How Governments Respond

Sovereignty under Challenge

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editors

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Introductory Note  

This book is the fifth in a series of policy studies conducted by the Pacific Basin Research Center of Soka University of America. Since its founding on January 2, 1991, PBRC has offered assistance to institutions and individuals who proposed to examine important experiences with sustained efforts to bring about a preferred future. Previous books in the series include:  


The Center gratefully acknowledges the logistical and intellectual support it has received during the previous decade of activity while the Director remained at Harvard University, and looks forward to a productive future at its new location at Soka University of America in Aliso Viejo, California.
From Heat to Light?: Japan's Changing Response to Global Warming

Jeffrey P. Broadbent

Growing scientific certainty about the anthropogenic origins of global climate change has suddenly made control of greenhouse gas emissions one of humanity's most important tasks. The 1992 Rio Declaration and its associated protocols challenged the sovereignty of nations with stipulations for national responses to the problem. In climate change negotiations, Japan moved from a reluctant player in the 1980s to increasing involvement through the 1990s. In July 2001 in Bonn, both Japan and the Kyoto Protocol reached a dramatic turning point. The U.S. under the Bush administration, bucking the global tide toward ratification, withdrew from the Kyoto Protocol. Japan then wavered and also seemed likely to withdraw, thus dooming the Protocol. However, at the last moment, in an unexpected and dramatic decision, Japan changed its stance and agreed to support the Kyoto Protocol, thus ensuring its survival for the time being. As a condition of its agreement, though, Japan insisted on special conditions that weakened the Protocol. Did Japan "save" the Kyoto Protocol, or eviscerate it? What led Japan to this response?

Frogs in the Pot

According to growing scientific consensus, the planetary atmosphere is retaining increasing amounts of heat, raising its temperature. This greenhouse effect causes the surface and atmospheric temperature of the planet to warm more than natural cycles and causes would predict. Global warming will bring about climate changes over the next one hundred years, many of them detrimental to life.
These include change in agricultural and disease zones, species extinction, rising sea levels threatening coastal settlements, and harsher and more unpredictable weather patterns (IPCC, 2001).

Atmospheric scientists increasingly agree that rising “greenhouse gases” (GHG) in the atmosphere are contributing to global warming. These greenhouse gases, mainly carbon dioxide (CO₂), are generated by the burning of fossil fuels. The effects will bring about rising sea levels, changed climatic zones, and new weather patterns, all with great disruptive potential (IPCC, 2001; Harper, 1996: 116). Some dissent remains, critics claiming that the effects will be minimal or even beneficial (Committee on Small Business, 1998; Moore, 1998). If global warming is to some degree “anthropogenic,” however, the industrialized nations are conducting an unprecedented experiment on humanity and other species (Gore, 1993: 92), and hence societies, especially in industrial states, should begin stringent programs to reduce their greenhouse gas (GHG) emissions despite the potential costs. But many factors (short-term costs, disbelief, uncertainty, deflection, political pressures) militate against such a response.

Environmentalists compare the current human situation to a frog in a pot. If you throw a live frog into a pot of boiling water, it will immediately jump out. But if you put a frog into a pot of cool water and gradually heat the water, they say, the frog will sit there until it boils to death. This fictitious experiment conveys an environmentalist metaphor and parable—when will the nations of the world react to the threat of global warming?

The Challenge of Global Warming

Encouraged by the “invisible hand” of the market, societies dumped their waste into the unguarded commons: air, water, and soil. The commons finally kicked back with an “invisible foot”—obvious pollution and degradation. Thus arose the “tragedy of the commons”—our individual actions tend to degrade and destroy, rather than husband and sustain, our limited environment (Hardin and Baden, 1977). Atmospheric limits to growth starkly revealed the “growth versus environment dilemma” (Broadbent, 1998; Meadows and Meadows, 1971; Yamagishi, 1995). As in the well-known “prisoners’ dilemma,” the solution requires that the actors accept collective norms (Ostrom, 1990).


The UNCED represents a pivotal moment in the production of global environmental norms and formal agreements. The key agreements are the Rio Declaration (a general statement of purpose), the Framework Convention on Climate Change (FCCC), and Agenda 21. UNCED coalesced the growing global agreement on the anthropogenic factors in global warming and the need for a global regime to control it. UNCED agreements called for steps to reduce GHG emissions to around 1990 levels by the year 2010. These agreements also assumed that GHG control could not be accomplished without a profound level of voluntary cooperation from industry and civil society.

The FCCC urged all countries, especially the developed ones, to stabilize their greenhouse gas emissions at 1990 levels (JACSES, 1996: 15). Agenda 21 proposed a social and political program to accomplish this end, urging governments to set up action committees of citizens and municipalities to find effective ways to combat global warming (United Nations, 2001a). Exact measures were to be specified later by signers of the UNCED agreement.

The measures proposed by the Rio Declaration, the FCCC, and Agenda 21 restricted the sovereignty of individual states. Principle 2 of the Rio Declaration (United Nations, 2001c) conceded that in accordance with the Charter of the United Nations and the principles of international law, states have “the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies.” But the Declaration quickly limited that right by adding that states have “the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the en-
environment of other States or of areas beyond the limits of national jurisdiction.” Likewise, Principle 3 of the declaration specifies, “The right to development must be fulfilled so as to equitably meet developmental and environmental needs of present and future generations.”

Thus, while declaring state sovereignty over their own resources, the Declaration also defines clear limits to that sovereignty. In this vein, the FCCC proposals for carbon emission control would require many states to change their domestic policies (United Nations, 2001b). This global regulatory innovation, once ratified and practiced, would curtail the freedom of sovereign states to pollute the global atmosphere commons and force states to shoulder the costs. In the end, this simple injunction—to reduce carbon emissions—may imply more massive societal and global changes than any preceding international agreement in history.

Similarly, regarding the means of achieving this end, Principle 10 of the Rio Declaration states: “Environmental issues are best handled with the participation of all concerned citizens” at the appropriate level. It also stipulates that “each individual shall have . . . access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided.” And Principle 11 demands that “States shall enact effective environmental legislation . . . .”

Agenda 21 specifies the “basis for action, objectives, activities and means of implementation” of the Rio Declaration’s broad principles (Chapter 1, Section 1.6) (United Nations, 2001c). The means include “strengthening the role of major groups,” including women, NGOs, and others (Section III). For instance, concerning the role of NGOs, Agenda 21 (Section III, Chapter 27, Section 27.1) says that formal and informal nongovernmental organizations, as well as grassroots movements, should be recognized as partners in the implementation of Agenda 21. It also says that “. . . independence is a major attribute of nongovernmental organizations and is the precondition of real participation” (United Nations, 2001c).

Thus we can conclude, that in the name of global environmental needs, the Rio Declaration, the FCCC, and Agenda 21 all fringe on the sovereign right of states to run their countries as they see fit. They call not only for GHG reduction, but for a vital civil society, something not always present among UNCED signees. Such changes may diffuse state decision-making power both upward toward more international compliance, and downward toward fuller citizen and NGO participation (Sandell, 1996: 346-351). Hence, the UNCED agreements challenge many aspects of state sovereignty.

Subsequent meetings of the Rio Declaration, FCCC and Agenda 21 signatories have been called the “Conference of Parties” (COP). The Rio process reached its most cogent expression in COP3, the meeting in Kyoto that produced the Kyoto Protocol. This Protocol set definite standards for nations to meet and proposed definite mechanisms by which to meet them. The industrial nations agreed in principle to reduce their individual output of greenhouse gases (GHG) below their 1990 output levels by 2008-2012. The EU committed to about 5 percent reduction (collectively), the U.S. to about 6 percent, and Japan to about 7 percent.

Many nations, including Japan and the U.S., signed the Kyoto Protocol. But it would come into force only when ratified by countries accounting for 55 percent of GHG emissions among them. The European Union countries had expressed willingness to ratify, as had Japan. Conservatives in the U.S., however, bitterly opposed it. In testimony to Congress, one affiliate of the Cato Institute called the Kyoto Protocol a “useless appendage to an irrelevant treaty” (Committee on Small Business, 1998).

At the November 2000 COP6 meeting, final decisions were deferred to a second session in 2001. In the spring of 2001, the new U.S. president, George W. Bush declared that the Protocol was “fattally flawed” and withdrew the U.S. from it altogether. Nations were to decide on ratifying the Protocol at COP6.5 in Bonn (July, 2001). However, U.S. rejection seemed certain to drag Japan with it and doom the Protocol. After considerable hesitation, though, the Japanese state broke from its habits of complying with U.S. foreign policy and agreed in principle to support and eventually ratify the Protocol. In doing so, Japan demonstrated its ability to say an independent “yes” in foreign policy. And yet the Protocol emerged weakened by the changes demanded by Japan. Why did Japan take this pattern of response?
Global Games

As noted in the introduction to this volume, states responded to the challenges posed by climate change in many ways: adding new functions to carry out the solutions, sharing power with new actors, denial, resistance, and taking a leadership role either to destroy change, or lead the emerging global solutions.

In global politics, nation-states face a two-level game: demands from the domestic polity and pressures from the international system (Putnam, 1988). They have to balance their responses to the two levels. On both international and domestic levels political responses can be driven by either rationalist (responding to “universal” material interests) or constructivist (socially and culturally produced) values (Keck and Sikkink, 1998: 4; Hannigan, 1995). New global norms may be imposed on a state by such rationalist factors as coercive international law or material loss from trade sanctions. On the other hand, global norms may seep into the minds and hearts of a state and its elites through constructivist factors—communication and persuasion changing what they see as right, possible, and in their interest (Keck and Sikkink, 1998: 2-5). IGOs (international governmental organizations) and INGOs (international nongovernmental organizations) have assumed increasing world authority, legitimacy, and respectability as persuaders (Bole, 1999).

A similar range of factors appears in the domestic arena as well. Capital and labor, most prominently, may have been leading the state toward rapid growth and consequently high greenhouse gas (GHG) output (Schnaiberg, 1980; Schnaiberg and Gould, 1994). Victims’ groups may challenge this coalition through protest and elections, with some success.

On the other hand, new values and beliefs conveyed through science, media, education, and moral activist groups may be able to transform the interests and institutions of state and society in a more eco-friendly direction. The theory of ecological modernization expects that such shifts would occur and become institutionalized (Mol and Sonnenfeld, 2000). That is how many environmental NGOs see their mission.

Such challenges may induce symbolic compliance from states that adopt new standards but do not practice them. They may add token citizens to their councils, but not listen to them. The reasons may be domestic pressures, where interest groups see compliance as a substitute to avoid criticism and potential economic sanction. Or states may respond with real changes, both in ways of production and consumption and in ways of making decisions. Distinguishing real from symbolic politics is a difficult task, and many responses that begin as symbolic over time grow teeth. Even a weakened Kyoto Protocol, for instance, may eventually grow into a strong global warming remedy.

Taken together, these perspectives produce a four-cell typology of factors bearing upon state response (Figure 5.1).

Did one of these factors, or some mixture thereof, transform Japan’s reaction to global warming?

Phases of Change

In its industrial history, Japan’s environmental policies have passed through four major phases: “Polluter’s Paradise” (1800s to mid-1960s); “Polluter’s Hell” (mid-1960s to mid-1970s); “Maintenance or Retreat?” (mid-1970s to late 1980s); and “New Global and Local Demands” (1990s to early 2000s). This periodization, examined elsewhere in detail (Broadbent, 1998), frames our discussion of Japan’s response to climate change, occurring mainly in the last period.

In the earlier periods, pollution was largely a domestic matter, when the government was closely wedded to the goal of rapid economic growth and paid little attention to complaints about pollution. By the 1960s, pollution had reached horrific levels, exemplified by

Figure 5.1
Factors Conditioning State Response

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>INTERNATIONAL</th>
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<tr>
<td>RATIONALIST</td>
<td>DOMESTIC</td>
</tr>
<tr>
<td>Voter demand; economic interest group pressure</td>
<td>Trade threat; bilateral treaty demands</td>
</tr>
<tr>
<td>CONSTRUCTIVIST</td>
<td>NGO persuasion and education; scientific persuasion; environmental agency serious advocacy</td>
</tr>
<tr>
<td>UN ideology; peer normative example; scientific persuasion; shaming by INGOs</td>
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the infamous Minamata mercury-poisoning episode. These human symbols of pollution illness congealed national sentiment and, as people took sources of pollution in their own communities seriously, stimulated hundreds of local pollution protests (Broadent, 1998). Massive protests that carried the threat of electoral loss for the conservative ruling party, the Liberal Democrats, forced compromises and new policies from the government. Continued protests through the early 1970s further forced effective sanctions against and amelioration of the worst sources of air and water pollution.

**Reluctant Partner: The 1980s**

The late 1980s ushered in the era of less tangible, long-range global pollution. At first, both the Japanese people and the government gave little credence to global environmental problems. The Japanese state showed great reluctance to shake its upward trajectory of growth with these international issues. Indeed, the purpose of the Japanese state continued to be to secure Japan’s long-run economic prosperity, which meant increasing dominance of world markets and resources (Johnson, 1982). The Environmental Agency of Japan (EAJ) alone within the Japanese state tried to keep abreast of these issues and to take an active role in them.

In 1980, the EAJ established a research group on global environmental problems. At the 1982 Nairobi Conference of the United Nations Environmental Program (UNEP), it presented its conclusions suggesting that the UN set up a special committee on the environment (Environmental Agency of Japan, 1994: 51). The resultant World Commission on Environment and Development issued the famous Bruntland Report, Our Common Future (World Commission on Environment and Development, 1987).

The EAJ did not control the government agenda, however. In the 1980s, the Japanese government exhibited great reluctance to recognize and act on global environmental problems (Kawashima, 1997: 114-119). Only U.S. and European bans on ivory coupled with intense criticism from international NGOs sufficed to get Japan to implement the CITES Treaty and ban the import of ivory in 1989 (Miyaoka, 1998: 176). Also in 1989 strong foreign pressure forced Japan to cut its drift-net deep sea fishing fleet to twenty ships. Finally in 1993, when the UN was about to adopt a moratorium on drift-net fishing, Japan ceased it altogether (Miyaoka, 1998: 177).

At that time, Japan’s NGOs had little understanding of global environmental issues. They did not pressure the government to attend to the ozone layer problem. This sort of pressure came only from foreign actors, including international NGOs such as Greenpeace and WWF. Pressure from MITI (Ministry of International Trade and Industry) kept the Japanese government from attending the initial Vienna meeting on stratospheric ozone depletion. Under threat of U.S. trade sanctions, Japan finally signed the 1987 Montreal Protocol on Substances that Deplete the Ozone Layer (CFCs), and then ratified both Vienna and Montreal Protocols in 1988 (Kawana, 1995: 53; Schreurs, 1997a: 148). Despite MITI resistance, some ministries began planning the implementation of the Montreal Treaty on ozone depletion. The Japan Development Bank introduced loan schemes to help reduce freon gas (1988), an ozone-depleting chemical, and nitrogen oxides (1989).

Despite these changes, the Japanese government still largely deemed the thornier problem of global warming. As usual, the Environmental Agency took the first steps. Its 1988 Environmental White Paper presented Japan’s first official recognition of global warming and set up a research group on the problem (Environmental Agency of Japan, 1988: 43-121). Japan hosted the 1989 United Nations Environmental Program (UNEP) Conference on Global Environmental Protection; but its representatives refused to go along with the Netherlands, Germany, and the U.K. in setting CO2 reduction targets. The government also excluded NGOs from participating in that conference.

By then, Japanese NGOs were becoming more assertive on global issues. Together with local branches of Friends of the Earth and other international NGOs, they held an alternative conference, calling the official one a “PR exercise.” The NGOs labeled Japan the “number one destroyer of the environment in the Third World” (Schreurs, 1997a, 196 and footnote 46). This brought international attention to the role of Japan’s Official Development Aid (ODA) in destroying tropical forests. As this incident illustrates, at this time, the Japanese government had hostile relations with domestic and foreign NGOs.

**First Steps: The 1990s**

By 1990, Japanese leaders were feeling embarrassed by international criticism, particularly for having lagged on international agree-
ments to reduce ozone-depleting chemicals. The OECD criticized Japan for its poor compliance with international environmental norms and its failure to include NGOs in its policy-making processes. It implied that if Japan wanted to be a player in international politics, it would have to meet OECD norms. In the face of this kind of international criticism and pressure, the Japanese government decided to keep closer pace with the international community (Kawashima, 1997: 116).

As globalization proceeds, international credibility becomes an increasingly important political asset for a nation. Moreover, the terms of credibility—the norms—become increasingly defined by the collective of nations and global actors in the international arena through "complex interdependence" (Keohane, 1996: 466).

Japan's move toward conformity to global environmental norms quickly assumed institutional and political form. Around this time, Japanese politicians concerned about the global environment came together from many political parties to set up GLOBE, a forum for the discussion of global environmental issues. A Liberal Democratic Party (LDP) politician who had been an EAJ official, Aichi Kazuo, led this effort. The prime minister formed a new Ministerial Committee on Global Environmental Affairs, and appointed the director of the Environmental Agency to chair it. This Committee formulated a 1990 Action Plan to Arrest Global Warming. Though constituting a formal recognition of the problem, the Action Plan did not specify what practical countermeasures Japan should take. The Environmental Agency directed the National Institute for Environmental Studies (NIES) (established in 1974) to set up divisions and centers dedicated to research on global climate change.9

The Action Plan remained stymied by perennial ministerial conflicts over environmental issues. As in the past, MITI defended Japan's economic sovereignty and interests. Since the 1970s, MITI had sponsored successful conservation programs to promote efficient uses of energy. The inadvertent by-product of these programs had been the reduction of greenhouse gas (GHG) emissions. Japan had already achieved the highest carbon efficiency per unit of manufacturing output. Accordingly, MITI argued that Japan had already achieved more GHG reductions than other industrial countries, so that stabilizing GHG at year 2000 levels would suffice (Schreurs, 1996; Schreurs, 1997a: 151). The EAJ as usual took a more environmentalist viewpoint, and wanted Japan to reduce its GHG outputs to its 1990 level.

After the 1992 UNCED conference in Rio, many nations gradually signed and ratified the Framework Convention on Climate Change. Japan signed and ratified in May of 1993 (the 21st nation to do so). U. S. President George Bush signed and the Senate ratified the FCCC. (By September 2000, 186 nations had signed.) The FCCC signatories agreed to work toward a mutually agreeable, specific, binding, global GHG reduction plan. The Agenda 21 signatories agreed to produce their own National Action Plans to accomplish this goal. Formal implementation of these plans awaited the formulation of acceptable international standards for greenhouse gas reduction, and then actual ratification by national governments and legislatures.

At UNCED, EAJ Director Miyashita announced—evidently without prior approval by the Japanese government—that Japan "might possibly" host the Third Conference of the Parties (COP3). Japanese negotiators are usually given no flexibility for on-the-spot compromises (Kageyama, 2000: 13). That Director Miyashita broke ranks in this way testifies to the centrifugal force of the newly emerging international norms so evident at UNCED. His announcement in turn set up expectations by other nations that Japan would indeed host COP3. To retain credibility, Japan came to feel compelled to follow through.

After UNCED, Japanese government agencies made a number of new policies and institutional changes to prepare to implement the FCCC and Agenda 21 agreements upon ratification. The government proposed a National Action Plan for Agenda 21 to implement these changes (passed in 1993).10 For example, the Environmental Agency (EAJ) took a number of steps to fulfill FCCC and Agenda 21 proposals. The EAJ created a Department of Global Environment (Chikyu Kankyko Bu) within the EAJ Planning and Coordination Bureau. The EAJ began to legitimize its proposals with the internationally current concept of sustainability (World Commission on Environment and Development, 1987). It urged the domestic reduction of greenhouse gases, along with research, technology, education, and international cooperation to attain a "sustainable development" type society. To implement these proposals, the EAJ converted the old PCSC—Pollution Control Service Corporation—to new pur-
poses. The PCSC had been created in the 1970s to give loans to small and medium-sized businesses for environmental upgrading. Renamed the Japan Environmental Corporation (JEC—actually an agency, not a corporation), in addition to its old duties, it began to give loans to environmental nongovernmental organizations. The EAJ also worked with the UN University in Tokyo to create the Global Environmental Information Center (GEIC).

These salutary programmatic and institutional changes had long-term, immediate impact. MITI remained very skeptical of new greenhouse gas control measures and opposed them. In addition, Japan’s 1990s recession, by tightening government and business budgets, worked against the effective implementation of carbon dioxide reduction (Miller and Moore, 1990). An EAJ study in the early 1990s found very low corporate interest in compliance (Environmental Agency of Japan, 1992: 130). MITI issued industrial CO₂ reduction guidelines in 1993, but they seemed to have little effect. As a result, from 1990 on, Japan’s carbon dioxide emissions climbed more rapidly than other comparable countries. By 1997 they surpassed Denmark, the Netherlands, and Germany (Flavin and Dunn, 1998: 115-129). Similarly, though Japan’s automobile fuel was entirely lead-free (Organization of Economic Cooperation and Development, 1994: 101), its average auto fuel economy diminished, thus adding to greenhouse gases (Flavin and Tunali, 1996: 39). In sum, Japan’s policy pronouncements had little effect. Its GHG pollution worsened during the early 1990s.¹¹

The disjunction between lofty expressions of concern and little practical effect resembled Japan’s domestic pollution politics in the mid-1960s (Broadbent, 1998; Broadbent, 2001). In both cases, Japan’s pollution policies started as more symbolic than effective. They became effective only when faced with strong popular pressure or economic necessity. In the early 1990s, MITI and its business allies let the EAJ make largely symbolic pronouncements. They hoped to mollify domestic and foreign concerns without the need for effective pollution control. As before, effective reforms awaited stronger political pressures.

**Structural and Ideological Change: Mid-1990s**

Just at that point, new pressures appeared. Political changes shook the very foundations of the LDP-MITI-industrial growth coalition.

In 1993, for the first time in postwar history, opposition parties won control of the more powerful Lower House (Curtis, 1999). Politicians in these opposition parties were less tied to construction state (dōken kokka) kickbacks for contributions (Masumi, 1995; Woodall, 1996), and hence could be more favorable to environmental protection. This electoral loss, coming on top of the loss of the Upper House in 1989, shocked not only the LDP but the whole growth coalition.

Once in power, the new ruling coalition started important environmental (and other) initiatives. In November 1993, the government set up the Japan Council for Sustainable Development (JCSD)¹² to work on meeting Agenda 21 goals. The Council reports to the UN on its progress. Following UNCED Agenda 21 guidelines, the Council was a network organization, including representatives from business, government, academia and a few NGOs—World Wildlife Federation, People’s Forum 2001, and the Consumer’s Union. These NGOs had very strong ties to international NGOs, and to the UN. At the local level, many Japanese communities adopted the Agenda 21 scheme, producing plans for local conservation and the reduction of GHG emissions. In December 1993, the Council of Ministers for Global Environmental Protection finalized and passed the National Action Plan for Agenda 21.¹³

At the level of national policy, in November of 1993, Prime Minister Hosokawa asked the EAJ to prepare a revised Basic Environmental Law (the first revision of the 1967 Basic Law for Pollution Control since the 1970 Pollution Diet). The intention of the Basic Law was to provide an abstract general direction and framework for future environmental administration (Asahi Shimbun, November 12, 1993). The draft law stimulated vigorous debate in the National Diet (Environmental Agency of Japan, 1994: 89-98). In tone, the final product differed from its predecessor by containing many expressions of concern about sustainability and the global environment (Environmental Agency of Japan, 1994; Nihon Kankyō Kaigi, 1994).

The primary purpose of the 1993 Basic Law, according to the EAJ, was to “look after the environment, recognizing it as our essential life-support system which we should hand down to future generations” (Environmental Agency of Japan, 1998: 11). Its main provisions included quality standards, impact assessment, economic measures, education, voluntary actions, information provision, research support, international cooperation on conservation, and fi-
nancing mechanisms. This law formalized a shift in governmental consciousness from the idea of “pollution” (kogai)—literally meaning “public nuisance”—to that of the “environment” (kyōkai), signifying the very context of life support. This conceptual shift indicated a very important cultural watershed—that the government had adopted a new cognitive (true/false) and normative (good/bad) framework for evaluating environmental problems. Certain Japanese government agencies, such as the Foreign Ministry and the Environmental Agency, along with coverage by national media and the small but insistent voice of NGOs, had shifted the tenor of elite and public values some way toward the new global environmental norms.

Critics said the Basic Law did not give sufficient weight to key issues such as environmental assessment, citizen participation, and freedom of information (about corporate pollution). In December 1994, the Diet passed the Basic Environmental Plan, intended to give the 1993 Law more substance. The Plan systematically required ministries to devise regulatory means to attain the goals of the Basic Law. As usual, the EAJ and MITI fought over its content. The EAJ wanted to include strong substantive measures toward a sustainable society: mandatory environmental impact assessment, environmental taxes and surcharges to pay for environmental protection, and freedom of information. MITI and the Japan Federation of Economic Organizations forced the removal of such measures (Schreurs, 2000). The 1967 Basic Law had gone through exactly the same political dilution process.

Even so, the 1994 Plan stimulated a number of institutional innovations. The EAJ created the Institute for Global Environmental Strategies (IGES), mandated to build international cooperation around practical solutions to environmental problems. IGES has conducted a variety of research projects on climate change, urban environmental management, and other topics. Though legally an NGO, most of the IGES budget comes from the EAJ, so it should be classed as a quasi-NGO (QUANGO). According to one IGES officer (a retired EAJ official), it “probably would not have been created without climatic change becoming a problem” (personal communication, 3/6/01). One purpose of IGES is to bring Japanese and foreign environmental NGOs into the policy-making process indirectly, by joining in IGES projects and workshops.

MITI had created its own environmental QUANGO, the Global Industrial and Social Progress Research Institute (GISPRI), in 1988. The Board of Directors is composed of presidents and other top officials from major Japanese industries. Under the pressure of new norms and evolving realities, GISPRI too began to conduct research on global climate change issues and participate in related United Nations efforts. In addition, politicians from different political parties formed Global Environmental Action (GEA) to coordinate their support for environmental policy initiatives and to reach out to politicians and other groups around the world. Ex-Prime Minister Hashimoto became the leader of GEA. However, several politicians who were members failed to get reelected, showing that environmental issues were still not the top priority among voters.

The Basic Environmental Plan called for a network style of environmental regulation, bringing together government, business, labor and citizen NGOs to seek mutually acceptable standards and solutions (Ren, forthcoming). While sounding unrealistic to the Westerner, this approach is built on earlier forms of Japanese business-government cooperation. Japanese politics has typically proceeded through dense elite networks that facilitate communication and negotiation (Broadbent, 2000b). Industrial sector associations had always negotiated the technical provisions of new regulations, including pollution control, for their own industry.

Under the Hosokawa cabinet, the domestic NGO community mushroomed and gained legitimacy. International NGOs entered Japan in greater force. Japanese NGOs also attempted greater engagement in the policy-making process. NGOs had been following a protest mode—complaining about and resisting the environmentally destructive behavior of other actors. Instead, they began to do research and make their own alternative policy recommendations. Their increasing organizational capacity and self-confidence made them better potential partners for such network cooperation with business and government.

In 1994, the LDP regained control of the Lower House, though at an odd price—a coalition government with its old enemy, the Japan Socialist Party. The LDP’s certainty and legitimacy had been shaken by the experience of ten months in the opposition. Moreover, opposition parties now harbored realistic hopes of gaining power. Increasingly, the Democratic Party and the Social Democratic Party tried to
build supportive constituencies. This included consulting with domestic NGOs and their policy proposals. However, opposition parties had only the power of suggestion in the Diet.

The effects of the Basic Environmental Plan continued despite the LDP’s resumption of power. In 1995, the government enacted the Container Recycling Law, a measure that would reduce production and hence GHGs. In that year, the Japan Development Bank started making low-interest loans to help factories reduce their output of greenhouse gases and to support recycling. The government convened many advisory councils on its environmental performance and local governments developed environmental plans. Critics charged once again that these plans produced no substantive improvements (Asahi, 1993).

If the LDP’s 1993 loss of the Diet had dented Japan’s system of elite rule, the 1995 Hanshin (Kobe) earthquake strengthened the self-reliance of the people. The earthquake devastated the city of Kobe (shin) and parts of neighboring Osaka (han), killing many and displacing 300,000 people from their homes. The superior performance of volunteer groups in rendering aid to victims the government ignored greatly strengthened popular support for nongovernmental, non-profit volunteer organizations (Bestor, 1998; Yamaoka, 1998; Yamauchi, 1998).

Since the 1970s, small special-topic domestic environmental groups had maintained a marginal existence. The localism of the Japanese environmental protest movements in the 1960s and 1970s, coupled with public distrust of anonymous “cause” groups, and the practices of soft social control by elites, had prevented the formation of a solid environmental NGO sector. Domestic groups such as IATAN (Japan Tropical Forest Action Network) and People’s Forum 2001, as well as the Japanese branches of international groups such as Greenpeace and Friends of the Earth, supported by a few hundred subscribers and led by dedicated, but impoverished, activists kept up a ferment of concern and critique.

In the 1990s, the NGO sector began to expand. Despite their size, these groups contributed to some significant environmental victories. New research-oriented domestic NGOs appeared, such as the Japan Center for a Sustainable Environment and Society (JACSES, 1996). Spurred by the governmental turnover and the 1993 and 1994 Basic Law and Action Plan, the Environmental Agency and the Ministry of Foreign Affairs started to foster the growth of domestic environmental NGOs. JACSES and some other domestic environmental NGOs enjoyed office space subsidized by the MOFA (very important in expensive Tokyo). Branches of international environmental groups, such as Greenpeace Japan and World Wildlife Fund Japan also increased their presence. World Wildlife Fund Japan and other NGOs obtained grants for environmental projects from the EAJ’s Japan Environment Corporation. These NGOs slowly attained greater legitimacy, strengthened their international ties, and built stronger communication links with government and business-based environmental organizations.

Taking the Global Stage

Through the 1990s, scientific evidence, buttressed by successive reports from the UN’s Intergovernmental Panel on Climate Change (IPCC), increasingly supported the idea that global warming had anthropogenic causes. During this period, Japan also became increasingly enmeshed in the general norms of global interstate negotiations and agreements of many sorts (GATT, WTO, etc). Japan was exploring a global political role commensurate with its economic weight, and finding it involved both credibility and cooperation. Accordingly, Japan felt bound to honor EA Director Miyashita’s unofficial announcement at the 1992 UNCED Rio meetings, that Japan “might” host COP3. In 1995, at COP2, Japan formally agreed to host COP3 in Kyoto in 1997.

During the ensuing preparations for COP3, the Japanese government felt, as host, that it should present a specific standard for greenhouse gas (GHG) reduction (Kawashima, 1998). Yet, as always, the EAJ and MITI disagreed on what it should be. The Environmental Agency wanted Japan to reduce its GHG emissions to 5 percent below its 1990 levels by 2010. But MITI demanded a 3 percent increase in GHG above 1990 levels by 2010, plus the construction of many new nuclear power plants, justified by MITI for their lack of GHG output.

In 1996 the Environmental Agency, spurred by the upcoming Kyoto Conference, helped domestic NGOs to set up the Kiko Forum. Modeled after the German Klima Forum, the Kiko Forum became a networking center for 225 Japanese NGOs concerned about global warming. The Kiko Forum also affiliated with powerful inter-
national NGOs working on global climate change. These groups lobbied Japanese ministries for stricter GHG reduction standards. As a member of the Kiko Forum, for example, the Japan Federation of Lawyers argued for a 20 percent GHG reduction by 2010.

The establishment of the Kiko Forum further improved the situation of domestic NGOs in Japan. The Kiko Forum got 30 percent of its funding from the Japan Fund for the Global Environment, a division of the Japan Environmental Corporation (under the EAJ). Still, faced with weak private philanthropy and public donations, the Kiko Forum had to get 40 percent of its funding from foreign philanthropies and governments (Reimann, 2001).

Despite government ambivalence, the Japanese public increasingly took global warming seriously. By the mid-1990s, about 80 percent of the public reported high concern over global environmental issues (Schreurs, 1996)—a sea change in parochial Japanese culture.

Facing this changing international and domestic situation, top Japanese business leaders worried about a repeat of the strong government guidance and court suits as in the 1970s. They wanted to avoid that. Accordingly, in June 1997 the Federation of Economic Organizations (FEO or Keidanren) announced a voluntary industrial GHG reduction plan (Kawashima, 1998). The voluntary agreements made by Japanese industrial associations covered 60 percent of manufacturing firms. These agreements aimed for a 10 percent reduction in greenhouse gases by 2000, and a 10–20 percent reduction by 2010 (Flavin and Dunn, 1998: 123). Many Japanese companies have achieved ISO 14001 certification, a testament to good environmental practices. Yet, businesses and municipalities still resisted paying for recycling, casting doubt on the depth of any business “voluntariness” toward environmental protection.

The Kyoto Conference (COP3) convened in December of 1997 (Takeuchi, 1998: Chapter 7). Concerning GHG reduction targets, the EAJ, wanting larger GHG reductions, had found allies in the Europeans, while MITI had allied with the conservative U.S. position. In the end, they compromised. MITI made some concessions to the EAJ, partly to head off the even more stringent standards advocated by Germany.

As this outcome illustrates, the Japanese government found itself increasingly enmeshed in multiple global policy considerations. The power balance between MITI and the EAJ was affected by the balance between the European Union and the U.S. MITI opposed the EAJ’s proposed 5 percent reduction of 1990 GHG levels by 2010, but—showing how far the political landscape had shifted—MITI lost! In the trilateral balance between Japan, the U.S., and Europe, the green stance of Germany added strength to the EAJ’s domestic influence (Fisher, forthcoming, 3). The EAJ also successfully helped mobilize Japanese public opinion and civil society, through the Kiko Forum, in favor of its position.

As a result, at the Kyoto Conference the Japanese government proposed that the industrial nations all reduce their GHG by 5 percent below 1990 levels by 2008–2112. This proposal fell below the European Union proposal (at least 7.5 percent below 1990 levels by 2005, and 15% below by 2010), but was stronger than the U.S. one (to return to 1990 levels by 2008 to 2012) (New York Times, December 1, 1997: D3). Japan’s stance was quite progressive, considering that Japan had already taken far stricter energy conservation measures over the past two decades than had the U.S. The resulting Kyoto Protocol only committed nations to work toward acceptable GHG reduction goals in the future. Symbolically, though, the Protocol coaligned world opinion around the need to respond effectively to global warming.

Over the ensuing few years, more nations signed and some even ratified the Kyoto Protocol. Japan signed in April 1998. The United States, represented by vice president Al Gore, signed in November 1998. All signees agreed to seek ratification from their home governments. By July 20th, 2000, eighty-four states had signed and thirty-seven had ratified or acceded to the Kyoto Protocol (United Nations, 2001b). However, the possibility of widespread ratification awaited agreement on the target goals of GHG reduction for each country.

MITI, as usual more concerned about energy independence than about possible environmental disasters, argued that for Japan to reduce its GHG output by 5 percent by 2010, it would need to build twenty more nuclear power plants (Hasegawa, 1998). But the growing public resistance to new nuclear power plants made MITI’s “nuclear solution” increasingly unfeasible.

At the Kyoto Conference, the Japanese government had officially ignored the noisy NGOs. After the Kyoto Conference, though, it began to include them indirectly, though participation in councils of
quasi-governmental organizations like IGES and GISPRI (Schreur, 1997b: 329). Some of the NGO leaders invited into such councils felt they exercised no influence there. But from the government point of view, the NGO voice has strengthened greatly. One senior Japanese government official with two years’ experience on environmental policy wrote, “The back-up of Japanese NGOs was also important. They gave the government moral support to use an explicit target to conclude the Kyoto Protocol. ….” This, he said, was the first time that NGOs and the government had “shared the same goal.” Cooperating with NGOs, he added, was becoming an important factor in the Japanese government’s efforts to proceed with environmental policy (Kageyama, 2000: 31). That the government found “moral support” in NGOs indicates the extent to which Japanese elites were adopting a new, still uncertain normative framework.

Certainly, NGOs had reason to question their new networking with government and business. In the past, the government had often hand picked the members of advisory councils, choosing only those who would rubber-stamp government policy preferences. Improvements in Japanese environmental policy had required massive public and foreign pressure, not just advice from experts. Even under such public pressure, business gave at best “quasi-voluntary” cooperation—cooperation that worked only when backed by potential sanctions (Ren, forthcoming).

After COP3, the concept of environmental sustainability penetrated very deeply into the thinking of the EAJ (Imura, forthcoming). Environmental bureaucrats began seriously thinking through the kinds of changes a truly sustainable society would require. In his address to the 142nd Diet (1998), for instance, the minister of the environment said that global warming will raise air temperatures and sea levels, “shaking the foundations of human society.” The origin of this problem, he continued, lay in “mass production, mass consumption, and mass waste.” Accordingly, he concluded, the solution must lie not in piecemeal policies to protect parts of the environment but in rethinking all societal systems and the bold construction of an “environmental protection style society” (kankyo hozen gata shakai).

In 1998, at the initiative of the EAJ, the Japanese Diet approved the Law for Promotion of Measures to Cope with Global Warming—the world’s first law specifically for this purpose. As with most Japanese parliamentary laws, it did not contain strict standards or enforcement measures for industry (Fisher, forthcoming: 14). Rather, it encouraged local and national governments to take positive action in reducing GHG, such as by disciplined energy conservation. At the behest of MITI, the Diet also approved amendments to the Energy Conservation Law to set stricter efficiency standards, promoting energy efficiency in automobiles, other consumer products, homes, and factories. This law reflected the continuing “turf war” between the EAJ and MITI to control climate change policy (personal communication, former EAJ official, 3/6/01).

But by this time, however, even MITI had become more convinced of the reality of anthropogenic global warming. It was clear, for instance, that a rise in sea level of one meter would flood major parts of Tokyo (Environmental Agency, 1998: 17). With the exception of Kyoto, Japan’s major cities and industrial sites lie on flat coastal river deltas vulnerable to rising seas. The head of MITI’s Environmental Policy Department told me, “It’s going to be very hard for industry to reduce carbon dioxide as much as planned, [and] their resistance is very strong. But MITI [will] to do it and … can override their resistance [eventually]” (interview, MITI, December 14, 1998). This reinforces the notion that, as with Japan’s energy conservation programs, a pragmatic recognition of necessity underlies some of Japan’s environmental successes. This is not to reduce such policies to necessity, though, for the collective recognition of outcomes only arises from a conducive base of social organization and communication.

Publications from MITI’s environmental organization, GISPRI, began to talk about sustainability and the collapse of the human social system in the twenty-first century, “should the degradation of global environment and consumption of limited natural resources continue in developed countries in pursuit of wealth” (Global Industrial and Social Progress Research Institute, 2001).

In 2000, the Japanese government passed more GHG-related laws, adding more standards for waste disposal, including marine disposal. In June 2000, the government passed the Basic Law for Formation of a Resource Recycling Society. This law sketched out the full needs of a very resource-efficient, more sustainable, less GHG-emitting society. That same year, the government reorganized its ministries and agencies, combining functions, reducing their number, and
making the Environmental Agency into the Environmental Ministry, a major boost in its status.

After the Kyoto Conference, the ensuing Conferences of the Parties continued to try to negotiate acceptable standards for GHG reduction. Their efforts elicited angry resistance from American conservatives, including U.S. senators. The Sixth Conference of Parties (COP6), held in The Hague in November, 2000, was slated to set the final stage, where nations would agree to the final carbon reduction standards. According to prior agreements, ratification of the Kyoto Protocol could only proceed if nations producing a total of 55 percent of the world’s greenhouse gases signed it. COP6 did not obtain sufficient consensus, so the UN scheduled a second session for July 2001 in Bonn. In March, 2001, shortly before the Bonn meeting, however, U.S. president, George W. Bush declared the Kyoto Protocol “fatal” and withdrew the U.S. from participation in it (Revkin, 2001). At the time, U.S. withdrawal threatened any hopes that the Kyoto Protocol would be enacted. Producing 25 percent of the world’s GHG, the U.S. was the key player. The Japanese public tended to side with the EU and criticize the arrogance of the U.S. in rejecting the Kyoto Protocol (personal communication, former EAI official, March 15, 2001).

At the July meeting in Bonn (COP6.5), the U.S. delegation sat on the sidelines, neither participating in the Kyoto Protocol discussion nor presenting an alternative proposal. At the start of COP6.5, Japanese and Australian officials both stated they would not agree to the Kyoto Protocol without the U.S. Since the U.S. produced 36.1 percent, Japan 8.5 percent and Australia 2.1 percent of the world carbon dioxide emissions, their total, 46.3 percent, would prevent reaching the goal of 55 percent of world emissions. This would have killed the Protocol outright (Omuta, 2001).

However, to everyone’s surprise, at the end of the week of negotiations in Bonn after long wavering, Japan abruptly changed its position and agreed to seek ratification. On July 24, 2001, 178 countries signed the agreement to seek their own nation’s ratification of the Kyoto Protocol and its provisions. This political milestone is now known as the “Bonn Agreement.” German Environment Minister Jürgen Trittin commented, “The Bonn conference was a breakthrough in saving the Kyoto Protocol. For the first time countries have committed themselves to a reduction in greenhouse gases” (Reuters, 2001). Among large industrial nations, only the United States refused.

Why did Japan change its stance and “save” the Kyoto Protocol? This resulted from three basic intersecting factors: Japan’s desire for international status and credibility, domestic political changes, and hard bargaining. Japan’s increased involvement in European and world trade, plus its desire to play a more significant global political role, made it seek international credibility.

At this time, Japan had become increasingly engaged in global political issues and interstate negotiations. Success in this field, Japan’s leaders increasingly realized required international credibility. Japan yearned to take a global leadership role independent of U.S. preferences. Indeed, a famous Japanese politician had earlier demanded that Japan start saying “No!” to U.S. pressure (Ishihara, 1991). Due to its legacy and Constitution, Japan could not take a global leadership role in setting world economic or military policy. But Japan had attained renown for its earlier domestic policies. Moreover, the Kyoto Protocol had been “made in Japan.” So Japanese elites and public inclined toward staking Japan’s claim to global leadership on the Kyoto Protocol.

Defending the Kyoto Protocol became somewhat a matter of national pride. For the first time, Japan’s national identity merged with a symbol of popular global leadership. Even MITI became more convinced about global warming, and began to apply its pragmatic economic stewardship to the problem. Despite disagreement on details, the MITI/EAI agreement pushed the government forward on measures to cope with global warming—the first steps to real change.

Second, a domestic political earthquake had occurred in early 2001. The LDP, seeking to boost its fading popularity, had agreed to allow ordinary party members to vote for the party leader (and thus for the prime minister). This new voting system resulted in the ascension of a “dark horse” challenger—Junichiro Koizumi—to the post of party leader and prime minister. Koizumi had campaigned on the determination to weaken the entrenched “construction state” elites and reform the ailing Japanese economy. Concerning the Kyoto Protocol, Koizumi had intended to mediate between the EU and the U.S. However, faced with a stark choice, he wanted to avoid criticism from the European Union and developing nations that supported the Protocol.

Third, MITI and Japanese businesses still opposed a radical reduction in greenhouse gases. They claimed that Japan had already
installed near the maximum in energy efficiencies (Nishiyama, 2001). They pushed Japan to demand significant concessions if it were to seek ratification of the Protocol. These concessions included dropping any penalties against a nation for not meeting the GHG reduction goals; and allowing Japan to deduct 3.8 percentage points of its 6 percent GHG reduction goal to counting carbon absorption by its forests. Counting the carbon absorption of forests had been a compromise sought by the U.S. Breaking with the U.S. and agreeing to seek ratification of the Kyoto Protocol at Bonn gave Japan a certain taste of independence in foreign policy. Long accustomed to following the lead of the U.S. in that realm, Japan had been frustrated at its junior role in international affairs. Ishiihara, as noted above, had urged his country to say “no” to U.S. policy leadership. By saying “yes” to the Protocol, Japan accomplished this goal and took a significant and positive step toward having an independent international voice.

Overall, similar concessions to other nations reduced the global greenhouse gas reductions to less than two percent. In contrast, UN scientists have argued that a 60 percent cut in GHGs is needed to avert disaster. Accordingly, environmental groups have taken to calling the Bonn agreement “Kyoto-Lite” (MacDonald, 2001). Greenpeace calculates that the flexibility mechanisms agreed to in Bonn will allow world GHG emissions to actually rise, not fall. But Klaus Toepfer, head of the UN Environment Program, believes that emissions will fall, though not nearly as much as hoped. He said, “I am absolutely convinced that this is a very important basis for the future fight against global warming” (Reuters, 2001b).

Despite its initial weaknesses, the Kyoto Protocol’s regulatory framework remains a very significant accomplishment. It strongly legitimates the concept of global warming and the need for action. Furthermore, the Bonn agreement has institutionalized the Kyoto Protocol as a global fact, complete with annual UN review process where nations will have to report their progress. These are important steps toward creating a set of worldwide rules that fairly distribute the burdens of greenhouse gas reduction.

Discussion

The Japanese state did not make a unified response to global warming. As the preceding narrative illustrates, its responses differed by sector and changed over time. From the late 1980s to the early 2000s, Japanese state response moved through four phases: reluctance and resistance, symbolic response, domestic policy preparation and institution building, and finally an independent global policy engagement. We must ask, then, what caused this trajectory of Japanese state response?

We started with four general hypotheses about the causes of state response: domestic rationalist, international rationalist, domestic constructivist, and international constructivist. These hypotheses concern the modes by which the state changes its policies, the pressures it responds to and the sources of those pressures. In particular, they concern the relative capacities, motives, and forms of mutual persuasion among the state, the business community, civil society, and international actors. Do one or more of these general hypotheses adequately explain Japan’s trajectory of response? Must we seek other explanations?

In the “reluctant partner” phase, global warming had not yet become socially “constructed” as a problem in Japan. Outside of a few officials in the Environmental Ministry, and some activists and scientists, policy-makers and the public did not recognize “global warming” as a problem. Vociferous criticism by the few concerned actors, mostly international branch NGOs, stimulated little response. The lack of broad problem consciousness contributed, for instance, to Japan’s initial rejection of ozone layer depletion policies. In this case, MITI and business priorities for economic growth initially triumphed over environmental protection. It took “international rationalist” pressures, in the form of potential trade sanctions from the U.S., to bring Japan into conformity with the Montreal Protocol on reducing the use of ozone-layer depleting gases.

In the “first steps” phase, the concept of global warming attained definitive international recognition as a serious problem at the 1992 UNCED Conference in Rio. Moreover, the Rio Declaration, FCCC, and Agenda 21 posed distinct challenges and guidelines concerning how states would react to the problem. Japan signed the 1992 Rio Declaration and associated documents, as did the U.S. and many other countries. Signature amounted only to agreement in principle, not commitment to action. But Japan (and many European countries) took the FCCC and Agenda 21 proposals with some seriousness. In Japan, the Environmental Agency took vigorous action within
its limited capacities to facilitate response to these new agendas. However, MITI remained opposed to substantive concessions. Accordingly, the Japanese government’s early policies toward global warming were mostly symbolic gestures.

In the third phase, important structural and ideological changes in Japan’s domestic political regime enabled a deeper recognition of global warming as a problem. Unprecedented 1993 electoral events gave power to politicians less tied to the dominant elites and more favorable to environmental protection. The new regime rewill Japan’s basic environmental laws around the Rio principles of sustainability. It set up policies and institutions to meet Agenda 21 goals by networking with interested parties, including some NGOs.

The Environmental Agency set up a key environmental think tank dedicated to finding solutions to global environmental problems. MITI followed suit by devoting one of its existing think tanks to that purpose. Coincidentally, the 1995 earthquake gave citizens a stronger sense of self-reliance, invigorating civil society. With greater assurance and legitimacy, NGOs began to demand the fulfillment of Agenda 21 style participation in government decision-making. The more receptive ministries, Environment and Foreign Affairs, responded positively.

This phase is not well explained by the four hypotheses alone. Neither rationalist interest, group contention, nor constructivist change about global warming, per se, seem to be the principal driving force. Rather, the core feature is a regime change resulting from longer historical structural and ideological trends but spurred by sudden economic and geophysical shocks. This regime change enabled the specific institutional, policy and ideological transformations needed to respond adequately to global warming. These changes in turn spread the legitimacy of and capacity for action on global warming through Japanese society. In this way, they prepared the ground for Japan to take a more active role on the global stage.

In the fourth phase, a number of factors led Japan to take a more active international role in global warming negotiations. These factors included Japan’s (partly economically motivated) desire to play a more prominent international political role, the national symbolism of the Kyoto Protocol, the growing scientific legitimacy of anthropogenic global warming, domestic political changes in Japan including a new electoral system and a strengthening civil society, and Japan’s success in weakening (its own) proposed GHG reduction targets. A complex synergy of these factors led to Japan “saving” the Kyoto Protocol at Bonn in July 2001. Among the noted factors, we can observe examples of each of the four potential causes theorized at the start. Were some alone among them necessary and sufficient to produce the outcome? Only a very detailed tracing of Japan’s internal process of decision-making might hope to permit a more astute weighing of their relative importance.

Conclusion

Japanese state response to global warming is a moving target, its causes and outcomes shifting over time. The major change emerged as a kind of punctuated equilibrium. Environmental politics before the political upheavals of the 1990s were more driven by a domestic treadmill of economic interests, except when severely challenged by waves of protest around 1970. In general, civil society was weak and the state exercised relative freedom to negotiate with business over policy priorities. This represented the tail end of the so-called “1955 Regime”—consistent dominance by the LDP, the economic ministries, and big business interests, punctuated by occasional upheavals from local civil society. Under this situation, domestic economic nationalism largely shaped the political and economic agenda. At the major 1970 concession point, though, under intense citizen pressure reinforced by international criticism, the Japanese political system was capable of effective response. In sum, domestic rationalist factors largely explain this political situation and account for the Japanese state’s initial refusal to participate in global climate change agreements.

A tectonic shift releases tensions between two plates, causing an earthquake. In like manner, domestic institutional changes allowed the Japanese state to align itself more closely to the policies demanded by a growing global problem. The fall of the LDP from Diet Control, of the Upper House in 1989 and of the more powerful Lower House in 1993, set off a chain of institutional, social, and ideological transformations in Japan that are still in flux. The 1989 and 1993 electoral losses of the LDP resulted from the buildup of popular discontent—voters unhappy about the economy, LDP corruption,
and ineptness, and fears about the environment. This pressure forced the LDP into an effort to recoup disaffected voters through national, rather than local patronage, measures. For the first time, the LDP invited party members to vote on its selection of party leader. Accordingly, the growing political self-awareness of civil society, though not strongly targeted at global warming per se, played a crucial role in Japan's eventual support for the Protocol at Bonn.

During this period, the global situation and Japan's involvement were also changing. Economically, Japan was moving to an increasingly multilateral trade regime, with stronger ties to Europe and Asia. As such, Japan's global economic interests pushed it deeper into a web of international ties and agreements bound by generalized global norms. To deal with this growing complexity, Japan's elites slowly became aware of the need to follow generalized norms, rather than just the dictates of bilateral ties. In order to stabilize this normative regime, Japan hoped to exercise more leadership and gain better credibility. Given its handicaps in other policy domains, the evolving global environmental regime became Japan's hope for global leadership. At the same time, climate science and Japan's geophysical vulnerability also encouraged support for the Kyoto Protocol. Through this process, international constructivist normative factors assumed causal significance increasingly comparable to domestic factors in determining Prime Minister Koizumi's decision to save the Kyoto Protocol in Bonn.

Overall, then, the Japanese case indicates a shifting mixture of causal factors at work. The adequate explanation of Japan's global warming policies moves from domestic factors to increasingly globalized factors. At the same time, it moves from more distinctly rationalist factors based on national economic prosperity to increasing state reliance upon more constructed, normative factors as guides in dealing with an increasingly complex, uncertain global community and environment.

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oversight. In so doing, the NPO Law weakened some of the barriers facing NGOs in Japan. This further strengthened and solidified the civil society sector in Japan, including environmental NGOs.

17. This quote is from a speech given at the 142nd Diet by the Director General of the Japan Environmental Agency. Presented at EIC Netto, the Environmental Information and Communication Network (http://www.eic.or.jp) set up by the National Institute for Environmental Studies, a governmental agency (http://www.nies.go.jp/index-e.html).

References


United Nations.


Orchestrating Collaboration Among Contending States: The World Health Organization and Infectious Disease Control in Southeast Asia

Jeremy Shiffman

Introduction

Infectious disease control poses a collective action problem for nation-states. No country acting individually can ensure the impermeability of its borders against microbes, which are unenlightened about territorial boundaries, immigrations and customs regulations, and the difference between North and South Koreans. Microbes travel effectively from country to country in the wind, inside the intestines of children, on vegetables, and in the various organs of cows. Only in concert do nation-states have a chance of controlling these minuscule agents of disease.

Because of this need for collective action, nations cooperate to a remarkable degree, more than in almost any endeavor that requires joint action. Sovereignty, understood as the right to proclaim the last word, no longer sits exclusively in the hands of individual nation-states. Governments defer, largely voluntarily, to the collective will of the community they form with their neighboring states and to the World Health Organization, the international organization that most prominently represents and directs the community’s infectious disease control activities. But the pooling of sovereignty must be constructed deliberately and painstakingly. In most instances government officials ultimately recognize that maintaining the health of their own populations depends on acting in concert with their neigh-