

Militarisation: Abe appoints diplomat in bid to change interpretation of Constitution's Article 9

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Prime Minister Shinzo Abe has picked diplomat Ichiro Komatsu, who is in favor of lifting the ban on Japan exercising a right to collective self-defense, to become director general of the Cabinet Legislation Bureau and pave the way for the government to change its interpretation of the pacifist Constitution to that end.

Abe is expected to declare during an extraordinary Diet session in autumn that the government will change its longstanding interpretation of Article 9 of the Constitution to allow Japan to exercise the right to collective self-defense.

To that end, he needs to eliminate any inconsistency with the director general of the Cabinet Legislation Bureau, which has taken the view that Japan has the right to collective self-defense but cannot exercise such a right because of the restraints of war-renouncing Article 9.

However, critics, even those within the ruling coalition, have expressed concerns about the appointment of Komatsu since the government's interpretation of the Constitution must not be affected by the views of those in power. It has been a customary practice for the government to promote the deputy director general of the Cabinet Legislation Bureau to the position of director general.

Chief Cabinet Secretary Yoshihide Suga emphasized that the government had picked Komatsu, who serves as ambassador to France and has never worked in the Cabinet Legislation Bureau, as the next head of the bureau at the initiative of the Prime Minister's Office.

"We never make appointments based on seniority. We're always thinking about placing the right people in the right positions," he told a news conference on Aug. 2.

When Abe was previously in power from September 2006 to September 2007, Komatsu, who then headed the Foreign Ministry's International Legal Affairs Bureau, was deeply involved in a panel discussing the legal basis for national security as an international law expert.

A government source says the appointment conveys the prime minister's strong desire to change the interpretation of the Constitution. The Abe Cabinet is trying to put pressure on the Cabinet Legislation Bureau by sending an expert who is in favor of lifting the ban into the bureau in what is effectively a political appointment.

"It is the next director general who will be able to declare the changed interpretation in the Diet. A figure who has voiced opposition to the change can't do so," another government source told the Mainichi.

However, the appointment of Komatsu on the assumption that the government will lift the ban even before working out a theoretical framework, such as a basic bill on national security, could give the

public the impression that the Abe administration is taking a strong-arm approach to changing the interpretation of the Constitution.

New Komeito, the coalition partner of the ruling Liberal Democratic Party, is wary of the move.

“Rather than the intentions of its director general, the Cabinet Legislation Bureau’s longstanding interpretation of the Constitution for many years as an entity should be respected,” a senior member of the party said, expressing discontent at the prime minister’s appointment of a person who could follow his policy line.

New Komeito was reportedly never consulted by the prime minister or other government officials over the appointment of Komatsu, according to party insiders.

An opinion poll conducted by the Mainichi Shimbun in July shows that 36 percent of respondents support Japan’s exercise of the right to collective self-defense, far below the 51 percent who oppose it.

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P.S.

* Mainichi Shimbun, August 03, 2013

<http://mainichi.jp/english/english/newsselect/news/20130803p2a00m0na013000c.html>