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Urgent Okinawan Appeal for Help

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Introduced by Gavan McCormack and translated by C. Douglas Lummis

[Henoko] Council against the Helicopter Base

Introduction

To Japan and to the world Japan is a democratic country, in which popular sovereignty, the rule of law, and the division of powers (executive, legislative, judicial) are assured. Prime Minister Abe Shinzo has repeatedly told international fora – including the US Congress and the UN General Assembly – that such is the case. But what is evolving now in the course of confrontation between the Abe government and the people of Okinawa, led by their Governor, suggests otherwise.

Okinawa's travail, in its present, intense form, owes to the determination of the Abe government to overrule the overwhelming Okinawan consensus it confronted on taking office (for the second time) in December 2012 that no new base should be constructed in the prefecture. Such a view first surfaced in 1996, as soon as the Henoko plan was announced. Under the government design, a major military facility would be constructed on Oura Bay (Henoko district) for the US Marine Corps, to which the existing, obsolescent and inconvenient Futenma Marine Base, currently set in the middle of Ginowan City, could be transferred. By 2012 the Okinawan consensus of opposition to that design was overwhelming, shared even by the Okinawan members of Abe's ruling LDP, the Governor, and the heads of almost all Okinawan towns and cities. Never in Japan's modern history had any prefecture so unanimously opposed the central government on a matter of such moment.

2013 saw intense efforts on the part of the Abe government to break this united Okinawan will. In April, it succeeded in having two LDP members of the national Diet shift ground. In December the remaining three did likewise (the collective humiliation of all five well captured by the photograph of them being disciplined, heads bowed, by the party boss, Ishiba Shigeru), followed eventually by the Governor himself. Without a word of explanation for his reversal of position, Nakaima Hirokazu issued the permit to begin reclamation of Oura Bay to allow the base to go ahead. To this day he has given no explanation for his drastic switch.

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Ocean Floor Boring Survey, Oura Bay, Okinawa Times, October 12 2015.

Outrage in Okinawa was widespread. In the following year, Okinawans fought back, electing first a Nago City (which includes in its bounds the Oura Bay site) mayor and then (November 2014) a new prefectural Governor on explicitly anti-base platforms. In the latter, Onaga Takeshi defeated Nakaima by an overwhelming majority (100,000 votes).



LDP Secretary-General Ishiba Shigeru imposes Party Discipline on the Five Okinawan LDP Diet Members, 23 November 2013

(Ryukyu Shimpo photograph).

By the time Onaga took office in January 2015, however, preparatory (survey) works had already been underway at the designated Henoko site for six months. He appointed a "Third Party" (Experts) committee, of legal and environmental specialists, to investigate the processes by which Nakaima had agreed to the reclamation. That Committee reported in July 2015 that indeed those processes had been legally flawed. Following due deliberation on those findings, Governor Onaga on 13 October issued an order cancelling the reclamation permit.

By then, however, preparatory site works had been underway on Oura Bay for 15 months and contracts have been let for multiple reclamation works-related tasks, expected to involve, should the project proceed, the dumping into the Bay of 3.5 million (sic) ten ton dump-truck loads of landfill. From October 13, however, following the Governor's cancellation of the legal warrant for any such works, they became, strictly speaking, illegal (and were in fact suspended, for the time being).

In the months leading to the present crisis, Governor Onaga had made no secret of his intention to cancel, and Chief Cabinet Secretary Suga Yoshihide had likewise made no secret of the Abe government's intention to ignore any such order and continue with works, even while fighting the Governor through the courts. The legality of the Governor's action was confirmed by a strong statement from the head of the Federation of Japanese Bar Associations (Murakoshi Susumu), by the Japan

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Civil Liberties Union, and by Okinawan legal specialists. It seemed also plain that the Okinawan case was in accord with the revised (2000) Local Self Government Law, under which the relationship between national and regional governments was fundamentally changed, from vertical, superior-inferior, to equal, cooperative. In constitutional and legal terms, Prime Minister Abe and Governor Onaga should therefore be seen as equals.



Okinawa Governor Onaga

For its part, however, the Abe government has consistently acted as though the law had never altered. Cabinet Secretary Suga simply took it for granted that the government would secure whatever judgment it required from the courts. Within hours of the Governor issuing his cancellation order, Suga declared that the Government had examined the Okinawan complaint and found it groundless so that it would proceed with construction, regardless, while the Department of Defense submitted a complaint to the Land and Infrastructure Ministry (which has jurisdiction over reclamation matters) seeking a review of the Governor's action under the Administrative Complaint Investigation Law and an interim injunction suspending the operation of his order. To do this, the national government was taking advantage of a legal procedure designed (under Article 1 of the 1961 law) to offered redress to aggrieved citizens complaining of administrative malfeasance, insisting, however disingenuously, that, in proceeding in the teeth of massive local opposition with construction of a military base for the US Marine Corps. it was "just like a private person" *(ippan shijin to doyo*).

The determination of the Abe government to proceed with Henoko construction was confirmed by the cabinet reshuffle of October 7, when the Okinawa hard-line trio of Suga Yoshihide, Kishida Fumio, and Nakatani Gen (Cabinet Secretary, Foreign and Defense Ministers), plus of course Abe himself, was reinforced by the elevation of Shimajiri Aiko to cabinet as Minister for Okinawa. It was Shimajiri who, in April 2013, had led the surrender of Okinawan LDP base opponents to Tokyo discipline, opening the way to the power shift and the surrender of Governor Nakaima in December of the same year. Shimajiri was well-known, if not necessarily "well"-known, in Okinawa both for that pivotal betrayal and for her contemptuous references to the anti-base protest movement as an "irresponsible citizens' movement," to Nago City mayor Inamine Susumu (for "abusing his power") and to the Coastguard and Riot Police for their diligence in crushing Henoko protest ("putting a stop to illegal activities").

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Shimajiri Aiko, Minister for Okinawa in reorganized Abe Shinzo cabinet, October 2015

The prefecture now has till October 22 and November 16 respectively to file its response to these two suits by the national government (in the guise of private citizen). Since in effect the government will be adjudicating its own case - the Land Ministry ruling on the appeal from the Ministry of Defense - it is all but certain that it will prevail. At that point, the dispute will go to the courts, where proceedings are certain to be prolonged, and, since the 1959 "Sunagawa Case" the Supreme Court has held that it would not rule on matters pertaining to the security treaty with the United States because they were "highly political" and concerned Japan's very existence. It is extremely unlikely in Abe's Japan that a court could be found ready to challenge this deeply embedded doctrine. Okinawans cannot expect judicial relief.

Consequently, the decisive factor is likely to be the direct confrontation between the Japanese state and the people of Okinawa, on the streets and on the sea, outside the existing bases and on the roads of access and egress to and from the Oura Bay Henoko site, and in national and global fora. To the extent that the Okinawan grievances are understood, their demands are almost certain to be supported. Okinawans complain of the violent expansion of US military might, on lands taken from them more than six decades ago, by "bayonets and bulldozers" while they were herded into camps or, once released from them, subjected to US military rule. In drawing the line in the Henoko sand and saying "No more," they have carried out a model, non-violent, thoroughly democratic struggle. Since the projected Henoko base is designed to constitute a key link in the US power projection system through the 21st century, the Okinawan "No" is very consequential, in Washington as in Tokyo. Having scrupulously followed every constitutional, legal step to oppose construction, but been ignored or over-ruled at each step of the way by Government, direct action resistance is all that remains to Okinawa.

Astonishingly, the Okinawans are led in their confrontation with the national government by a politician (Onaga) who is a staunch conservative and a life-long member of the ruling Liberal Democratic Party (LDP). To such a traditionalist conservative, the Abe government's behavior has been nothing but "depraved" (*daraku*, a word he uses more and more). What Onaga, and the Okinawan people, now insist is that, after 70 years, it is time they got the democracy that their government and its US backer are supposed to be promoting to the world. As Onaga put it to the United Nations Human Rights Committee in Geneva on

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21 September,

"Can a country share values such as freedom, equality, human rights, and democracy with other nations when that country cannot guarantee those values for its own people?"

Despite the enormous disparity between the government and people of Okinawa and the nation state, backed by the global superpower, the Okinawan cause is far from hopeless. The odds that are overwhelmingly against Okinawa in terms of force are overwhelmingly in its favor in terms of justice and righteousness. Already for two decades the Okinawan people have stymied the best-laid plans of the word's two most powerful governments. They have paid a heavy price, day after day confronting the intimidation and violence of ever increasing concentrations of riot police and Coastguard officials, but they have persisted.

The following document is a dramatic, powerful appeal, issued from the heart of the struggle. For the first time, the Henoko movement issues a call to "all the regions of Japan and of all the world" to "come and join the sit-in." The appeal includes those same words not once but twice, and adds: "If enough people gather, the base construction can be stopped."

That, I think, is the truth. If the several hundreds of protesters now gathering each day at the Camp Schwab gates were to be expanded to several thousands, or several tens of thousands, the state would have to concede defeat. The more that the on-site movement can be understood and supported, and if possible joined, the better. For those who cannot physically join it, other options might include passage of resolutions in civic organizations, submission of letters of protest to Japanese (or US) diplomatic missions, and the posting of letters or opinion pieces in newspapers.

Gavan McCormack (with thanks to Doug Lummis, who also translated the document that follows).

Gavan McCormack is an editor of The Asia-Pacific Journal and author of many studies of modern Okinawa and Japan, including (co-authored with Satoko Oka Norimatsu) *Resistant Islands: Okinawa Confronts Japan and the United States*, Rowman and Littllefield, 2012. This latter book, like much of his recent work, has been published in Japanese, Korean, and Chinese as well as English. See, most recently, "Okinawa as sacrificial victim," *Le Monde Diplomatique*, October 2015.

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Urgent Statement Regarding Nullification of Henoko Reclamation Permit by Okinawa's Governor Takeshi Onaga

The [Henoko] Council against The Helicopter Base

October 14, 2015

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On 13 October Okinawa Governor Takeshi Onaga nullified the permit to carry out land reclamation in Oura Bay, granted by former Governor Hirokazu Nakaima, explaining that it contains illegalities. We of the Anti-Helicopter Base Council unconditionally support this decision, and more than ever give our full backing to the Governor.

However the Defense Department's Okinawa Office has begun legal action aimed at having the nullification itself declared illegal. The Japanese Government not only wants to trample on the war-renouncing clause of the Constitution, but also is determined to reclaim land from the richly diversified Henoko and Oura Bays, habitat of the internationally protected dugong, so as to build a new attack base for the U.S. Marine Corps.

That the Governor, and Okinawa itself, shall not find themselves isolated, we call upon the people of all the regions of Japan, and of all the world, to act in solidarity with us, and come and join the sit-in that has been continuing at the entrance to the construction for - at time of writing – 465 days. At the same time we call upon all local governments in Japan to present to their councils resolutions demanding that local government be respected.

The Anti-Helicopter Base Council is a citizen's group, founded at the time of the 1997 Nago City plebiscite on the question of whether to build this new base at Henoko. In this plebiscite, which was carried out under the slogan, "On important matters, the citizens of Nago will decide", a majority opposed the base. Despite this, now18 years later the Japanese and US governments are trying to ram through the project.


安次富浩・ヘリ基地反対協共同代表

Ashitomi Hiroshi

It was during the Battle of Okinawa and in the confusion after the defeat that the US military confiscated our land and built bases on it without our consent. Now, 70 years after the war Okinawa, which comprises 0.6% of Japan's territory, bears 74% of all the U.S. bases in Japan, and suffers from the environmental destruction and never-ending accidents and incidents that they bring.

It was after the 1995 gang rape of an elementary school girl by three US GIs that Okinawa exploded in anger, and demanded that Okinawa's burden of bases be reduced. In particular, we demanded the immediate closure and removal of the dilapidated Marine Corps Air Station at Futenma, which is located in the middle of a crowded city, does not observe the aviation laws of either Japan or the U.S., and has been called the most dangerous airfield in the world. However the Japanese and U.S. governments demanded a replacement facility, and insisted that this replacement facility should be built within Okinawa, at Henoko. And

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this time, breaking with the past by claiming the need for safety, they plan to make it state-of-the-art, all paid for with Japanese taxpayers money.

On this September 21st Governor Onaga, with the overwhelming support of the Okinawans who oppose the construction of the new base, took his case to the Human Rights Council of the United Nations, where he described how in the 70 years since the war the human rights and the right of self-determination of Okinawans have been trampled on. He criticized the Japanese government for ignoring the Okinawan people's will, and announced his intention to put a halt to the construction of the new base.

However the Japanese government representative in that council replied, "We are prepared to return 0.2% of the U.S. bases in Okinawa. Okinawa's economy has recovered. The security alliance with America is very important to us. We will continue to explain these things to Okinawa." And at the press conference that followed she said to the Japanese media, "A base problem is not an appropriate issue for the Human Rights Council", entirely rejecting Governor Onaga's appeal.

Just as at the recent Diet session the Japanese government ignored the public will and rammed through the new Security Bill, which permits collective defense, so it is prepared ram through the construction of the new base. To protect Okinawa's human rights and its right of self determination, and for the development of Japan's democracy, we must stop the construction of this new base at Henoko.

We are at a historical turning point. Local self-determination is at risk. We ask people from all regions of Japan, people from all parts of the world, come and join the sit-in at Henoko. If enough people gather, the base construction can be stopped.

Resolutions urging that Okinawa's right of self-determination be respected, expressing support for the Okinawan people, and opposing the construction of the new base at Henoko and Oura Bay, have been adopted by the city council of Berkeley in the U.S., and in Japan by the city and town councils of Suita, Amagasaki, Iwakura, Musashino, and Hakuba. We strongly urge people all over the world to press their local government councils to adopt similar resolutions. In this way we can promote the return of the right of self-determination to the hands of the citizens, and a democracy that truly serves the needs of the people. (translated by Douglas Lummis).

14 October, 2015

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Her portfolio included not only Okinawa but also the Northern Territories, science and technology, space, the ocean, territorial problems, IT, and "Cool Japan."

See discussion in Gavan McCormack and Satoko Oka Norimatsu, *Resistant Islands – Okinawa Confronts Japan and the United States*, Boulder: Rowman and Littlefield, 2012, pp. 53-54.

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