

State secrets law pushed through in Japan

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Despite mounting public opposition in Japan, Prime Minister Shinzo Abe and his Liberal Democratic Party (LDP)-led coalition rammed its “special secrets protection” legislation through the upper house last Friday, supported by the Japanese Restoration Party and Your Party.

The secrecy law, already approved in the lower house, is a crucial part of Abe’s efforts to remilitarise Japan and strengthen the US-Japan alliance against China, but is bitterly opposed by majority of ordinary people. Physical scuffles, unusual in the Japanese Diet, erupted as opposition lawmakers sought to disrupt the passage of the legislation, an indication of the sharp tensions within Japan over the laws.

The government can now declare 23 vaguely-defined types of information, related to defence, diplomacy, counter-terrorism and intelligence, as state secrets for five years, with possible extensions of 30 years or more. The law seeks to intimidate whistleblowers and journalists from releasing information related to Japan’s remilitarisation or even domestic policy. Anyone convicted of leaking state secrets could face 10 years in prison, while journalists who publish the information could be jailed for 5 years. (See: “Japan’s new state secrecy law”)

Confronted by public criticism, Abe promised to create two bodies to oversee the designation of state secrets by the prime minister and senior officials—a provisional advisory committee of legal and media experts and a senior ministerial group within the Cabinet Secretariat. In essence, this means that the government itself decides what the public should know.

The secrecy law is critical for the operations of Abe’s newly established National Security Council (NSC). The NSC gives the prime minister centralised control over foreign and defence policy, enhancing closer coordination with the United States. At the same time, the NSC’s work and military planning will be kept

hidden from public view by the new secrecy law.

At the NSC’s first meeting last Wednesday, the focus was China’s recently announced air defence identification zone (ADIZ) in the East China Sea and the political instability of China’s ally, North Korea. Abe declared in the Diet: “In responding to China’s ADIZ, we need to debate whether Japan’s defence capabilities are adequate, and there are many secrets involved.” He pointedly warned: “If politicians leak them, they will be punished.”

With the US and Japan constantly challenging the Chinese air defence zone by sending military aircraft through it, NSC decisions could quickly drag Japan into a catastrophic war with China. Yet, Abe declared that the public had no right to know about any NSC discussion.

Other limited reports of the first NSC meeting indicate that Japan will set up hotlines with the US and Britain, and consider future hotlines with US allies or strategic partners, like Australia, South Korea and India, that are part of Washington’s blueprint for a military encirclement of China, via its “pivot to Asia.”

In Japan, where the working class and the peasantry suffered brutal repression under the wartime regime, the new secrecy legislation has been compared with the Peace Preservation Law of 1925. Specifically aimed at stifling political dissent, that law was an essential step in the rise of Japanese militarism during the 1930s, with tens of thousands of people, especially socialist-minded workers, imprisoned.

Abe’s approval rating recently fell below 50 percent for the first time since he took office, in part due to opposition to the secrecy law. In a government survey of public opinion before the bill’s passage, 77 percent of respondents were opposed to it.

Protests have taken place across Japan. On November 21, an estimated 10,000 people gathered near the Diet with signs reading, “Don’t take away our freedom.” A

transport worker, Akio Hirose, was quoted as saying, “We have a right to know everything.” Another protest on November 26 in Tokyo drew thousands of people, holding banners with slogans such as, “We are against the state secrecy law. Secrets lead to war!” Last Thursday, 7,000 protesters gathered outside the Diet. University student Ai Kano told reporters: “I think Japan will become a country where people all spy on each other and we can’t say what we really want to say.”

The official contempt for democratic rights was spelled out when LDP secretary-general Shigeru Ishiba last month described the shouts of protesters against the secrecy bill, as “not so fundamentally different from an act of terrorism.”

Legal professionals have warned that the secrecy law’s definition of terrorism as conduct seeking to “politically impose a differing ideology on the country or the citizens” is so broad it can be used to target any political dissent.

While the opposition Democratic Party of Japan (DPJ) postured as an opponent of the law, it essentially agrees with Abe’s turn to militarism. It was the DPJ government of former Prime Minister Nanto Kan that initiated Japan’s commitment to the US “pivot.” After the secrecy bill’s passage through the lower house two weeks ago, DPJ president Banri Kaieda said his party merely believed that “more thorough discussion should be undertaken.”

Another opposition figure, former DPJ leader Ichiro Ozawa, offered advice to the Abe government on how to handle the public outcry. “If they want to soothe people’s concerns, they should let debate continue,” he said. “Their behaviour is juvenile and arrogant.”

The DPJ’s real fear is that Abe’s ramming through of the anti-democratic law in the face of intense public opposition will trigger broader social unrest.



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