

Japan's state secrecy law goes into effect

Ben McGrath**12 December 2014**

A sweeping state secrecy law, which provides for blanket suppression of government documents and harsh penalties for whistleblowers, went into effect in Japan on Wednesday. The right-wing government of Prime Minister Shinzo Abe passed the anti-democratic legislation last December as a means for blocking opposition to its agenda of austerity and remilitarisation.

The law is an open assault on freedom of speech and the press. Under the legislation, the government can declare information in 55 vaguely defined categories related to defense, diplomacy, counter-terrorism and intelligence secret for five years with an extension for an additional 30 years, or as long as 60 years, with the Cabinet's approval. According to Kyodo News, the government will use the law to subject about 460,000 documents to state secrecy.

Anyone accused of leaking classified documents can be jailed for up to 10 years while journalists who publish the material could receive five years behind bars. The law, however, does not stop there. It declares that anyone accused of encouraging "in an inappropriate manner" the leaking of classified information could also be jailed for five years, raising fears that protesters demanding the truth from the government could also be punished.

Abe attempted to allay public concerns last month, saying, "The secrets law is aimed at agents, terrorists and spies, and isn't related to ordinary people." However, the definition of terrorism in the law is so vague that virtually any opposition to the government could be deemed illegal. The law refers to terrorism as any conduct that seeks to "politically impose a differing ideology on the country or the citizens."

The new law already seems to have had an impact. The Japan Newspaper Publishers and Editors Association reported receiving calls from bloggers asking whether or not they should delete posts to avoid

prosecution. In a statement on Monday, the Association declared that the penalties were too harsh and could infringe on the public's "right to know."

The French-based Reporters without Borders branded the law as "an unprecedented threat to freedom of information."

The legislation is closely bound up with Japan's central role in the Obama administration's "pivot to Asia" and its preparations for war against China. Abe noted that the new law was necessary in order to reach intelligence-sharing agreements with the United States.

A Kyodo News survey on December 1 found that 58 percent of respondents oppose the state secrets legislation. However, the issue has been largely excluded from the campaign underway for the national election on Sunday as has the Abe government's moves to remilitarise Japan.

There is also widespread opposition to the government's "reinterpretation" of Japan's constitution to allow "collective self-defense," or in other words, to permit Tokyo to take part in the United States' wars of aggression.

Several protests have taken place in recent weeks not only to denounce the new state secrets law but also to express opposition to war. About 800 people gathered outside Japan's Diet or parliament on Tuesday night. Condemning the law, Tomoki Hiyama drew the connection between secrecy and militarism, saying the law was "full of ambiguity and will take us back to the 'public peace and order' controls of World War II."

Many of those opposed to the secrecy law have drawn similar parallels with the draconian laws implemented in Japan in the 1920s. The Peace and Preservation Law passed in 1925 clamped down on the growing opposition to militarism among the Japanese working class. It was used to arrest thousands of workers, especially those inclined towards socialism, who protested against Japan's increasing militarism.

Last Saturday 1,600 people gathered at Tokyo's Hibiya Park to oppose the secrecy legislation while another 700 protesters marched in Nagoya. Hisako Ueno, a retired teacher expressed concerns to journalists saying the law "seems to allow Abe to do virtually anything by saying 'it's for the good of the country' without anybody knowing what they are actually doing." Other demonstrators chanted slogans such as "Oppose war," and "We oppose the secrecy law for going to war."

Protesters also expressed concern that the secrecy law was not being discussed during the election campaign. The opposition Democrat Party of Japan (DPJ) nominally opposed the bill last year, but has not called for the law's repeal. Instead it calls for more oversight, which in reality would serve to legitimize the anti-democratic legislation.

The secrecy is just one aspect of the Japanese government's efforts to muzzle the media and silence opposition and criticism.

The government is currently targeting the so-called liberal newspaper, *Asahi Shimbun*, and its recent retraction of articles published in the 1980s and 1990s on so-called "comfort women", claiming they were based on a discredited source. "Comfort women" is a euphemism for women who were coerced into army brothels during the war.

Abe and his right-wing allies have seized on the retraction to try to overturn the entire historical record in which an estimated 200,000 women were forced to act as sex slaves for Japanese soldiers. That record has been documented through many interviews with the victims of this abuse.

The campaign against the *Asahi Shimbun* is part of a broader right-wing offensive to falsify history and whitewash the crimes of the Imperial Army committed during and prior to World War II throughout Asia. Like the state secrets law, it is part of a wider agenda of establishing the conditions for Japanese imperialism to again prosecute its interests through war.



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