

Constitutional Reform and Taiwan-Japan Relations in the Post-Abe Era

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Abstract

The unexpected death of former Japanese Prime Minister Abe Shinzo marked the end of an era in Japan that witnessed the country expending great efforts to maintain its leadership status in the Indo-Pacific. Abe had provided leadership for the nation at a tumultuous time and left behind rich legacies as the longest serving prime minister in Japanese history. The bolstering of Taiwan-Japan relations and constitutional reform leading to an expansion of the contexts to use military force are two legacies that stand out among others. Noting increased tensions in the Taiwan Strait, particularly after U.S. House Speaker Nancy Pelosi's visit to Taiwan, the significance of Abe's work needs little elaboration. This article looks back at constitutional reform related to collective security under the Abe government and recent developments in Taiwan-Japan relations, before considering how Japan's security perception of the Taiwan Strait would implicate the development of Taiwan-Japan relations. It suggests that Japan's stance towards developments in the Taiwan Strait is a key factor that will influence the development of relations between Taiwan and Japan in the post-Abe period.

Keywords: Constitutional Reform, Collective Security, Taiwan-Japan Relations, Taiwan Strait, Post-Abe Period

I. Introduction

On July 8, 2022, former Japanese Prime Minister Abe Shinzo was gunned down in Nara while making a public speech. Abe's sudden death shocked the international community, as gun violence is almost unheard of in Japan. The former prime minister's untimely death could not come at a more tumultuous time, as Japan reels



Figure 1. Former Japanese Prime Minister Abe Shinzo Holds a Press Conference at the Prime Minister’s Office

Source: Prime Minister’s Office of Japan, “Japanese Prime Minister Shinzo Abe held a press conference at the Prime Minister’s Office,” May 14, 2022, *Prime Minister’s Office of Japan*, <https://www.kantei.go.jp/cn/98_abe/actions/202005/_00010.html>.

from economic losses caused by the COVID-19 pandemic and the postponed Tokyo Olympic Games. Coupled with systemic shocks generated by the Ukraine War and U.S.-China competition, Japan faces many challenges and needs strong leadership.

One month later, following U.S. House of Representatives Speaker Nancy Pelosi’s official visit to Taiwan, China responded by carrying out live-fire military exercises near Taiwan for almost two weeks beginning on August 3, 2022. The exercises shocked the world and alerted Japan. On August 4, five of eleven ballistic missiles launched by China landed in the waters near Okinawa and within the Exclusive Economic Zone (EEZ) of Japan. It was the first time Chinese missiles

landed in Japanese waters and Tokyo regarded the incident as a grave threat to Japan's national security. While the missile exercises were undoubtedly targeted at Taiwan and the U.S., broader implications were apparent. Noting the proximity of Taiwan to Japan, should conflict break out in the Taiwan Strait, Japan's involvement seems inevitable.

The developments suggest several questions concerning Taiwan-Japan relations. How will bilateral relations evolve following the passing of former PM Shinzo Abe? Is there anyone who can pick up where Abe has left off? How does Japan perceive its relationship with Taiwan? Is the security of Japan tied to events in the Taiwan Strait? How do reforms to the Japanese Constitution affect Taiwan-Japan relations? What would Japan do should conflict break out in the Taiwan Strait? Can Japan "actively" resort to the use of force?

This paper addresses some of these questions and considers the future prospects of Taiwan-Japan relations. The discussion looks back at constitutional reform related to collective security under the Abe government and recent developments in Taiwan-Japan relations, before considering how Japan's security perception of the Taiwan Strait would implicate the development of Taiwan-Japan relations. It suggests that Japan's stance towards developments in the Taiwan Strait is a key factor that will influence the development of Taiwan-Japan relations in the post-Abe period.

II. The Abe Legacy

As the longest serving prime minister in Japanese history, Abe left a list of achievements that may be challenging to match by future successors. PM Abe entered office again in 2012, when Japan was slowly recovering from both physical and psychological damage caused by the Tohoku earthquake while watching the rise of China and its seeming dethronement of Japan in terms of regional leadership.¹ Before Abe's re-entry into office, domestic politics were unstable, with successive prime

1. Tung-Chieh Tsai & Tony Tai-Ting Liu, "Whither East Asian Regionalism? China's Pragmatism and Community Building Rhetoric," *Japanese Journal of Political Science*, Vol. 14, No. 4, December 2013, pp. 543-566.

ministers serving an average of one year in office. Abe brought change and charisma to the PM's office, a development that was best reflected in the political, economic, and foreign policy legacies that he left for the nation.

Abe Shinzo's comeback as prime minister launched an era of stability in Japanese politics. Before resigning from office in 2020 due to poor health, Abe had served for almost eight years, a time when the world suffered from widespread populism, economic crises and COVID-19, among other things. Abe provided leadership in troubled times, which was particularly critical for Japan, as the country suffered from a notorious history of political instability. Noting China's rise in the past two decades, Abe brought Japan into competition with China by proposing the Three Arrows – a policy aimed at reinvigorating the Japanese economy – and securing the hosting of the Olympic Games for Japan. It is clear that Abe had ambitions to re-establish the global status of Japan.

Abe also left an indelible mark in the development of geopolitics in the Indo-Pacific today. While U.S. President Donald Trump is well known for popularizing the use of the term “Indo-Pacific,” one should not neglect the fact that the concept originated in the “Confluence of the Two Seas” speech delivered by Abe to the Indian parliament in 2007.² The idea of the Indo-Pacific was reinforced in 2012 – shortly after his return into office, when Abe proposed the Democratic Security Diamond, a suggestion that sought to advance security cooperation among the U.S., Japan, Australia and India.³ Abe's conception was eventually realized in 2017 as the Quadrilateral Security Dialogue (QUAD), which currently plays an important role in checking China's threat to regional security.

2. Ministry of Foreign Affairs of Japan, “Confluence of the Two Seas – Speech by H.E. Mr. Shinzo Abe, Prime Minister of Japan at the Parliament of the Republic of India,” August 22, 2007, *Ministry of Foreign Affairs of Japan*, <<https://www.mofa.go.jp/region/asia-paci/pmv0708/speech-2.html>>.

3. Abe Shinzo, “Asia's Democratic Security Diamond,” December 27, 2012, *Project Syndicate*, <<https://www.project-syndicate.org/magazine/a-strategic-alliance-for-japan-and-india-by-shinzo-abe>>.



Figure 2. The Quad Conduct Malabar Naval Exercises

Source: U.S. Embassy & Consulates in India, “Australia, India, Japan, and U.S. Kick-off Phase II: MALABAR 2021,” October 13, 2021, *U.S. Embassy & Consulates in India*, <<https://in.usembassy.gov/australia-india-japan-and-u-s-kick-off-phase-ii-malabar-2021/>>.

In the foreign policy realm, Abe’s achievements are impressive. Under the so-called “foreign policy that takes a panoramic view of the world map,” Abe made a number of state visits to partner states around the world.⁴ The former prime minister’s proactivity in bringing Japan’s presence to different regions in his second term commenced a subtle diplomatic competition with Chinese leader Xi Jinping, who traversed the world and actively sought to spread the benevolent image of China abroad in the same period. In response to the Belt and Road Initiative (BRI), in 2017, Japan and India jointly established the Asia-Africa Growth Corridor (AAGC) as a potential balancing initiative against China. In 2019, Japan further concluded cooperation agreements with the European Union to strengthen the connection between Japan and Europe, which can be interpreted as an act that echoes Japan’s efforts to counter China’s growing influence.

4. Yuichi Hosoya, “Assessing the Legacy of Abe’s Foreign Policy,” September 15, 2020, *The Tokyo Foundation for Policy Research*, <<https://www.tokyofoundation.org/research/detail.php?id=771>>.

III. Constitutional Reform: Challenges and Prospects

In addition to Abe's legacies noted above, the deceased prime minister's efforts in revising the Japanese Constitution are notable. Since the end of the Second World War, Japan has been bound by the so-called "Peace Constitution," which specifically refers to Article 9 or the clause that states that "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." Renunciation of the use of force greatly undermines Japan's international status, as military force is traditionally considered to be a key foundation of the state. On the other hand, perhaps more importantly, changes in the regional security environment demand that Japan has the corresponding capability to respond to challenges. Article 9 effectively binds Japan to adopt a defense posture and remain in passivity until attacked, which may not always be possible.

In 2015, despite objections from opposition parties, Abe and the Liberal Democratic Party (LDP) successfully passed a package of laws that allow the Japanese government to have the power to deploy force abroad actively. Citing the beheading of two Japanese citizens by ISIS, Abe pointed out the necessity to have the power to deploy force abroad to protect citizens. The adopted Legislation for Peace and Security not only grants Tokyo the power to respond to situations where the survival of Japanese citizens is threatened, it also allows the Japanese Self-defense Force (JSDF) to participate in overseas missions and carry out collective security with allies. Observers note that the move is the first step towards the normalization or transformation of Japan into a "normal" country that can use force.

In hindsight, the adoption of the new security legislation was timely, as following the election of Trump as president in 2016, the U.S. began to fall into strategic retreat and isolation from the Indo-Pacific. Japan needed to take actions to bolster its security, particularly in reference to sabre-rattling by China in regional waters and the random deployment of missiles by North Korea. An important change introduced by the legislation is unquestionably the expansion of its application to "armed attack against a foreign country that is in a close relationship with Japan."⁵ As such, while Japan

5. Ministry of Foreign Affairs of Japan, "Japan's Security Policy," April 12, 2016, *Ministry of Foreign Affairs of Japan*, <https://www.mofa.go.jp/fp/nsp/page1we_000084.html>.



Figure 3. National Diet Building of Japan

Source: Depositphotos.

may not be attacked directly, an attack against an allied or friendly country could provide justification for Japan to resort to force and carry out collective security. The legislation essentially broadens the geographic scope of Japan's security concerns and demands that Japan watch closely a rapidly changing and volatile regional security environment.

The increased tensions between the U.S. and China since 2016 put the Constitution to test. Specifically, whether Japan could resort to use of force depends on what constitutes an armed attack. The evolving security environment in the Indo-Pacific in the past several years greatly complicated the situation for Japan, as the region witnessed a rise in so-called "grey zone" tactics or scenarios that just fall short of open combat. While Japan seems to be clear on what its response would be if attacked, its response to provocative actions that challenge its national security remains unclear. For example, during North Korea's test firing of missiles across the

Sea of Japan, with some flying over Japan and landing in the Pacific Ocean, Tokyo seemed to do no more than remain vigilant. In March 2022, 10 Russian warships sailed through the Tsugaru Strait that separates Honshu and Hokkaido.⁶ Japan could do little but monitor the situation and make its displeasure known to Moscow after the incident, despite the fact that its national security appeared to be on the line.

In 2022, the outbreak of the Ukraine War and the Fourth Taiwan Strait Crisis generated more debate on the idea of collective security. The two crises put the legislation to the test and raise important questions for Japan. In the case of Ukraine,



Figure 4. A PLA “Y-8 ASW” Aircraft Enters Taiwan’s Southwestern ADIZ

Source: Ministry of National Defense R.O.C., “PLA aircraft entered Taiwan’s southwestern ADIZ,” December 26, 2020, *Ministry of National Defense R.O.C.*, <<https://www.mnd.gov.tw/Publish.aspx?p=77819&title=%e5%9c%8b%e9%98%b2%e6%b6%88%e6%81%af&SelectStyle=%e5%8d%b3%e6%99%82%e8%bb%8d%e4%ba%8b%e5%8b%95%e6%85%8b>>.

⁶ “10 Russian Warships Pass through Tsugaru Strait,” *nippon.com*, March 11, 2022, <<https://www.nippon.com/en/news/yjj2022031100643/>>.

it is unclear whether the nation “is in a close relationship with Japan.” As the war progressed, the expression of support for Ukraine from the U.S. and NATO raised an interesting question: should Japan resort to the use of force when, in this case, the security of NATO members is challenged? On the other hand, in the case of Taiwan, it is also unclear whether Japan can resort to force if conflict breaks out in the Taiwan Strait. As Japan shares close relations with both China and Taiwan, based on the legislation a Taiwan Strait conflict raises the dilemma of whom to support. The situation would be further complicated if the U.S. became involved – while the reasoning for taking military actions would be stronger for Japan, whether Japan can effectively deploy troops under the U.S.-Japan Security Treaty remains a contestable issue.⁷

IV. Taiwan-Japan Relations: Where To?

During Abe’s time in office, Taiwan-Japan relations improved greatly. Relations took off in the aftermath of the Tohoku earthquake, following which Taiwan providing generous donations and relief assistance to Japan. Taiwan’s benevolence stood in contrast with the challenge that China posed – just a year ago, China surpassed Japan to become the world’s second-largest economy. China’s rise offered a great reason for Japan to cooperate with Taiwan to confront a common challenge despite half a century of colonial relationship between the two countries. Under Abe, Taiwan-Japan relations flourished, with the warming of cultural exchanges spilling over into political support for Taiwan.

The strengthening of Taiwan-Japan relations is apparent in several areas. On the political front, perhaps one of the clearest gestures of reinforced relations came in 2017, when Japan renamed representative office in Taiwan as the Japan-Taiwan Exchange Foundation, adding the word “Taiwan.” While the JTEF remains different from an official embassy, the change nonetheless represents a transformation in

7. For a comprehensive discussion, see: Axel Berkofsky, “The US-Japan security alliance – ready and equipped to deal with China?” January 2022, *Robert Schuman Centre*, <https://cadmus.eui.eu/bitstream/handle/1814/74103/RSC_PP_2022_01%20.pdf?sequence=1&isAllowed=y>.

bilateral relations. The move was supported during the visit to Taiwan by Deputy Minister of Japan's Ministry of Internal Affairs and Communication Akama Jiro in the same year at a tourism promotion event. The deputy minister was the most senior official to visit Taiwan since the ending of official diplomatic relations between Tokyo and Taipei in 1972.⁸ In 2020, following the passing of former Taiwanese President Lee Teng-hui, former Japanese PM Mori Yoshiro and Kishi Nobuo, Abe Shinzo's brother, visited Taiwan together to pay tribute to the deceased leader. Following the visit, Kishi succeeded as defense minister and has since maintained a tough stance on China.

The outbreak of COVID-19 in 2020 generated new opportunities for cooperation between Japan and Taiwan. In 2021, at the height of the pandemic, Japan reached out and donated several batches of the AstraZeneca (AZ) vaccine to Taiwan, which at the time was struggling to secure vaccines due to its marginalized international status and high global demand. Japan's vaccine diplomacy was timely and redirected the world's attention toward Taiwan and its tense relationship with China. Meanwhile, the international community's general suspicions of China over its attempts to cover up the outbreak led to stronger support for Taiwan to participate in the World Health Organization (WHO) in a meaningful capacity. Japan was a vociferous supporter; PM Abe openly voiced his support for Taiwan's participation in the WHO on numerous occasions.

In terms of regional security, contradictions in the Taiwan Strait also received attention under Abe. The year 2016 was a turning point that saw the deterioration in cross-Strait relations and the elevation of diplomatic and military pressure by Beijing against Taipei. In addition to breaking Taiwan's diplomatic relations with Sao Tome and Principe, Panama, the Dominican Republic, Burkina Faso, El Salvador, the Solomon Islands, Kiribati, and Nicaragua, China deployed warplanes and drones into Taiwan's air defense identification zone (ADIZ) to harass and intimidate the country. COVID-19, to a great extent, attracted attention to China's rise and its challenge to global security, including the Taiwan Strait. Japan played a prominent role in raising

8. Tony Tai-Ting Liu, "China and Taiwan-Japan Relations: challenges and opportunities," *Asia Pacific Perspectives*, No. 1, 2022, p. 18.



Figure 5. AZ Vaccines Donated By Japan Arrive at Taiwan Taoyuan International Airport

Source: OCAC.R.O.C. (Taiwan), “Japan donated 300,000 doses of AZ vaccine to Taiwan for the sixth time, valid until January 26, 2011,” October 28, 2021, *OCAC.R.O.C.(Taiwan)*, <<https://www.ocac.gov.tw/OCAC/Pages/Detail.aspx?nodeid=3214&pid=31402469>>.

awareness to the rising tensions in the Strait, most notably in contributing to the G7’s statements on the maintenance of peace and security in the region in 2021 and 2022. The statements are meaningful in the sense that Tokyo now recognizes the importance of the Taiwan Strait issue for Japan’s national security.

Noting the growing bond between Taiwan and Japan in recent years, the death of Abe Shinzo leaves many challenges ahead for the development of Taiwan-Japan relations. The personal connections and feelings that the former prime minister had for Taiwan – evident from his statements and actions – will be hard to replicate in future leaders of Japan. In other words, PM Abe was critical in advancing Taiwan-Japan relations – key individuals are indispensable in promoting relations between Taiwan



Figure 6. The U.K. Hosts the G7 Foreign Ministers' Meeting in London, 2021

Source: Government of the United Kingdom, "UK secures G7 action to tackle global challenges and threats," May 6, 2021, *Government of the United Kingdom*, <<https://www.gov.uk/government/news/uk-secures-g7-action-to-tackle-global-challenges-and-threats>>.

and Japan, taking into account the unique status of Taiwan in international relations. Correspondingly, it is also true that with the passing of President Lee Teng-hui in 2020, Taiwan has lost its central figure in advancing relations with Japan. The prominence of Abe and Lee in advancing bilateral relations suggests that the development of Taiwan-Japan relations is a joint task that demands mutual contributions and efforts from both countries.

V. Conclusion

In light of the tasks that Abe Shinzo accomplished during his long time in office, it may be an understatement to say that the deceased prime minister was an influential statesman. Abe's impact on Japanese politics and foreign policy did not end with

his resignation from office, instead, it continued into succeeding administrations. In his short time in office, PM Suga Yoshihide did not steer away from the course Abe had mapped out. As for the incumbent Kishida Fumio administration, many of the announced policies bear a striking resemblance with policies under the Abe years. Kishida's call for a "new model of capitalism" upon entering office,⁹ for example, brings to mind the Three Arrows that Abe introduced in his second term.

Looking forward, it remains to be seen how long Abe's legacy will linger in Japan. While Abe reinvigorated Japan during his office, his time as prime minister was not without controversies in pushing for changes to the constitution and support for collective security. For critics, the benefit of the peace constitution is not only to establish peace in the Asia Pacific, but also the reduction of Japan's security responsibilities by relying on the U.S. military for national defense. For China, Korea and other neighboring countries that remain suspicious over the revival of Japanese militarism, Japan's tampering with the constitution seems like the initial step towards reviving past militarism. Critics point out that one should not forget the fact that former PM Kishi Nobusuke, Abe's grandfather, was indicted as a war criminal after the Second World War.¹⁰ As such, the view in such circles has been that Abe must also be evil and long for war. Noting China's increasing pressure on Taiwan and the potential implications for Japan, whether Japanese governments follow through on collective security remains to be seen.

Collective security is particularly important in the case of contingencies in the Indo-Pacific – the South China Sea, the Diaoyu/Senkaku Islands and the Taiwan Strait. In light of recent tensions in the Taiwan Strait, it is clear that Japan's security perception of Taiwan and its vicinity is a critical determinant for the development of Taiwan-Japan relations in the near future. In other words, whether Tokyo sees its

9. The Government of Japan, "PM Kishida's Speech on the New Form of Capitalism and Why Japan Is a 'Buy'," June 23, 2022, *The Government of Japan*, <https://www.japan.go.jp/kizuna/2022/06/why_japan_is_a_buy.html>.

10. Isaac Chotiner, "How Shinzo Abe Sought to Rewrite Japanese History," *The New Yorker*, July 9, 2022, <<https://www.newyorker.com/news/q-and-a/how-shinzo-abe-sought-to-rewrite-japanese-history>>.

national security as closely connected to developments in the Taiwan Strait implicates the future direction of its relationship with Taiwan. Should Japan consider its relationship with Taiwan as an imagined or integrated community – a concept most prominently advocated by Kase Hideaki – Taiwan-Japan relations may be further reinforced as both sides begin to consider various possibilities for cooperation. Even without an elevation to the level of security, cultural and economic cooperation could give way to a complex relationship that may effectively stabilize the Taiwan Strait, as potential aggressors would be cautioned by Japan’s relationship with Taiwan and its option of tapping into collective security. However, should Japan consider otherwise or see the Taiwan Strait as disconnected with its national security, Taiwan-Japan relations would likely remain lukewarm at best and begin to stagnate as Tokyo becomes distracted with the need to balance great power relations.



Figure 7. Japanese Prime Minister Fumio Kishida Speaks at the G7 Summit Press Conference

Source: Prime Minister’s Office of Japan, “Press Conference on the Video Conference of the G7 Leaders (Situation in Ukraine),” October 11, 2022, *Prime Minister’s Office of Japan*, <https://www.kantei.go.jp/cn/101_kishida/statement/202210/_00005.html>.

Despite the global turbulence caused by the Ukraine War and COVID-19, Taiwan-Japan relations have remained strong in the post-Abe period. PM Kishida has so far shown no sign that he intends to put Taiwan aside. At the Shangri-La Dialogue held in June 2022, Kishida noted that “peace and stability across the Taiwan Strait is of extreme importance.” Noting PM Abe’s strategic imagination, the Kishida administration intends to revise the National Security Strategy to include a statement that reads “no unilateral change of the status quo by force will be tolerated regarding Taiwan.” Can PM Kishida pick up where Abe left off in terms of improving Taiwan-Japan relations? Only time will tell.

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