

日本の自由で開かれたインド太平洋ビジョン： パートナーシップのコミュニティ？

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Japan's Free and Open Indo-Pacific Vision: a Community of Partnerships?

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Abstract:

Japan launched its Free and Open Indo-Pacific (FOIP) Strategy in 2016 to reinforce the liberal, rules-based international order regarded as facing global and regional challenges. Japan hoped to attract other states to the FOIP multidimensional platform, including those with limited adherence to freedom and openness. The diffuse nature of the FOIP Vision encompasses diverse issues beyond geopolitical security, spurring doubts of purpose. Does Japan seek minimal status quo order adherence? Is FOIP primarily a values and governance order-enhancing platform, a strategic China-containing construct, or an influence generating counter to Beijing's Belt and Road Initiative? Ultimately, could Japan cultivate a FOIP ecumenical community defending international law and order across the Indo-Pacific? What form of community does Japan envisage creating and sharing with its partners, with strategic or simply communication purposes? This paper addresses these questions, and the degree to which FOIP could realise tangible FOIP benefits for Japan and others, while investigating how "Free and Open" Japan's Vision has appeared during its three major incarnations under Prime Ministers Abe and Kishida.

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Introduction

Attention has been given to Prime Minister Abe Shinzo announcing in 2013, 'Japan is back!', as the foundation point for what would become the 2016 Free and Open Indo-Pacific (FOIP) Strategy. Japan refocused to pro-actively contribute to peace, forge partnerships, and reinforce the (US-led) regional

order status quo. However, Japan's FOIP foundations were laid long before 2013, addressing major strategic issues identified as posing threats to Japanese peace and prosperity at the tail end of the previous century.¹ This paper investigates the formative process of Japan's FOIP, objectives for this policy approach, and whether the FOIP constitutes a major strategic shift for Japan, its US ally, and its diverse range of partners? In particular it investigates whether FOIP is the basis for the formation of a community, or communities, within and beyond the Indo-Pacific region based upon values, norms, and legal principles, or whether it constitutes a more conventional geopolitical reaction to China's Belt and Road Initiative (BRI) and increasing "greater power" assertiveness? By exploring these options, the paper aims to illuminate Tokyo's priorities, and thereby Japanese regional strategic and policy priorities through succeeding decades.

These matters also raise the esoteric issue of ecumenical values and communities, and Japan sharing core "civilizational" traits with selected rather than all partners, and how relations with non-partner regional neighbours may develop. Rather than a new Cold War, could FOIP presage the onset of a new Culture War, where adherence to values and expressions of civilisations partly displaces realist state interests? The FOIP concept thereby potentially delineates between competing world views of governance and state behaviour, thereby fundamentally shaping policy.²

This paper is formed of four sections: 1 Japan's Strategic Background and FOIP examines the challenges facing Japan and how FOIP emerged to address them; 2 FOIP Formation charts its emergence, development, administration, and operationalisation by institutions, providing a guide to how it has been integrated into policy; 3 Visions of Law and Governance examines the legal-normative FOIP foundations, Japanese accordance and anomalies with international law, and legal strategy-governance integration; and 4 FOIP Community, Partnership, and Security investigates the possibilities that Japanese approaches could develop in divergent yet interlocking ways, embracing an ecumenical community, partnership networks, or counter-China bloc. The Conclusion evaluates problems for FOIP development and contesting pressures shaping Japanese strategy.

Faced with limited options within a context of national demographic decline, the FOIP engendered hope within and beyond Japan that the post-war rules-based status quo retained salience. Japan as a potentially "new model" partner in geopolitical, economic, and less policy-defined ways could thereby engage with a broad palette of actors in diverse ways. The FOIP conundrum remains though. Does Japan seek minimal order status quo adherence, is FOIP primarily a values and order-enhancing platform, or is it a strategic China-containing construct, either countering Beijing's Belt and Road Initiative (BRI) drive for regional influence and trust, or signalling a "New Cold War" geopolitical confrontation? Ultimately, could Japan cultivate an ecumenical community of values across the Indo-Pacific and beyond, or would that be a vision too far for FOIP? This paper addresses these questions, and the degree to which such approaches could realise tangible FOIP benefits for Japan and other

states, while investigating how “Free and Open” Japan’s FOIP has appeared during its three major incarnations under Prime Ministers Abe and Kishida, and the likely future trajectory.

1 Japan’s Strategic Background and FOIP

The geo-politics of Japanese strategy are both evidently clear and yet complex. The country exists within a “tough neighbourhood” of states that have proved themselves either largely ambivalent or antagonist towards Japan, and where periods of cordial relations have proved relatively brief. Since 1952, strategic stability has been founded upon the keystone US Alliance, an “unequal” guarantee very much in Tokyo’s favour, but which has thereby also proved a source of anxiety regarding the possibilities of entrapment and abandonment within US strategic designs. The alliance has also become inextricably associated with the liberal international order and patterns of (not quite) free trade that facilitated the rise of Japan from wartime destruction to the gleaming example for Asian states of the benefits of mercantile industrial enterprise.³

Japan is unique among US allies, for it has an identifiable “peace constitution”, which prohibits state belligerency, limits the armed forces, and has not only shaped strategy and policy since 1946, but also the very nature of social acceptance of risk, violence, and power. One of the most notable and yet rarely noted aspects regarding the nexus of Japanese social attitudes and strategic approaches is the self-perception of Japan as a “small country” that is both peaceful and “pacifist”. This perception has changed remarkably little from occupation through to the present day, despite exceptional and brief hubris of late 1980s “bubble economy” boom. Japan is actually a large country, in terms of population, industry, with a vast maritime domain, but perceives itself to be small and relatively weak, not least due to the proximity of US forces from 1945, yet spent a large proportion of its budget on defence from 1954, and from the late 1980s has consistently had a global top five defence budget.⁴ While not a great power, Japan in economic and military indices qualifies as a “significant secondary power”, in many ways more significant than other non-US G7 “middle powers”. Unlike the post-Cold War rise of China, Japan’s post-occupation rise was characterised by avoidance of expansionist, assertive military rhetoric, or challenges to the liberal international order.

The rise of Japan predated and predicted the wave of globalisation, and therefore threats to the liberal international order are particularly keenly felt, not least given the vulnerability of a country almost devoid of industrial natural resources or vast hinterland. Among G7 states, Japan is the most obviously identifiable as a maritime mercantile power, and has rarely suffered from the ‘sea blindness’ identified as afflicting many of its peers.⁵ Japan has naturally had a strong sense of maritime matters, official Marine Day statements referencing ‘territorial waters and exclusive economic zone (EEZ)… approximately 12 times the size of Japan’s land area… the sixth largest maritime nation in the world’, while stating ‘Japan must demonstrate leadership in securing free and peaceful seas, transitioning

from “a country protected by the sea” to “a country that protects the sea.”⁶ The rise of empire, defeat in war, and US occupation greatly shaped Japanese pacifist identification eschewing traditional power belligerency.⁷ Japan slowly revived its maritime industries due to the Korean War, with her first official post-war conflict casualties, even before becoming a world leading builder and operator of vessels.⁸

Japan’s three maritime-territorial disputes are imperial-war legacies. Russian-controlled Northern Territories/Southern Kuriles have complicated peace treaty resolution, while the controversy surrounding Takeshima/Dokdo, a Korean-controlled islet, has often obstructed Seoul-Tokyo relations. The third dispute relates to sovereignty of the barren Senkaku Islands/Diaoyu in the East China Sea (ECS), with competing Taipei and Beijing claims. China’s efforts have focused upon reducing Japanese governance capacity by China Coast Guard (CCG) intrusions. The Japan Coast Guard (JCG) has been the primary state actor, underpinning connections between strategic, governance and legal concerns, adhering to universal liberal norms enshrined within the United Nations Convention on the Law of the Sea (UNCLOS).⁹

FOIP development provides a rare example of a well-coordinated “strategic” approach with seeming inter-agency harmony, and as a Japanese strategic initiative gaining acceptance as allied and partner initiatives complement rather than compete as new regional approaches. From inception, Japan’s FOIP has been founded upon normative-legal values, combining co-development and inter-connectivity with regional partners, particularly in Southeast Asia, with the perceived need to manage insecurity resulting from the “rise of China” and the decline of Japan. China’s rise alone cannot explain FOIP or other Japanese initiatives, as all states face such challenges, not least Vietnam and India with Chinese land borders. Relative and absolute decline and US Alliance provide strategic imperatives. With an ageing and declining population, reduced by 750,000 Japanese citizens in 2022 imperilling future workforce demands, the prospects of Japanese economic and political leadership likely being displaced by Chinese regional domination provided an impetus for usually cautious politicians to think in more ambitious strategic terms.¹⁰

In August 2007, Prime Minister Abe gave a speech on ‘The Confluence of Two Seas’ wherein ‘this “broader Asia” will evolve into an immense network …Open and transparent’ and ‘both India and Japan have vital interests in the security of sea lanes…joining forces with like-minded countries’.¹¹ This prepared the way for the 2016 FOIP Strategy, as the Indo-Pacific concept partly displaced Asia-Pacific primacy.¹² Often regarded as a primarily geopolitical security construct to contain rising China, it developed from connectivity and economic security roots.¹³ The 2013 National Security Strategy (NSS) proved a FOIP precursor of cogent strategy within “whole of government approaches” making a ‘pro-active contribution to peace’. The NSS stated the nature of Chinese South China Sea (SCS) challenges and SCS-ECS issues, their economic criticality, and Tokyo’s desire to see disputes settled ‘not by force, but in accordance with the law and rules’.¹⁴ This was national strategy deeply embedded

within international-liberal norms, seeking international engagement beyond alliance military commitment, engagement, and cooperation. FOIP would far more closely resemble the civilian comprehensive engagement approaches of Japan in Asia from the 1950s, but with the added aspects of safety and security issues within strategic considerations.¹⁵

Despite the prominence of Abe's innovations, Prime Minister Koizumi Junichiro in 2002 proposed the 'creation of a "community"' of Asian states, and in 2005 projected an 'Arc of Advantage and Prosperity', emphasizing regional naval and coastguard cooperation, while in 2006, Foreign Minister Aso Taro announced his 'Arc of Freedom and Prosperity'.¹⁶ The demarcation involved the positioning of China, to be engaged or avoided. Koizumi acknowledged the need for Chinese integration for trade (despite being a nationalist who appeared to significantly damage Sino-Japanese relations by his Yasukuni Shrine visits), while Aso (another noted nationalist and Yasukuni visitor) acknowledged the economic value of China but sought to reduce dependence by "building around rather than with" China by a 'values based order', a normative approach which unexpectedly raised political problems inside Japan and the Liberal-Democratic Party (LDP). As Hosoya illustrates, "values-oriented diplomacy" was generally regarded as a right-wing foreign policy doctrine alienating China from cooperation among like-minded democracies', leading Aso's 2008 Cabinet to abandon his Arc rather than be depicted as an anti-China extremist, thereby alienating voters and damaging the economy.¹⁷

The 2009 (liberal) Democratic Party of Japan (DPJ) Hatoyama Yukio administration hoped to cultivate Koizumi's goals through a "fraternal East Asian Community" but this generated little interest in Beijing and greatly annoyed the Obama administration. Deepening Senkaku-related disputes with increased Chinese aggression (following the detention of a Chinese fishing boat in Senkaku waters, and the later purchase of several islands by the Japanese government to prevent their purchase by maverick nationalist Tokyo Governor Ishihara) led to DPJ premiers Kan Naoto and Noda Yoshihiko reverting to US alliance supremacy and escalating China confrontation. Beijing utilised historical disputes and contemporary power challenges, expressing economic power as regional geostrategic power, repeatedly mobilising historical injustices as weapons against Japanese assumptions of normative legitimacy in a struggle for moral advantage.¹⁸

In Japan, "values-oriented diplomacy" had found its moment when dealing with a state seeking to "redress" many liberal international norms and values, also demonstrating the utility of values-based partners within rational security discussions. This facilitated the transition of such issues from outer right-wing to the centre ground of domestic politics and diplomacy, confrontation with China and continuing trade engagement China forming the basis for an unlikely domestic strategic consensus. China engagement persists as a policy-approach grey-zone, as Japan's greatest trading partner, too important to antagonise, while also clearly being Japan's greatest strategic challenger. The persistent problem for Tokyo is how to both rise to the geopolitical and values-based challenges of China while

simultaneously engaging her as a vital trading partner?

Despite the centre ground between LDP and DPJ administrations on many aspects of China and US Alliance policies, Abe's mild words of 2007 were succeeded by shocking assertions in a December 2012 *Project Syndicate* article: 'Peace, stability, and freedom of navigation in the Pacific Ocean are inseparable from peace, stability, and freedom of navigation in the Indian Ocean' but that 'increasingly, the South China Sea seems set to become a "Lake Beijing," which...is why Japan must not yield to the Chinese government's daily exercises in coercion around the Senkaku Islands...[as] China seeks to establish its jurisdiction in the waters surrounding the islands as a *fait accompli*.'¹⁹ Abe insisted Japan must 'expand the country's strategic horizons' with Australia, India, Japan, and Hawaii forming 'a diamond to safeguard the maritime commons stretching from the Indian Ocean region to the western Pacific', inviting 'Britain and France to stage a comeback' for regional security.²⁰ This maritime-security focus depicted a values-based community for inter-regional security cooperation, signposting FOIP Strategy essence. However, such a statement of Chinese malign intent hardly facilitated Abe's stated aim to improve relations with China and reduce ECS tensions, but rather fundamentally undermined and narrowed functional engagement approaches towards Beijing. For Abe, this raised questions for actual and potential partners. While it appeared designed to produce positive impressions in Washington it would have consequences for developing partnerships with Indo-Pacific states, particularly in the South-East Asian FOIP crux.

Clearly, Japan's FOIP was not a sudden Abe construct. It embodied years of strategic policy developments and aspirations that coalesced primarily through Abe's extensive global partnership cultivating efforts as the most travelled Japanese Prime Minister.²¹ Tokyo "Kantei-diplomacy" (with the Prime Minister's Office as the hub) grew from the late-1990s in contrast to prevailing post-war "bureaucrat-led" policy development, but blossomed under Koizumi and Abe.²² The latter's efforts from 2012, matching the Obama Administration's 'Pivot to Asia', prioritized establishing both strategic and economic partnerships, Midford suggesting a 'decentring from the US' was aimed at strengthening the Japan-US strategic-relationship by cultivating complementary partner-relationships thereby aiding both economic development and security cooperation.²³ Japan's proliferating partnerships can be regarded as facilitating both alliance-buttressing and alliance-hedging but have been presented as buttressing 'pro-active contributions to peace' within FOIP Strategy, which in 2019 became a 'Vision'.²⁴ FOIP Strategy and Vision were also adopted by Washington in a unique conceptual innovation of conforming to a Japanese model, but despite claims of 'a Shared Vision' there are significant differences, not least Japan's broader perception of Indo-Pacific geographic scale than its ally, with India's IP region excluding most of Australia, one of New Delhi's key Quad partners.²⁵

Japan's FOIP has tended to be regarded as somehow linked, overlapping, or combined with the Japan-US-Australia-India Quad alignment. While natural, this holds many potential problems for Japan's

efforts to engage IP states, particularly the Association of South-East Asian Nations (ASEAN) members, through FOIP, as other than the Philippines (under President Bongbong Marcos) and (at times) Vietnam, there are few IP states that appear willing to openly align with the Quad. Early incarnations of both FOIP and the Quad could be partly regarded as security-focused constructs to contain, restrain, or manage China through laws and norms and the pressure and influence derived from significant regional security stances.²⁶ Japan's 2022 Defense White Paper robustly denounced 'Russian aggression against Ukraine', fearing that status quo challenger states could be emboldened to challenge kinetically, with obvious implications for Japan and Taiwan, while the 2023 paper even more firmly place China, Russia, and North Korea in threatening poses, justifying unprecedented Japanese defence budget increases.²⁷ However, the FOIP became less narrowly security-focused (as did the Quad) despite its utility for coordinating security engagement, some suggesting that it emerged amid US-China confrontation as a confrontation amelioration platform, facilitating comprehensive engagement and security enhancement, prompting questions of purpose.²⁸

2 FOIP Formation

As FOIP has become an effort of integrating broader strategic thinking within regional relationships it is important to contextualise its contribution to Japan's objectives. This section aims to illustrate how Japanese government institutions contributed by shaping the concept, utilising rhetorical devices, and operationalising FOIP within policy.

Despite proliferating military exercises under the FOIP banner, the Vision emphasised regional trading blocs, such as the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CP-TPP), within broader values-based consolidations. The approach suggested that adherence to free trade, freedom of navigation, and (some diluted) human rights freedoms could form a platform to consolidate broader regional solidarity. This solidarity would be formed of both adherence to values, the primacy of extant norms and international law reinforcing the liberal-international order, and national interests primarily dependent upon the extant international order. Challengers to such values and interests would thereby be deterred, deflected, or deflated by a "community". By 2019, Tokyo even seemingly hoped that FOIP trade facilitation would act to reconcile the bitter US-China trade disputes, but vagueness lingered regarding containment-engagement approaches within policy and the FOIP Vision.²⁹

All three iterations of Japan's FOIP (2016, 2019, and 2023) have suffered from vagueness and confusion regarding engaging or containing China. As Koga details, Japan's 'initial conceptual vagueness created not only speculation but also confusion among policymakers and researchers', which allowed great flexibility in framing policies and rhetoric, particularly during the turbulent US Trump administration when Japan was desperate to assert its alliance loyalty, but "tactical hedging"

did not provide a sustainable base for functional partnership engagement.³⁰ From 2019, FOIP II assumed more definite characteristics despite “conceptual vagueness”, expressed through the policy approaches of the four key FOIP-engaged Ministries, which demonstrated surprisingly well-coordinated approaches, under Kantei and National Security Council (NSC) direction.

For the Ministry of Defense (MOD), FOIP-based ‘international peace cooperation’ includes Japan Self-Defense Force (JSDF) training, capacity-building, and defence engagement. The three key pillars: ‘① Promotion and establishment of the rule of law, freedom of navigation, free trade; ② Pursuit of economic prosperity…; ③ Commitment to peace and stability’, indicate FOIP-NSS convergence.³¹ 2+2 dialogues, ACSA, and GSOMIA are misleadingly portrayed as tangible Vision achievements, as with other aspects of government activity, despite significantly predating FOIP.³² MOD FOIP-compliant innovations from 2018 include defence roles to deter, defend, and shape the security environment, a subtly diplomatic role beyond traditional defence.³³

Complementing the MOD, Ministry of Foreign Affairs (MOFA) FOIP Principles promote ‘public diplomacy on maritime order and sharing insights on the international law of the sea with the world; Rule-making to expand a free and fair economic order; Securing connectivity across the Indian Ocean and the Pacific; Enhancing governance through capacity building; and Ensuring maritime security and safety.’ MOFA states the ‘concept of FOIP does not intend to create a new institution nor compete with existing institutions’ emphasising ‘Japan cooperates with any partners which share the vision of FOIP’, thus reducing Japanese prominence and welcoming initiatives particularly from South-East Asia, but also potentially China.³⁴ China though is largely missing, unengaged, despite Nagy noting BRI-FOIP ‘interplay’ being mainly ‘reactive in nature’, with Beijing’s FOIP commentary partly focused upon denouncing Japanese “reversion” to militarism.³⁵

Thirdly, Japan’s Ministry of Economy, Trade and Industry (METI) considers the ‘region as “international public goods” through ensuring the rule-based international order attaching importance to ASEAN’s centrality’.³⁶ METI’s “third pillar” (peace and stability) unusually states the value of capacity building for maritime law enforcement and for humanitarian assistance and disaster relief (HADR), emphasising the economic salience of maritime and human security as Whole of Government concerns in a major policy development.³⁷

Finally, the Ministry of Land, Infrastructure, Transport and Tourism (MLIT) administers the Japan Coast Guard’s management of Japan’s extensive territorial-maritime domains, and collaboration with Indo-Pacific partners.³⁸ JCG civilian status and dual safety-security duties avoid controversial naval posturing with functional engagement.³⁹ Maritime security is at the heart of FOIP for all four Ministries, with defence of Japanese ECS interests being JCG-led, with JSDF support to deter, defend, and shape.

Although the intertwining of values and strategy appears opportunistic, operationalising norms as

diplomatic weapons, Japanese historic reliance upon maritime lifelines has been so great that values-based governance strategies constitute a rational basis for risk management. Maritime-reliance and recognising maritime commons demand cooperation and openness for mutual benefits and are natural FOIP concerns to many potential FOIP partners, particularly ASEAN states if avoiding geopolitical confrontation rhetoric and overt regional military engagement with the United States, but this is no simple matter for a US ally. Japan's economic and strategic partnership agreements integrate FOIP approaches, but some partners' limited liberal-democratic values undermine the normative foundations of values-based diplomacy, leading Tokyo to dilute FOIP human rights assertions, targeting Hong Kong and Xinjiang suppression (rather than equivalent ASEAN cases), demonstrating the flexible utility of values in strategic competition as well as their uncertain community foundations.⁴⁰ FOIP III in March 2023 sought to recalibrate many of the core elements, with four new 'Pillars' supplanting the previous three, combining specific references to security with such vagaries as 'addressing challenges in an Indo-Pacific way'.⁴¹ "Open" was redefined from governance transparency to open sharing of IP initiatives, with values being further diluted with relativism and mutual understanding of cultural and normative differences.⁴² By such means, the FOIP brand is made more palatable by diluting its flavour to create a much blander and less distinctive, less substantial product that it is hoped many will find more digestible, but ultimately some will likely find unsatisfying.

3 Visions of Law and Governance

The utilisation of law and norms within FOIP as values around which institutions and states may coalesce, creating de facto civilization boundary markers of the international liberal order has become an often obliquely stated goal within Japanese approaches. Japan's FOIP has often been understood as either comprising a geostrategic means to push-back against an assertive China or as a bulwark for the international rules-based order. These two potentially complimentary explanations come into sharp focus when exploring FOIP in the South China Sea. The cultivation of Indo-Pacific strategic partnerships has partly aimed at building sub-alliance security mechanisms, "status quo" rhetoric liberally utilised to differentiate Chinese and Japanese approaches, with "respect for international law" mobilised for legitimacy competition which requires examination.

Japan has no SCS alliance commitments, territorial claims, or bases, and since 1945 has studiously sought to avoid such concerns. Free market access, shipping navigation, and exploitation of maritime resources have been consistent post-war goals, including aid, collaboration, and partnerships with the member states of ASEAN.⁴³ This consistent approach cultivated liberal-pacific-mercantile relations, despite the SCS becoming during the twenty-first century 'the showcase for how China is translating its considerable economic power into political and military power'.⁴⁴ The clearest examples of Chinese assertive hubris are its "enhanced-island" SCS military bases, without legal status and yet tangible

demonstrations of Beijing's power projection and expansive maritime claims, tangibly symbolising the mythical "nine/ten dash line" of Beijing's presumed maritime destiny.⁴⁵ Even publication of Chinese maps causes significant regional disruptions, including to the September 2023 ASEAN and G20 meetings, which it appears Beijing may not only accept but possibly calculate as a useful "spoiler narrative".⁴⁶ As Drifte states, 'China's SCS policies therefore fit into Japan's narrative of the "China Threat", whereas Japan's SCS policies fit into China's narrative of Japan as a troublemaker at the side of the US.'⁴⁷ Both imagine their legal and justice positions are solid and yet exhibit weaknesses and contradictions. However, Tokyo claims of legitimacy given the centrality of law and values to FOIP mean that claims of hypocrisy and illegality sting sharply.

For Japan, legal and territorial issues define the SCS-ECS dilemma, as China claims sovereignty over most South China Sea islands and the ECS Senkaku Islands.⁴⁸ Tokyo and Beijing agreed to shelve the Senkaku issue from 1972, but a trawler detained for ramming JCG vessels in 2010 prompted Beijing applying rare-earth de facto sanctions for interfering with Chinese vessels in "China's waters".⁴⁹ Beijing escalated the confrontation after the Noda cabinet purchased several islands from private ownership in 2012, with the shock announcement of China's ECS Air Defense Identification Zone in November 2013, including the Senkaku.⁵⁰ The legal aspects of the dispute continue as CCG vessels frequently harass Japanese trawlers in home waters.⁵¹ This coastguard equivalent of China's Anti-Access Area Denial (A2AD) approach denying Japanese governance of its maritime domains, was compounded by the 2021 China Coastguard Law's expansive jurisdiction definitions and legitimization of force.⁵² The impressive JCG has been stretched but Black illustrates neither new legal powers nor investments have "navalised" the JCG, which nimbly ensures that the respective navies do not clash, managing risks and oceans governance.⁵³ Confrontations of naval and air forces hold greater risks, such as a 2013 Chinese naval radar lock-on incident targeting a Maritime Self-Defense Force (MSDF) destroyer and helicopter, with great escalatory potential.⁵⁴

China has undertaken surveillance within Japan's EEZ, asserting innocent passage despite Japanese objections, similar to China objecting to US "innocent passage" Freedom of Navigation Operations (FONOPS).⁵⁵ This is particularly problematic in the Western Pacific around Okinotorishima, where Japan has established scientific stations, insisting the rocks constitute islands despite not meeting UNCLOS definitions (islands deemed capable of supporting human existence), thereby claiming a greatly extended EEZ while undermining its legal status quo guardian credentials.⁵⁶ The Okinotorishima "EEZ hole" has approximately the same area as the entire South Korean EEZ, rich fishing grounds and potential for deep sea mining, is not claimed by any other state but lies on strategic Guam-Taiwan and Okinawa-Korea axes, and has been subject to Chinese surveys, researching submarine routes, fisheries, and energy resources.⁵⁷ This illustrates the intricate connections between legal, territorial, maritime, economic, political, and security FOIP aspects. Such

multi-domain dependencies demonstrate complications for FOIP norm-value reliance if assertions of moral superiority can be readily countered, rendering moral strength an obvious weakness such as with Okinotorishima.

The Okinotorishima EEZ legal anomaly demonstrates poor strategic communication compromising credibility and legitimacy. Expanding the network of FOIP partners could suffer if applications of UNCLOS and Freedom of Navigation are asserted only in waters beyond Japan. Japan has long-avoided traditional, realist military solutions, but security appears to be displacing diplomatic concerns, with the extensive development of JSDF and JCG facilities for East China Sea Nanseishotō southwest islands. The JCG and MSDF have been undertaking values-based oceans governance tasks, particularly joint monitoring of North Korean sanction breaches in the Yellow Sea from 2017, a major multilateral operation with Japan hosting US, British, Australian, Canadian, New Zealand, Korean, and French naval forces, functional engagement confirming Japan's centrality in international security and legal efforts.⁵⁸ The mission relies upon “dynamic” and “evocative” naval diplomacy demonstrations of solidarity, as defined by Chamberlain, without targeting Beijing and thereby avoiding escalating risk, as could be the case in more obvious confrontations around Taiwan.⁵⁹ FOIP has not been designed as a platform upon which to manage security crisis, such as in the Taiwan Straits, but rather as a platform for managing relations to prevent such crises occurring, but the obvious implications of Taiwan-China relations for navigation, human rights, and values could shape Japanese, US, and other responses. The 2022 National Security and Defense Strategy (NSS/NDS) place Taiwanese security much more centrally within Japanese security interests than previous statements, and depict the issue as a crucial point of law, norms, values, and concern for the international community.

4 FOIP Community, Partnership, and Security

Japanese FOIP security functional synergies are primarily maritime in nature, being dominated by trade and security with mainly maritime partners, largely depending upon the MSDF and JCG as primary security actors.⁶⁰ The perception of Rising China's burgeoning military power and ambitions has been the major driver for increased security investment in Japan and throughout the region.⁶¹ The December 2022 National Security Strategy indicated a fifty-percent increase in JCG budget to 2027, and almost doubling the MOD budget, matching changing threat perceptions and re-orientation of JSDF-JCG capabilities towards the Nanseishotō between Okinawa and Taiwan.⁶² A ‘Southwestern Wall Strategy’ has not been realised despite redeployments and investment, with decades of neglect partly remedied, yet distances make policing extremely difficult.⁶³ With few local air bases, vast ECS distances, and increased Chinese air and maritime incursions, the 2022 Defense Program Guideline emphasised developing controversial strike capabilities to counter Chinese forces, indicating departure from long held “minimal defensive defence” approaches.⁶⁴

Defence budget and procurement plans have been remarkable but policy approaches towards Taiwanese security could be regarded as transformational. Once an almost off-limits issue for discussion the security, if not direct defence, of Taiwan has become an issue of great public concern for the Japanese government, most of this change having occurred since the resignation of PM Abe in 2020. Ironically, the presence of Abe's brother, Defense Minister Kishi Nobuo in the succeeding Suga cabinet coincided with the transformation, Kishi's unremarkable career having included leading a Japan lawmakers' Taiwan-relations group, preaching the need for Tokyo to proactively support Taipei.⁶⁵ US, Australian, and European attitudes towards Taiwan have also changed as Chinese suppression in Hong Kong crossed an invisible line of acceptability, while the 2022 Russian invasion of Ukraine focused minds upon aggressive regimes attacking weaker neighbours, but none of them had colonial, constitutional, or social legacies equivalent to Japan's shift over Taiwan.

Japan's transformation has not committed the country to Taiwan's defence, but statements from Tokyo that Taiwan constituted a major security interest for Japan and that it would seek to prevent any violent assault damaging its democracy and integrity indicated that Japan had finally shifted beyond minimal national to broader regional defence.⁶⁶ This merging of national and regional security concepts could hold significant FOIP implications. The US alliance remains the keystone of Japan's security, and with each revision of the US-Japan Guidelines (from the time of the 1995-96 Taiwan election crisis) has attempted to functionally enhance and operationalise the alliance, usually presented as Japan acceding to US demands for more investment, commitment, and action.⁶⁷ From 2022, with the first strategic mentions of defence autonomy, reform seems to have been internally driven, indicating a greater degree of autonomous defence and security augmentation than previously seen, with realistic preparations for potential conflict.⁶⁸ These and the 2022 NSS, NDS, and Defense Buildup Plans possibly constitute the first major indication of a "realist" turn in Japanese defence, but with seemingly contradictory greater autonomy of strategy within greater integration of effort with the US and partners. This resembles Midford's 'decentring' but rather than emphasising complementing US approaches, Japan appears to be enhancing "security self-centring" within interconnected and overlapping networks of partnerships. Whether such partnership communities could provide the reassurance that Japan seeks is unclear given the uncertain nature of Japanese reassurance towards others, there are clearly tiered partnerships for Japan, with Australia at the apex, closely aligning their security and defence approaches and increasing the frequency and intensity of their relations.⁶⁹

Such geopolitical ambitions for collective reassurance and security involve consideration of national and foreign military forces which all prepare for conflict yet largely exist in peace. Naval diplomacy uniquely spans the peace-conflict spectrum, inevitably links the MSDF, JCG, and Japanese conceptions of FOIP maritime and regional security, defined by Chamberlain as 'the political use of navies...that

seeks or has purposeful diplomatic effect’, identifying Dynamic, Evocative, Instructive, and Organisational forms, with Japan focusing on the first two.⁷⁰ Patalano states that the MSDF ‘opted…to maximise operational flexibility, emphasising peacetime activities beyond sea control’, whereas beyond homeland and ECS defence activities, the MSDF ‘saw its action as one bringing together diplomatic and coalition functions.’⁷¹ It is the nature of naval forces to seamlessly combine diplomatic-kinetic capabilities, and with FOIP Japan apparently aims to knit these into one community approach. Most of Japan’s security challenges are primarily maritime, even missile defence, and navies’ abilities to readily and clearly communicate across political divides are invaluable for crisis prevention and management even between states with seemingly irreconcilable respective national values and norms. Problems arise, as Koga and others have noted, when partners seek clarity regarding policy intentions to match strategic rhetoric and military capability enhancement. “Conceptual vagueness” allows flexibility but such “tactical hedging”, avoiding commitments, sows doubts among partners, particularly regarding Japanese resolution on and tangible support for oceans governance. Japan has demonstrated willingness to cooperate on UN sanctions enforcement, but has felt able to avoid FONOPS, and worsening relations with China, due to the US assuming such roles. This may be wise maritime-diplomatic risk-reduction but could deplete Japanese credibility, and in respect of thornier security regional issues, such as a potential Taiwan Straits conflict, it provides little reassurance.

Aoi has pioneered research into the limitations of and potential for Japanese ‘strategic communications’, and it appears that while strategy has been rapidly developed and integrated, strategic communications to partners and competitors alike has lagged.⁷² Kishida stated in FOIP III of 2023 that Japan would focus on development cooperation with the Global South, echoing the BRI, and veered away from conventional security narratives, also stating an ‘important principle of FOIP is respect for “diversity”, “inclusiveness” and “openness”. In other words, we do not exclude anyone, we do not create camps, and we do not impose values.’⁷³ In other words, by 2023 the values-base of a potential Japanese ecumenical community had been set adrift, the FOIP was more fully focused upon emulating key BRI qualities, and there would be little mention made of the US alliance and military cooperation with most potential (non-western) partners.

This both subtle and dramatic redirection of FOIP has, however, been accompanied by an intensification of military engagement with “high tier” partners as the FOIP flag is planted firmly within such security efforts. FOIP Strategic Communication has seemingly become bifurcated into Global South and Global West communities, with some overlap, notably India and the Philippines, but the emergence of very different messaging and little acknowledgment of the likelihood of dissonance between the varying messaging streams. In August-September 2023 the JSDF engaged in multiple military exercises in the South China Sea, Singapore, the Philippines, Australia, Fiji, New Caledonia, and around Japan and Russia’s Pacific coasts, including sending F-35 fighters overseas (other than the

US) for the first time, extensively utilising expressions such as ‘to strengthen cooperation to realize a “Free and Open Indo Pacific”’.⁷⁴ Indeed, the bifurcation is most apparent when only “high tier” partners are involved, the MOD stating, ‘The Self-Defense Fleet…contributes to peace and stability of the Indo-Pacific region and the international community, not only for the defense of Japan but also for the realization of a “Free and Open Indo-Pacific” in order to create a security environment that does not tolerate any unilateral attempts to change the status quo by force in cooperation with allied and like-minded navies.’⁷⁵ This is not the verse of Kishida’s Global South Vision. FOIP as a flexible, broad-ranging, and diverse platform can be adapted to support both these military and Japan’s extensive civilian efforts, but the bifurcation of strategic communication adds a disingenuous quality that is unlikely to promote trust, the vital ingredient for the establishment and development of any community.

Such trust building has been promoted by JSDF deployments throughout the Indo-Pacific for decades, Japan having developed a fine reputation for its HADR and peace operations, such efforts having been identified as functional engagement methods by which states with often diverging interests can cooperate and collaborate for common benefits.⁷⁶ ASEAN states particularly value such efforts, and since the 2004 tsunami ‘HADR has become an essential focus area for Indonesia in its engagements with international partners…to foster confidence-building and capacity-building through joint exercises’, including with Japan in March 2011, just before Tohoku’s pivotal tsunami disaster relief experience brought home the value of partnerships during national crises.⁷⁷ As an HADR leader Japan could provide a “significant power” FOIP engagement role, but since the shambolic withdrawal of JSDF units from the UN South Sudan mission in 2016 there appears far less appetite for such nuanced initiatives.⁷⁸ Tokyo seemingly prioritises engagement with most IP actors in civilian ways, while defence and security engagement has become both more focused and broader, such as the NATO Individually Tailored Partnership Programme (ITPP), joined by Australia, New Zealand, India, and South Korea, Japan increasingly regarding NATO as ‘an embodiment and guarantor of global norms and international law.’⁷⁹ This provides FOIP as the platform for the illusion of community solidarity but the actual creation of multiple overlapping communities that may adhere to FOIP principles at their core but which interpret and operationalise these in varied ways that readily align with state or institutional actor interests.

Conclusion

FOIP as a community of values, an ecumenical communion of the like-minded and morally-aligned, is clearly an unrealised aspiration. The three FOIP iterations incorporated values initially as points of appeal (to the “right minded”) and differentiation (from China and the other liberal-international status quo challengers), later as unifying points of community consolidation and solidarity, and finally

as points to serve rhetorical applications imaginatively redefined and repurposed. This can be regarded as a critical dismissal of the FOIP concept, but is perhaps better understood as a navigation exercise from initial aim, through enhanced aspiration, to pragmatic implementation within an imperfect regional environment. Thereby Japan's FOIP did constitute a major strategic shift for Japan, the US ally, and partners, for the placement of values as core rallying points and for the prominence of Japan in the vanguard of regional efforts for enhancing consolidation, prosperity and security, even though many of the actual forms of regional engagement can be traced to the Cold War. The real innovation is perhaps that Japan exercises conceptual leadership in creating the FOIP with the US and others later adopting the lexicon and (many) principles while forming their own Strategies/Visions, an intrinsic FOIP formative goal and therefore a vindication of Japan's effort.

FOIP inability to form a single values-based ecumenical community was obviously derived from reconciling states with diverse values and shared interests. It seems reasonable to propose that multiple overlapping communities adhering to many FOIP core principles, interpreted and operationalised in various ways could prove appealing and of utility to state or institutional actors, with ASEAN and issues of maritime commons, international law, and free trade at the core. A community of shared "civilizational" traits appears to be developing with the above three issues also at the core, but an underpinning security imperative bonding their consolidation and possibly determination for confrontation with states seeking to challenge the international liberal order. These two "FOIP communities", broadly identifiable (but not exclusively) as Global South and Global West, are manifestations of the bifurcation of Japan's FOIP. While diversity of approaches provides flexibility and broadens appeal it does raise questions regarding Japanese determination of effort and strategic focus, and whether Tokyo can be regarded as a reliable partner. It does raise the possibility (as yet unverified) that the Japanese government now views FOIP as a two level platform. The "higher level partners" sharing more common values, norms, and principles, more determined to defend these in the region and beyond, with "lower level partners" being engaged in mutually beneficial means with little or no element of controversy or conflict, Japan directly competing with China for influence in a diplomatic functional engagement "shaping" effort. Such a communal, consensus-seeking approach seemingly aimed at cultivating a community echoes China's declared 'community of common destiny', and demonstrates how FOIP matches elements of China's BRI in cultivating the conception of aspirational imagined communities.⁸⁰

Faced with limited options within a context of demographic decline, the FOIP constituted Japan's best effort to manage a potentially critically deteriorating strategic situation in its tough neighbourhood. It provides a platform for engagement with the US and the mechanisms of alliance, with intimate partners such as Australia, and others with which it appears to share many values and interests, such as the UK, Canada, and EU states, including non-alliance adherence to international law and norms.

Problems arise when states appear to align with FOIP only during certain electoral cycle periods, as can be seen somewhat in the Philippines and particularly in South Korea. Some states vary in their alignment according to the mood of the region and their own interest perceptions, such as Vietnam, whereas India presents a conundrum of such varying qualities it would require another paper to address the varying issues, values, and norm adherences that create bonds and divisions with Japan. New Delhi could be legitimately regarded as a member of both Global South and Global West FOIP communities. In this sense, FOIP is not the framework for a “New Cold War” geopolitical confrontation, but there are elements of the culture, values and interests confrontation intrinsic to FOIP, and explains why China, Russia, and North Korea have tended to avoid even referencing the concept.

The lack of challenger engagement is both natural and ironic, as FOIP was intended to buttress the US-led and Japan-dependent liberal international order, but Japan under Abe sought to engage with elements of Chinese initiatives, and the “Free and Open” claim is essentially genuine. There are also many ways in which Chinese and Japanese interests continue to coincide, not least in maritime safety and security, and a range of environmental and trade issues, but these appear to be only inconsistently acknowledged.⁸¹ In contrast to the BRI, FOIP does not focus upon grandiose infrastructure projects, lacks new institutions, and (sometimes) minimises the “Japan-ness” quotient of the platform by welcoming community contributions, emphasising the “many roads to FOIP” approach. It is the universal packaging or tool for every aspect of Japanese diplomacy and international engagement, and there is seemingly nothing it cannot (be claimed to) achieve, although lacking any evaluative framework or performance standards, thereby limiting liability. The issue of engendering trust through FOIP remains an issue to be assessed in Japan’s multiple-level community development efforts.

Japan’s FOIP efforts have been imperfect, the three versions demonstrating both development and dissonance, but they have provided a refreshing sense of Japanese conceptual autonomy. This seemingly contradictorily demonstrates conceptual autonomy by forming communities for concerted, non-autonomous innovation and action. Japan’s proliferating partnerships constitute this contradictory desire to have greater freedom of strategic options by binding the nation closer to like-minded states, with broadened yet more closely focused engagement, while never allowing the US Alliance to become degraded, dysfunctional, or detached. As each partner demonstrates its own desire to express its own particular FOIP vision within the imagined community of values and interests, brought closer by functional and intellectual engagement, Japan’s FOIP Vision appears ever more innovative and liberating and so deserves consideration and respect.

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