce of the world. But alas the knowledge thereby gained of Western science was forged into an instrument of oppression and enslavement. Freedom of expression, freedom of action, even freedom of thought were denied through suppression of liberal education, through appeal to superstition and through the application of force (Whan 1965, pp. 151-2).

For MacArthur, despite Perry's effort to civilise Japan in the 1850s, Japanese leaders had taken advantage of civilisation and used it to achieve 'evil' ends. With the victory of Western civilisation against barbarism, however, MacArthur believed that it was high time for America to educate Japan about 'the progress of humankind' again. In this light, MacArthur came to conclude: "To the Pacific basin has come the vista of a new emancipated world. Today, freedom is on the offensive, democracy is on the march. Today, in Asia as well as in Europe, unshackled peoples are tasting the full sweetness of liberty, the relief from fear" (Whan 1965, p. 152). MacArthur determined that, as Perry had done in the 1850s, he could 'recivilise' Japan in accordance with his liberal thought and the contemporary standard of civilisation by initiating the drafting of a proper and acceptable new constitution, which he understood as the benchmark of Japan's post-war reconstruction guidelines (MacArthur 1964, p. 302).

In the immediate post-war situation in Japan where the memory of atrocities was clear, it is easy to understand why MacArthur strongly supported the importance of a pacifist constitution. MacArthur's infamous note elucidated the importance of the *demilitarisation* of Japan. It was the only option for the new Japan in order to be considered a legitimate and civilised state. Accordingly:

War as a sovereign right of the nation is abolished. Japan renounces it as an instrumentality for settling its disputes and even for preserving its own security. It relies upon the higher ideals which are now stirring the world for its defense



and its protection. No Japanese Army, Navy, or Air Force will ever be authorized and no rights of belligerency will ever be conferred upon any Japanese force (MacArthur 1946).

MacArthur, furthermore, emphasised the importance of pacifist principles as Japan's moral responsibility:

What will foreign countries say if a provision is retained that Japan will keep armed forces? They will obviously think that Japan is planning to rebuild its armed forces. Therefore, if you think about what is the good thing to do, Japan should take moral leadership by stating clearly that it renounces war (Finn 1992, p. 99).

This argument was also taken up by MacArthur's associate, Head of the Government Section, Courtney Whitney. He felt that the renunciation of war in the new constitution would "[afford] Japan the opportunity to assume the moral leadership of the world in the movement towards lasting peace" (Whitney 1946). Indeed, this process of drafting the new constitution was led by MacArthur's desires to transplant the principles of democracy, human rights, and pacifism into Japan as the contemporary standard of civilisation. These efforts by MacArthur and his associates will become more apparent when examining the fruit of their labours, the *Constitution of Japan*.

### **Civilisation and Pacifism in the Constitution of Japan**

Emphasising primarily a cosmopolitan-pacifist view, the Constitution of Japan acknowledged that all human beings had the right to live in peace. It read as follows:

We desire to occupy an honored place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth. We recognize that all peoples of the world have the right to live in peace, free from fear and want (*The Constitution of Japan* 1946, Preamble).

As a pathway towards peace, the constitution proclaimed that not only Japanese citizens, but all people of the world had the right to live in a peaceful environment, announcing

that “never again shall we be visited with the horrors of war through the action of government” (*The Constitution of Japan 1946*, Preamble).

In order to put this aim of lasting peace into practice, Japan constitutionally renounced any war for the resolution of international conflicts. The constitution also affirmed that Japan should not possess any military capability. The most crucial part of this practical pacifism was illustrated in Article 9:

Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.

In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized (*The Constitution of Japan 1946*, Article 9).

Reflecting on MacArthur’s liberal views and his determination during the drafting of the constitution that a democratised and demilitarised Japan would assume moral leadership in the world, this clause proposed Japan’s practical contribution to a peaceful future *without* any military means.<sup>12</sup>

In addition to the renunciation of war, the democratisation of Japan was also guaranteed in the constitution. The Preamble stated that the Japanese people should not only maintain liberal democracy by “acting through our duly elected representatives in the National Diet”, but also secure “the blessings of liberty throughout this land” (*The Constitution of Japan 1946*, Preamble). It also proclaimed the paramount features for democracy:

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<sup>12</sup> This point is similar to what Immanuel Kant argued in *Toward Perpetual Peace* (1795). Based upon his belief that “[w]ar is bad in that it makes more evil people than it takes away” (Kant 1795, p. 334), Kant claims that “standing armies (*miles perpetuus*) shall in time be abolished altogether” (1795, p. 318). Hence, the establishment of the new constitution was a realisation of a Kantian liberal vision, where for Japan, at least, standing armies were legally abolished. Interestingly, as Kant considers the possibility of voluntary and periodic military exercises for defence purposes, interpretations of Article 9 have been the most controversial issues since its establishment in this sense (Southgate 2003). It means that although Article 9 demonstrates the illegitimacy of aggressive war and possession of military capability for its purpose, the question of whether it denies self-defence measures and possession of its capability under the article still remains unanswered.

Government is a sacred trust of the people, the authority for which is derived from the people, the powers of which are exercised by the representatives of the people, and the benefits of which are enjoyed by the people. *This is a universal principle of mankind upon which this Constitution is founded* (Preamble; emphasis added).

It is important to note that the tone of this statement was similar to the famous speech in support of American liberal democracy made by Abraham Lincoln at Gettysburg in 1863, to the effect that government should be “of the people, by the people, for the people” (Lincoln 1863). What is equally important in this statement was the declaration of the universal value of democracy for all humankind. This indicates that the spread of these principles as a high ideal was manifest in the early stages of the post-Second World War era. This view becomes more obvious when we see the involvement of Japan in the Cold War, which is examined in the following chapter.

The status of the Japanese Emperor was another important issue in the process of establishing liberal democratic principles in Japanese society. To this end, the role of the Emperor was strictly restricted in three related ways under the new constitution: The Emperor’s status was acknowledged as a symbol; the excessive and concentrated power system that the Emperor held in the previous constitution was terminated; and the Emperor was practically divorced from any political power. Article 1 acknowledged the position and role of the Emperor by defining him as the symbol of the state and its unity “deriving his position from the will of the people with whom resides sovereign power” (*The Constitution of Japan* 1946, Article 1). Furthermore, Articles 3 and 4 separated the Emperor from actual political activities. The Emperor required the advice and approval of Parliament for all his acts in matters of the state and he was entirely responsible for his acts (Article 3). In order to wholly clarify his position as only a symbol, Article 4 declared that the Emperor undertook merely “acts in matters of state”, but did not possess any authority related to government (Article 4). The Emperor was

only able to appoint the Prime Minister with the approval of Parliament and posts the Chief Judge of the Supreme Court after the designation of the Government (Article 6). In this regard, the new constitution separated the position of the Emperor from direct political practices in order to ensure representative democracy.

In order to meet the idea of the contemporary standard of civilisation, the principles of fundamental human rights took a central place in the new Japanese constitution. Article 11 is the most comprehensive and explicit on this issue:

The people shall not be prevented from enjoying any of the fundamental human rights. These fundamental human rights guaranteed to the people by this Constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights (*The Constitution of Japan* 1946, Article 11).

This notion was reconfirmed in Article 97 where it was stated that fundamental human rights are “conferred upon this and future generations in trust, to be held for all time inviolate”. Articles 12 to 40 precisely stipulated the respect for the principles of human rights including, for example, “fundamental personal rights”, which were directly applied to the entity of the people and embody the concept of freedom (Herzog 1951, p. 7). These included the freedom of thought and conscience (Article 19), and the freedom of religion (Article 20). Furthermore, the constitution secured fundamental social, civil, and political rights (Herzog 1951, p. 7), non-discrimination by race, creed, sex, social status and family origin (Article 14), the equality of the vote (Article 15) and access to all public organisations (Article 16; 17). Japanese citizens were also given the right to maintain the minimum living standards, to receive social welfare, security, public health (Article 25) and educational opportunity (Article 26), and to work for proper wages with proper hours, breaks and conditions (Article 27). There are also “institutional guarantees”, which serve to protect society, social institutions and their actions (Herzog 1951, p. 7).

The contents of Japan's new constitution primarily drafted by MacArthur and his associates are, therefore, parallel with the concept of the contemporary standard of civilisation. The long standing idea of the standard of civilisation, whilst evolving over time, took a central place in support of demilitarising and democratising Japan, as well as transplanting human rights principles into its society, thereby 'recivilising' Japan.

### **The Judgement of Civilisation**

In parallel with the writing of the new constitution, the establishment and judgments of the International Military Tribunal for the Far East (Tokyo Tribunal) are crucial in illustrating the centrality of the contemporary standard of civilisation in the reconstruction of Japan in the post-Second World War era. As has been touched upon earlier in this chapter, the establishment of the tribunal to punish Japanese military leaders was also a primary aim of the *Potsdam Declaration*, the *U.S. Initial Policy*, and MacArthur's occupation policy. In other words, unless Japanese war criminals were brought to justice, the reconstruction of Japan could not be completed. In this context, in 1946, Joseph Keenan, Chief Prosecutor, opened the trial for Japanese defendants for war crimes such as Hideki Tojo by announcing that it was not an ordinary trial: "for here we are waging a part of the determined battle of civilization to preserve the entire world from destruction" (Ushimura 2003, p. 3). Furthermore, Keenan argued that Imperial Japan had not only brought about extremely inhumane acts and atrocities on soldiers and prisoners of war, but also had inflicted "barbaric cruelties" against civilians (Brackman 1987, p. 84). Indeed, "[the Japanese defendants] declared war upon civilization" in order to destroy "democracy and its essential basis – freedom and respect of human personality; they were determined that the system of government of

and by and for the people should be eradicated and what they called a New Order established instead” (Brackman 1987, pp. 106; 109).

In this light, the Tokyo Tribunal was justified in the name of progression towards civilisation (Minear 1971, p. 45). Consequently, the general rule of the immunity of individuals in international law (notwithstanding exceptions like spy activities and piracy) was set aside. Instead, an *ex post facto* justice system was employed towards crimes against peace and humanity carried out by barbaric Japan (Minear 1971, p. 45). The Tokyo Tribunal, as Ushimura argues, was “a [framework] in which the ‘civilized’ Allied Powers would pass judgement on an ‘uncivilized’ and ‘barbaric’ Japan” (Ushimura 2003, p. 4).

This argument was also evident within the Statute of the International Court of Justice. It proclaimed that international justice in the post-Second World War period was not only embodied by elected members of the Court who were representative of “the main forms of civilization and of the principal legal systems of the world” (*The Statute of the International Court of Justice* 1945, Article 9), but also that judgement could be based upon “the general principles of law recognized by civilized nations” (Article 38). It may be said that these principles ensured that the indiscriminate fire bombing of Tokyo, and the atomic bombings of Hiroshima and Nagasaki by the United States were not considered crimes against humanity, even though the outcomes were extremely inhumane. In this sense, the United States believed that those acts were the product of the civilised acts against barbarians. The justice meted out by the Tokyo Tribunal was, therefore, based heavily upon the values encapsulated by the contemporary standard of civilisation. A victor’s concept of the standard of civilisation

was brought into the centre of the judgement against Japan, and eventually the ‘victor’s justice’ became inevitable during the tribunal process (Minear 1971).

This review of the reconstruction of Japan shortly after the Second World War has signified that America’s occupational plans such as the drafting of the ‘proper’ constitution for the Japanese people and the Japanese war crime tribunal were all justified in accordance with the contemporary standard of civilisation. MacArthur gave a speech reinforcing this assertion after he ended active duty in his position as a General, claiming that:

If the Anglo-Saxon was say forty-five years of age in his development in the sciences, the arts, divinity, culture, the Germans were quite as mature. The Japanese, however, in spite of their antiquity measured by time, were in a very tuitionary condition. *Measured by the standards of modern civilization*, they would be like a boy of twelve as compared with our development of forty-five years. Like any tuitionary period, they were susceptible to following new models, new ideas. You can implant basic concepts there (Nishi 1982, p. 46; emphasis added).

Many Japanese were uncomfortable and even angry about being identified by MacArthur as an ‘immature’ state. However, what needs to be stressed is MacArthur’s insistence on the importance of the standard of civilisation as the aim of the occupation of Japan. When the United States measured Japan by its standards of modern civilisation, Japan was still immature and, therefore, barbaric, which indicated a parallel viewpoint with Perry’s opening mission in the 1850s. Hence, from the time MacArthur came to Tokyo in August 1945 to the time he went back to the United States, the consistent aim of the occupation was to recivilise Japan. Like Perry and his European followers, who had tested Japan against the classical standard of civilisation, MacArthur later set the three standards of civilisation (democracy, human rights and peace) as a requirement for entry into international society in the post-Second World War era.

Japan eventually passed the test of civilisation by accepting these liberal principles in its democratic constitution.

Two important questions arise through studying the process of ‘civilising’ and ‘recivilising’ Japan: what are the ramifications of recivilising Japan led by liberal democratic America in the post-Second World War era? What is the nature of the relationship between the standard of civilisation and the Japanese military? These questions have become more urgent in the post-Second World War era as Japan has gradually rebuilt its military power. As the next chapter demonstrates, Japan, with a substantial assistance from the United States, has in fact succeeded in remilitarising itself for *peace*. Further analysis of this issue may give us a deeper understanding of the dangerous nexus between the discourses of civilisation and military strategy on a global scale.



## **Chapter 4**

### **‘Civilised’ Japan in the Post-Second World War Period**

With the implanting of liberal democratic principles in Japanese society, it appeared that Japan was now expected to assume moral leadership towards the realisation of world peace. The reality of post-Second World War Japan, however, was quite different. Despite the fact that Japan had declared a pacifist position in its new constitution, the outbreak of the Cold War soon led to what is referred to as the ‘reverse course’; a radical shift in Japanese and American policies, from pacifism to remilitarisation (Finn 1992, p. 142). In this chapter, focusing upon the early Cold War, the post-Gulf War, and the present ‘war on terrorism’, the linkages between the political discourse of civilisation and Japanese military reinforcement is examined. This discussion highlights how the rearmament of Japan has been justified through the articulation of an antagonistic division between ‘civilised’ liberal democracies, and their ‘barbaric’ adversaries – communist regimes, dictatorships, human rights abusers and terrorists.

#### **The Involvement of ‘Civilised’ Japan in the Early Cold War Era**

In concert with the urgent tensions of the Cold War, the strategic importance of Japan was repeatedly emphasised in the political discourse of the U.S. administration, dividing the world between civilisation and barbarism. United States President Harry Truman announced in Congress in 1947 that the United States would now help Greece and Turkey economically and militarily to protect freedom, and defeat communism (Truman 1947). This came to be known as the Truman Doctrine. Truman sought to gain support not only from friendly states such as Britain, and other Western European states, but also from its former enemies. Japan, in particular, would become a key state in Asia

(Nester 1996, p. 226). The significance of a new Japan, as a shield of liberal democracy in Asia, was emphasised by Secretary of State Dean Acheson:

To me, one conclusion seemed plain beyond doubt. Western Europe and the United States could not contain the Soviet Union and suppress Germany and Japan at the same time. Our best hope was to make these former enemies willing and strong supporters of a free-world structure (Finn 1992, p. 246).

To this end, America primarily put great importance upon Japan's economic recovery as essential to the success of the containment strategy against communism in East Asia (Schaller 1985, p. 77). The former President Herbert Hoover warned Truman at that time that the United States would need to accept that the failure of Japan's economic recovery would lead to the "disintegration of Western civilization everywhere" (Schaller 1985, p. 93). George Kennan supported Hoover's observation by suggesting that it would need to stabilise the Japanese economy rather than punish it "if [the United States was] going to retain any hope of healthy civilization in Japan in the coming period" (Schaller 1985, p. 179). This, Kennan believed, was because Japan "would eventually constitute the [cornerstone] of a Pacific security system adequate for the protection of our interests" (Welfield 1988, p. 28). Further statement on the importance of democratic Japan's economic recovery was made by Harry Kern, one of the members of the American Council for Japan, who warned Joseph Dodge, an economic adviser for Washington that if the Japanese economy did not grow enough, Japan might "turn to the only alternative to Western Democracy in the world today – communism" (Schaller 1985, p. 139).

Alongside the importance of economic recovery in Japan, an argument for Japan's remilitarisation was also put forward by American officials. Robert A. Fearey, a conservative officer of the State Department, for example, advised the U.S. Secretary of State that the best option for the United States would be the reestablishment of Japan's

defensive forces, rather than pursuing its demilitarisation and neutralisation (Nishi 1982, p. 266). This view had been contradictory and unacceptable during the process of the drafting of the pacifist constitution under MacArthur's supervision in 1945-6, but as soon as the tensions of the Cold War increased in the Korean Peninsula, the reorganisation of the Japanese military became less taboo. By the time the Korean War erupted in 1950, MacArthur agreed that Japan would shape the "western outpost of our defense" by making Japan an ally of the United States (Schaller 1985, p. 69). It is, therefore, evident that through the constant articulation of the Japanese role as 'the shield of civilisation', the United States' leaders and officials justified the necessity of Japan's economic recovery and remilitarisation.

Once the Korean War had broken out, the antagonistic division between the 'civilised' liberal democratic bloc and the 'barbaric' communist bloc was sharpened, whilst Japan began getting more support for its remilitarisation efforts. Truman was determined that the outbreak of genuine war provided the justification for any actions for the survival of freedom:

No matter how the immediate situation may develop, we must remember that the fighting in Korea is but one part of the tremendous struggle of our time – the struggle between freedom and Communist slavery. This struggle engages all our national life, all our institutions, and all our resources. For the effort of the evil forces of communism to reach out and dominate the world confronts our Nation and our civilization with the greatest challenge in our history (Truman 1950).

Truman told Japanese officials and American occupying forces more directly that communism, aided by the Soviet Union, was "a powerful and ruthless enemy", manifesting "the danger that arises from the plans of the Kremlin to conquer the civilized world" (Truman 1951). If the United States was not prepared enough, and if Japan was not strong enough, then communist countries "would strike at Japan", and consequently it would fall into their hands (Truman 1951). Hence, through the lens of

the standard of civilisation, Truman created a rationale for Japanese remilitarisation in order to defend 'civilisation' in Asia against the threat of 'uncivilised' communism.

Following this logic, Truman advised MacArthur to prepare for Japan's rearmament. In June 1950, with the approval of Truman, MacArthur ordered Japanese Prime Minister Shigeru Yoshida to organise the National Police Reserve following the deployment of 80,000 American forces from Japan to the Korean Peninsula (MacArthur 1950). Following MacArthur's command, Yoshida authorised 75,000 new police reserve personnel, and added an extra 8,000 coast guard personnel onto the existing Maritime Safety Force, for the purpose of maintaining 'domestic order' alongside existing ordinary police (Finn 1992, p. 263). Despite the fact that the purpose of the establishment of this organisation was for the maintenance of domestic order, minesweepers were secretly deployed in Korean waters as a contribution to the wider war effort (Finn 1992, p. 266; Southgate 2003, p. 1600f). The establishment of the National Police Reserve and the deployment of the Maritime Safety Force followed by limited participation in the Korean War was the first step of Japanese remilitarisation. As Frank Kowalski, the United States Army Colonel, observed, the police reserve became "the disguise of a new Japanese army" (Finn 1992, p. 266). In this respect, Hitoshi Ashida, who was actively involved in MacArthur's drafting of the constitution, concurred that the National Police Reserve would become a "*de facto* military" (Ashida 1951).

Ironically, further remilitarisation of Japan persisted throughout the negotiations toward a permanent peace settlement between the Allied Powers and Japan that took place in 1951. The peace consultation incorporated future plans for the end of America's occupation, the independence of Japan, and the settlement of the

compensation scheme for prisoners of war. Top American officials, Dean Acheson and George Marshall, however, told Truman that the primary objective in the peace settlement amongst the former Allied states and Japan was “to secure the adherence of the Japanese nation to the free nations of the world and to assure that it [would] play its full part in resisting the further expansion of communist imperialism” (Finn 1992, p. 272; Nishi 1982, pp. 275-6). The peace negotiation held by John Foster Dulles, MacArthur and Yoshida generated further contradictions to the pacifist norm contained in the Japanese constitution. The outcome of their meeting was the establishment of a secret agreement for the possession of future military capabilities in the *Initial Steps for Rearmament Program*.<sup>13</sup> It acknowledged that “it [would] be necessary for Japan to embark upon a program of rearmament” if Japan was to achieve sovereign independence. The proposal foresaw the reinforcement of the National Police Reserve, stating that “the 50,000 men [would] mark the start of Japan’s new democratic armed forces” (Finn 1992, p. 279; See also Igarashi 1985, p. 331; Schaller 1997, pp. 35-6). The issues surrounding the peace negotiation indicated the importance of Japan’s remilitarisation as an outpost of the liberal democratic bloc against communist expansion.

The so-called ‘democratic armed forces’ were established immediately after Japan signed the peace treaty with the former Allied states, and the security treaty with the United States on September 8, 1951 in San Francisco. As Yoshida predicted, the existing police reserve would evolve to become “something along the line of a Self Defence Force” (Welfield 1988, p. 79), while the National Police Reserve became the

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<sup>13</sup> This agreement was written after their meeting, but neither the United States nor Japan officially admitted to preparing this unnamed and unsigned agreement in full. However, according to several scholars, it was likely that Yoshida wrote it (See Finn 1992, p. 280; Herzog 1993, p. 224; Igarashi 1985, p. 331; Nester 1996, p. 253).

National Security Agency containing some 118,000 personnel, and receiving heavy military equipment from the United States (Maki 1955, p. 549). Furthermore, its strategic aim in opposition to the Soviet Union was apparent. On the surface, the Japanese government claimed that the main activity of the National Security Agency was the maintenance of Japan's domestic peace and order. On a deeper level, however, the most heavily equipped units were concentrated on the northern part of Japan, as it prepared for the possible invasion of the 'hypothetical enemy', the Soviet Union (Welfield 1988, p. 80). In 1952, the Mutual Security Assistance pact from the United States was also prepared, allowing for the integration of Japan into America's Cold War military strategy through the supply of military facilities and training programmes (Welfield 1988, pp. 97-8).

In order to generate domestic legitimacy for remilitarisation, the Defence Agency Establishment Bill and the Self Defence Forces Bill were submitted to the Japanese Parliament in 1954. This eventually authorised Japan to possess three Self Defence Forces (Air, Ground and Maritime). Considering the number of authorised personnel, about 164,500, and their equipment at that time (Maki 1955, p. 552; Welfield 1988, p. 82), the establishment of the Self Defence Forces can clearly be understood as an early stage in the development of ordinary military force.

The initial policy of reconstruction for a 'neutralised and demilitarised' Japan that MacArthur had repeatedly insisted upon, almost completely vanished from America's occupation scheme once the tensions of the Cold War emerged (Gaddis 1982, p. 78; Igarashi 1985, p. 324; Schaller 1985, p.166). Conversely, the establishment of sufficient military power to 'normalise' Japan became an urgent goal of America's post-war reconstruction. It was a turning point in America's occupation policies, signalling

the beginning of the end of strictly interpreted Japanese pacifism. With the announcement of the Truman Doctrine, the United States determined not to ensure the former enemy's total *demilitarisation*, but to create a new ally through *remilitarisation* to be the 'bastion' of civilised states against a new barbaric enemy in Asia. Furthermore, by inserting the idea of the standard of civilisation, the image of the Cold War became parallel with the picture of the war between civilisation and barbarism. In this light, the antagonistic distinction between civilised liberal democratic states and barbaric communist states became a powerful driving force for the remilitarisation of Japan in the name of the protection of civilisation.

### **Not *Fully* Civilised Japan, Redux**

As has been investigated in the sections above, the remilitarisation of Japan occurred through the articulation of an antagonistic discourse dividing liberal democracies and communist states. It was ironic that the United States and Japan reversed their course in such a short period of time, from the declaration of pacifism in the liberal democratic constitution immediately after the Second World War, to the remilitarisation of Japan with the rise of Cold War tensions. This is, however, not the only way of demonstrating the complex dimensions of Japan's 'normalisation' in the post-Second World War in relation to the discourse of civilisation. Just as Japan had been faced with the double-edged sword of the classical standard of civilisation as discussed in chapter three, so it came again to be considered a somewhat 'second-class' state in accordance with the *contemporary* double-standard of civilisation in the Cold War era. George Kennan, for instance, argued that it would be crucial for the United States to "bring back the strength and the will of [the Japanese] peoples to a point where they could play their part in the

Eurasian balance of power, and yet a point not so far advanced as to permit them again to threaten the interests of the maritime world of the West” (Gaddis 1982, pp. 38-9). His argument was taken up by President Dwight Eisenhower, who argued that although Japan could be a member of civilisation, the United States should be very careful not to press “too high standards of military readiness” on Japan (Brands 1986, p. 395). Tellingly, Dulles also revealed his vision that the security treaty arrangement “amounted to a voluntary continuation of the Occupation” (Buckley 1985, p. 313; 1992, p. 78; LaFeber 1998, p. 297).

This assumption of a ‘second-class’ Japan was also evident in the issues surrounding the U.S.-Japan Security Treaty of 1951. Article 1 of the security treaty stated that Japan would accept the establishment of military base camps for the United States military which would be used:

to contribute to the maintenance of international peace and security in the Far East and to the security of Japan against armed attack from without, including assistance given at the express request of the Japanese Government *to put down large-scale internal riots and disturbances in Japan*, caused through instigation or intervention by an outside power or powers (Article 1; emphasis added).

Although it required a Japanese request, the United States was, therefore, legally allowed to militarily intervene in Japanese domestic matters ‘in order to maintain internal order’. The American personnel were also permitted to use force to put down Japanese riots and disturbances, which were, for instance, assisted by communist states outside Japan. Considering the fact that there was no mutual agreement between them, this security alliance was not equal in nature. Rather, as some American officials admitted, the security treaty can be understood as a continuation of the occupation after Japan’s independence. In this regard, the United States considered Japan as something of an immature and potentially unstable state (Hughes 2004a, p. 97; Ikenberry 2004; Kingston 2007; Welfield 1988, p. 25).



Subsequent attempts were made to abolish this clause during the process of revising the security treaty in 1960. Yet, this privilege for American occupying forces was repeated as a more ambiguous legal statement in the revised treaty, which still exists today. In Article 6 of the revised security treaty (*U.S. Japan Revised Security Treaty 1960*), the United States' military forces were granted the use of facilities and areas in Japan for the purpose of contributing to "the security of Japan and the maintenance of international peace and security in the Far East" (Article 6). On the surface, the United States appeared no longer to have the right to intervene militarily in Japanese internal matters. There was, nonetheless, no guarantee that the United States would not identify Japan's domestic disturbances as a threat to the security of Japan and the maintenance of international peace and security in the Far East. Indeed, there was an undeniable possibility that the United States could intervene in Japan, by arguing that domestic conflicts represented a threat to Japan's security (LaFeber 1998, p. 320; Welfield 1988, pp. 143-4). Whilst perhaps more ambiguous than in the unequal treaties of the nineteenth century, it may be argued that the double-standard of civilisation was again embedded into the security alliance system between the United States and Japan in the Cold War era.

Another example that highlighted the notion of Japan's subordinate status was the establishment of the *Status of Forces Agreement between the United States and Japan (Status of Forces Agreement 1960)*. The following statement restricted Japanese criminal jurisdiction in some situations surrounding American personnel:

The custody of an accused member of the United States armed forces or the civilian component over whom Japan is to exercise jurisdiction shall, if he is in the hands of the United States, remain with the United States until he is charged by Japan (Article 17.5 (c)).

That is to say, until the time Japanese prosecutors indicted the suspects in court, the Japanese authorities would not legally be allowed to have access to and examine American personnel who were suspected of committing a crime in Japan and who were secured by the United States military prior to being arrested by the Japanese authorities. This would mean that an investigation by Japanese police would potentially be delayed due to the lack of accessibility to the suspects. That is, prosecutors would be unwilling to make a formal indictment due to the lack of evidence caused by the delay of police investigation (Johnson 2004). If the American military forces managed to secure an American military suspect within their bases before the Japanese police did so, then they would legally be immune from criminal justice, no matter how serious the crime committed was alleged to be.

According to Chalmers Johnson, an implicit reason behind the creation of this agreement was that Japanese police investigating procedures were different from the American ones. Japanese criminal law allows twenty-three days to pursue questions without consultation with an attorney, release on bail or *habeas corpus* hearings. The United States claims that those processes could result in false confessions and violations of human rights of the personnel (Johnson 2004). From this perspective, Japanese criminal jurisdiction did not meet the 'American standards' so that privileges over American personnel became essential. Inevitably, in this argument, there was a force of political language that was animated by Kennan, Eisenhower and Dulles. Different treatment between the Japanese people and American military personnel under the *Status of Forces Agreement* was perhaps the clearest example of the Janus-faced standard of civilisation. In parallel with Japan's experiences in the nineteenth century in

accordance with the classical standard of civilisation, it can be understood as the contemporary “extraterritorial” agreement with the United States (Johnson 2004).

### **Japan as a Promoter of Civilisation in the Post-Cold War Era**

Francis Fukuyama (1989) has argued that the collapse of the Soviet Union has meant the end of the divided structure between the Western bloc and the Eastern bloc. It did not, however, account for the end of the antagonism between civilisation and barbarism *per se*. It is more accurate to argue that dictatorship, tyranny, human rights violators failed (or failing) states or terrorism were identified as ‘new’ enemies for liberal democracies in the post-Cold War era. In this situation, Japan and the United States, under their close military alliance, continued to reinforce Japan’s military roles on the grounds of the maintenance of peace and security, both in the Asian region and in the Middle East.

When the Saddam Hussein regime invaded Kuwait in August 1990, President George H. W. Bush announced that this crisis was “more than a military attack on tiny Kuwait; it was a ruthless assault on the very essence of international order and civilized ideals”, and emphasised that this was an action that “we must do together to defend civilized values around the world” (Bush 1990a, b). Regenerating the discourse of civilisation and barbarism that was also seen during the early Cold War period, the United States began pressing Japan to actively contribute to its war efforts. For instance, the United States Ambassador to Japan, Michael M. Armacost called for the deployment of Japanese personnel to provide medical and logistical supply, and transportation support. He also asked for minesweeping missions operated by the Maritime Self Defence Force in the Persian Gulf (Shinoda 2004, p. 46). In response to

this demand from the United States, Japan provided U.S. \$13 billion toward the war effort and deployed minesweepers for post-conflict reconstruction missions (Cooney 2007, p. 39).

These contributions, however, led to a domestic dispute over whether the deployment was beyond the ‘Ban on Overseas Despatch’ policy, which was a fundamental principle of the Self Defence Forces since its establishment and over the constitutionality of Japan’s activities (Keddell 1993, p. 32-35; Southgate 2003). For many Japanese citizens at that time, the deployment of minesweepers – even after the war – was understood as an unconstitutional action, and was considered a radical change in Japanese foreign policy. In response, Prime Minister Toshiki Kaifu announced that Japan did “as much as possible as quickly as possible” without completely undermining the constitutional commitment to pacifism (Reid 1991).

In contrast to the Japanese government’s hope, Japan’s financial contribution created a wave of further criticism from the United States. It was not only labelled as “too little, too late” (Calder 1992, p. 36; Neilan 1991; Reid 1991), but also as one Democrat argued in the *Wall Street Journal Europe*, Japan’s ‘passive’ contributions would become a “major irritant in the relationship” with the United States (Mossberg, Kempe & Lehner 1991). The U.S. Secretary of State, James Baker, also criticised Japan by saying that “[y]ou are beginning to fully appreciate your national capabilities - and your responsibilities”, but that “[y]our ‘checkbook diplomacy,’ like our ‘dollar diplomacy’ of an earlier era, is clearly too narrow” (Friedman 1991; George 1993, p. 564f). The common criticism amongst those statements was a reflection of a high expectation from the United States that Japan had to take a responsibility in playing a sufficient role in their military-cum-security alliance system, as America’s ally. In other

words, as a responsible liberal democratic state, Japan had to appreciate its own military power and roles, in order to contribute to the spread of the civilised world through the deployment of Japanese troops. The effective use of its own military would be the only way Japan could take a moral leadership position in the pursuit of international peace and security.

America's criticism of Japan's 'passive' role in wartime led Japan to rethink how it could take American pressure off (Yamaguchi 1992, pp. 169-70). It also led Japanese politicians to consider how the government could manage domestic pressures over issues surrounding the principle of pacifism contained in Article 9. The balance of these two difficult assignments was the key for Japanese diplomacy in the post-Gulf War era. A solution was found in Baker's suggestion that if a similar conflict happened in the future, Japan could not repeat the same mistake. Rather it would have to take a more active role on the international stage, such as participation in United Nations authorised peacekeeping missions (Friedman 1991).

Taking America's advice seriously, Japanese politicians sought a way for Japan to take American pressure off, and show its positive attitude as a responsible state. For instance, Ichiro Ozawa<sup>14</sup> was actively bargaining with other leaders during the process of making the bill for peacekeeping missions. His vision was illustrated in a report written by a study group on peacekeeping organised by Ozawa:

Peaceful means alone will not always be sufficient for achieving the eternal human goal of 'the banishment of tyranny and slavery, oppression and intolerance'. In the course of the endeavor to preserve 'an international peace based on justice and order,' there may be times when the international community must band together to fight tyranny (George 1993, pp. 572-3).

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<sup>14</sup> Ozawa was Secretary-General of the Liberal Democratic Party at the time of the establishment of the *PKO Law* in 1992, and currently the President of the Democratic Party of Japan.

Ozawa's belief was based upon the words in the Preamble of the Japanese constitution that in order to achieve an honored place in international society striving for the maintenance of peace (*The Constitution of Japan* 1946, Preamble), Japan would need to be more actively involved in United Nations sanctioned full-combat peace enforcement operations (George 1993, p. 752; Hughes 2004a, p. 50). Ozawa, furthermore, suggested the need for Japan's more active and inevitably military roles in peacekeeping. He argued that:

There is an idea of 'noblesse oblige' amongst people in the Western countries. It means that people who possess wealth and power have a social responsibility. Today, Japan has become an economic superpower. Japan has become successful in achieving wealth through world trade, due to the peace and stability of the world. [In the post-Cold War era], Japan has a responsibility to contribute to the maintenance of peace (Ozawa 1993, p. 114).

With its foundation in this argument, the *Law concerning Cooperation for United Nations Peace-Keeping Operations and Other Operations (P.K.O. Law)* was eventually established in 1992.

It is important to assess Ozawa's argument of the contemporary *noblesse oblige* for peacekeeping in relation to the distinction between civilisation and barbarism. As far as Ozawa's argument goes, liberal democratic Japan has social and moral responsibility on the international stage and it should, therefore, be more responsible in fighting against tyrannical or illegitimate states. Roland Paris argues that peacekeeping missions in the post-Cold War era, which include peace-building and to a larger extent, nation-building,<sup>15</sup> have attempted "to 'transplant' the values and institutions of the liberal democratic core into the domestic affairs of peripheral host states" (Paris 2002, p. 638). Given this argument, the primary aim of Japanese active participation in peacekeeping

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<sup>15</sup> Amongst Japanese officials, the word 'peacekeeping' is often defined in a broader sense. It ranges from peace making, peace support, peace reinforcement and peace building operations to state/nation-building operations. Due to the common usage of 'peacekeeping' by the Japanese government and international community, the term is used in this broad sense throughout this thesis.

missions can also be seen as an effective transplantation of civilised liberal democratic values and institutions into barbaric rogue states or dictatorships.

The superior/inferior “ideological assumption” (Paris 2002, p. 637) in relation to liberal democracy was also very evident in Japanese diplomatic policy at that time. In its *Diplomatic Bluebook 1992*, Japan stated that:

[p]eace, in a true sense, should not simply mean an absence of conflicts. It must guarantee such values as freedom, democracy and human rights. From this viewpoint, Japan attaches importance to supporting reforms toward democracy and market-oriented economies (*Diplomatic Bluebook 1992*).

Peacekeeping missions that Japan has conducted in the post-Gulf War era, therefore, vary as “some operations of new type are emerging, with complex activities for assisting in the post-conflict nation building, including conducting of elections and the monitoring of administrations during a transitional period” (*Diplomatic Bluebook 1992*).

In this regard, it may be more appropriate to argue that by establishing the *P.K.O. Law* with Ozawa’s argument of *noblesse oblige*, Japan attempted to “project an image that it was willing to play a part in the ‘*mission civilisatrice*’”, in order to respond to international criticism and domestic pressure (Suzuki 2008, p. 58). Furthermore, it also intended to promote liberal democracy as “the prevailing ‘standard of civilization’” that unstable states would have an obligation to accept in order to gain full recognition of statehood in this post-Cold War world (Paris 2002, p. 650). For this reason, Japan understood that participation in peacekeeping operations was the responsibility for liberal democratic Japan. This mind-set, however, was still very much within the notion of the standard of civilisation and civilising mission in ‘barbaric’ or war-torn regions: that civilised states had a responsibility to civilise barbarians (Abe 2008; Paris 2002, p. 651).

### **The Re-energised U.S.-Japan Security Alliance at the end of the 1990s**

As the 1990s progressed, the discourses of war between civilised liberal democracies and their enemies contributed to the further reinforcement of Japan's military power. Determined to play their part in the defence of freedom and promotion of international peace and security, Japan participated in peacekeeping missions in many places, such as Cambodia in 1992, Mozambique in 1993, Rwanda in 1994, the Golan Heights in 1996 and East Timor in 1999 (*The Ministry of Foreign Affairs* 2005). At this time, terrorists, human rights abusers, anti-democratic forces and tyrants were categorised as the 'new enemies' of civilisation. Bill Clinton, for example, argued that international terrorist attacks such as the bombing of the World Trade Center in 1993, the sarin gas attacks in the Tokyo subway and the Oklahoma City bombing in 1995 had to be understood as "guerrilla wars against humanity" (Clinton 1995). Hence:

Like communism and fascism, they spread darkness over light, barbarism over civilization. And like communism and fascism, they will be defeated only because free nations join against them in common cause. We will prevail again if, and only if, our people support the mission. We are, after all, democracies. And they are the ultimate bosses of our fate (Clinton 1995).

From this perspective, Clinton attempted to construct a 'new' form of enemy in order to maintain the clear structure of the discursive divide between 'civilisation' and 'barbarism' under the 'new world order'. He did so by overlapping images of these 'new' enemies with those that had existed in the past, such as communism and fascism.

Within these discourses of war between civilised liberal states and terrorists or human rights abusers, a re-energised security relationship between the United States and Japan was seen as crucial for both countries. The first major shift came in 1996 with the *Japan-U.S. Joint Declaration on Security – Alliance for the 21<sup>st</sup> Century – (Joint Declaration)*, which emphasised "the profound common values" between both countries. Clinton and Japanese Prime Minister Ryutaro Hashimoto rationalised the continuation



of the security treaty for “the maintenance of peace, the pursuit of democracy and respect of human rights” (*Joint Declaration* 1996). On a more practical level, a major shift in the meaning of the security treaty can be seen in the expansion of its geographical scope through the declaration. As the previous security treaty explicitly noted (*U.S. Japan Revised Security Treaty* 1960), American and Japanese responsibility was limited to the ‘Far East’, which only included the region of the northern Philippines as well as Japan and its surrounding area, such as the Korean Peninsula and Taiwan (Katzenstein 2003, p. 171). Yet, by using ambiguous terminology in the new *Joint Declaration*, the geographical scope of the same treaty was extended to the ‘Asia-Pacific’, which ultimately would include other parts of Asia and Oceania, such as China, Indonesia, Australia and New Zealand as well as Pacific Island states (Hughes 2004a, pp. 13; 101).

Further revision of Japan’s security cooperation with the United States came about with the agreement on the *Guidelines for the United States-Japan Defence Cooperation (Revised Guidelines)* in 1997.<sup>16</sup> In the *Revised Guidelines*, both the United States and Japan agreed to take defensive cooperative actions when emergency situations arose in the areas surrounding Japan. The guidelines declared that the actions Japan could take included not only facility support, but also the logistical support for the United States within Japanese territories, or even international sea and air space (*Revised Guidelines* 1997). Importantly, the *Revised Guidelines* also set practical targets for the integration of military roles between the two states.

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<sup>16</sup> The original guidelines, called the *Guidelines for the United States-Japan Defense Cooperation*, were prepared by the Carter and Miki administrations in 1978 with three objectives: 1) Posture for Deterring Aggression, 2) Actions in Response to an Armed Attack Against Japan, and 3) Japan-U.S. cooperation in the case of situations in the Far East outside of Japan which will have an important influence on the security of Japan (*U.S. Japan Guidelines* 1978).

In order to complement this military collaboration more effectively, changes in Japanese domestic legislation had to be dealt with. When unstable situations in the East Asian region arose in 1999, Japan achieved these legislative changes with the establishment of the *Law on Emergencies in Surrounding Areas (Emergency Law 1999)*. After witnessing the North Korean crises over nuclear threats, the test-launching of missiles, and the encroachment upon the Japanese territories by spy boats, Japan legalised logistical support undertaken by the Self Defence Forces. Under the new laws, the Self Defence Forces could take part in operations including refuelling, transportation, repairs and medical assistance, in support of the United States military exercises in ‘the areas surrounding Japan’. In line with the *Joint Declaration* and the *Revised Guidelines*, the geographical boundary for Japan’s actions also included the China-Taiwan Strait and the Korean Peninsula, although the Middle East, the Indian Ocean and beyond was outside this scope (Katzenstein 2003, p. 171; Midford 2003, p. 332). What is important in this context is that this process of reenergising the security treaty was made possible within the discourses of war between civilised liberal democracy and barbaric dictatorship, rogue states, and terrorism, as depicted by the former presidents George H. W. Bush and Bill Clinton. Through this prism, the international security framework with the United States, which included the *Joint Declaration* and the *Revised Guidelines*, was institutionalised in Japan’s domestic law.

At the turn of the millennium, further enhancement of Japan’s military power was encouraged by the United States senior officials and academics. This attitude was apparent in the report, *The United States and Japan: Advancing Toward Mature Partnership* (the *2000 Armitage Report*), prepared by Richard Armitage, Joseph Nye, Kurt Campbell, Paul Wolfowitz, and James Przystup amongst others. Most importantly,

this report criticised the heavily restricted use of military force under the pacifist constitution, although it did state that the reform of the constitution is a domestic matter:

Japan's prohibition against collective self-defense is a constraint on alliance cooperation. Lifting this prohibition would allow for closer and more efficient security cooperation. This is a decision that only the Japanese people can make. The United States has respected the domestic decisions that form the character of Japanese security policies and should continue to do so. But Washington must make clear that it welcomes a Japan that is willing to make a greater contribution and to become a more equal alliance partner (Armitage et al. 2000).

This statement reflected the concern of the *exercise* of the right to collective self-defence – an issue that has been unresolved since Japan gained independence in 1951. The Japanese government has argued that Japan, under existing international law, possesses the *right* to collective self-defence, but that the pacifist constitution restricts the *exercising* of this right (Hughes 2004a, p. 34). As the *2000 Armitage Report* demonstrated, however, such an awkward self-restriction had to be removed to allow for the flourishing of a “visible and ‘real’ U.S.-Japan defense relationship” for future peace purposes (Armitage et al. 2000). This ultimately implied that the pacifist constitution would have to be reinterpreted, and new legislation enacted, which would allow the exercise of the right to collective self-defence under the United Nations Charter and the existing security treaty. Herein lies the central point of the *2000 Armitage Report*: despite stated support for the primacy of the Japanese people in making these decisions, the report was implicitly – but deliberately – deploying a political discourse that would make Japanese officials seriously reconsider the need for further military involvement with the United States, through the dilution or even removal of the existing restrictions imposed under the pacifist clause of the constitution.

The report went on to state that Japan would have to tighten its security linkage with the United States in order to mirror the special military relationship between the United States and Britain. It noted that “[w]e see the special relationship between the

United States and Great Britain as a model for the alliance” (Armitage et al. 2000). For one of the authors of the *2000 Armitage Report*, Kurt Campbell, this meant that a larger role for the Self Defence Forces would be not only “precisely what is needed to help ensure future collaboration and reduce wasteful redundancies”, but also would be “absolutely critical to a smooth functioning and cost-effective alliance” between the United States and Japan (Kurt M. Campbell 2000, p. 131). The report also supported the establishment of a U.S.-Japan military-industrial complex by collaborating advanced technology of both nations. In this vein, it argued that Japan should broaden cooperation on the missile defence program to enhance the functionality of the alliance system (Armitage et al. 2000). Emphasising the common values of democracy, the report concluded:

In this promising but also potentially dangerous setting [which induces military conflicts “on the Korean peninsula and in the Taiwan Strait”], the U.S.-Japan bilateral relationship is more important than ever. With the world’s second-largest economy and a well-equipped and competent military, and as our democratic ally, Japan remains the keystone of the U.S. involvement in Asia. The U.S.-Japan alliance is central to America’s global security strategy (Armitage et al. 2000).

Hence, it is important to understand that the distinction between the civilised liberal democratic states and the barbaric others remained at the foundation of the security alliance system between the United States and Japan. In order to build upon this foundation, the report insisted on the need for both the amendment of the pacifist clause and Japanese military reinforcement in order to reenergise the security relationship.

### **Joining Civilisation’s War on Barbaric Terrorism**

September 11, 2001 is understood as a turning point for the U.S. global security strategy. American President George W. Bush, in particular, argued that the war on terrorism in the post-September 11 era was a war unlike any other war in history (Bowden 2007, p.

3; Bush 2001b, 2002a). It is fair to say that the attacks on the Twin Towers and the Pentagon had a great impact on the security alliance system between the United States and Japan, even though the right to collective self-defence was not invoked.<sup>17</sup> In terms of the dichotomy between civilisation and barbarism, however, it can be seen as another restatement and reinvigoration of the political discourse on civilisation.

It is evident in Bush's speeches that the terrorist attacks were perceived as "barbaric acts" because, according to him, "a group of barbarians" declared war on the civilised side (Bush 2001c). From this viewpoint, the current war on terrorism is "not, however, just America's fight, and what is at stake is not just America's freedom. This is the world's fight. This is civilization's fight. This is the fight of all who believe in progress and pluralism, tolerance and freedom" (Bush 2001a). In this era of the war on terrorism, according to Bush, the world has now been divided into two spheres: the world has to choose "[e]ither you are with us, or you are with the terrorists" (Bush 2001a).

In parallel, this emotive language was also used by British Prime Minister Tony Blair shortly after the attacks. For him, the war on terrorism was "a struggle that concerns us all, the whole of the democratic and civilized and free world". Thus, in order to protect 'our' civilisation from "the apparatus of terror [and] the evil of mass terrorism in our world", the United States, Britain and their allies, such as Japan, must take cooperative actions (Blair 2001, cited in Bush 2001d). Blair also gave a moral dimension for the cause of war:

Their barbarism will stand as their shame for all eternity... This mass terrorism is the new evil in our world. The people who perpetrate it have no regard whatsoever for the sanctity or value of human life and we the democracies of the

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<sup>17</sup> In contrast to Japan, Australian Prime Minister John Howard invoked the Australia, New Zealand and the United States (ANZUS) Treaty established in 1951 to exercise the right to collective self-defence between Australia and the United States for the first time in its history (Garran 2001).

world, must come together to defeat it and eradicate it. This is not a battle between the United States of America and terrorism, but between the free and democratic world and terrorism. (Blair 2001).

The imagery of the ideological war between democracy and terrorism was also taken up by some Japanese politicians and academics. Quickly responding to Bush and Blair, Japanese Prime Minister Junichiro Koizumi argued that the terrorist attacks were “barbaric acts” (Koizumi 2001). Kazuya Sakamoto<sup>18</sup> brought Ozawa’s view of civilised states’ *noblesse oblige* to the forefront of his argument:

Japan has to be responsible as a civilised state...What we are witnessing is...the war against barbarism, which takes advantage of our civilisation. Therefore, as a civilised state, Japan must cooperate with other states in order to protect our civilised society (Sakamoto 2001).

Major Japanese newspapers from across the political spectrum also supported this simplistic distinction, writing that Al Qaeda and Osama Bin Laden were “abnormal”, “anti-human”, “barbarous”, and “devils” (Saft & Ohara 2006, p. 88). What became obvious in these discourses of terrorism was that world leaders such as Bush, Blair and Koizumi amongst others attempted to ‘barbarise’ those who are considered terrorists. In doing so, they consolidated the image of the war between the civilised ‘good’ and the barbaric ‘evil’, and brought this picture into the centre of the global military strategy on the war on terrorism. This discourse, then, conveyed to the world, and in particular to those in the civilised liberal democratic states, who the enemy was, and how such an immoral enemy should be dealt with.

From this perspective, America pressured Japan to take further cooperative and responsible actions against terrorism. Deputy Secretary of State Richard Armitage, for instance, warned that the United States did not want Japan to make “the same kind of

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<sup>18</sup> Sakamoto is a Political Science professor of Osaka University and a member of the former Prime Minister Abe’s advisory panel, the Meeting of Security Council. This group has sought the possibility of exercising the right to collective self-defence. Details are available in Japanese from Cabinet Secretariat, Cabinet Public Relations Office. <http://www.kantei.go.jp/jp/singi/anzenhosyou/index.html> Retrieved: November 15, 2007.

controversy” that it had made during the Gulf War in 1990-1. Alluding to the eruption of negative sentiments over Japan’s ‘checkbook diplomacy’, also known as Japan’s “Gulf War Syndrome” (Hughes 2004a, p. 46), Armitage urged that “[y]ou’ve got to show the flag and show the flag in far-flung locations from Japan...as a good ally and as a good citizen of the world” (*BBC Radio 4* 2002). By deploying such rhetorical language, Armitage emphasised the importance of Japan’s deeper involvement in the military exercises in support of Operation Enduring Freedom, in particular the deployment of Japanese troops to Afghanistan.

The terrorist attacks and subsequent pressure generated by the United States contributed to the establishment of the *Anti-Terrorism Special Measures Law* (*Anti-Terrorism Law* 2001). Under this legislation, the deployment of Japanese personnel was legalised for the purpose of logistical support for America in the war on terrorism. The key point of this legislation was the further widening of the geographical scope for Japanese military involvement, and the expansion of legal legitimacy of the activities conducted by the Self Defence Forces on foreign soils. Previously, under the *Emergency Law* in 1999, Japan had set a narrower geographical area for the legitimate logistical support for the United States. This had not included the Indian Ocean or other territorial areas such as the Persian Gulf. Under the *Anti-Terrorism Law*, however, there was no longer a geographical boundary for Japan’s activities. Instead, it acknowledged that Japan was now allowed to conduct its own operations on the high seas and in foreign territories, with the consent of countries where actual combat was not present (*Anti-Terrorism Law* 2001, Article 2.3). This meant that as long as the purpose of the deployment of Japanese Self Defence Forces was for logistical support for America’s anti-terrorism operations within non-combat zones, and so long as consent was given

when they were deployed, then Japan was legitimately able to send its own troops anywhere in the world.

In addition, the operational scope for the Self Defence Forces was also enlarged by the *Anti-Terrorism Law*. Simultaneously revising the *P.K.O. Law*, the *Anti-Terrorism Law* allowed Japanese forces to conduct search and rescue activities, surveillance and intelligence missions as well as to use weapons to defend not only themselves, but also those who were under their protection, which inevitably generated a greater degree of definitional ambiguity (Katzenstein 2003, p. 753; Osius 2002, p. 69; Sawano 2002, p. 74). In other words, the *Anti-Terrorism Law* absorbed existing pieces of legislation such as the *P.K.O. Law* in 1992 and the *Emergency Law* in 1999, and authorised Japan to take a greater military role in many parts of the world in the name of the civilisation's war on 'barbaric' terrorism.

Thus, Japan's participation in Operation Enduring Freedom in the Indian Ocean and subsequent support for the 2003 invasion and occupation of Iraq highlighted yet another step towards Japan's military reinforcement. Articulating a pointed political discourse, which was along the same lines as that which was used during the Afghanistan war, Armitage repeated that it would be crucial for Japan to put "boots on the ground" in order to achieve the status of a 'good ally' to America (*Jiji Press* 2003). Armitage's argument that the good and responsible ally was equivalent to the contribution of troops became evident in a statement of Donald Rumsfeld, U.S. Secretary of Defence:

What's important, it seems to me, is making the right decisions and the right judgments, and I've found over the years that when our country does make the right judgments, the right decisions, that other countries do cooperate and they do participate; and that leadership in the right direction finds followers and supporters, just as the leadership of the United States in the global war on terror has found some 90 nations to assist and to cooperate (Rumsfeld 2002).



This statement indicated the continuing process of drawing a very firm line to enhance the dichotomy between good and evil. In this sense, contributing to the democratisation of Iraq, although this was not the primary rationale to wage war against Saddam Hussein's regime, was what civilised liberal democratic Japan had to do in order to be a responsible ally to the United States. Furthermore, the Japanese commitment could be a historical example of Japan's role as a 'good international citizen' and successful liberal democratic state. In line with the democratic peace proposition (Doyle 1983a, b), Bush argued that "[h]istory has proven that free nations are peaceful nations, that democracies do not fight their neighbors" (Bush 2005a), suggesting that "the choice in Iraq is between democracy and terrorism, and there is no middle ground" (Bush 2006).

Japan's firm determination to take a greater military role became more obvious when the Iraq War broke out. Another law, the *Law concerning Special Measures for Humanitarian and Reconstruction Assistance in Iraq (Iraq Humanitarian Law)*, enabled more than 600 Japanese ground forces to provide logistical support to participant states within 'non-combat zones' in Iraq (Hughes 2004b, p. 428). Legally speaking, non-combat zones were identified as the areas where combat was not being carried out at present and where it was recognised that combat would not occur whilst troops conducted logistical support (*Iraq Humanitarian Law* 2003, Article 2.3). In this light, as Armitage suggested, the Japanese Self Defence Force troops eventually did put 'their boots' on Iraq's soil and began participating in Operation Iraqi Freedom. Japan previously had *de facto* participations in peacekeeping missions in some places, and provided logistical support within the Indian Ocean prior to the Iraq War, yet this was the first time that Japan had participated in war in support of its ally, the United States, since the establishment of the security treaty in 1951. As *The New York Times* wrote, it

is likely that this participation in the Iraq war under the *Iraqi Humanitarian Law* set a precedent for further military missions for Japan in support of democracy promotion and peace (Schmitt 2003).

More recently, following the same line as the previous *2000 Armitage Report*, *The U.S.-Japan Alliance: Getting Asia Right through 2020* (the *2007 Armitage Report*) indicated the need for the continuation of Japan's military reinforcement. The report suggested the need for tightening the cooperative relations among democratic states. In particular, democratic states in the Asia-Pacific region, such as Australia, were seen as major players in this regard (Armitage & Nye 2007, p. 14). A cooperative path with Australia has already been paved through the *Japan-Australia Joint Declaration on Security Cooperation* (2007), which emphasised their common liberal democratic values. In June 2008, the Japanese, and Australian Prime Ministers Yasuo Fukuda, and Kevin Rudd reaffirmed their commitment to the development of bilateral security cooperation through practical air and naval force exchanges, amongst other methods (*Japan-Australia Comprehensive Partnership* 2008).

In addition to Australia, the strategic significance of India has been gradually recognised in the context of the United States-Japan-Australia security relationship. The *2007 Armitage Report* stressed that India made "the right choices in terms of democracy and openness, thereby providing greater domestic stability", and "India's successes in democratic practices add buoyancy to Japan's own diplomatic weight founded on common values" (Armitage & Nye 2007, p. 6). It suggested that because India was now with 'us', it would be a responsible and trustworthy state as long as it maintained democracy in the future. The first joint naval military exercise between Japan, India and the United States was conducted off the Japanese coast in April, 2007 (*International*

*Herald Tribune* 2007). On 22<sup>nd</sup> October, 2008, India and Japan agreed to release both the *Joint Statement on the Advancement of the Strategic and Global Partnership between Japan and India*, and the *Joint Declaration on Security Cooperation between Japan and India*. Recognising their common commitment to democracy, liberty, and human rights, both countries have affirmed to tighten their security relationship for a regional and global security strategy. They have also acknowledged the importance of cooperative actions between the Indian Navy and the Japanese Maritime Self Defence Force in order to address ongoing anti-terrorism measures in the Indian Ocean. Sharing the experiences in peacekeeping and peace-building operations was also understood as an important issue for their security linkage. The recent issues surrounding Japan and India indicated that this idea of ‘trusting democracy’, which was found in the rationale of the American, Japanese and Australian triangular security linkage, was also seen in the security relationship between Japan and India.

In contrast to the military linkages between the four democratic states in the region (the United States, Japan Australia and India), the *2007 Armitage Report* also highlighted the importance of the security alliance system between Japan and the United States in dealing with future relationships with China. The report warned that, unlike democratic states, including Singapore and New Zealand that shared common values (Armitage & Nye 2007, p. 14), China could create a potential for a “values gap” amongst Asia-Pacific states. According to the report, this gap “matters in the most consequential form because it can rise to a ‘trust deficit’” (Armitage & Nye 2007, p. 4). In this regard, the *2007 Armitage Report* suggested that the United States and Japan had to “seek to illuminate a path for China to become a responsible stakeholder” (Armitage & Nye 2007, p. 4), which conversely implied China’s current irresponsible statehood.

Ultimately, this mind-set could result in the aggressive promotion of democratisation in China for the purpose of 'Getting China Right', just as the subtitle of the report implied.

The sentiments affirming the rightness of democratic values and the potential coerciveness for the promotion of such values were also apparent in the *2007 Armitage Report*. Whilst the report suggested that stabilising Asia did not mean the imposition of their profound common values of liberalism and democracy, it urged that democratic states including the United States and Japan had a right to militarily intervene in the domestic problems of the regions if necessary. More precisely, it signalled the potential military involvement of the democratic states that "[could] choose to address the internal and external problems arising from troubled states, like Burma, rather than turning a blind eye based upon an outdated concept of "noninterference in internal affairs" (Armitage & Nye 2007, p. 1). In other words, implicitly arguing the distinction between civilisation and barbarism, the report conveyed that liberal democratic countries may have a right to conduct 'civilising' missions (or promote democracy) in troubled regions like Burma, or even potentially in China where a 'trust deficit' has remained.

In order to deal with global as well as regional issues surrounding the war on terrorism and China, the *2007 Armitage Report* recommended a number of domestic reforms that Japan should undertake at operational, material and legal levels. The report suggested that in addition to the further involvement in peacekeeping missions, Japan should prepare for hostage rescue missions and develop the necessary expertise. Moreover, welcoming Japan's recent amendment of arms control principles that has given the Japanese government an official green light to jointly develop missile defence programmes with the United States (*Kyodo News* 2005), the report emphasised the need

for the removal of all remaining arms restrictions and controls (Armitage & Nye 2007, p. 27).<sup>19</sup> The report encouraged the further development of a military-industrial complex based upon advanced technologies that Japan has developed. It also suggested that “Japan should consider developing a special budget for ballistic missile defense” (Armitage & Nye 2007, p. 27). All of these suggestions repeated the projects that the previous *2000 Armitage Report* had emphasised for further development towards a ‘healthy’ and ‘normal’ security alliance system between the United States and Japan.

Aiming to encourage the reinforcement of Japan’s military power in support of the U.S. regional and global military strategy, the *2007 Armitage Report* urged the passing of permanent legislation that would enable Japanese troops to be deployed overseas. This recommendation was based upon America’s discomfort with Japan’s *ad hoc* laws such as the *Emergency Law* in 1999, the *Anti-Terrorism Law* in 2001 and the *Iraq Humanitarian Law* in 2003, which legalised the deployment of Self Defence Forces in surrounding Japanese waters in the Indian Ocean in support of the war in Afghanistan, and in Iraq, respectively (Armitage & Nye 2007, p. 22). A fundamental criticism of this report was that the process of making *ad hoc* legislation was unreliable, time-consuming and, therefore, inappropriate for ‘healthy’ trans-Pacific military relationships in times of international crises. Hence, in order to become an appropriate and normal ally of the United States, Japan would have to reform the pacifist clause in the constitution, which continued to constrain the exercise of collective self defence

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<sup>19</sup> In 1967, Japan created the Three Principles on Arms Export, announcing that arms and military related equipment are not permitted to be exported to 1) Communist states; 2) states subject to ‘arms’ exports embargo under the United Nations Security Council’s resolutions; and 3) states involved in or likely to be involved in international conflicts. Whilst in 1983, the Japanese government made an exception for the provision of the advanced technologies to the United States that were transferable to military development, some restriction still remains such as on firearms, ammunitions, explosives, military vehicles, and related equipment. See, Japan’s *Policies on the Control of Arms Exports*, and its annex, *Arms and Arms Production-related Equipment Listed as Item 1 of the Annexed List 1 of the Export Trade Control Order*, available from <http://www.mofa.go.jp/policy/un/disarmament/policy/index.html> Retrieved: May 26, 2008.

under the security treaty. Although the report rhetorically argued that “the United States, as an alliance partner with high expectations for U.S.-Japan partnership, has a strong interest in how Japan approaches such matters” (Armitage & Nye 2007, p. 21), the removal of the pacifist clause would still be crucial for further Japanese military reinforcement.

### **Japan as a Responsible Civiliser?**

America’s continuing pressure, as seen in the Armitage reports and other key statements and documents, has eventually helped to play a part in the ongoing debates within Japan over constitutional reform. The question of constitutional amendment seems no longer taboo in Japanese politics as far as the major parties’ proposals are concerned. The coalition led by the Liberal Democratic Party, has proposed that although the principle of the renunciation of war should be retained, it recognises the Self Defence Forces as the official military forces. The proposal has also allowed the established military force to participate in two kinds of actions carried out “for the maintenance of international peace and security with international cooperation”, and “for the maintenance of public order as well as the protection of life and liberty of the Japanese in times of emergency situations” (Liberal Democratic Party 2005).

On the other hand, the opposition party, the Democratic Party of Japan, has argued that a threat to peace in international society can be dealt with via United Nations initiatives. By eliminating ambiguous and arbitrary interpretations of the constitution, it has noted that Japan can participate in collective security actions led by the United Nations based upon the right of collective self-defence in the Charter. The

proposal also claims that Japan can take part in United Nations-authorized multinational peacekeeping operations (Democratic Party of Japan 2005). However, considering America's pressure for military reinforcement to 'normalise' the half-century old security alliance system, and related discourses discussed in this chapter, there seems no doubt that Japan can become one of the most militarily powerful states that willingly conducts civilising missions as a responsible 'civiliser', once the existing constraint of the pacifist clause is removed.

The 'normalisation' of Japan with more powerful and more effective military power may be reaching a critical juncture. In upgrading the Defence Department from an agency to a Ministry to enlarge its roles and budget (*The New York Times* 2007), as the 2007 Armitage Report advised, the ruling party is now seeking the possibility of *exercising* the collective self-defence right under the current pacifist constitution, whilst finding an opportunity to get major public support for a reform of the constitution in the near future. Referring to this possibility, and indicating his ambition in relation to a healthy alliance system with the United States, Prime Minister Shinzo Abe argued that "[w]e will have to study if we can shoot down missiles that could be heading toward the United States" (*Kyodo News* 2006). Furthermore, Abe's advisory panel on international security, the Meeting of Security Council, sought further expansion of the interpretation of the constitution (*BBC Monitoring Asia Pacific/Kyodo News* 2007). Most recently, the current Prime Minister Taro Aso, who was appointed in September, 2008, called for a change in the government's interpretation of the pacifist constitution to participate in collective self defence operations (*The Mainichi Daily News* 2008).<sup>20</sup> In addition,

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<sup>20</sup> Prime Minister Aso, however, spoke on 4<sup>th</sup> November, 2008 that he would not change the interpretation of Article 9 that restricts the exercise of the right to collective self-defence (*The Japan Times* 2008). Aso's retraction was generated throughout disputes over the prize-winning short essay (rather than an academic article), 'Was Japan an Aggressor Nation?', written by Chief of Staff of the Japanese Air Self

following on from one of the key issues between the United States and Japan in the two Armitage reports, both countries succeeded in ballistic missile defence testing in late-2007, launching a missile from the Japanese Maritime Self Defence Force Aegis destroyer (Katsumata 2007). In the same year, moreover, Japan joined an air force exercise with the United States in Guam, with Japanese jet fighters flying directly from a Japanese base camp and dropping the first live munitions in a foreign land in the post-Second World War period. It may be correct to say, as one reporter comments, that “Japan’s military has been rapidly crossing out items from its list of can’t-dos” (Onishi 2007). Indeed, it appears the time has almost come to cross out the limitation restricting the exercise of the right to collective self-defence in order to become a responsible, normal and thereby ‘civilised’ state.

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Defence Force, Toshio Tamogami. In his essay, Tamogami argues that the United States tricked Japan into attacking Pearl Harbour, and denied Japanese aggression in Asia and Pacific in the 1930-40s. He concludes that “[i]t is certainly a false accusation to say that our country was an aggressor nation.” Tamogami was dismissed soon after the publication of his paper. The English version of his essay is available from [http://www.apa.co.jp/book\\_report/images/2008jyusyou\\_saiyuusyu\\_english.pdf](http://www.apa.co.jp/book_report/images/2008jyusyou_saiyuusyu_english.pdf) Retrieved: November 6, 2008.



## **Chapter 5**

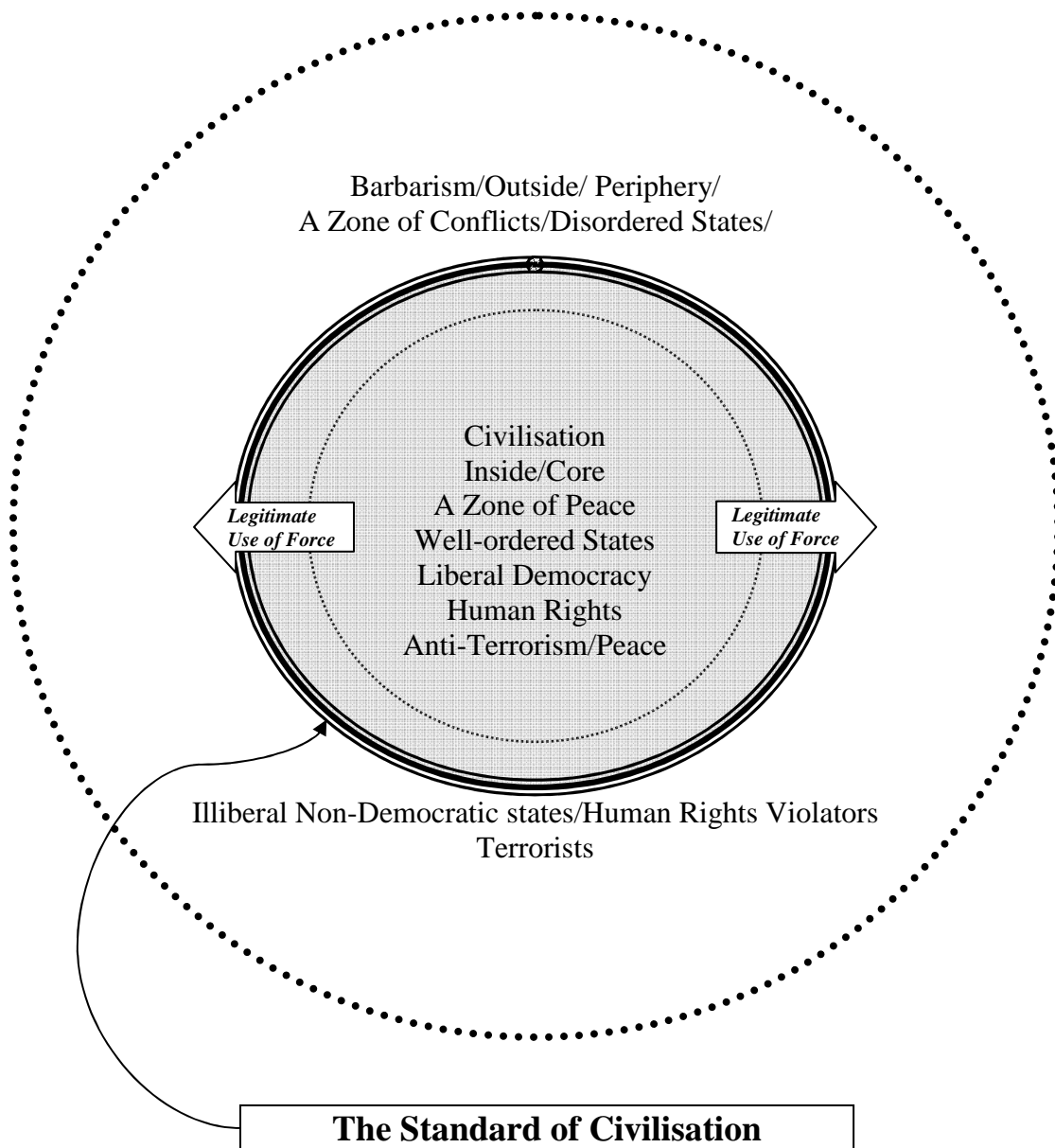
### **Conclusion**

The preceding chapters have examined the standard of civilisation, and its continuity over the last two centuries in the context of Japan. They have suggested that the articulation of political discourses of civilisation, which have been used to distinguish between civilisation and barbarism, is related to the remilitarisation of Japan and ongoing processes of its reinforcement. From this perspective, this chapter examines implications of the nexus between civilisation and remilitarisation in international politics, particularly in relation to issues of regional and global peace and security.

#### **The Civilised Hierarchy of International Politics**

The investigation into the reinforcement of Japan's military power and its relation to the distinction between civilisation and barbarism in international politics can be understood as a conceptual hierarchy made up of concentric circles that are composed of the superior 'civilised' core circle and the inferior 'barbaric' peripheral sphere. The line drawn between these circles is the standard of civilisation, which has been playing a part in international politics since the nineteenth century. As some scholars, such as Hedley Bull and Adam Watson (1984b), Gerrit Gong (1984), Brett Bowden (2002a), Edward Keene (2002), and Shogo Suzuki (2005) have argued, encounters with non-Western societies before the early twentieth century demonstrated that Western states considered themselves as representatives of the true civilisation and this belief worked to justify the expansion of their own social, political, legal and cultural norms and practices beyond their borders. This problem is evident throughout the preceding

**Figure 1: The Concentric Circles of Civilisation and Barbarism**



review of Japanese historical development and the analysis of the relevant debates surrounding the discursive construction of an antagonistic division between civilisation and barbarism.

This hierarchical division between civilised and barbaric states that was central to the classical standard of civilisation was altered, but did not disappear, with the

establishment of the United Nations and the onset of the Cold War in the end of the 1940s. Indeed, these developments heralded the arrival of a *contemporary* standard of civilisation, in which the key antagonism was drawn between the civilised, Western, liberal democratic nations and the barbaric, communist Eastern Bloc. With the dawn of the Cold War era, distinguished political ideologies arose as a more prominent source for drawing a line from the inside ‘core’ to the outside ‘periphery’ (Goldgeier & McFaul 1992). During the Cold War, the clash of two political ideologies, liberal democracy and communism, was a significant factor in the creation of the image of the conflict between civilisation and barbarism, to the extent that, as George Kennan puts it in the (in)famous report, *The Long Telegram*, “[w]orld communism is like a malignant parasite which feeds only on diseased tissue. This is the point at which domestic and foreign policies meet” (Kennan 1946). Campbell illustrates his point by reference to Kennan that “enmity towards communism and the Soviet Union functioned as a code for the inscription of the multiple boundaries between the ‘civilized’ and the ‘barbaric’, ‘normal’ and the ‘pathological’” (David Campbell 1992, p. 195). From this basis, liberal democracies succeeded in portraying communism as a grave danger to the peaceful development of international society.

In the post-Cold War era, the ideological antagonism seen during the Cold War has all but disappeared, but ‘other’ enemies are still constructed as undemocratic dictatorships, human rights abusers, rogue states, and more recently, terrorists. Max Singer and Aaron Wildavsky (1993) assert that the line has been drawn between zones of peace and of turmoil on the basis of the superior norm and ideology of liberal democracy. A prominent goal of liberal democratic states in the zones of peace is, therefore, “to make the international order somewhat more civilized” (Singer &

Wildavsky 1993, p. 139). This assumption that liberal democratic principles play a key role in constructing zones of peace was also taken up by the influential liberal political philosopher, John Rawls. In *Law of Peoples*, Rawls drew a distinction between “well-ordered people” and disorderly people. The former people are reasonably liberal, whereas the latter people are merely outlaw states, generating global instability (Rawls 1999, p. 5). Drawing a similar dichotomy, Goldgeier and McFaul divide the world into the liberal core and the realist periphery (Goldgeier & McFaul 1992, p. 469-70). Robert Cooper makes a similar argument to that of Rawls, Goldgeier and McFaul. According to Cooper, the post-modern world amongst liberal democratic states comprises the civilised core as the “zone of safety”, whereas other non-democratic forms such as the modern and pre-modern worlds make up the “fragile” and “primitive... zone of danger [and] chaos”. Somalia, Afghanistan, and Iraq are three examples of states that exist within this “pre-modern world” (Cooper 2000).

Hence, we might say that the end of the Cold War reinvigorated the sense of superiority felt by the Western powers but again saw a shift in the antagonisms that marked the division between civilised and barbaric states. Saddam Hussein’s invasion of Kuwait, for example, was identified as nothing less than a war against civilisation (Bush 1990a, b). In a different vein, Somalia was represented as a ‘failed state’ in order to justify military intervention, peacekeeping and nation-building operations between 1992 and 1995 (Clarke & Herbst 1996). NATO’s humanitarian intervention in Kosovo, designed to protect the Kosovar Albanians against the tyrannical policies of Slobodan Milosevic, resulted in the highly controversial argument that it might be illegal, but it was morally legitimate (Orford 2003, p. 169; Simma 1999, p. 12). These examples all illustrated the emergence of a new discourse of civilisation in international politics that

opposed dictators, failed states, and human rights-abusers to the virtue of liberal democratic Western powers. Importantly, it was also during this period that Japan became firmly recognised as a representative of civilisation and this coincided with increasing demands that Japan should become more active in military operations aimed at spreading or upholding civilised values. What the Japanese example illuminates, therefore, is that the promotion of liberal democratic principles on a global scale can be seen to lead to militarisation (and possibly violence) rather than to lasting peace.

The discourses of civilisation and barbarism have, therefore, fed in to claims about ‘justifiable intervention’ or ‘legitimate use of force’ in contemporary international politics.<sup>21</sup> Since the collapse of the Soviet Union, in particular, this notion has become the central driving force for the foreign policies of liberal democratic states. The former British Prime Minister Tony Blair, for example, has argued that “[l]ooking around the world there are many regimes that are undemocratic and engaged in barbarous acts..., armed force is sometimes the only means of dealing with [these] dictators” (Blair 1999). Furthermore, President George W. Bush has also argued in support of pro-democratic intervention as the primary objective of American and other liberal democracies, claiming that:

We are led, by events and common sense, to one conclusion: The survival of liberty in our land increasingly depends on the success of liberty in other lands. The best hope for peace in our world is the expansion of freedom in all the world... So it is the policy of the United States to seek and support the growth of democratic movements and institutions in every nation and culture, with the ultimate goal of ending tyranny in our world. This is not primarily the task of

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<sup>21</sup> John Rawls, for example, argues that democratic states must take firm action, including military intervention, when outlaw states violate universal principles of human rights, as such states are “aggressive and dangerous; all peoples are safer and more secure if such states change, or are forced to change, their ways” (Rawls 1999, p. 81). Hence, “[t]he long-term goal of (relatively) well-ordered societies should be to bring burdened societies, like outlaw states, into the Society of well-ordered Peoples. Well-ordered peoples have *duty* to assist burdened societies (Rawls 1999, p. 106; emphasis original). This argument is repeated by the International Commission on Intervention and State Sovereignty, in the *Responsibility to Protect* report, published in late 2001 (International Commission on Intervention and State Sovereignty 2001).

arms, though we will defend ourselves and our friends by force of arms when necessary (Bush 2005b).

In line with this argument, the *2007 Armitage Report* notes that Japan could become involved in military actions to “address the internal and external problems arising from troubled states” in the region (Armitage & Nye 2007, p. 1). It is precisely on this basis that the reinforcement of Japan’s military role is justified *because* Japan has achieved liberal democratic values equivalent to a high degree of civilisation. Having achieved this superior status, it now has to take a more ‘responsible’ role in protecting civilisation and countering any potential ‘barbaric’ attacks.

### **Liberal Militarisation and Security in the Asia-Pacific Region**

The question that must be considered in this context is: Does the protection and promotion of liberal democracy as a superior value then contribute to the achievement of lasting peace as liberal internationalists have argued? A possible answer to this question may be found in the less positive dimension of the democratic peace proposition that “liberal states have become involved in numerous wars with nonliberal states” (Doyle 1983a, p. 213). Whilst many theorists view this hostility to non-democratic states as unproblematic,<sup>22</sup> I would argue that it represents a serious hazard to the idea that liberal democracy is a superior political system, and that it has to be spread in order to create a peaceful international or global order. It is important to emphasise here, as this thesis has illustrated, that democratic states do justify their own violence in the name of the expansion of liberal democracy as superior norms and

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<sup>22</sup> This hierarchical division between the different forms of civilisation and barbarism has found theoretical support in the democratic peace literature that emerged in the 1980s and 1990s. Publications in support of the democratic peace thesis from theorists such as Michael Doyle (1983), Francis Fukuyama (1989), Thomas Franck (1995), and Jack Donnelly (1998), have put forward the view that “constitutionally secure liberal states have yet to engage in war with one another” (Doyle 1983, p. 213).

values. The logic of this brand of liberal internationalism seems to be, therefore, that in order to achieve peace through the expansion of liberal democracy, the violence that may occur in its process is inevitable and even justifiable. This kind of Orwellian logic can lead to a more dangerous and slippery argument, and consequently to violence in reality. Dividing the world into the civilised post-modern core and the barbaric periphery, Cooper offers advice to so-called ‘post-modern states’:

those who have friendly, law-abiding neighbours should not forget that in other parts of the world the law of the jungle reigns. Among ourselves, we keep the law but when we are operating in the jungle, we also must use the laws of the jungle (Cooper 2000, p. 38).

This kind of argument has been implicated in the horrific practices that have taken place in Guantanamo Bay, Abu Ghraib, and other American detention camps in the context of the war on terror (Butler 2004, p. 65). It has been claimed by those responsible that this ‘detention and torture’ was *inevitable and justifiable* to counter terrorism. Sontag writes: “Endless war [on terrorism] is taken to justify endless incarcerations. Those held in the extralegal American penal empire are ‘detainees’; ‘prisoners’, a newly obsolete word, might suggest that they have the rights accorded by international law and the laws of all civilized countries” (Sontag 2004). This illustrates the justification for torture not against prisoners of war, but against terrorist suspects or detainees, who are considered somewhat ‘sub-humans’ and ‘barbarians’ by ‘civilised’ people.

Turning to the regional perspective in relation to Japan’s security alliance with the United States, the understanding of China as an ‘irresponsible state’<sup>23</sup> could have major ramifications in terms of regional and global peace and security. As has been

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<sup>23</sup> Yongin Zhang, for example, argues that China can be labelled as irresponsible in international political debates since there are ongoing issues in the China-Taiwan Strait, as well as exports of arms and nuclear technology to ‘rogue’ states like Iran and Iraq, and recently to Sudan where mass killing, and possibly genocide, has been occurring in Darfur (Zhang 2001, p. 241). From this perspective, Zhang asserts that “China’s human rights record falls far short of meeting the new ‘standard of civilisation’” (Zhang 2001, p. 241).

briefly assessed in the previous chapter, the key issues in the debates over China's 'responsibility' revolve around the protection of human rights principles and the adherence to liberal democratic values, which are the two major standards of civilisation in contemporary international politics. It can also be argued that without commitment to these two factors, China's position "continues to be an ambiguous one" (Suzuki 2007, p. 33), and that China, consequently, remains "undoubtedly in the outer ring of the concentric circles of international society" (Zhang 1998, p. 251). This notion is also taken up by Rosemary Foot, leading to her conclusion that unless China commits itself to these international standards, it will "remain outside global society" (Foot 2001, p. 19). Thus, if China is understood as an irresponsible, and therefore, uncivilised state, there may be potential for Japan and the United States under their security alliance system to take some form of 'legitimate' joint military action against China in the future. As the *2007 Armitage Report* comments, Japan, the United States, and other democratic states are watching Chinese foreign and domestic policies very carefully. Whilst the report advises Japan to pave a path for China to be a more responsible state (Armitage & Nye 2007, p. 23), Japan, as we have seen, continues to build its military alliances with the United States, Australia, and India, amongst others. Whilst many good reasons remain to avoid serious conflict with China and such an outcome appears highly unlikely at this stage, the articulation of the discourses of democracy and 'responsibility' in relation to Japan are concerning in this context.

The seriousness of this issue becomes evident when considering the work of Ichiro Ozawa, who has suggested the possibility of the possession of Japanese nuclear missile capabilities in order to deal with 'irresponsible' China. Ozawa argued that "If (China) gets too inflated, Japanese people will get hysterical. It would be so easy for us



to produce nuclear warheads - we have plutonium at nuclear power plants in Japan, enough to make several thousand such warheads” (*Kyodo News* 2002; brackets in original). Despite the fact that Ozawa had to retract his view due to criticism, his intention was apparent: Japan and the United States would need to ‘remedy’ China’s irresponsible behaviour if necessary. This does not necessarily mean that Japan will become equipped with nuclear missiles soon, but it represents the inflammatory nature of the discourses of civilisation through which relations between Japan and China are now articulated and understood.

North Korea has also been firmly located within the barbaric periphery after Bush’s explicit statement that North Korean despotism is “a regime that has something to hide from the civilised world. States like these, and their terrorist allies, constitute an axis of evil, arming to threaten the peace of the world” (Bush 2002b). Following this line, Takashi Inoguchi argues that it is Japan’s responsibility to “stop what many consider uncivilised actions” in North Korea by reinforcing the security link with the United States. Japan, Inoguchi claims, “cannot help but rely on the United States to coercively negotiate with Pyongyang to stop these uncivilised actions” (Inoguchi 2004, p. 46). His support for ‘coercive negotiation’ can be related to the suggestion in the *2007 Armitage Report* that Japan would have a right to intervene in domestic affairs in troubled states of the region, particularly North Korea (Armitage & Nye 2007, p. 1). Kenzo Takemi, who served as a Member of Parliament until 2007, also takes it for granted that Japan may have to take pre-emptive actions against North Korean missile sites in serious security emergencies (Kliman 2006, p. 45). In this vein, it is apparent why some key American and Japanese officials and academics argue that Japan has recently removed a restriction on the export of armaments and established ballistic

missile defence systems with the United States. The dark side of liberal internationalism, in which liberal democracies justify aggressive behaviour towards non-democracies, becomes apparent in this context. What we see, in other words, is the legitimization of war in support of democratisation in line with the discourses of civilisation.

## **Conclusion**

This thesis has sought to investigate the idea of civilisation via a case study of Japan's transformation since the mid-nineteenth century. Chapter two has examined the Western-centred 'standard of civilisation', indicating that Western states always maintained the title of civilisation, whereas most non-Western countries were trapped in the discursive distinction between civilisation and barbarism. This distinction seemed to be seen up to the end of the Second World War, but underwent a significant transformation with the establishment of the United Nations. The end of the Second World War and the rise of the Cold War structure marked the emergence of the contemporary standard of civilisation, founded upon the respect of human rights principles, the establishment of liberal democracy, and a commitment to peace.

Chapter three has investigated the transformation of the idea of the standard of civilisation with reference to the case study of Japan through two phases; firstly, Japan's initial encounter with Western powers (and the 'classical' standard of civilisation) in the mid-nineteenth century when Commodore Perry arrived in Tokyo; and secondly, its confrontation with the 'contemporary' standard of civilisation shortly after its defeat in the Second World War. The key point in the first phase was that after Japan failed the test of civilisation put by Perry, it took radical steps to transform Japanese society in order to adhere to the requirements of civilisation. In doing so, it then began behaving

more aggressively towards other parts of Asia and the Pacific, which resulted in Japanese colonialism and imperialism. That is, once Japan showed its own commitment to the classical standard of civilisation, and was considered a relatively highly developed civilised state by Western international lawyers, it then undertook foreign policy similar to that of Western powers, duplicating the way of Western imperialism. There was also a more complex aspect. This was that Japan was still considered a 'second-class' civilised state despite its efforts. This was highlighted in a few humiliating experiences, such as the Triple Intervention in the post-Sino-Japanese war scheme in 1895, the failure of the installation of the racial equality clause in the Covenant of the League of Nations, and the ongoing unfair treatment of Japanese immigrants to the United States until the end of the Second World War. These humiliating experiences for Japan played a partial role in the escalating of its aggressive military behaviour and contributed to the outbreak of the war in Asia and the Pacific in the 1930-40s.

In the second half of the chapter three, the arrival of General MacArthur after the Second World War signalled the beginning of a second phase. Japan now faced a new articulation of the standard of civilisation. As has been assessed in this thesis, whilst the ideological cleavage between the Western and the Eastern bloc deepened, liberal democratic norms and practices were introduced by MacArthur in Japanese society through the drafting of the constitution. Punishing war criminals in the name of civilisation, MacArthur also successfully instilled liberal and pacifist norms in the Japanese constitution.

As has been studied in the chapter four, Japan, however, soon took a 'reverse course' with extensive support from the United States, including MacArthur. It began

rebuilding the defence-cum-military capability, which was justified in the name of protection against communist aggression. This reverse course was justified by the discourse of a war between the civilised democratic bloc and the uncivilised communist bloc. Operating within this discourse, it quickly became possible to justify Japan's position within the Western bloc. In terms of military affairs, this occurred through the conclusion of the security treaty with the United States, and the establishment of an almost full military organisation, the Self Defence Forces, in 1954.

The reinforcement and expansion of Japan's military roles, which was justified as a response to the demands of civilised liberal democracies to share responsibilities as an American ally, continued in the post-Cold War era. This period also marked a rise in the United States' pressure on Japan to be more militarily active, and Japan's failure to respond to this pressure. This experience, however, subsequently led Japan to begin a more active role in peacekeeping missions. It was argued that peacekeeping missions could be understood as contemporary civilising missions insofar as they aim to promote, or even force, non-democratic or illiberal states to accept liberal democratic values. Furthermore, regional instability at the end of the 1990s contributed to Japan's motivation to re-energise its security alliance system with the United States. It is important to note again that the justifications for reinforcing the alliance in the post-Cold War era were founded upon the antagonism between liberal democracies on the one side, and dictatorships, human rights abusers, rogue states, and terrorists on the other.

The image of the war between civilised liberal democracy and barbaric terrorism in the post-September 11, 2001 era has been consolidated and Japan has broadened the parameters of acceptable military activity in the context of the war on terrorism. Japan

has modified its domestic legal framework in order to participate in the wars in Afghanistan and Iraq. Additionally, debates over the future of the pacifist clause have gained in intensity. Major Japanese political parties appear keen to move toward to the amendment (or reinterpretation) of the pacifist constitution, whilst participating in increased joint operations with the U.S. military. The continuation of these debates and the ongoing expansion of Japan's global military role are being watched with some alarm by other regional powers, including China.

The political discourse of civilisation, with its notion of superior norms and liberal democratic values, may generate more destructive consequences, contrary to the promised peace that is central to liberal internationalist thought. As Benedict Kingsbury claims:

It is not clear... why human flourishing is better promoted by the construction of identifiable 'other', and 'us' and 'them' from amongst the myriad ways of understanding and classifying the world... The outcomes of [this construction] seems likely to be the maintenance of a classificatory system which is itself both an explanation and a justification for those at the margins remaining there for generations (Kingsbury 1999, p. 91).

Likewise, Buchan argues that: "it is hard to see why civilisation should now be seen as an acceptable standard of good product, much less as an agent of peace" and nor is it clear "why a peace built on the superiority of the civilized over the uncivilized should be thought at all worthy of the name" (Buchan 2002, p. 422). Unless we undertake a serious reconsideration of the consequences of adopting or maintaining the contemporary standard of civilisation, we may see, as Bowden warns, the use of "'more brutal' means of warfare...in the name of Civilization and battle of good over evil" in the years to come (Bowden 2007, p. 16). Hence, when considering Japan's future, Kingsbury's Buchan's and Bowden's warnings are worth heeding. The idea of benign or legitimate Japanese military force acting for the promotion of universal values may

be appealing for some, but we should be aware of the dangers that such a development may pose for the region and for the world.

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