

Meiji Institute for Global Affairs

MIGA COLUMN GLOBAL DIAGNOSIS

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Short Curriculum Vitae) Seiji Hagiwara

Joined the Ministry of International Trade and Industry (MITI) in 1980 after graduating from the Faculty of the Americas, Department of Humanities and Social Sciences, University of Tokyo. Graduated from a master's (MPA) course at Princeton University (where he acquired a master's degree), then served as Director of the APEC Division, Director for Policy Planning in the Minister's Secretariat, and Director of the Information Policy Division in the Commerce and Information Policy Bureau, before resigning from MITI in 1998 at his own request to become a candidate in the mayoral election in Okayama City. Elected Mayor of Okayama City the next year, then elected as a member of the Lower House in 2005. Since 2010 has served as a Professor at Teikyo Heisei University and Professor of Scholastics at Hosei University before taking up his current post in 2013.

Outcomes from the Edward Snowden Affair

“斯諾登”

The characters above are the Chinese name for Edward Snowden, who as you know is the American who was a former CIA employee and who until recently had been contractually employed to oversee information management for the NSA. At a US-China summit that was held in June 2013 the United States had wanted to bring up for discussion the cyber attacks by the Chinese military against the United States and others. But immediately prior to this there had been reports in *The Guardian* newspaper from the United Kingdom and other sources that were based upon confidential documents showing that the US government was engaged in massive and systematic wiretapping and data collection from telephones and various Internet services. It was

Edward Snowden that supplied this plethora of data, including this information, to the news organization.

Immediately prior to the G8 held in Northern Ireland, there were reports based upon evidence that the US and British authorities had wiretapped and intercepted communications via telephones and PCs from the delegations of several countries at the G20 that had been held in 2009 (or in other words, the first year of President Obama's term in office). The Turkish government declared, "Such an action by an ally country is unacceptable,"¹ and demanded an official explanation from the United Kingdom. Watching the reports play out in conjunction with events at the global scale is beyond entertaining.

A Traitor, or a Patriot?

Assessments of the provider of the information have diverged significantly within his native country of the United States. Former Vice President Cheney branded him a "traitor," and also hinted at the possibility that he was a spy for China. This was immediately followed by a statement released by the Chinese government stating that there was no basis in fact to claims that he was spying for China. President Obama has not directly made any statements regarding the handling of the provider of this information, but given that the general sense is that this has produced major obstacles for him in carrying out his duties at a series of international events, one can conjecture that he must be furious about this on the inside.

On the other hand, naturally assertions based upon the Fifth Amendment to the United States Constitution are to be found within the United States as well, such as that it is strange that the government has engaged in spying against its own citizens, or that even if such activities are unavoidable the proper procedures and standards must be followed. Judging from this point of view, then the conduct of the information provider was indeed an act of "whistle blowing" and was a patriotic act designed to protect the rights of the general public.

¹ Wording from an official letter of protest from the Ministry of Foreign Affairs of Turkey

Intelligence Gathering Activities against Other Countries Are to Be Expected

One thing that becomes apparent when you look at the discussion in the United States is that the general tone of the discourse sees the problem as being a case in which these intelligence gathering activities were carried out against the US public. Yet you do not hear discussions to the effect that it is strange that the United States also conducted intelligence gathering activities against not only nations that are opposing the hegemony of countries such as Russia or China or could potentially oppose it in the future, but also against friendly nations such as Japan and Germany. To date, whenever China has been subjected to criticism for its cyber attacks against the United States its constant refrain has been that the United States does the same to them. But now we have reached the strange situation in which China's claims are backed by public opinion. Consequently, President Obama's statements touching on the outcomes from the US-China summit meeting did not go beyond asserting that China's cyber attacks are an impediment to US-China relations.

It has become largely evident that various intelligence gathering activities such as cyber attacks will continue to be carried out by China and the United States against one another, and against third party states as well, in the future. Those targeted will include not only government organs, but also private companies and even individuals.

What about Japan?

Consensus was reached over concluding an agreement on the protection of confidential information by Japan and the United Kingdom at a summit between the two countries held on the sidelines of the recent G8. This should be welcomed in the sense that it indicates that a sharp contrast has been drawn in terms of how Japan will be treated as opposed to Turkey, for example. But there are still an enormous number of challenges.

Even though Japan is the United States' most important ally in Asia, ever since the era of automobile negotiations there have been many instances where it has sensed that it has been targeted by US intelligence agencies. What is more, a US textbook on

intelligence studies explicitly stated that Japan had been included among the targets of CIA activities.² Furthermore, separate from the matter of whether Japanese people were targeted by this or not, there is the widespread presumption that the intelligence organizations of major countries such as the United States have been operating within Japan under both official and unofficial cover. This fact was once again clearly demonstrated through this recent case.

Conversely, Japan continues to promote discussions oriented towards actively carrying out intelligence gathering activities. But a near endless number of points of controversy still remain untouched when it comes to this, including questions like: Under what sort of institutional framework should this be carried out? Should Japan oppose the intelligence gathering activities of other countries in Japan or should not? Even if there has been research on using technology to prevent acts like cyber attacks targeting Japan, how should such issues be positioned in an institutional sense and how should Japan counteract them?

Intelligence in Japanese Academism

The United Kingdom and the United States are the two countries in which intelligence studies in universities and graduate schools have advanced the farthest. As a result, they have a wealth of accumulated academic knowledge when it comes to fields related to issues like intelligence institutions, organizations, outcomes, and legislation. Moreover, this sort of accumulated academic knowledge and personal exchanges are harnessed for government policies.

Conversely, as to the question of whether or not there are places that provide lectures on intelligence studies at universities in Japan, while this does not necessarily disprove the point, at this point in time you cannot find any Japanese educational institutions or research institutions on the member list of the International Association for Intelligence Education, which is an international organization for intelligence education.³

² Peter Gill and Mark Phythian (2006) *Intelligence in an Insecure World*, P14

³ http://www.iafie.org/?page=Institutional_Member

It is about time that Japan also jump-started initial research activities, including setting in place legal grounds for intelligence and agreeable terms for the disclosure of information in academism. The goals of this would be to guard against violations of the rights of citizens of foreign countries, as well as to set Japan's future on a stable footing. This matter is one that we must take into consideration this June.