

# Japan's Top-Down Policy Process to Dispatch the SDF to Iraq\*

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## **Abstract**

In July 2003, Prime Minister Koizumi successfully passed the legislation to dispatch ground SDF units to Iraq in the Diet. His top-down policy process was completely different from Japan's traditional bottom-up system, which Aurelia George Mulgan calls the 'Un-Westminster System' in which the bureaucrats in the ministries play a central role with the LDP being the only political power to negotiate with them. Mulgan also argues that the system has not changed despite recent institutional changes. On the contrary, this paper illustrates how Koizumi and his Cabinet took advantage of the strengthened authority of the Cabinet Secretariat to initiate policies, and successfully pushed the controversial national security legislation through LDP decision-making organs and the Diet by gaining support first from the coalition partners, presenting a new style of Westminster system.

On 19 March 2003 when the US Forces opened fire on the Saddam Hussein regime, Japan's public opinion was sharply split on whether the Japanese government should support the US attack. Immediately after the attack began, Prime Minister Junichiro Koizumi declared Japan's support for the United States in order to maintain firm security relations between the two countries. After President George W. Bush declared the end of major combat operations on 2 May, the Koizumi government swiftly moved on a plan to provide reconstruction assistance to Iraq by dispatching the Self Defense Forces (SDF). Within three months, Koizumi managed to pass the Iraq Special Measures Law (The Law Concerning the Special Measures on the Humanitarian and Reconstruction Assistance Activities) in the Diet.

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Koizumi had had very limited diplomatic experience before becoming the national leader. Some journalists described his achievements in foreign and defense affairs as ‘Koizumi magic’ as he was about to produce great achievements out of nothing.<sup>1</sup> Koizumi’s power base within the Liberal Democratic Party (LDP) was surprisingly weak compared to past prime ministers, as he was not even an LDP faction leader, belonging to the Mori faction. Within the faction itself, he was viewed as a lone wolf and had few supporters; there was no guarantee that he would even receive solid backing from his own faction. How was Koizumi able to exercise leadership in foreign and defense policy making despite his weak power base within the LDP and limited diplomatic experience? This study addresses this question.

### **The traditional bottom-up process**

The traditional decision making within the Japanese government was bottom-up process. As the prime minister’s authority to initiate policy was not clearly defined under the old Cabinet Law, the national leader rarely initiated policies and championed them through the approval process. When the prime minister did provide policy direction, he instructed the related Cabinet minister. The minister in turn gave instructions to his vice minister, the bureau chief, and the director of the related section. If an officer in the chain of command sabotaged the measure, however, the policy did not survive.

In the process, the main working-level officers are usually at deputy director level and in their late thirties to early forties.<sup>2</sup> Their original proposals are discussed within the division (*ka*). A proposal accepted at that level is brought to a working-level meeting with other divisions within the same bureau. If the other sections approve the proposal, it is finalized as a bureau decision with the approval of all the bureau’s division directors. Before the decision is made, however, the officers in charge are expected to have completed coordination with officials in other ministry bureaus and related ministries, as well as legal and budget examination through the ministry secretariat.

Former Administrative Deputy Chief Cabinet Secretary Nobuo Ishihara states, ‘The bureau meetings are the actual decision-making organ within the bureaucracy.’<sup>3</sup> Of course there are official meetings at higher levels: ministry meetings, administrative vice-ministerial meetings, and ultimately Cabinet meetings. The decisions made at the Cabinet meeting represent the end of a long formal process within the government. However, the steps of the policy process taken after the bureau meeting are really nothing more than confirmation. ‘The bureau chief is expected to be able to finalize the policy. If he cannot, he is no longer qualified for his position’, explains Ishihara.<sup>4</sup>

<sup>1</sup> ‘Koizumi Seiken de Nani ga Kawattaka [What changed under the Koizumi administration],’ No. 4, *Nihon Keizai Shimbun*, 8 August 2003.

<sup>2</sup> Ishihara Nobuo, *Kengen no Daiido* [The major transfer of authority] (Tokyo: Kanki Shuppan, 2001), p. 82.

<sup>3</sup> *Ibid.*, p. 92.

<sup>4</sup> *Ibid.*

The bottom-up policy process also existed within the ruling party. The LDP's Policy Research Council had 17 subcommittees (the number was reduced to 13 in 2001) and more than 30 research commissions. Traditionally, the subcommittees served as the first forum the government consulted on a proposal. Members of these subcommittees earning the *zoku* (or policy tribe) label – such as construction *zoku* and agricultural *zoku* – were the ultimate arbiters of political power in a specific issue, instrumental in policy making. They examined the government policies, and often made amendments to them.<sup>5</sup> According to Ishihara, the subcommittees dominated policy making within the ruling party: 'Since the LDP controlled the government for a long time after the war, an approval at the subcommittee level was virtually the same to the bureaucrats as a *de facto* approval in the Diet.'<sup>6</sup> It was the typical bottom-up, decentralized policy process.

Once the subcommittee approved a policy, it was brought to the full Policy Research Council, and finally to the LDP General Council, where the decision had to be unanimous. Under the coalition government, it requires an agreement from the coalition partners. But when the LDP was stable and in charge, Ishihara testifies, 'We only needed to seek approval from the powerful figures within the subcommittees and the party. The deliberation at the Diet was close to a ceremony.'<sup>7</sup> In these bottom-up policy processes within the government and the ruling party, the final policy can end up being totally different from the original draft, since the prime minister has limited control over the process.

Aurelia George Mulgan describes the bottom-up process as the 'Un-Westminster' system. In Westminster systems, the 'Cabinet under the prime minister conducts substantive policy debate and takes charge of policy making. Ministers both collectively in Cabinet and individually as heads of ministries are the source and authority of all major government policies.'<sup>8</sup> Ruling party members outside the government have little direct influence on the policy making. On the other hand, in Mulgan's view, the Japanese bureaucracy has 'formidable control over the function of policy advice, initiation, formulation and implementation . . . . The ruling party, not the executive, is the only political institution with sufficient power to bargain and negotiate with bureaucrats.' In Japan's 'Un-Westminster' system, the role of the prime minister and his Cabinet is very limited.

After the disastrous experience of the 1995 Great Hanshin Earthquake, the lack of strong leadership in the Japanese government was the center of public debate, and reinforcing the power of the prime minister was a major theme of administrative reform efforts under Prime Minister Ryutaro Hashimoto (1996–98). As a result of the

<sup>5</sup> A classic work on the role of *zoku* is Inoguchi Takashi and Iwai Tomoaki, *'Zoku' Giin no Kenkyu* [Study on Zoku Members] (Tokyo: Nihon Keizai Shimbun, 1987).

<sup>6</sup> Ishihara, p. 85.

<sup>7</sup> *Ibid.*

<sup>8</sup> Aurelia George Mulgan, 'Japan's 'Un-Westminster' System: Impediments to Reform in a Crisis Economy', *Government and Opposition*, 38 (1, Winter 2003): 80.

efforts, a series of institutional changes were introduced. The Cabinet Law was revised to give a clear definition of the role of the prime minister and the Cabinet Secretariat in initiating policies. The revised law reinforced Cabinet Secretariat authority ‘to present policy direction for the government as a whole, and coordinate policy strategically and proactively’. In addition, in May 2000, a Cabinet decision was issued to instruct other ministries to recognize that ‘the Cabinet Secretariat is the highest and final organ for policy coordination under the Cabinet.’<sup>9</sup> These new arrangements allow the prime minister and the Cabinet to initiate and proceed with policy processes independent of the relevant ministry.

Mulgan argues that these institutional changes have not altered Japan’s traditional policy-making structure. In her view, LDP’s policy committee remains ‘a formidable channel for dissent against Koizumi’s reform proposal.’<sup>10</sup> This may be true for domestic affairs, but, in the area of foreign and national security affairs, the situation has been completely different, as described in my previous study on the case of the 2001 Anti-Terrorism legislation.<sup>11</sup> This study analyzes the impact of the institutional changes which enabled Koizumi’s top-down leadership in the policy processes of the 2003 Iraq legislation and the decision to dispatch the SDF.

### **Koizumi’s decision for support**

In January 2002, President Bush made a State of the Union address, containing a phrase, ‘the Axis of Evil’, to condemn Iraq, along with Iran and North Korea, for ‘arming to threaten the peace of the world.’<sup>12</sup> Two weeks later, the president visited Japan. In his speech at the Japanese parliament on 18 February, he praised Japan’s contribution to the war in Afghanistan, but did not mention anything about his plans for Iraq. On that day, Bush had a private meeting with Prime Minister Koizumi, which was joined only by National Security Advisor Condoleezza Rice and Foreign Deputy Minister Toshiyuki Takano. According to a media report released four months after the meeting, the president told Koizumi that the United States would attack Iraq. In his response, Koizumi told him that Japan would always be with the United States in the war against terrorism.<sup>13</sup> If this report is accurate, as early as February 2002, over a year

<sup>9</sup> ‘The Guideline of Policy Coordination System’, Cabinet Decision, Cabinet Secretariat, Tokyo, 30 May 2000.

<sup>10</sup> Mulgan, ‘Japan’s “Un-Westminster” System’, pp. 89–90.

<sup>11</sup> For the detailed description of the policy-making process of the Anti-Terrorism Legislation, see Tomohito Shinoda, ‘Koizumi’s Top-Down Leadership in the Anti-Terrorism Legislation: The Impact of Institutional Changes’, *S AIS Review*, Winter/Spring 2003, pp. 19–34; and Shinoda Tomohito ‘Koizumi Shusho no Ri-da-shippu to Anzen Hoshō Seisaku Katei: Tero Taisaku Tokusohō to Yujikanrenho wo Jirei toshita Doshinen Bunseki [Prime Minister Koizumi’s Leadership and National Security Policy Process: Concentric Circle Model Analysis on the Anti-Terrorism Legislation and the Contingency Legislation]’, *Nihon Seiji Kenkyū*, 1(2, July 2004).

<sup>12</sup> State of the Union Address, 29 January 2002.

<sup>13</sup> ‘Bei Daitoryo Iraku Kogeki wo Meigen 2gatsu no Nichibei Shuno Kaidan de’ [US president clearly mentioned the attack on Iraq at the February US–Japan summit meeting], *Mainichi Shimbun*, 9 June 2002.

before the campaign began, the US intention to attack Iraq and Japan's support for it were exchanged by the two national leaders.

As Koizumi had earlier promised to the president, the prime minister announced his support for the US attack on Iraq at Bush's declaration of war. He held a meeting of the Security Council, a ministerial-level meeting in the Cabinet, on 18 March and discussed Japan's possible responses. At a press conference after the meeting, he stated, 'Having listened to President Bush's speech, I felt that it must have been a painful decision. The president must have made various efforts to obtain international collaboration. Under such circumstances, President Bush was left with no other option, and I support this.'<sup>14</sup>

Foreign Policy Advisor to the Prime Minister, Yukio Okamoto, reveals that Koizumi had strong intention to deliver that statement using his own words, not from the memorandum prepared by the bureaucrats. Okamoto states in his article on *Gaiko Forum*:

How would [Prime Minister Koizumi] explain to the people his support for America's use of force? The government officials in charge wrote out explanations and a preliminary meeting was held. The bureaucratic language of the drafts clearly irritated Koizumi. I don't remember exactly what he said in the meeting, but he declared he wouldn't just read from text prepared by the officials. He had thought about the matter himself and he would tell the people his conclusions in his words.<sup>15</sup>

Okamoto also discloses that Koizumi had a hard time making the final decision to support the United States: '[Koizumi's] hesitation was only natural, as he supporting the war was certain to lower his popular support ratings. After a short time he did decide to support the war in Iraq and he did not waver thereafter.'<sup>16</sup> Koizumi's concern was legitimate as his support rate indeed declined. According to a Nihon Keizai Shimbun poll taken immediately after the attack, the disapproval rate against Koizumi's support for US attack was 49 per cent, higher than its approval rate of 40 per cent. Prime Minister Koizumi, however, might have been relieved to learn that the drop in his approval rate was actually a rather small margin. The approval rate of the Koizumi Cabinet dropped by 4 points to 42 per cent, while disapproval rate increased by 6 points to 41 per cent.

### **Centralized policy-making process**

After Prime Minister Koizumi announced Japanese support for the US attack on Iraq, the Japanese government's policy making focused on its contribution to reconstruction in Iraq. On 20 March 2003, Koizumi held a Security Council meeting,

<sup>14</sup> 'Prime Minister Junichiro Koizumi's interview on the issue of Iraq', 18 March 2003. [http://www.mofa.go.jp/region/middle\\_e/iraq/pm\\_int0303.html](http://www.mofa.go.jp/region/middle_e/iraq/pm_int0303.html) (17 June 2005)

<sup>15</sup> Okamoto Yukio, 'Toward Reconstruction Aid for Iraq: A Path via the Indian Ocean and the Nile,' *Gaiko Forum*, Summer 2003, p. 7.

<sup>16</sup> Ibid.

and decided upon an Action Guideline which included five immediate action plans: (1) to ensure the safety of Japanese nationals in Iraq and surrounding areas; (2) to protect key facilities, such as US forces in Japan and diplomatic establishments; (3) to ensure the safety of navigation of Japanese vessels; (4) to prevent confusion in international economic systems; and (5) to provide emergency humanitarian assistance. Immediately after this meeting, Koizumi held an emergency Cabinet meeting to decide on the establishment of a 'Policy Measures Headquarters on the Problem of Iraq' in the Cabinet. Following the Cabinet meeting, he immediately held the first meeting of this newly established headquarters to decide government policies: (1) to provide assistance to countries neighboring Iraq; (2) to strengthen Japan's support in the fight against terrorism in Afghanistan and other areas; and (3) to prepare new legislation to enable Japan to contribute to the reconstruction of Iraq. These swift and smooth reactions showed Japan's preparedness on this issue, and clearly demonstrated Koizumi's determination.

The policy-making process was initiated by the Cabinet Secretariat. Chief Cabinet Secretary Yasuo Fukuda instructed Assistant Chief Cabinet Secretary Keiji Ohmori (from the Japan Defense Agency or JDA) to form a team to prepare legislation. A dozen officials from the MOFA, JDA, and other agencies were gathered in the prefabricated building by the Cabinet Office building. MOFA and JDA unofficially had been planning for a Japanese contribution to Iraq's reconstruction for nearly half a year, and the team was well prepared for swift legislation.

MOFA's headquarters on this policy matter was the National Security Division of Foreign Policy Bureau. The United Nations Policy Division of the same bureau was responsible for negotiating with other nations through the Permanent Mission of Japan to the UN. Also, the Legal Affairs Division of Treaty Bureau provided legal assistance for legislation. These divisions support the Iraq Team of the Cabinet Secretariat. The Iraq legislation was prepared in the framework of international collaboration, not in the framework of US-Japan alliance. Therefore, the US-Japan Security Treaty Division of North American Bureau did not play an instrumental role in the policy-making process.

On the other hand JDA formed a task force headed by Director General Shigeru Ishiba on 20 March. Ishiba instructed JDA officials to strengthen their information-gathering system and to tighten the security patrolling of the SDF vessels and aircrafts. As for preparation for legislation, the Defense Policy Bureau and the Plans and Program Division of the Staff Office of the SDF (Ground, Maritime, and Air) played a subordinate role to the Iraq Team of the Cabinet Secretariat.

In early April, the Iraq Team announced the Action Plan for Iraq reconstruction, including (1) economic assistance, (2) on-the-ground reconstruction assistance, (3) humanitarian assistance, (4) dismantling weapons of mass destruction, and (5) mine-sweeping. In addition to economic assistance, the Japanese government would need to dispatch the SDF to the region to perform these activities. If the United Nations commenced peacekeeping operations, the Japanese government would be able to send

the SDF under the 1992 International Peace Cooperation Law. But this possibility was seen as slim. As the Japanese government developed possible activities under the current laws, the Cabinet Secretariat prepared for a new piece of legislation.

### **Linkage with the North Korean issue**

While the Iraq Team led the formulation the new Iraq legislation, the political process was unorthodox. As described earlier, the relevant subcommittees of the LDP's Policy Research Council are the first forum for the government to gain political approval and the *de-facto* final decision-making organization. Prime Minister Koizumi broke this custom in the process of the 2001 Anti-Terrorism Legislation, by seeking first an agreement from the coalition partners before consulting the LDP's policy committee. Koizumi decided to follow this same pattern for the new Iraq legislation.

While the three coalition parties announced their support for the government regarding the US attack on Iraq, there were a significant number of their members who personally did not support the attack and who were against the dispatch of the SDFs to Iraq. Many legislators realized that the Middle East was important for Japan, but they were not confident to gain public support to dispatch the SDFs to Iraq. On 10 March 2003, the Chairman of LDP's Policy Research Council, Taro Aso, suggested to the LDP Secretary General, Taku Yamazaki, to form a council to deal with both Iraqi and North Korean issues under the theme of Weapons of Mass Destruction.

Yamazaki liked Aso's idea. The Coalition Parties formed 'The Ruling Parties Council for Iraq and North Korea' (hereafter referred as the Ruling Parties Council). Since the return of the Japanese abductees from North Korea in October 2002, the threat of North Korea was widely recognized among many Japanese. In order for Japan to gain US support for this issue, the Japanese government needed to strengthen its alliance with the US. Party executives found a way to appeal to many realists in the coalition parties. On 12 March, the Secretary Generals of the three parties held the first meeting of the council to discuss their policy toward the new Iraq legislation.

The official attitude of the Japanese government about the new Iraq legislation was still cautiously undeclared, even after the fall of Baghdad on 9 April and President Bush's 2 May declaration to end major combat operations. As the Contingency Legislation, which would provide a legal framework to mobilize the SDF in the case of foreign attack on Japan, was deliberated in the Diet, the Koizumi government was unwilling to create another controversy by disclosing information on the new legislation. Prime Minister Koizumi, Chief Cabinet Secretary Fukuda, and Foreign Minister Yoriko Kawaguchi maintained an official position that they would soon consider the possibility of a new Iraq legislation in accordance with developments in world affairs.

The first time that a government official referred to the new legislation was by Prime Minister Koizumi. A brief statement mentioning that his government was preparing for it was made in the government jet on his way to the United States on 21 May. Luckily for Koizumi, the United Nations Security Council passed resolution 1483 to request UN member countries to contribute to the reconstruction of Iraq. Some defense experts

within the LDP claimed the necessity of a UN resolution for Japan to participate in Iraq reconstruction.<sup>17</sup> With this new resolution, Japan could send the SDF based on the request of the United Nations. One hurdle was cleared in order to gain support for the new legislation within the LDP.

On 23 May, Koizumi visited the private residence of President Bush in Crawford, Texas. In his conversation with the president, Koizumi expressed his appreciation by stating, 'it was good that combat operations in Iraq ended early, and that the adoption of UN Security Council Resolution 1483 led to the rebuilding of international solidarity'. For Japanese contribution, Koizumi mentioned the possibility to dispatch SDF C-130 aircraft for transporting humanitarian supplies based on the existing laws. In addition, Koizumi mentioned his will to legislate a new law by saying that 'the dispatch of the SDF and others to assist in the reconstruction of Iraq was something for Japan itself to decide, and that Japan wished to make a contribution commensurate with its national power and standing'.<sup>18</sup> In the policy process of the 2001 Anti-Terrorism Legislation, Koizumi was heavily criticized by the opposition parties because he made a pledge to the US president before consulting with domestic political actors. Again, Koizumi made a similar international commitment to President Bush before explaining domestic political actors and the public.

### **LDP against the top-down decision making**

After Prime Minister Koizumi came home from his trip to the United States and the Middle East, the government and the ruling parties began discussion of a political schedule in order to submit the Iraq legislation to the Diet. On 4 June, the Iraq Team of the Cabinet Secretariat came up with the outlines of the legislation: (1) that activities under the new law would be legally based on a series of UN Security Council resolutions, (2) that the area of activities would be limited in non-combat areas, and (3) that the standard of arm use would not be unchanged from the previous legislation in order to seek quick Diet approval. On 7 June, one day after the Contingency legislation was enacted in the Diet, Prime Minister Koizumi and Chief Cabinet Secretary Fukuda held a meeting with the Secretary Generals of the three coalition parties, and informed that the government would submit the Iraq legislation during the current Diet session. At this meeting, the party leaders agreed that the legislation would be effective for just four years, and that the legislation would be submitted, coupled with the revision of the 2001 Anti-Terrorism Legislation, to extend its time limit for another two years. In addition, Koizumi and Fukuda requested their approval in order to make an official Cabinet decision to submit the bill to the Diet by 13 June, just six days later. Although unofficial consultation among the ruling parties must have been conducted beforehand, this

<sup>17</sup> *Daily Jimin*, the Liberal Democratic Party, 8 May 2003. Available at [http://www.jimin.jp/jimin/daily/03\\_05/08/150508a.shtml](http://www.jimin.jp/jimin/daily/03_05/08/150508a.shtml) (17 June 2005)

<sup>18</sup> 'Overview of U.S.-Japan Summit Meeting,' the Ministry of Foreign Affairs, 26 May 2003. <http://www.mofa.go.jp/region/n-america/us/pmvo305/overview.html> (17 June 2005)



policy process was unusually swift, showing the strong determination of the Koizumi government.

On 9 June, on behalf of the Cabinet Secretariat, Assistant Chief Cabinet Secretary Ohmori explained the details of the Iraq legislation. The new law would allow the government to send both SDF personnel and civilians for activities, including: (1) to provide humanitarian and reconstruction assistance, (2) to support US and other forces to ensure security, and (3) to assist in the dismantling of weapons of mass destruction. The explanation was first given to the Ruling Parties Council. The party representatives generally approved the outlines of the legislation, and agreed to discuss them within their respective parties for official approval.

On 10 June, Ohmori gave the same explanation to the joint conference of the LDP's three policy subcommittees (Cabinet, Defense, and Foreign Policy). When Ohmori told the legislators that the SDF's activities would be limited in non-combat areas, one younger LDP member, Taro Kono, questioned if 'non-combat areas' really existed in Iraq. Ohmori could not provide a direct answer to Kono's question, but stated that 'it is reported that Baghdad and southern areas are safer. Before we dispatch SDF units, we will conduct more detailed research and consult with US forces.'<sup>19</sup> There was other criticisms against the government proposal, which did not relax the standard of arm use to the international level. The LDP joint conference postponed voting on approval of the proposal to the next day.

After this conference, an unofficial session of the LDP General Council was held. There was also strong opposition to the government proposal from the anti-Koizumi camp within the LDP, especially the members of the largest Hashimoto faction. They saw the decision-making process as hasty and autocratic, without sufficient consultation with LDP members. For example, former Defense Director General Yoshinari Norota stressed that 'it would be impossible to make a Cabinet decision by 13 June'. Former LDP Secretary General Hiromu Nonaka questioned 'how to draw the line between combat and non-combat areas'.<sup>20</sup>

On 11 June, the Cabinet Secretariat came up with a new solution to the question of the definition of non-combat areas. The legislation would not differentiate between combat and non-combat areas, but, after the enactment of the legislation, the action guideline would be submitted to the Diet to specify the areas of SDF activities after research results were gathered and current situations carefully examined. Though this was not a totally satisfactory answer to them, the members of the LDP policy subcommittees decided to approve the government proposal on the next day. On the final day of the three-day session, the subcommittees approved the proposal, while they issued a resolution to call on a new permanent legislation to meet the international

<sup>19</sup> 'Jimin, Komei ni Iron mo' [Opposition in the LDP and Komeito], *Kyodo News Service*, 10 June 2003. <http://news.kyodo.co.jp/kyodonews/2003/iraq2/news/0611-1140.html> (17 June 2005)

<sup>20</sup> 'Iraq Shinpo Giron Honkakuka' [Substantial discussion begins on the new Iraq legislation], *Nihon Keizai Shimbun*, 11 June 2003.

standard of arm use for protection of SDF members. In addition, the LDP lawmakers demanded: (1) elaborate research in Iraq, (2) sufficient prior consultation with the LDP, (3) sufficient explanation on SDF activities to the Japanese public.<sup>21</sup>

The approval by the policy subcommittees was not the end of the story. On the same day, the General Council, which usually blindly endorses the decisions of the policy committee, refused to approve the government proposal without amendment. In addition to the policy-oriented fractions within the LDP, the ruling party was sharply split between pro- and anti-Koizumi camps under the backdrop of the forthcoming LDP presidential election in September. The Koizumi camp wanted to see this legislation enacted to tighten Japan's alliance with the United States. The anti-Koizumi camp wanted to take advantage of the public's anti-war sentiments in order to cripple Koizumi in the forthcoming election. Former LDP Secretary General Nonaka, a leading figure of the anti-Koizumi camp, opposed the proposal at the Council meeting by saying, 'We do not have to dispatch the SDF. Humanitarian and reconstruction activities can be conducted by civilians.' He further criticized the policy process, 'we should not submit this important legislation at the chaotic end of the Diet session'. Former defense chief Norota went on to criticize the government proposal, 'The inclusion of the weapons of mass destruction clause in the legislation was too excessive', because such weapons had not been found in Iraq.<sup>22</sup> With strong criticism, the General Council had to postpone approval. During these deliberations within the LDP, both of LDP's coalition partners, Komeito and the Conservative Party, completed the approval process. Koizumi's own party alone did not reach a conclusion.

Compromise was needed to gain approval from the LDP General Council. The anti-Koizumi camp suggested to LDP Policy Research Council Chairman Aso that the removal of the weapons of mass destruction clause was needed for the approval of the government proposal by the General Council. Aso asked Assistant Chief Cabinet Secretary Ohmori to remove the clause from the legislation. Ohmori consulted with Chief Cabinet Secretary Fukuda, and Fukuda's answer was 'no.' Fukuda requested that Aso negotiate with the anti-Koizumi camp to settle with the removal of the clause from the action guideline, but not from the legislation. When the anti-Koizumi refused this offer, Aso agreed to remove the clause from the legislation in order to get approval from the General Council in the afternoon of 13 June.<sup>23</sup>

The Koizumi government received an approval on the Iraq legislation from the coalition partners first. In the case of the Anti-Terrorism legislation, it was enacted when Koizumi's job approval rating was high. The approval of the coalition partners, therefore, put strong pressure on the lawmakers in the LDP. However, public support

<sup>21</sup> 'Kokyuho Motome Jokentsuki Ryosho' [Approval with condition to demand a permanent law], *Kyodo News Service*, 12 June 2003. <<http://news.kyodo.co.jp/kyodonews/2003/iraq2/news/0612-1149.html> (17 June 2005)

<sup>22</sup> 'Iraku Tokuso Hoan de Han Koizumi wa Issei ni Hanpatsu' [Strong opposition of the Anti-Koizumi camp on the Iraq special measures legislation], *Mainichi Shimbun*, 13 June 2003.

<sup>23</sup> 'Teiko Seiryoku, Oshikiri Shusei' [The opposition camp wins a revision], *Asahi Shimbun*, 14 June 2003.

for Japan's contribution to the reconstruction of Iraq was not clear cut. As mentioned earlier, in the late March *Nihon Keizai Shimbun* poll, the approval rate of the Koizumi Cabinet was almost equal to the disapproval rate (42 per cent and 41 per cent). With this low support rate, the prior approval by the coalition partners alone did not create enough pressure on the LDP members. With a small-scale political compromise in the Iraq legislation, the Koizumi Cabinet managed to gain approval from the LDP, which was highly factionalized by policy lines and between the pro- and the anti-Koizumi camps.

### **Diet operations**

Immediately after the approval at the General Council, the Koizumi government made a Cabinet decision to submit the Iraq Special Measures Legislation on June 13. Despite major policy battles within the LDP, the political schedule for the legislation was still on the right track. Three days later, Prime Minister Koizumi held a meeting with two other leaders of the coalition parties, and made an agreement to extend the ordinary session of the Diet for 40 more days. When the three parties requested the extension to the speakers of both houses of the Diet, the opposition parties were united to oppose this extension. They argued that such an extension for major legislation submitted at the end of the session was against general operational rule of the Diet. The ruling parties, however, had to force the passage of extension through the both houses.

The deliberation of the Iraq legislation began with a turbulent start. However, such forceful passage did not lower public support of the Koizumi Cabinet. According to a *Nihon Keizai Shimbun* poll announced on 23 June, the job approval rate of the Cabinet was 49 per cent, 7 per cent higher than late March when the US-led attack began. The approval for the Iraq legislation was 43 per cent, higher than disapproval rate of 41 per cent.<sup>24</sup> This political environment allowed the Koizumi government to aggressively pursue its passage in the Diet.

The deliberation of the legislation in the lower house started on 24 June. The Koizumi Government planned to pass the legislation in the lower house within two weeks in order to enact it by 28 July, the last day of the Diet session. Such swift approval usually requires an agreement from the largest opposition party, the Democratic Party of Japan (DPJ). With support from the DPJ, the Koizumi government would be able to smoothly enact the legislation with overwhelming support of the Diet.

In order to gain support from the DPJ, the legislation had room for several political compromises. First, the legislation would require Diet approval of the action guideline to dispatch SDFs, but did not require prior approval. In the process of the 2001 Anti-Terrorism Legislation, the DPJ demanded prior approval to strengthen the role of the Diet. It was expected that the DPJ would demand the same for this legislation. Second,

<sup>24</sup> 'Iraku Shimpō Sanpi Kikko' [Sharply divided on the new Iraq legislation], *Nihon Keizai Shimbun*, 23 June 2003.

the time limit for the legislation was four years. The Koizumi Government signaled that they were willing to cut it to two years. Third, the legislation would allow ground transportation of munitions to the SDF, which was prohibited under the 2001 Anti-Terrorism Law. The DPJ was expected to demand that the government prohibit such ground transportation. Fourth, the legislation was legally based on UN Security Council resolutions 678, 687, 1441, and 1483. Having the first three resolutions as legal base, the legislation would recognize the legitimacy of the US attack on Iraq. The DPJ would have liked to dispatch the SDFs solely based on resolution 1483, in which the United Nations requested its member states to contribute to Iraq's reconstruction, without recognizing such legitimacy. These changes were also demanded in the discussion within the LDP. But Deputy Chairman of LDP's Policy Research Council Akio Kyuma (former JDA Chief) persuaded LDP members to leave room for political compromise for negotiation with the opposition parties.

With plenty of room for compromise, the government wanted to hold an early conference with the DPJ. But the DPJ was not willing to do so. On 19 June, the 'Next Cabinet' of the DPJ approved the report by their project team on the Iraq issue, titled 'Our position on reconstruction assistance to Iraq'. It denied the dispatch of the SDF. The report by the team who visited Iraq in early June concluded: (1) that they could not identify immediate needs which had to be conducted by SDF troops; (2) that it was difficult to draw the line between combat and non-combat areas; (3) that Japan's SDF units might become a target for anti-US groups of Iraq; and (4) that it would be difficult to predict how long Japan's SDF troops would need to stay.<sup>25</sup> By approving this report, the DPJ showed their opposition to the proposed legislation. LDP members sought negotiation with DPJ members, but the DPJ refused to hold an official conference with the LDP.

Instead, the DPJ submitted its own legislation for reconstruction of Iraq, which excluded the dispatch of the SDF. The DPJ argued that, as long as there was no clear difference between combat and non-combat areas, the dispatch of the SDF might violate Article 9 of the Constitution, which denies Japan's belligerency. DPJ's leader, Naoto Kan, wanted to prove the DPJ's competence as a responsible party by showing their willingness to contribute to the reconstruction of Iraq, while opposing the government proposal to dispatch the SDF. This submission was regarded by the ruling parties as DPJ's refusal to negotiate with them.

With DPJ's refusal, it was impossible to win an overwhelming majority to pass the legislation. But, at the same time, DPJ's submission of the bill required DPJ members to attend the Diet session. This meant for the ruling parties that they could avoid the

<sup>25</sup> DPJ's Project Team on Iraq, 'Iraku Fukko Shien no Arikata ni taisuru Kangaekata [How to deal with the reconstruction assistance to Iraq]', 19 June 2004 [http://www.dpj.or.jp/seisaku/gaiko/BOX\\_GK01212.html](http://www.dpj.or.jp/seisaku/gaiko/BOX_GK01212.html); and 'Minshuto no Iraku Chosadan Hokoku no Gairyaku [The summary of the report by DPJ Research Group on Iraq]', 11 June 2004. [http://www.dpj.or.jp/seisaku/gaiko/BOX\\_GK0120.html](http://www.dpj.or.jp/seisaku/gaiko/BOX_GK0120.html) (17 June 2005)

worst possible scenario against the passage, boycott of deliberation by all the opposition parties. As a result, the legislation passed the lower house on 4 July. By submitting its own bill, the DPJ disassociated itself from the other opposition parties, weakening the solidarity of the opposition camp.

Meanwhile, another obstacle surfaced, introducing another fraction within the LDP. The government wanted to jointly pass both the Iraq Special Measures Law and the revised Anti-Terrorism Law. But LDP upper-house members did not. They wanted to separate the revised Anti-Terrorism Law and to deliberate it in the fall Diet session. By doing so, the chance for Prime Minister Koizumi to dissolve the lower house during the session would be significantly reduced. This would mean a better chance for so-called 'double election' – simultaneous elections for both lower and upper houses. A double election would fully activate LDP's election machines across the nation to benefit LDP upper-house candidates. In order for the Koizumi government to smoothly enact the Iraq legislation in the current Diet session, the cooperation from the LDP upper-house members was essential. The government had to separate deliberation of the two legislations.

In the upper house, there was no chance for negotiation between the government and the opposition parties. The opposition parties sought to attack the government to make a better position for the forthcoming general election. During the deliberation in the upper house, Prime Minister Koizumi made a couple of strange answers during the session. For example, on 9 July when an opposition leader criticized Koizumi for suggesting Saddam Hussein's Iraq had weapons of mass destruction although none had yet been found, Koizumi's response was, 'You cannot say President Hussein did not exist because he is not found now, and it is the same (with weapons of mass destruction).'<sup>26</sup> Another example was Koizumi's answer to DPJ Leader Kan's demand to specifically name any non-combat area in Iraq on 23 July. Koizumi retorted at the time, 'Of course, I do not have an answer right now.' Kan had to state, 'It is an amazing response.'<sup>27</sup>

Despite these problematic responses in the Diet, the deliberation in the upper house was advanced as scheduled. The opposition parties tabled a no-confidence motion against the Koizumi Cabinet in a bid to delay the passage of the Iraq legislation on 25 July. But on the following day, the ruling parties voted for and enacted the legislation to dispatch Japanese troops to Iraq.

Although the public support for the Koizumi Cabinet was not as high as in the case of the Anti-Terrorism legislation, there was general support by the public for some form of contribution to the reconstruction of Iraq. This support allowed the LDP and the coalition government to enact the Iraq legislation.

<sup>26</sup> *Diet Record*, House of Councilors' joint conference of Foreign Affairs and Defense Committee and Cabinet Committee, 9 July 2003. <http://kokkai.ndl.go.jp> (17 June 2005)

<sup>27</sup> *Diet Record*, The National Basic Policy Committee's Joint Inspection Conference, 23 July 2003. [http://www.shugiin.go.jp/index.nsf/html/index\\_kaigiroku.htm](http://www.shugiin.go.jp/index.nsf/html/index_kaigiroku.htm) (17 June 2005)

### **The impact of Iraq situation and the general election**

On 1 August 2003, the day of the promulgation of the Iraq Special Measures Law, the government established 'The Office to Promote Reconstruction Assistance of Iraq' in the Cabinet Secretariat, headed by a JDA official, Kohei Masuda. Seven other officials from the JDA and the MOFA became its staff members.

Despite President Bush's declaration of the end of the war in May, the Iraq situation was unstable with many terrorist activities. On 20 August, terrorists bombed the United Nations Headquarters in Baghdad, killing 23 people, including Top U.N. envoy Sergio Vieira de Mello, and injuring more than 120. This changed the atmosphere at the United Nations. Secretary General Kofi Annan agreed that a multinational force would be established under US command in order to deal with this unstable situation in Iraq. The United States government began forming a draft for UN Security Council resolution to establish such a multinational force.

The Japanese government supported this US proposal. The passage of such a resolution would provide legitimacy to US and British forces to stay in Iraq. In the future, Japan would be able to join the multinational force under the UN flag. This would fit in with the interests of the Japanese government.

The Japanese government lobbied member countries of the UN Security Council to support this proposal. Japan's lobbying toward Syria was especially important. The United States had identified Syria as a state which continued to support Palestinian terrorists. With its embargo of US exports and economic assistance, Washington lacked an effective diplomatic channel to the country. On the other hand, the Japanese government had provided Syria with a total of 200 billion yen of Official Development Assistance. Tokyo successfully persuaded Syrian representatives at the United Nations to vote for the proposal. As a result, UN Security Council Resolution 1511 was adopted unanimously on October 16. On the next day when President Bush met with Prime Minister Koizumi, he explicitly expressed his appreciation of Japan's diplomatic efforts, by stating that 'the role Japan played in realizing a unanimous adoption of the United Nations Security Council Resolution 1511 was commendable'.<sup>28</sup>

Meanwhile, Prime Minister Koizumi successfully dealt with the domestic political situation. He won the 22 September LDP presidential election by winning 339 votes, gaining more than twice as many votes as the second winning candidate with 139 votes (Shizuka Kamei). On 10 October, the Koizumi government managed to pass the revised anti-terrorism legislation to extend it for more than two years. On the same day, Koizumi called a general election by dissolving the lower house.

During the campaign for the 9 November general election, the opposition parties – the DPJ, the Communist Party and the Socialist Party – pledged to oppose the dispatch of the SDF to Iraq. On the other hand, all the ruling parties – the LDP, Komeito, and the Conservative Party – avoided the discussion of SDF dispatch. After the election, the

<sup>28</sup> 'Japan-US Summit Meeting,' Ministry of Foreign Affairs, 17 October 2003. <<http://www.mofa.go.jp/region/n-america/us/summit0310.html>> (17 June 2005)

LDP lost ten seats from 247 to 237, and the Conservative Party lost five lowering their total to four seats, forcing the party to merge with the LDP. The DPJ, on the other hand, emerged as an effective opposition party with a total lower-house membership of 177, gaining 40 more seats. But the incumbent coalition parties managed to maintain an absolute majority of 275 seats in the 480-seat lower house to secure all the committee chairmanships with Komeito's gain from 31 to 34 seats. On 19 November, the ruling bloc reappointed Koizumi as national leader.

The emergence of the DPJ, which had opposed the SDF dispatch, changed the political climate within the ruling coalition parties. Many LDP members started to express their hesitation for support of an immediate dispatch of the SDF to Iraq. At the same time, the situation in Iraq was very unstable. US casualties after President Bush's declaration to end combat amounted to 116, surpassing 115 of the pre-declaration casualty. Moreover, on 19 November, Italian troops were attacked in Nasiriyah, only 100 kilometers away from Samawah, Japanese SDF's planned destination. The approval of the action guideline to dispatch SDF was originally planned for the 14 November approval by the Cabinet. Due to the domestic political climate and the Iraq situation, however, the Koizumi Cabinet decided to postpone the approval.

In the extraordinary Diet session, started on 19 November, the SDF dispatch became a focal issue. DPJ Leader Naoto Kan in his question argued that Iraq was now back at war, and asked Prime Minister Koizumi whether he intended to dispatch SDF by the year end and whether he would label Samawah as non-combat area. Koizumi in response repeatedly stated that he would make a judgment based on future developments.

### **Slain diplomats and the approval of the action guideline**

During the extraordinary session, shocking news swept through Japan. On 29 November, two Japanese diplomats, Katsuhiko Oku and Masamori Inoue, were killed on their way to Tikrit to attend a US-led conference on reconstruction efforts. But the attack on the two diplomats proved that the non-combat zone was not safe either.

The opposition parties strongly criticized government assessment of the Iraqi situation, stating it was not accurate, and demanded to cancel the dispatch of the SDF. On 1 December, while Prime Minister Koizumi showed his anger at the attack, he expressed his determination: 'We have a responsibility to provide humanitarian and reconstruction aid in Iraq. There is no change to our policy of not giving in to terrorism.'<sup>29</sup> On the following day, at the joint session of LDP's policy subcommittees on Foreign Policy and Defense, LDP lawmakers expressed that they should not give in to terrorism. With this support, the Koizumi Cabinet proceeded to form an action guideline.

<sup>29</sup> 'Japan's Iraq commitment under pressure after diplomat deaths', ABC on line, 1 December 2003, <http://www.abc.net.au/am/content/2003/s1000519.htm> (17 June 2005)

In order to avoid opposition from both the ruling and the opposition parties, an action guideline was formulated under a cloud of secrecy. 'It is not always good to openly discuss sensitive issues. Some kind of information is better to be kept secret,' Prime Minister Koizumi told journalists, revealing that he ordered government officials to keep silent on this matter.<sup>30</sup> But there was strong reaction within the ruling parties against this secrecy. At the 4 December session of LDP's defense panel, LDP lawmakers criticized the Director of the Cabinet Secretariat Office of Iraq Reconstruction Assistance, Kohei Masuda, stating that the government had not provided any report from the mission that had visited Iraq in late November.<sup>31</sup> At the executive meeting of Komeito, Party Leader Takenori Kanzaki also complained of the lack of explanation from the government. Despite these complaints, Chief Cabinet Secretary Fukuda maintained secrecy would continue, 'It is difficult to explain before making a decision. I cannot explain the process to the decision as it relates to what kind of decision will be made.'<sup>32</sup>

The secrecy policy of the Cabinet Secretariat was not only toward the ruling parties, but also towards other agencies within the government. A MOFA official told the author, 'The policy process of the Iraq Special Measures Legislation and the action guideline was not open as in the case of the Anti-Terrorism Legislation. This frustrated me. The dispatch of ground self-defense forces is more politically sensitive than that of maritime forces. But a more important factor to the secrecy was Chief Cabinet Secretary Fukuda, whose power significantly increased behind the close doors of policy process.'<sup>33</sup>

On 8 December, the Koizumi Cabinet finally disclosed the outline of the action guideline. The period of dispatch would be one year, beginning 15 December. The number of Ground SDF troops to be sent would be within 600. The troops would provide humanitarian and reconstruction activities in the southeast part of Iraq, mainly in the province of al Muthanna.

That very morning, Prime Minister Koizumi invited Foreign Minister Kawaguchi and Defense Agency Chief Ishiba to his office, and instructed them to consult with the ruling parties. During the lunchtime, the Government-Ruling Parties Conference was held, and the two Cabinet members requested representatives of the government parties to cooperate with the government for swift approval of the action guideline.

In the afternoon, the Ruling Parties Council on Iraq and North Korea and the joint session of LDP's policy subcommittee on Cabinet, Defense, and Foreign Policy were held. The government officials explained the guideline. The activities of the SDF would be limited to non-combat areas, which were defined as 'areas where combat is not taking place at present and where it can be confirmed that combat will not take place

<sup>30</sup> 'Jieitai Haken de Shusho Kankorei' [The prime minister orders secrecy on the dispatch of the SDF], *Nihon Keizai Shimbun*, 4 December 2003.

<sup>31</sup> 'Iraku Fukko Shien ni Kansuru Chosa Hokoku Ukeru' [LDP receives report on the reconstruction assistance in Iraq], *Daily Jimin*, 4 December 2003.

<sup>32</sup> 'Setsumeji Busoku, Miuchi mo Fuman' [Even supporters complain the lack of explanation], *Asahi Shimbun*, 5 December 2003.

<sup>33</sup> A MOFA official, interview by author, 12 May 2004.



for the duration of the time while activities are conducted'. A young LDP lawmaker, Taro Kono, strongly opposed to the guideline by arguing, 'You stated that major combat operations were over. But there are new developments which violate the conditions of the Iraq Special Measures Law.' Despite Kono's statement, an overwhelming majority of lawmakers presented approved the guideline.<sup>34</sup>

Komeito, which had boasted its pacifist stance, had many members who were not willing to support the SDF dispatch. The party, however, held a policy committee in the morning of 9 December, and approved the guideline. Later on that day, Party Leader Kanzaki met with Koizumi to announce their approval. But Kanzaki attached one condition, demanding that the government conduct careful research before the SDF dispatch. With Komeito's agreement, the action guideline was approved by the Cabinet. Again, the agreement from the coalition partner mattered more than the approval from the LDP.

At the press conference after this Cabinet decision was made, Koizumi responded to criticism that the dispatch of the SDF is unconstitutional, by quoting a part of the preface of the Constitution, 'We believe that no nation is responsible to itself alone . . . We, the Japanese people, pledge our national honor to accomplish these high ideals and purposes with all our resources.' Then, Koizumi stated, 'Indeed, I believe that the international community is calling upon Japan, and the people of Japan to act in accordance with the ideals of our Constitution.'<sup>35</sup> Critics quickly attacked Koizumi for ignoring another part of the preface which stated Japan's desire for 'peace for all time'. Within the ruling parties, the lawmakers criticized Koizumi's shortness of efforts to persuade their members as well as the public. An *Asahi Shimbun* poll taken immediately after the Cabinet decision revealed Koizumi's approval rate significantly dropped from 47 to 41 per cent. Only 23 per cent responded that Koizumi's explanation was persuasive, while 64 per cent regarded it as not persuasive. Although only 34 per cent of the respondents supported the dispatch of the SDF (55 per cent opposed), as many as 64 per cent supported Japan's contribution to the reconstruction of Iraq. The poll results clearly showed public frustration at Koizumi's lack of efforts to persuade them.<sup>36</sup>

### **The dispatch of the SDF and diet approval**

The opposition parties strongly criticized the Cabinet decision. Communist Party Chairman Kazuo Shii claimed that the action guideline would 'deploy military force to assist in the lawless war of aggression and occupation of Iraq', and called it 'the worst

<sup>34</sup> 'Jimin Haken Zentei ni Chumon Zokushutsu, Rikuji Tonyu de Komei to Masatsu mo' [The LDP demands many in return for its support of the dispatch, possible friction with Komei on the dispatch of the ground SDF], *Kyodo News*, 8 December 2003.

<sup>35</sup> 'Press Conference by Prime Minister Junichiro Koizumi', 9 December 2003. [http://www.kantei.go.jp/foreign/koizumispeech/2003/12/09press\\_e.html](http://www.kantei.go.jp/foreign/koizumispeech/2003/12/09press_e.html) (17 June 2005)

<sup>36</sup> 'Naikaku Shijiritsu Kyuraku' [Sharp drop of the Cabinet approval rate], *Asahi Shimbun*, 12 December 2003.

kind of option which lacks any justification.<sup>37</sup> Socialist Party Chairwoman Mizuho Fukushima argued that ‘the participation in Iraq war would increase terrorism and hatred, and would delay the reconstruction of Iraq.’<sup>38</sup> DPJ President Naoto Kan also criticized the decision by arguing, ‘it is difficult to establish the parameters of the non-combat zone Iraq. A dispatch of SDF troops under present conditions would exceed the provisions of the Iraq Special Measures Law. Furthermore, depending on the circumstances, there is a risk that it might infringe upon the Constitution.’<sup>39</sup> The DPJ, however, wanted to show its competence to run the government and prove its viability as a responsible party, considering the forthcoming July 2004 upper-house election. The largest opposition party expressed that they would support the dispatch of the SDF if reconstruction efforts were led by the United Nations. As a result, the DPJ again disassociated itself from the other two opposition parties, weakening the opposition parties’ solidarity to attack the Koizumi government. As a result, the opposition parties could not stop the approval process to dispatch the SDF.

After the Cabinet decision, the JDA officials compiled an implementation guideline to define the detailed activities, and reported it to Prime Minister Koizumi on 18 December. Although the guideline did not have an exact date for the dispatch for each force, it showed that an advance air force contingent would be the first one to be dispatched. Koizumi approved the guideline. The next day, Defense Agency Chief Ishiba issued an order to dispatch an advance air force contingent to undertake liaison and coordination duties, and the contingent was dispatched on 26 December.

More controversial was the dispatch of ground SDF units, which would face a higher risk of attack. Komeito’s supporting body, Soka Gakkai, had an influential bureau of women with strong pacifist inclinations. Komeito leader Kanzaki was torn between the pacifist element within the party and the responsibility as a government party. Kanzaki repeatedly stressed to Koizumi that the government should act cautiously. In order to demonstrate maximum efforts to learn about the situation and gain support from within the party, Kanzaki decided to visit Iraq. Kanzaki visited Samawah where Ground SDF units would be sent, and after he returned to Japan he reported to party officials that Samawah was relatively safe. Then, Kanzaki met with Prime Minister Koizumi on 22 December, and told him that he would approve the dispatch of Ground SDF units to Iraq. At that time, Kanzaki demanded that, for every dispatch of SDF units, consultation was needed with the ruling parties, and the prime minister agreed to that.

On January 6, 2004, as Kanzaki requested, the government held a consultation meeting with the ruling parties. At the meeting Assistant Chief Cabinet Secretary

<sup>37</sup> ‘Cancel plan for SDF dispatch’, *Japan Press Weekly*, 9 December 2003. <http://www.japan-press.co.jp/2363/cancel.html> (17 June 2005)

<sup>38</sup> ‘Iraku eno Jieitai Haken Kihon Keikaku no Kakugi Kettei ni tsuite’ [On the Cabinet decision of the activity guideline to dispatch the SDF to Iraq], 9 December 2003. <http://www5.sdp.or.jp/central/timebeing03/danwa1209.html> (17 June 2005)

<sup>39</sup> ‘Statement on the Cabinet Decision to Approve a “Basic Plan” Based on the Iraq Special Measures Law’, 9 December 2003. <http://www.dpj.or.jp/english/news/031215/02.html> (17 June 2005)

Ohmori and Defense Vice Minister Takemasa Moriya met with LDP Secretary General, Shinzo Abe, and Komeito Secretary General, Tetsuzo Fuyushiba, and informed them that the government would dispatch an advance ground unit with some 30 troops to Samawah. As he had to consult with his party, Fuyushiba could not offer an immediate approval. But Fuyushiba expressed his satisfaction with the promised consultation. Two days later, the executive meeting of Komeito approved the dispatch of the advance ground unit, and Fuyushiba informed Abe and Ohmori about the party approval. On the next day (9 January), Defense Agency Chief Ishiba ordered dispatch of the advance ground unit.

Based on this order, on 16 January, the advance ground SDF unit left Japan. According to an Asahi Shimbun poll immediately after this dispatch, approval for dispatch was 40 per cent, still lower than the disapproval rate of 48 per cent. But the approval rate was higher than that of the Cabinet decision of the activity guideline (approval 34 per cent, and disapproval 55 per cent). Commenting on this public opinion poll, Deputy Chief Cabinet Secretary, Hiroyuki Hosoda, stated that 'public understanding on the activities of the SDF is increasing.' Koizumi's job approval rate also increased to 43 per cent, five points higher than the disapproval rate. These poll results were a good news for the Koizumi government.<sup>40</sup>

In his policy speech on 19 January, Koizumi described his commitment to Iraq, 'Like a pair of wheels, we will provide both financial assistance and a personnel contribution through the Self Defense Forces.' Explaining the need to dispatch the SDF, he stated, 'In personnel terms, given that the situation in Iraq is one that cannot always be described as being safe, I have decided to dispatch the SDF, which have had a daily training regimen, and are capable of operating efficiently and avoiding danger in hostile environments. They will not use force.' Toward the end of the speech, he stressed the importance of personnel contribution by saying, 'Merely arguing is not enough to realize peace. Peace is something that can only be built by the combined capabilities of the international community. Understanding that Japan's security and prosperity is intertwined with world peace and stability; we must fulfill our responsibilities as a member of the international community through action.'<sup>41</sup>

Heated debates in the Diet started in the form of questioning this speech by party leader. DPJ Leader Kan attacked Koizumi, 'Whatever reasoning you provide, [the dispatch] is infringing the principals of the Constitution which prohibited the dispatch of the SDF to combat situations', and asked the prime minister whether the defense against a terrorist attack would constitute 'use of force'. Koizumi answered that it would not constitute 'use of force which infringes the Constitution'.<sup>42</sup> The

<sup>40</sup> 'Haken ni Rikai, Yoto Ando' [General understanding on the dispatch relieves the ruling parties], *Asahi Shimbun*, 20 January 2004.

<sup>41</sup> 'General Policy Speech by Prime Minister Junichiro Koizumi to the 159th Session of the Diet', 19 January 2004. [http://www.kantei.go.jp/foreign/koizumispeech/2004/01/19sisei\\_e.html](http://www.kantei.go.jp/foreign/koizumispeech/2004/01/19sisei_e.html) (17 June 2005)

<sup>42</sup> *Diet Record*, House of Representatives Floor Meeting, 21 January 2004. [http://www.shugiin.go.jp/index.nsf/html/index\\_kaigiroku.htm](http://www.shugiin.go.jp/index.nsf/html/index_kaigiroku.htm) (17 June 2005)

Japanese government defined combat as ‘organized and planned attack by a state or actor equivalent to a state.’ With this definition, a small-scale terrorist attack would not constitute combat, but rather deterioration in public disorder against which Japanese peacekeepers could act without violating the Constitution.

On January 23 during the deliberation to approve the dispatch of the SDF in the Diet, some members of the advance ground unit came home from Samawah, and reported to Defense Agency Chief Ishiba that the situation around the dispatched area was stable. Assistant Chief Cabinet Secretary Ohmori passed the report to Secretary Generals Abe (LDP) and Fuyushiba (Komeito), and the Secretary Generals agreed to approve the dispatch of main ground SDF units of nearly 600 troops by 26 January. At the 26 January morning meeting, Komeito’s executive council decided to delegate the authority for the final decision to Party Leader Kanzaki. That afternoon, Kanzaki met with and informed Prime Minister Koizumi that his party would approve the dispatch of the main ground SDF unit to Samawah. Soon after this meeting, Ishiba issued an order to dispatch the main ground unit.

At the Diet, deliberation to approve the action guideline was somewhat rough, due to miscommunication between SDF troops and the government. Defense Agency Chief Ishiba had to withdraw his previous statements on the situation of Iraq several times. On 30 January, although the opposition parties felt that there was not enough time for deliberation, the ruling parties forced the proposal through the lower house’s special committee on Iraq reconstruction assistance, and later on the floor.

When the stage for deliberation was moved to the upper house on 2 February, the opposition parties boycotted the deliberation in protest to the forceful passages in the lower house. But the opposition parties felt that a long boycott would not be supported by the public, and participated in the deliberation on the government proposal. Although the boycott delayed the final passage for three days, it was approved with a majority at the upper house’s floor on 9 February. All the legal process for the SDF dispatch was finally completed.

On 8 February, the main ground unit joined the advance unit in Samawah. They jointly began reconstruction and humanitarian assistance activities in Iraq.

### **Conclusion**

In the policy process of the Iraq Special Measures Legislation, Prime Minister Koizumi took full advantage of the institutional changes of the Cabinet Secretariat. He formed a task force to exercise the new authority of the Secretariat to initiate policies. As dispatching ground SDF units would involve greater risk, making it more politically sensitive, the policy process in the Cabinet Secretariat was hidden from the rest of the government behind a veil of secrecy. The process was first revealed at the end of May, with the plan soon to follow. The legislation, prepared by the Cabinet Secretariat, was officially approved by the Cabinet within just two weeks. Throughout this process, the Cabinet Secretariat played a central role, making the government ministries and agencies play a subordinate role.

On the political side, the LDP policy committee, which had enjoyed strong direct influence in Japan's traditional policy-making process, and often served as the first forum for political consultation, had a very limited role. While there were significant amounts of unofficial consultation between the committee and the Cabinet Secretariat, it was not the first forum the Koizumi Cabinet officially approached. Instead, the Koizumi Cabinet first sought general approval from the coalition partners, Komeito, and the Conservative Party. Prime Minister Koizumi requested the Secretary Generals of the three coalition parties to approve the legislation proposal. Four days later, LDP's coalition partners, Komeito and the Conservative Party decided to approve it.

Obtaining the approval from the LDP General Council, which has traditionally given an automatic approval of the decision made by the LDP policy subcommittees, was more difficult to acquire, as the ruling party was highly divided between the pro- and the anti-Koizumi camps. In the process to approve the government proposal, the anti-Koizumi camp in the Council demanded the exclusion of the clause on weapons of mass destruction, and political compromise was made to save the faces of the anti-Koizumi leaders. While there was strong resistance within the LDP, its members chose not to kill the proposal already agreed by the coalition partners.

For Diet operations to deal with the opposition parties, the government left room for negotiation in the legislation. The Koizumi government preferred to pass the legislation with support from the DPJ as in the case of the Contingency Legislation. Before the forthcoming general election, the DPJ wanted to demonstrate to the electorate their difference from the LDP by opposing the SDF dispatch. The largest opposition party submitted its own bill on Iraq, and ended up disassociating itself from the other opposition parties. Their unity, therefore, was weakened only to help the ruling coalition manage to pass the legislation in the Diet in late July 2003.

After the enactment of the legislation, the diet approval of the action guideline was required. Again, the approval from the coalition partner became vital in the political process. Komeito, which was torn between its pacifist label and responsibility as a government party, complained about the secrecy. While the party sent its leader to Iraq to support the government proposal, it requested closer consultation with the government. The Koizumi government kept this commitment in order to secure support from the coalition partners, and successfully sent air force and ground SDF units to Iraq by maintaining the solidarity of the ruling coalition.

The support of the US-led attack on Iraq and the dispatch of ground SDF units carried high political risk for the Koizumi government. In order to maintain the close security relationship with the United States, Prime Minister Koizumi was willing to take the risk. By fully taking advantage of the strengthened authority of the Cabinet Secretariat and by gaining support for his policy first from the coalition partners, he successfully pushed the controversial legislation through the LDP decision-making organs and the Diet. This case illustrates Koizumi's top-down leadership, presenting a variation of the Westminster system.