August 15, 1945: for the first time in history the voice of god is heard on the radio. The Emperor of Japan, the man said to be descended from the sun goddess Amaterasu herself, speaks to the Japanese people. The war is over. Japan has lost. Hundreds of thousands of people have died, the country lies in ruins, and the cities of Hiroshima and Nagasaki have been devastated, and the fallout from the atomic bombs would make living in either city risky for many years. Within a few months the American army will move in and occupy the defeated nation. Their mission will be to disarm, rebuild, and democratize Japan, and they will succeed beyond what many may expect in two of these goals. In April 1946 the first postwar general election was held, and by the late 1950s, the country of Japan was back on its feet and headed on the road to economic dominance.

The constitution that was promulgated in 1947, and soon ratified by the Japanese government, embodied the ideals of popular sovereignty and pacifism. The Emperor was made a symbol of the state, officially cut off from any power, while the sovereignty of the people was made explicit. The Japanese would also “forever” give up war as a way to settle disputes, and would not maintain any war potential. Although the occupation authorities essentially wrote this constitution for the Japanese government, the people soon took it for themselves.

Even in 1947, the occupation goals began to change when war broke out on the Korean Peninsula. As hostilities grew, the United States began to pressure Japan to rearm in what has become known as the “reverse course,” rebuilding the monopolistic zaibatsu manufacturing and financial companies that had been disassembled with Japan’s defeat. When U.S. military forces began redeploying to Korea, the U.S. government and the occupation forces instructed the Japanese government to create a National Police Reserve of at least 75,000 men. Despite their reservations, the Japanese complied with this decision. Thus it was not the Japanese militarists but the occupation forces that first attempted to rearm Japan. The National Police Reserve became in 1954 the Self
Defense Force (SDF), and this military force has been one of the hottest points of contention in the constitutional debates that have occurred throughout the past half century.

It is these debates over the constitution, specifically those over Japan’s constitutional pacifism, that I will describe and analyze in this paper. The debate has waxed and waned in intensity since the promulgation of the constitution in 1947, but three major points of contention are argued each time the debate has gained momentum: the origin of the renunciation of war clause and the constitution itself, the constitutionality of the Self Defense Forces and the constitutionality of the Japan-U.S. Security treaty. However, in recent years there has been a new dimension to the debates, an issue that came into being for Japan after the Gulf War in 1992; the United Nations and United Nations Peacekeeping Operations. Under a strict reading of Article 9 of Japan’s constitution, and more importantly by the official policy the Japanese government had adopted until this time, Japan cannot participate in these operations, and for that reason did not contribute any troops to the Allies in the Gulf War. When this decision received widespread international criticism, the Japanese government introduced a peacekeeping bill that would allow Japan to participate more directly in Peacekeeping Operations.

Although the debate about the constitution has been ongoing for decades, recent changes like the post-Gulf War Peacekeeping Operations bill indicate a change in the debate. This change would not be possible without a shift in the goals of the government and the perceptions of the people of Japan. Therefore the changes in the debate demonstrate the changes in both governmental policy and in public perceptions. As time has passed since the end of the war, the Japanese government has moved towards a more active role in world affairs, while public has generally concluded that the SDF have a role to play for Japan.

In the 1960s the general public, as well as political parties like the Social Democratic Party, were adamantly against the Self Defense Force as unconstitutional war potential. Today the debate has moved so that the constitutionality of the Self Defense Force’s existence is no longer the main point of debate but rather the limits of what the SDF can do is debated. This implies that the public has become more accepting of the Self Defense Force over the years, and although the majority of the people still value the ideal of
pacifism, most have grown more willing to admit that the SDF may be necessary to Japan. The government has also moved from a stance of passive, defensive pacifism based in Japan to one of active pacifism through the United Nations and the Japan-U.S. Security Alliance.

The debate over Article 9 has been discussed in scholarly works before. However, most scholars mention the debate only when referring to a broader topic, such as the Security Alliance or Japan’s foreign policy. George Packard, in *Protest in Tokyo*, mentions Article 9 in relation to the protests against the Japan-U.S. Security Treaty that was revised in 1960. F.C. Langdon’s *Japan’s Foreign Policy* discussed Article 9 with regards to the SDF and cooperation with U.S. military forces in the region. The problem with sources like these is that they were written in the 1960s and 1970s, and so have not seen the development of the debate in subsequent decades. These sources were also written on the different topics, and only mention Article 9 and the constitution when such matters relate to the topic at hand.

More recent books include *Japan: A Reinterpretation*, by Patrick Smith. Smith discusses Japanese culture in the late 1990s. He describes how Article 9 and general constitutional revision had been taboo in Japan until the early 1990s. Smith expresses the opinion that “Discussions of a new constitution, including the elimination of the no-war Article 9, are the only cure for Japan’s neurosis of history.” In *Japan’s Navy*, Peter Wooley describes how Article 9 has influenced the structure of the marine Self Defense Forces. Wooley points out “there was room for wonder in the disparity between the apparently absolute language of the constitution and the fact that Japan had significant armed forces. The confusion was compounded by complex interpretations and applications of the article’s two paragraphs.” John Nathan’s *Japan Unbound* mentions Article 9 in relation to the Japanese identity. Glenn D. Hook’s *Militarization and Demilitarization in Contemporary Japan* presents a very strong discussion of the attitudes and policies towards militarization in Japanese government and society. A lot of attention is therefore given to Article 9 and other peace movements inside of Japan and how the ideas that have come out of these

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movements have affected government policy in regards to the Self Defense Forces and rebuilding a Japanese military. However, each of these sources deals with Article 9 on a limited basis, within the boundaries of other related topics.

There have also been several books expressing personal opinions on Article 9 and the surrounding debate. Yoshida Shigeru, the Prime Minister of Japan who set the course for economic recovery in the 1950s, told his opinion of Article 9 in his memoirs. Yoshida generally feels that the ideal of peace was good for Japan, and worth pursuing, but he draws a distinct line in his support for the SDF. As he said in regards to the discussion of Article 9 during the promulgation of the constitution, “I myself was in favor of it, for the reason that, since it was an accepted idea among the Allied Powers that Japan was a militaristic nation, it was most necessary to take steps indicating that it was not.” It was convenient for Japan to disarm in order to calm anxieties of Japanese aggression that existed abroad. However, “Japan should naturally reinforce its defensive power as the nation’s economy recovered.”

Ishihara Shintaro describes his opinion in relation to the relationship between Japan and the United States in The Japan That Can Say No. Ishihara’s criticism of the SDF is really a criticism of the United States, stemming from his criticism of how the United States has dictated the structure rather than any disapproval of the SDF’s actual existence: “Israel Tal, the former commander of Israel’s tank forces. … discomfited the Defense Agency by asking why Japan, a mountainous archipelago, was making tanks for the Self-Defense Forces.” Even Ishihara, a staunch conservative expresses some support for the renunciation of war; “we must press ahead and develop new technology with diverse potential applications, without becoming a major military power.” Charles M. Overby wrote a book, which was later translated into Japanese, titled A Call For Peace and expressing his profound hope that Japan’s Article 9 would serve as a model for other nations to adopt pacifistic principles in their constitutions. His opinion on Article 9 is of a much stricter variety: “Japan, with the wisdom of Article 9, has the potential to demonstrate

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4 Ibid., 194.
6 Ibid., 58.
world-class leadership in non-violent conflict resolution and war prevention."

Before beginning a discussion of Article 9, it will be necessary to print it in its entirety as a means of reference for the reader. Its two clauses are short, but the pacifistic ideal contained within them is very potent, especially to those who had just suffered the rigors of World War II, and have been the cause of dispute for decades:

Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes. In order to accomplish the aim of the preceding paragraph, land, sea and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.\(^7\)

The Debate; The Origin of Article 9

One point that many people have used to support a position of revising Article 9 is that it was not originally written by the Japanese but was rather forced upon them by the U.S. Occupation forces in 1947. This argument carries some weight; MacArthur told the Japanese government to revise their constitution, but when he did not like the draft presented him he had his staff draw up a sample of what the Japanese constitution should look like. It was this draft, written by Americans and translated into Japanese, that was eventually ratified in a slightly modified form as the Japanese constitution. Former Prime Minister Nakasone Yasuhiro said of the constitution in a 1997 debate: “The Constitution, whose framework was created by the General Headquarters of the Allied Forces under the command of Gen. Douglas MacArthur when Japan was under occupation, is flawed as it lacks an outlook on the nation based on the history and tradition of the Japanese people.”\(^8\)

The detailed story of how the Japanese constitution came into existence has been dealt with in scholarly works before. I will provide a brief overview of the key points here.

Within a few short months after Japan’s official surrender on August 15, 1945, the Allied occupation of Japan was underway. From the outset the occupation authorities had specific goals to achieve in rebuilding Japan. These goals, reflected in a document issued

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\(^7\) Charles Overby, A Call For Peace; The Implications of Japan’s War-Renouncing Constitution, (New York: Kodansha International, 1997) 35.


to General MacArthur in his role as commander of the occupation, were:

(a) to ensure that Japan will not again become a menace to the United States, or to
the peace and security of the world;
(b) to bring about the eventual establishment of a peaceful and responsible
government which will respect the rights of other States and will support the
objectives of the United States as reflected in the Charter of the United Nations.
The United States desires that this government should conform as closely as may
be to the principles of democratic self-government, but it is not the responsibility of
the Allied Powers to impose upon Japan any form of government not supported
by the freely expressed will of the people…

These goals were very broad in scope; dismantling the Japanese military would involve
removing many high placed officials from office and eventually hundreds were forcibly
removed from their positions because of their connections with the military establishment.
Similarly, democratization of Japan would require the dismantling of the Japanese
zaibatsu corporations and other sweeping changes. However, these goals did not initially involve
constitutional reform. The first move towards reform was initiated by Prince Konoe the
senior member of the Privy Council and prime advisor to the Emperor. In September of
1945, Konoe formed an informal group to study the Meiji Constitution and create
recommendations on how it might have to be revised to comply with Allied demands.
Then in October, as American policy on constitutional reform became clear, Konoe was
convinced that if Japan did not move quickly on the matter, reforms might be forced upon it.
After discussing the matter with the Emperor, Konoe was designated to “summon
constitutional experts with a view to liberalizing the Constitution.” Unfortunately, Konoe’s
efforts soon came to be viewed in a negative light by the Occupation’s General
Headquarters (GHQ), and in December he committed suicide rather than be arrested by
the Occupation.

On October 27, 1945, although Prince Konoe had been working with his group for

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10 Yoshida Memoirs, 127.
11 The zaibatsu were huge monopoly corporations that dominated the Japanese market from the
early 1900s until the end of the war. When military production became important due to Japan’s
imperialism in the 1930s, many zaibatsu expanded their industries to compensate. The most famous
of these is Mitsubishi, the maker of Japan’s Zero fighter plane that dominated the Pacific Theater in the early
years of the war. (James Huffman ed., Modern Japan; An Encyclopedia of History, Culture, and
12 Dale Hellegers, We the Japanese People; World War II and the Origins of the Japanese
13 Ibid., 448-459.
some time, the government’s own official group formed to study constitutional revision met for the first time. This group’s goal was not to revise the constitution, but rather to gather material in case the necessity of constitutional revision should arise in the future. As Yoshida described the situation; “the general feeling in Government circles was that a change of such importance should be brought about with all requisite and proper care and study; or in other words that undue haste in the matter was not only unnecessary, but clearly to be avoided.”

In February 1946, this panel’s draft on constitutional revision was forwarded to GHQ. The draft kept national sovereignty in the hands of the Emperor, increased the power of the Diet, held Ministers of State responsible to the Diet and not to the Emperor, and increased protection for the rights of the subject.

Because this first draft proposed little real change to the Meiji constitution, Occupation authorities found it highly unsatisfactory. MacArthur ordered his staff to prepare their own draft as an example to the Japanese government to demonstrate an appropriate constitution in keeping with their own agenda. “The work of drafting the GHQ version took one week.” The GHQ draft made revolutionary proposals for the Japanese government. Most significant at the time it vested sovereign power in the hands of the people. The Japanese government tried to negotiate some of the major changes, but GHQ was insistent, and wanted the Japanese draft within two weeks. Thus on March 4, 1946 a Japanese draft, almost entirely based on the GHQ model, was submitted to the Occupation authorities. This draft was ratified in 1947 after review by the new Government that had come into being after the first general election in April 1946.

Even at the time of the constitution’s writing, the originator of the idea for Article 9 was unclear. The two candidates most likely were Baron Shidehara, Japan’s prime minister, and MacArthur. Shidehara was widely known as a pacifist, as he had resigned in protest of the war and bore the antipathy of the military until Japan surrendered. His close friend Ohira Kutsui maintained that “the prime minister was devoted to the preservation of the emperor system and believed that a Japanese declaration of the renunciation of war was the only means by which the wariness and the misgivings of foreign countries toward the system

\[14\] Yoshida Memoirs, 131.
\[15\] Ibid.
\[16\] Ibid., 132.
\[17\] Ibid., 64.
could be swept away.”

MacArthur also had motives and means to create the pacifist principle in Japan’s constitution. “First, MacArthur believed Japan would have a hard time rebuilding its shattered economy if it had to support a defense establishment. Second, a constitution well known to MacArthur, that of the Philippines, had renounced war as an instrument of national policy a decade earlier.” MacArthur had been involved in the drafting of the constitution in the Philippines several years earlier, and a clause renouncing war was included in that constitution as well. However the Philippines did not ban military power in the same way that Article 9 does. Both men had reasons for a pacifist clause. To make matters more complicated, Shidehara and MacArthur both made statements indicating the other man had originated the peace clause.

Ohira was not the only person to believe that Article 9 originated with Shidehara and not MacArthur. Takayanagi Kenzo, who chaired the committee during the late 1950s that researched the formulation of the constitution, stated “Article 9 had its origins in Tokyo, not in Washington.” He described an interview between Shidehara and MacArthur at which nobody else was present, at which Shidehara likely suggested the idea: “the interview… continued for some three hours. Shidehara astonished the General with a proposal for the insertion of renunciation-of-war and disarmament clause into the new Constitution. … succeeded in persuading the General… the General and the Prime Minister agreed to insert such a clause in the new Constitution.” Furthermore “Shidehara… had not consulted with anyone, including his Foreign Minister, Yoshida [Shigeru]. … Shidehara behaved as if Article 9 were proposed by MacArthur, although he never clearly said so. If he had said the proposal was his and not MacArthur’s it might have been rejected by the cabinet.”

MacArthur himself later told the Senate that the idea had originated with Shidehara.

Yoshida believed it was General MacArthur: “It has been said by some that it was Baron Shidehara, the Prime Minister, who first proposed the clause… but I have the impression that it was General MacArthur who suggested it to the Baron in some conversation between them, to which Baron Shidehara could very easily have replied with

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19 We the Japanese People, 576.
21 Call for Peace, notes on 123-124.
enthusiasm." MacArthur, who liked the Japanese Emperor and wanted protect that part of the Japanese system from damage, would also have had a motive to create Article 9 as a balance for keeping the Emperor as a symbol of the Japanese state. Colonel Daniel Fahey, sent from Washington to provide some background for Washington's directives, met MacArthur while he was in Japan. Fahey recalls that MacArthur mentioned “it would create a marvelous example” if the Japanese ‘wiped out their military completely.’

The reason that the originator of Article 9 holds such significance is the feeling among many Japanese conservatives, and even many modern scholars, that “everyone knows” their democratic constitution was forced upon them by the American military occupation “without so much as a nod to democratic process.” Furthermore, as Nakasone pointed out during a debate in 1997 with Miyazawa Kiichi that many feel the current constitution does not pay any respect to the history of Japan. The famous Japanese author Mishima Yukio committed suicide at an SDF base after attempting to convince SDF troops to rise against the government. Before he died he appealed to them: “In a few minutes, we will show you where to find a greater value. It is not liberalism or democracy. It is Japan. The land of history and tradition we love. Are none of you willing to die by hurling yourselves against the constitution that has torn the bones and the heart from that which we love?”

Therefore, those who support the pacifist principles of Article 9 tend to support the view that it was Shidehara, a Japanese prime minister, who introduced the idea to the constitution, while those who oppose Article 9 use MacArthur's possible authorship as an argument in favor of change.

Despite the view that the constitution was forced upon Japan, Yoshida expresses a compelling argument against this prevalent view. When talking about the Occupation

22 Yoshida Memoirs, 137
23 We the Japanese People, 577.
24 Japan: A Reinterpretation, 298.
25 “Don't Rush Into Emotional Arguments.”
27 It should be noted that Japan does have a long history of peace and pacifism, although this has not been discussed in connection with Article 9. The Tokugawa era, which lasted over two and a half centuries (c.1600-1868) was a period in which Japan was at peace with itself and its neighbors. Similarly in popular culture is the tale of Atsumori, the story of a samurai who forswears war after killing another young warrior. For more on Atsumori’s tale, see Donald Keene, Anthology of Japanese Literature, (New York: Grove Press, 1955) 179-182, or Paul Varley, Warriors of Japan as Portrayed in the War Tales, (Honolulu: University of Hawaii Press, 1994), 109-111.
objectives, ensuring that Japan would never be a threat to anyone and establishing a peaceful government, Yoshida said “these objectives were, in essence, our own, from the moment the war had ended.” Thus in order to achieve those goals the Japanese government implicitly agreed to help the occupation as it could.

Speaking from my own experience as one of those responsible for its drafting, I cannot entirely agree with the statements that this post-war Constitution was forced upon us. It is true that, at the time of its initial drafting... General MacArthur’s headquarters did insist, with considerable vigour, on the speedy completion of the task and made certain demands in regard to the contents of the draft. But during our subsequent negotiations with G H Q there was nothing that could properly be termed coercive or overbearing in the attitude of the Occupation authorities towards us. ... After the draft of the new Constitution has been completed, it was submitted for discussion to the Privy Council, the Lower House of the Diet and the House of Peers, the members of which official assemblies included Japan’s foremost authorities on law and administration. And, despite the fact that the nation was at that time under foreign Occupation, these men were able to give free expression to their opinion without any restraint whatsoever. So far as the new Constitution is concerned, therefore, it is correct to say that the best informed elements among the Japanese people had a hand in shaping it, a point which is in these days too easily and too often ignored.

Based on Yoshida’s description of the constitutions creation, the true problem with the origins of the constitution may not be that it was forced upon Japan, but rather that many of the ideas contained in the constitution were foreign to the Japanese and that these ideas were forced upon Japan in a very short time. Although the Occupation authorities were willing to let the Japanese legalists offer their input, points that were nonnegotiable include popular sovereignty separate from the Emperor and renunciation of war.

Many people have argued that the origins of Article 9 in particular should not be such an important point of contention. Yoshida opined “there is little reason for being sensitive to the circumstances in which Japan’s present Constitution was drawn up. It is far more important to consider whether or not that document actually operates to the advantage of the Japanese people.” The Commission on the Constitution in the 1960s also concluded the matter with “there is also the opinion that the problem of who actually put forward Article 9 is not too important because the disarmament of Japan was the unshakable policy of the Allies.” A strict pacifist opinion, as that presented by Charles Overby in his 1997 A Call

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28 Yoshida Memoirs, 127.
29 Ibid., 143-145.
30 Ibid., 145.
For Peace, states “the issue of whose idea it was is irrelevant. Article 9 and the Constitution’s Preamble are essential and important expressions of humanity’s cry for an end to the arrogant brutality and violence of war.”

Perhaps Patrick Smith’s opinion on the matter promotes the best solution to the problem of authorship of both Article 9 and the constitution as a whole: “Japan should shred the constitution the Americans gave it and begin again with one of its own. Then it should decide whether it wants to rearm itself without restriction… I have met few Japanese who are not restless… and who have not come to believe that this restlessness must somehow be addressed.”

The Self-Defense Forces; Constitutional?

When the Allied Occupation forces took control of Japan in 1945, their immediate goal was disarming the Japanese military structure. However, in 1950 the Cold War between the United States and the Soviet Union began to spill over into a hot war located, unfortunately, in Korea, the peninsula closest to the Japanese islands. In an abrupt change in policy, the United States began urging rearmament in Japan, to offset the cost of sending U.S. troops stationed there to the fighting in Korea, and to create a powerful ally for the United States in Asia. This led to the creation of a National Police Reserve of 75,000 men that, in 1954, became the Japanese Self Defense Force.

The problem with the Self Defense Force’s creation was immediately and definitely discernible: Article 9 of the constitution expressly prohibited war material in its second clause. When the Self Defense Forces came into existence, they were immediately decried in some corners, particularly in the Socialist and Communist parties, as being unconstitutional. Yoshida observed “The general reaction was, quite simply, that the step involved something illegal and unconstitutional.” This backlash could have been caused in part because the constitution does not specifically mention self defense. When Yoshida was explaining the new constitution he himself pointed out “the right of self-defence was not specifically denied in the draft of the new Constitution… since both the right of belligerency and the maintenance of all forms of war potential were renounced… it followed that war as a means of self-defence was also renounced…. [this] was desirable because self-defence

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31 Call for Peace, 75.

32 Japan: A Reinterpretation, 298.
had been the excuse advanced by both sides in most wars waged in recent years. The Sokagakkai, the lay organization of the Nichiren sect of Buddhism and the main support behind the political party Komeito, felt through the 1960s and 1970s that “since Japan in her constitution renounces war entirely as an instrument of foreign policy, ‘we ought not to have the right of self-defense’”.

The view that the government took in the 1960s with regard to the SDF was that Article 9 did not actually deny a force for defense. Anything like a preventative attack would broach Article 9, but retaliation against an enemy, if a missile was already launched, against that missile’s launch site would be acceptable. Mutual assistance with its allies, which at that time was primarily the United States, was also permissible; however collective security was significantly more problematic as it would mean sending the SDF overseas. So long as the force did not reach a size and strength necessary to wage a “modern” war, it would not be considered war potential. Nuclear weapons, however, were in their nature war potential and were thus forbidden. This policy would lead to the three nuclear policies of no possession of nuclear weapons, no manufacturing of nuclear weapons, and no nuclear weapons were to be introduced to Japan. Membership in the SDF would also be strictly voluntary. In addition, the right of belligerency, which was strictly prohibited, was separate from the right to self defense. The general idea was that the SDF would be used strictly to defend Japan, and in that way could not constitute war potential; nor would it be used in any form of aggressive war overseas.

In 1976 the Japanese government officially set a ceiling of one percent of Japan’s GNP on spending for the SDF as an official policy. Since the SDF’s creation, spending on it had been limited in part by popular sentiments and partly for economic reasons. The

33 Yoshida Memoirs, 189.
36 Commission on the Constitution, 99-100.
37 Despite this stance that the SDF not go overseas, there was an incident in 1950, during the occupation, when MacArthur sent members of the National Police Reserve naval division to Korea on minesweeping operations, and among the 40 ships that were sent, 2 were sunk, one sailor killed, and 10 injured. It was after this event that the government began to interpret the constitution as forbidding the SDF overseas. (Japanese Constitutional Law, 79.)
initial economic reasons for restraining defense spending were simple: Japan’s economy
was still recovering from the war. Popular sentiment decried the SDF as a “Tax thief” or a
“waste.”38 Even if a remilitarized Japan created new jobs, wages and working conditions
would not improve; worse, money that could be spent on education, social welfare, and
rebuilding Japan’s industrial base would instead be spent on weapons that could only be
used in a negative way.39 Thus for the years between the SDF’s creation in 1954 and the
1976 decision, spending on the military had only rarely exceeded one percent of the GNP,
and then it was exceeded only by a fraction of a percent. The one percent ceiling came to
symbolize to the Japanese people, “the figure as close to the ‘zero-point perspective’ as
practicable,” the ideal of a demilitarized state. To people outside Japan, the one percent
ceiling symbolized Japan’s “commitment to eschew becoming a normal military big
power.”40 A self imposed limit to Japanese military spending was thus an important act well
in line with the peaceful ideal created by Article 9.

The Commission on the Constitution also reported a general opinion among its
members that international treaties, such as those involved with membership in the United
Nations and the Japan-U.S. Security Treaty, would take precedence over the constitution.41
Therefore because Article 51 of the U.N. charter specified that every nation has the right to
self defense, by extension Japan has that right. The constitution also should not hold Japan
back from its obligations to its allies created by treaty.42 Another argument favoring the
existence of the SDF is that Article 66 of Japan’s constitution specifies that the Prime
Minister and other Ministers of State must be civilians, which implies the existence of non
civilian military personnel.43

After the launch of Sputnik by the Soviet Union in 1957, the attacks on the SDF
began to take on a slightly different tone. The Japanese Socialist Party (JSP) especially
began using more pragmatic arguments against the SDF’s existence. Okada Soji, a
member of the JSP, said “The advent of missiles… has completely changed the military

38 Militarization and Demilitarization, 24.
39 Ibid.
40 Ibid., 55.
41 Commission on the Constitution, 95-96.
42 Ibid.
43 Japan’s Navy, 43.
situation. The Self-defense Forces have been rendered virtually valueless.\textsuperscript{44} This pragmatic argument was later taken up by Ishihara Shintaro in the late 1980s when he complained that the makeup of the SDF was dictated by the United States and U.S. military strategy. Although he is himself a conservative supporter of the SDF, Ishihara points out the paradox of building and maintaining a large force of tanks on an island nation, stating that Japan’s defense should be done at sea. “We need new weapons suited to our special situation; to get them, we should cut the fat from the military budget… by streamlining the armed forces, we could reduce the burden on the taxpayers and upgrade our defense capability.”\textsuperscript{45}

Another problem between Article 9 and the SDF is that as time has passed the definition of self defense has changed. Before the launch of Sputnik, self defense meant that the SDF would always stay in Japan. Once the possibility of intercontinental ballistic missiles became a problem, the government admitted that retaliation for such an attack was a possibility (as noted above). Several decades later, in 1983, Japan accepted the defense of its sea-lanes out to 1,000 miles as the responsibility of its maritime SDF, although only if Japan were blatantly under attack. This was later widened to include the possibility that the sea-lanes themselves were under attack. The constant reinterpretation of Article 9 and its implications for self defense has caused many problems for Article 9’s supporters. In the example of sea-lane defense, people began to question where it would end; could the SDF escort Japanese vessels anywhere against the possibility of attack? In 1987 the Japanese were not ready to make that declaration, and the issue faded soon after.\textsuperscript{46}

The debate over what actually constitutes an offensive weapon and what is a defensive weapon has also undergone significant debate. As events proceeded through the postwar years, the constitutional ban on maintenance of war potential has irritated both Japanese nationalists who want Japan to become a normal military nation and the United States, which would like Japan to create a military so that U.S. forces can be better supported in Asia. In the 1950s it was declared that war potential meant material that would


\textsuperscript{45} \textit{Japan That Can Say No}, 72.

\textsuperscript{46} \textit{Japan's Navy}, 50-52.
enable the SDF to conduct a modern war. Thus early in the decade jet airplanes were deemed too offensive in nature. However, the SDF soon acquired jets, and then guided missiles were said to be war potential. As technology advanced, more weapons have been allowed under this argument. A counter argument to those who feel that anything less than the ability to conduct modern war was acceptable military strength under Article 9 says: “if the forces were not capable of conducting modern warfare, then of what use were they?”

Although this argument was not often considered, a practical limitation to the SDF’s power was not actually discussed on official levels. “The JSDF’s stocks of ammunition and fuel were never much more than would allow for training exercises… but this, rather than being a stated policy, was rather the result of perennial budgetary processes in which last-minute savings were naturally sought in low-profile expenses.”

Despite the changing interpretations of Article 9 which allow the SDF to do more and more, there has always been a strong reaction against the thought that Japan was in fact rearming to become a strong military power. Even after the outbreak of the Korean War, with the United States encouraging Japan to take just such a course, Yoshida stated “to me, the idea of rearmament has always seemed to be one verging on idiocy.” His reasons for making such a statement included Japan’s economic conditions in the 1950s, the memories of the devastation caused in World War II, and also the fear that the SDF and Japan itself could become tools for U.S. imperialism and aggression.

Other sources have pointed out that unlike the 1920s and 1930s, when Asia was largely powerless militarily and the Japanese military was the most powerful in the region, today rearmament is unrealistic for Japan because Russia, China, and both North and South Korea have extensive military powers. In addition, many Asian countries still vividly remember Japanese occupation during the 1930s and 1940s, and would openly object to any move Japan took to rearmament. Another point to consider when discussing Japan’s defense are the reasons another state or entity would invade Japan. The traditional reasons for invading a country involve resources. Japan has no natural resources that are of much value to an invader. The real resources that have allowed Japan to become so powerful

Ibid., 53.
Ibid., 54.
Yoshida Memoirs, 191.
Ibid., 192-195.
economically are the people and institutions that exist there. Any invasion would by nature destroy these resources, thus defeating the purpose.\(^{51}\)

Whether or not the SDF has, by its very existence, eroded the principles of Article 9 is open to debate as well. By the 1970s many people felt the pacifist principles, so important to many Japanese people in influencing their country’s policies, were in fact being eroded by the mere existence of a military Self Defense Force. An essay in *The Silent Power*\(^{52}\) states: “over the past two decades, however, our pacifist principles have gradually been eroded by de facto rearmament. Who can guarantee that some day the three principles barring nuclear weapons will not suffer the same fate?”\(^{53}\) After all, if a people who have sworn in their constitution, the highest law in the land, not to possess land, sea, or air forces in fact do possess such forces, what is to stop the government from promising not to build nuclear weapons and then hypocritically building them? Charles Overby challenges this opinion in *A Call for Peace*; “It is true that since the Korean War... Article 9 has been seriously compromised and eroded. Few people realize, however, that for over half a century... primarily because of these seventy-three honorable words in Japan’s Constitution, no person outside of Japan has been killed by Japanese soldiers.”\(^{54}\)

Despite the popular and governmental controversy over the SDF, the Japanese Supreme Court has never ruled on the constitutionality of a military defense force. This is not because of a lack of opportunity. The first case brought before the Supreme Court on this matter was in 1959, *Sakata v. Japan*. This was a case brought against a radical group that had destroyed fences and caused trouble at a U.S. base in Japan. Their defense was that the U.S.-Japan Security Treaty was unconstitutional because it allowed war potential onto Japanese soil. The court ruled that Japan as a sovereign nation had a right to self defense, but the ruling did not refer to the SDF nor did it define “war potential.”\(^{55}\) In 1973 a district court ruled in *Ministry of Agriculture and Forestry v. Ito* that the SDF was in fact unconstitutional. However when the appeal reached the Supreme Court in 1982, the ruling

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\(^{51}\) *Japanese Constitutional Law*, 42.

\(^{52}\) A collection of essays collected and published in 1976 and edited by the Japan Center for International Exchange.


\(^{54}\) *Call for Peace*, 87.

\(^{55}\) *Japanese Constitutional Law*, 80.
was “that the entire question was political, that the issue had to be settled by political organs, and that the plaintiffs had no standing in court.” Thus the Supreme Court of Japan has managed to avoid taking on the issue of the SDF’s constitutionality.

The Security Treaty

The third major issue in the debates over Article 9 comes in the form of the Japan-U.S. Security Treaty. In 1952, the peace treaty signed between Japan and the United States came into effect, officially ending the occupation of Japan. At the same time, the U.S.-Japan Security Treaty also took effect. This treaty stated that the United States would bear the burden of defending Japan, while Japan agreed to gradually increase its own defensive powers. Neither the United States nor Japan wanted the treaty to be permanent, although it has lasted to the present day.

The 1951 Treaty specified that Japan would lease several bases on its territory and allow the lessee to use those bases as it saw fit, “to defend its interests without having to consult the Japanese government.” In regards to Article 9, the treaty was with an ally. Thus it was the ally’s forces that would be on Japanese soil, not Japanese forces, so it was not Japan that held war potential. That interpretation allowed the government to reconcile the Security Treaty with Article 9.

At the time the Japan-U.S. Security Treaty came effect, a group known as the Peace Issues Discussion Group was defining an idea of its own that was directly related to the Security Treaty. This group was highly influenced both by their wartime experience and the peace ideals embodied by Article 9. They created an idea they called “Peace Thought.” Peace Thought is a thought process by which individuals decide that a commitment to peace is essential and therefore place peace as an ideal higher than any other. Based on this idea of Peace Thought, the group proposed that instead of taking sides in the Cold War, Japan instead would declare its neutrality, and that furthermore this would be an unarmed neutrality. This would hopefully prevent Japan becoming embroiled in another war.

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56 Japan’s Navy, 58.
57 Yoshida Memoirs, 187.
58 Japan’s Navy, 46.
59 Militarization and Demilitarization, 28-32.
In 1960 the Security Treaty came up for renewal. It was at this time that popular sentiment voiced itself strongly against the drastic methods taken to implement the Security Treaty. Revision of the treaty itself was supported, however, because of problems in the original treaty. Several of the biggest problems came from the details of the original treaty; in conflicts between U.S. soldiers and Japanese citizens the soldiers were only accountable under U.S. military law, and the fear of an attack on Japan because of the bases were foremost among these problems. The latter of these problems was capitalized upon by Komeito through the 1970s; their policy stated that “American bases make Japan a top-priority target for anyone planning to attack the United States.”

During the renewal talks, the Treaty itself was revised. Under the revised Treaty, Japan did not have to increase the size of its armed forces, and the United States was obligated to defend and consult with Japan on matters of defense, while Japan only had to defend itself. The matter of the United States’s obligation to defend Japan was not made clear in the original Treaty. Japan also gained “residual sovereignty” of Okinawa Prefecture; although Okinawa was administered by the United States, Okinawa was officially part of Japan’s territory. Finally the United States lost the privilege of acting against domestic upheaval in Japan, although it retained the concession that it could use its Japanese bases to act throughout the Pacific. This final point would become a concern during the Vietnam War, when the Japanese public expressed opposition to the United States using Okinawa as a base to launch B-52 bombers on missions in Vietnam. The Treaty was not immediately ratified; on May 1 of the same year the Soviet Union shot down a U.S. spy plane, and the political repercussions from that event were enormous. Prime Minister Kishi only had the Treaty ratified by extending the Diet’s session and having the members of the SDP bodily removed from the chambers. These actions weakened the Treaty, even though it passed, because by removing those Diet members opposed to the Treaty Kishi had bypassed democratic processes. Because Japan’s government is run on democratic principles, passing any law without allowing negotiation that would allow it to pass a Diet vote weakens the law in question, as people feel their opinions cease to matter and that the government is tyrannically imposing laws upon them. Such was the case with the revised

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60 Japan’s navy, 47.
61 Sokagakkai, 147.
Security Treaty. Kishi was forced to resign after public outrage erupted in protests in Tokyo. Packard’s *Protest in Tokyo* covers the crisis that resulted in depth that is beyond the scope of this paper, however the furor eventually died down and the Treaty remained a central part of official Japanese defense policy.

An important result of the Security Treaty was that the United States was then able to pressure Japan to rearm in order to better support the U.S. military forces in the region. The argument that was used the most in this regard is known as the “free-ride” argument. The basic idea behind the free-ride argument is that because Japan is defended by the U.S. nuclear umbrella and U.S. military forces are stationed in Japan, Japan does not have to spend as much money on defense. Because the United States bears the burden of defense in Asia, Japan has been able to develop its economy to the point it is at now, and because U.S. troops in the region keep it peaceful, Japan is able to have an open market to buy resources and sell products. The idea that the United States kept peace in the region was particularly espoused during the Cold War, when a U.S. presence was said to be the only thing preventing the Soviet Union from invading all of Asia.

The first problem with this argument is that the U.S. nuclear umbrella is not in fact the most effective deterrent against a conventional invasion. Evidence for this can be found in the Korean and Vietnam wars. Although the United States extended its nuclear umbrella to cover both South Korea and South Vietnam, long costly wars were still fought in both regions. In the case of an invasion of Japan, the actual defense would fall largely to the SDF. While the United States does have an obligation to defend Japan as stated in the 1960 revision of the Security Treaty, any invasion would likely be fought largely while the U.S. Forces were still mobilizing. This is the reason behind the clause in the Security Treaty that obligates Japan to increase its own defensive strength. In addition to these reasons, an attack on Japan would, as stated above, likely be launched as an attack on the United States and target Japan only because of the U.S. bases in Japan. The nuclear deterrent is also problematic because if Japan were attacked with a nuclear weapon, the U.S. response is questionable. During the Cold War especially, any

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63 *Militarization and Demilitarization*, 59.
64 Ibid.
retaliation by the United States on Japan’s behalf would have been construed as a preemptive attack by the Soviet Union, possibly starting a nuclear war. As Admiral Noel Gayler said: “Anyone who thinks that the Americans are going to start a nuclear in defense of them [the Japanese] is deluded.”

The second problem with the free-ride argument is that Japan, while only spending one percent of its GNP on the SDF, was in fact spending much more than that on related costs that were not declared military spending. The first point here is that Japan only came to spend one percent of its GNP on the SDF due to U.S. pressure through the Security Treaty. However this is not to say that had Japan not agreed to build its own defense force from U.S. pressure it would not have built a defense force on its own; however the spending was certainly more than it may have been. Japan in fact received less military aid from the United States than did similar states during the Cold War. Japan received two percent of U.S. military assistance, while West Germany received 2.1 percent, South Vietnam received 17.2 percent, and South Korea received 9.5 percent. In addition to this, the Japanese government was bound by the Treaty to pay the rent on the land the United States used for its bases. Therefore the Security Treaty was not providing Japan with a free-ride. Rather, Japan was likely paying more than it would have had it not agreed to the Security Treaty.

Another problem with the Security Treaty involves Japan’s three non-nuclear principles. A ban on nuclear weapons developed out of both the pacifist principles of Article 9 and in the experience of those survivors of the atomic bombs dropped on Hiroshima and Nagasaki. Pacifism, as presented in Article 9, would necessarily place a ban on nuclear weapons, which are easily capable of wiping out humanity in a very short time. Nuclear weapons are also obviously considered war potential capable of waging modern war. For these reasons the Japanese government created its non-nuclear policy.

However, the ban on production of nuclear weapons was already a little questionable due to the nuclear power industry which supplied both plutonium that could create a nuclear weapon and engineers capable of doing so. In addition the United States

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65 Admiral Noel Gayler as cited in Militarization and Demilitarization, 60.
66 Ibid., 60.
67 Ibid., 63.
68 Japan’s Navy, 53.
has long had a policy of not acknowledging whether or not its ships and planes are in fact carrying nuclear weapons. This has created a problem for the Japanese government when U.S. nuclear-capable submarines and aircraft carriers want to use U.S. bases in Japan, because if these ships are in fact carrying nuclear weapons that would violate the Japanese policy of not introducing nuclear weapons to Japan. Recently increasing evidence has emerged that the United States has in fact used Japan to store nuclear weapons. One example lies with the Marines, who “stored nuclear weapons on the USS San Joaquin County… moored offshore at Iwakuni… it was moored at Iwakuni until at least 1966, when US Ambassador to Japan, Edwin O. Reischauer, called for its removal.”

Even though such things are in direct contradiction to Japanese policy, because of the Japan’s reliance on the Japan-U.S. Security Treaty for its defense policy, the U.S. military has frequently stored nuclear weapons in Japan, including nuclear weapon equipped bombers that would have been sent to targets in Asia had the Cold War become a full conflict.

The 1980s; Nakasone and Significant Changes

In the late 1980s, Prime Minister Nakasone took several steps towards remilitarization that shocked both his own nation and those around him. His time as Prime Minister began in 1982, and a year after that Nakasone formed a group to study the sea-lane defense policy that had by this time been official policy for about a year. The group decided to incorporate the policy into official defense planning for the next five years, as well as plans for operations with the United States.

However, solidifying the sea-lane defense policy was not the only action on defense Nakasone took during his time as Prime Minister. In 1985, Nakasone visited Yasukuni Shrine as Prime Minister, on the date of Japan’s surrender. Yasukuni Shrine is among the most famous Shinto shrines in Tokyo, having been founded in 1872 near the Imperial Palace and now being seen as the resting place of the spirits of Japan’s war-dead. The shrine itself has been very controversial in and outside of Japan. It is often argued that the existence of the shrine shows veneration only for those Japanese who died in World War II, including many official war criminals, and that this constitutes an act of ignoring the

\[69\] Militarization and Demilitarization, 66.
\[70\] Japan’s Navy, 51 and 71.
terrible past of Japan’s military during the war. Nakasone’s visit was even more controversial than his actions for sea-lane defense, as he visited in his capacity as prime minister. In Japan, many people feel that this violates the constitutional separation of church and state. Outside of Japan it was seen as a step towards condoning Japan’s past aggression. The Chinese especially were upset: “their anger was compounded by the fact that Nakasone had not used the visit as an opportunity to voice an official apology to China for the war.”

Nakasone also was the first prime minister to breach the official one percent ceiling on military spending. That year military spending was 1.004% of the GNP. In addition to merely breaking what he considered a benchmark, Nakasone’s cabinet did not set a new limit on defense spending, instead declaring that it “would be limited by the international situation of the time and economic and fiscal requirements.” Although the ceiling had been breached, subsequent defense budgets also tended to remain around one percent of the GNP.

Nakasone’s actions were attempts to remake Japan into a “normal” military state by strengthening Japan’s military and restoring legitimacy to the military establishment in Japanese society. His actions were facilitated by changing opinions during the 1980s. Several opposition parties began at this time to abandon their antimilitary policies, adopting in their stead slightly more accommodating policies towards the official defense policy. This change reflected “a waxing desire to taste the fruits of political power as part of a coalition government.” Although Nakasone’s policies and actions failed to move Japan to revise the constitution and move towards rearming and becoming a “normal” nation, a shift away from the antimilitary feelings that had dominated the postwar period can be found in the fact that Nakasone did not meet the same strong opposition that Kishi had when revising the Security Treaty in 1960.

The 1990s; Evolution of the Debate

With the fall of the Berlin Wall in 1989, the debate over Article 9, the Self Defense

71 Japan Unbound, 153
72 Militarization and Demilitarization, 55.
73 Japanese Constitutional Law, 78.
74 Militarization and Demilitarization, 71.
Force, and the Japan-U.S. Security Treaty took on entirely new dimensions. With the collapse of the Soviet Union in the first years of the 1990s came the collapse of the two power system, the struggle between the United States and the Soviet Union, that had dominated international politics and society for decades. As communism came to be viewed as less of a threat by the Western powers, new threats came to be perceived.

In 1990, the United States and its military allies declared war on Iraq after the Iraqi invasion of Kuwait. This war lasted until April 1991, and during that time Japan contributed $13 billion in monetary support to the countries fighting the war. However, due to the interpretation prevalent at the time that Article 9 prevented the SDF from going abroad, Japanese troops were absent from the fighting on the ground. Japan received international criticism for this decision: “Japan suffered the rigors of isolation in the congratulatory period after the victory of the multinational task forces and fell prey to the general perception that its behavior during the Gulf War had been an international public relations disaster.” Even dispatching SDF minesweepers to the Gulf after the closing of hostilities ended did little to assuage international and especially American opinion that Japan had contributed “too little, too late.”

The criticism leveled at Japan over its reaction to the Gulf War was different in Asia. Rather than looking favorably upon the minesweepers that were dispatched to the Gulf after the end of hostilities, many Asian nations opposed the action. “In the eyes of many Asians, Japan had violated its previous self-imposed commitment to protect sea-lanes to a limit of 1,000 nautical miles” with the undertaking. Other Asian nations doubtless viewed such a dispatch of Japanese military units with deep suspicion and even dread due to lingering memories of the war. At home, Japanese reactions to Asian sensitivities were split nearly in half, when a Kyodo News Service poll reported that 50.1 percent felt that these reactions were oversensitive, and 43.8 percent thought them to be natural.

In response to foreign criticism, in particular that from the United States, the Liberal

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Democratic Party (LDP)\textsuperscript{77} pushed a United Nations Peacekeeping Operations bill through the Diet in 1992. This new law allows the SDF to be dispatched abroad as part of a U.N. peacekeeping task force provided several conditions are met. The first condition is that a cease-fire has already been reached. This would help guarantee the SDF are not going into a combat zone, lowering the possibility that the SDF would actually have to fight. The second condition is that both parties of the conflict give consent that a peacekeeping force be sent and also that Japan send a part of that peacekeeping force. This would help shield Japan from accusations of aggressively sending its military abroad. The third condition is that the peacekeeping force as a whole be impartial. Fourth, Japan reserves the right to withdraw its forces if any of the first three conditions cease to be met, and finally “use of weapons is limited to the minimum necessary to protect the lives of the personnel.”\textsuperscript{78} Even if these five conditions are met, the Diet itself must first approve sending the SDF abroad before it actually will be. The first conflict the SDF was sent to after the Peacekeeping Operations bill passed was Cambodia, and since then the SDF has been sent to Rwanda, Golan Heights, Angola, Mozambique, El Salvador, and Afghanistan as part of a U.N. Peacekeeping group.\textsuperscript{79}

In 1993, as a new international role for the SDF began to take shape under this latest interpretation of the constitution, debate over the constitution itself began to emerge. In the 1980s Prime Minister Nakasone had expressed constitutional revision as one of his goals. However at the time opposition to such measures was still so strong that he eventually took revision out of his policy goals. After the passage of the Peacekeeping Operations bill, constitutional revision became a much less taboo subject. Opinion polls in the mid-nineties also began to indicate that the public was becoming more open to the subject of constitutional revision as well. The 	extit{Yomiuri Shimbun}, a newspaper whose editorials had

\textsuperscript{77} The LDP has been the majority ruling party in Japan since 1955, except for an 11 month period in 1993 when a coalition led by the Socialist Democratic Party took control of the Diet. The LDP has therefore been the party in charge of Japan’s policy almost since the creation of the postwar government, and is widely known even abroad.


\textsuperscript{79} On an interesting note, Japan also dispatched election monitors to Namibia and Nicaragua before the Peacekeeping Operations bill passed in 1992, however whether these monitors were official SDF personnel is not reported. (“Renunciation of War as a Universal Principle”, 428).
long promoted constitutional revision, conducted polls in 1993 that showed 51 percent of respondents favored constitutional revision, rising from 33 percent in 1991 and 23 percent in 1986.\textsuperscript{80} The Social Democratic Party of Japan (SDPJ), long among the largest opposition parties that supported constitutional protection, also changed its policy position in 1993 when the LDP’s long hold on the majority in the Diet was broken by an SDPJ led coalition.\textsuperscript{81}

The need for debate on the constitution was frequently recognized in the mid-nineties. Hagihara Nobutoshi argues that because the government has reinterpreted the constitution so often that the SDF is now allowed to go overseas in U.N. Peacekeeping Operations, “serious national debate” is necessary before the changing interpretations “gave rise to cynicism at home and doubt overseas regarding the meaning of Article 9.”\textsuperscript{82} In the \textit{Japan Echo}, Nakanishi Terumasa pointed out that the SDF would be fully supported in fighting should the conflict “pose a life-or-death threat to Japan.” The only thing necessary in such a case would be “a broader constitutional interpretation by the government.” The problem with this is “once Japan started down that road, it would find itself forever redefining what constitutes a dire threat to its interests and reinterpreting Article 9 to meet each change in circumstances.” This continuous reinterpretation would “deal a fatal blow” to the trust and respect that other nations have for Japan as a law abiding nation. After all, how can anyone trust the laws in a country that keeps changing the interpretation of what those laws really mean?\textsuperscript{83}

Patrick Smith also provides reasons for debate, pointing out that one of the biggest problems slowing down Japanese decisions is that the current constitution is not seen as a Japanese constitution in most circles. Therefore Japan may eventually “choose the same constitution it now possesses; it may choose to rearm fully, or not at all. But this is less important than the choice it makes after an open national debate… Japan would no doubt

\textsuperscript{81} “Renunciation of War as a Universal Principle,” 433.
\textsuperscript{83} Okazaki Hisahiko and Nakanishi Terumasa, “Clearing the Way for a Global Security Role,” \textit{Japan Echo}, vol. 20, no. 2 (Summer 1993) 10.
be more responsive… Its pathologically fraught relations with the rest of Asia would suddenly have more to do with the future than the past.”

The real point of creating a new constitution after wide national debate is to build trust, not only the trust of other nations for Japan but to build Japan’s trust for itself. As many see the current constitution as one imposed by an occupying military force, it seems that the constraints have been placed there by others, and the choice of the Japanese to keep the restraints implies a lack of trust in themselves. After all, “who can trust a nation that does not trust itself?” Therefore, Smith argues, whether or not Japan chooses to rearm, it will demonstrate that Japan has regained trust in itself, and that this would raise the level of trust that those around Japan place in it.86

In 1994, the Yomiuri Shimbun published a draft proposal for a new Constitution, which was updated in 2000. This move was presaged by an article published in the Japan Echo outlining the Yomiuri’s initial proposal for constitutional revision. They specify in this article several points they feel would need to be addressed in any possible constitutional revision. The first of these is that “the Constitution is the highest law of the state, but it is not a religious scripture.” Therefore it should be more easily amendable and the Japanese should also be more willing to change the document. The constitution also should not be held above international treaties, and should be interpreted based on “universal principles of mankind.”86

In the actual Yomiuri draft as of 2000, the renunciation of war clause is among the major revisions proposed. National Security becomes the first Article of the third chapter. Article 11 reads thus:

(1) Aspiring sincerely to an international peace based on justice and order, the Japanese people shall never recognize war as a sovereign right of the nation and the threat or use of force as a means of settling international disputes
(2) Seeking to eliminate from the world inhuman and indiscriminate weapons of mass destruction, Japan shall not manufacture, possess or use such weapons.87

The first two clauses in the new section also renounce war, incorporating both Article 9’s first clause and the three non-nuclear principles that are currently only government policy. The

84 Japan; A Reinterpretation, 305.
85 Ibid., 306.
second article, Article 12, of this chapter states that Japan can and shall have forces for self-defense, a radical departure from the original Article 9:

(1) Japan shall form armed forces for self-defense to secure its peace and independence and to maintain safety.
(2) The Prime Minister shall exercise supreme command authority over armed forces for self-defense.
(3) The people shall not be forced to participate in the armed forces for self-defense.\footnote{Ibid.}

The principle behind this article is that self-defense is a natural right that Japan should possess, however, the council that created the draft is obviously attempting to limit the possible expansion of the military this clause would create by denying conscription and placing control in the hands of the prime minister. The following chapter then defines the extent to which Japan should participate in international activities and observe international laws. Specifically, Japan will allow the possibility of dispatching its defensive military to promote peace and participate in humanitarian activities. Japan will also observe treaties and laws established internationally.\footnote{Yomiuri Shimbun, The 2nd Yomiuri Shimbun proposal for revision of the Constitution: Chapter IV. [database online] http://www.yomiuri.co.jp/kenpou-e/chapter04.htm (accessed on August 6, 2002).}

The \textit{Yomiuri Shimbun} is not alone in drafting new constitutions. In September of 1999, Ozawa Ichiro presented his own draft constitution Ozawa’s primary reason for writing a constitutional draft is that the constitution has not been revised since it was ratified in 1947. Calling the constitution a “fossilized relic of the past,” Ozawa stated that because the Japanese people had not been able to freely express their views when the constitution was adopted, it would be considered illegitimate and invalid by international law. In his view the Japanese government should have scrapped the constitution as soon as the Occupation ended, and the fact that the constitution has survived for so many years relatively unchallenged is strange. From this point of view the constitution should indeed be revised.\footnote{Itoh Mayumi, “Japanese Constitutional Revision: A Neo-Liberal Proposal for Article 9 in Comparative Perspective,” \textit{Asian Survey}, \textit{vol. 41}, no. 2 (Mar.-Apr., 2001) 315.}

Despite his obvious stance in regards to constitutional revision, Ozawa did not propose a large change for Article 9 in his draft. He kept the two clauses as they are now, and added a third clause which simply stated “[3] The preceding second paragraph does not
not prevent Japan from exercising its right to self-defense and from maintaining armed forces to exercise that right.” As justification for this addition, Ozawa said that Japan could defend itself as the right of an “ordinary nation.”

In addition to the new clause, Ozawa added a new article similar to Chapter IV in the Yomiuri Shimbun draft. This article reads:

The Japanese people shall take the initiative in participating in international peace activities, in order to maintain and restore international peace and security from threats to peace and acts of destruction and aggression, and actively contribute to world peace, through every means including the supply of armed forces.

Ozawa defends this article by pointing out the fact that Japan has joined the United Nations, and in doing so implicitly accepted the U.N. Charter in its entirety. Therefore Japan should participate in all U.N. activities, whether the constitution restrains such activities in Japan or not. This is a similar argument to that put forth by the Yomiuri Shimbun in declaring that an international law should take precedence over national law.

Besides writing a constitutional draft, Ozawa has proposed the creation of a standing U.N. Force that would compliment his proposed changes in the constitution. In part because he believes “the only way for Japan to maintain peace and survive is through international cooperation” and partly because he believes “the advanced technology and weapons available today” mean that “a nation’s peace can no longer be secured merely by calling upon the rights to individual and collective self-defense,” Ozawa proposes that the U.N. create a standing police force that all U.N. member nations could contribute resources and manpower to.

The idea of a U.N. police force has been discussed as a way to allow Japan to participate in international peacekeeping before. In the 1993 Japan Echo Nakanichi Terumasa said in a discussion with Okazaki Hisahiko: “overseas they [the SDF] would be stuck, because as Japanese forces they can’t exercise the right of belligerency under international law. If they don’t have recourse to some intermediate right to use force in this case, I don’t see what strategic options would be available to them for breaking through the besieging forces.” Earlier Nakanishi had pointed out that the main problem with sending the

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91 Ozawa Ichiro’s Constitutional Draft, as cited in “A Neo-liberal Proposal for Article 9,” 315.
92 Ibid., 315-316.
93 “A Neo-liberal Proposal for Article 9,” 316.
SDF on U.N. Peacekeeping Operations is that these are cooperative efforts among nations, and the SDF would be representing Japan as a nation. Sending the SDF abroad as a Japanese military unit violates Article 9 very clearly. However, if Japan merely sent a military unit to take part in a “U.N. army,” which would be under U.N. command, the military would not be representing the Japanese nation and thus would not be in direct violation of Article 9.\textsuperscript{94} This argument is simplified by Woolley in \textit{Japan’s Navy}:

\begin{quote}
Sending Japanese troops \textit{as such} to wield force in a foreign country was said to be very much against the constitution... the agreement was that Japan would not \textit{as a sovereign nation} use force or threat of force to resolve disputes. What Japan might do was contribute, not troops... but personnel. If such personnel were Japanese but not representatives of the armed institution of the state, then they could participate in a unified UN military force just as citizens of any other country might do [all emphasis in original].\textsuperscript{95}
\end{quote}

The specific cases Woolley refers to in this passage were presented in the late 1950s and 1960s, in response to requests that Japan send SDF troops to assist in Lebanon and the Congo.\textsuperscript{96} So although many argue that the only way Japan would be better able to participate in U.N. operations is through constitutional revisions allowing the SDF to move abroad, an alternative has been offered through the United Nations. Using the United Nations so that the Japanese government does not send troops as a state, but allows citizens to participate abroad on their own, the constitutionality of such actions would not be a problem.

Ozawa’s constitutional draft prompted Hatoyama Yukio, the president of the left-wing Democratic Party of Japan, to write his own draft in response. The significance of a left-wing leader writing a constitutional draft is immense. Most of the move towards constitutional revision had until this point come from right-wing leaders like Nakasone and the conservative newspaper \textit{Yomiuri Shimbun}. Hatoyama’s reasons for proposing changes in Article 9 are very pragmatic: “The SDF are nothing but armed forces and it was high time to recognize this fact.”\textsuperscript{97} This may represent a move from even those on the political left in Japan towards supporting constitutional revision.

Hatoyama’s revisions of Article 9 read as follows: “[1] Japan shall maintain land, sea,

\textsuperscript{94} “Clearing the Way,” 9-10.
\textsuperscript{95} \textit{Japan’s Navy}, 45.
\textsuperscript{96} Ibid.
\textsuperscript{97} “A Neo-liberal Proposal,” 316.
and air forces, as well as other war potential. [2] Japan shall neither use these forces for acts of aggression nor shall Japan employ conscription.”

Under this draft, Japan would possess military forces for self-defense as a constitutional requirement. Defense being their primary purpose, this military force would also be able to act in a U.N. Peacekeeping operation, as such an operation would likely not be an act of aggression. Hatoyama also attached a condition to his draft working internationally: because “Asian countries would have misgivings about such revisions insofar as Japan ignores its past acts of aggression (as conservative politicians do), Hatoyama called on Japan to acknowledge unequivocally these acts and conduct a comprehensive review of them.”

In 2000, Nakasone also presented a draft constitution that he wrote. He changes the second clause of Article 9, and adds a third, while keeping the first clause that renounces war as it is. The second two clauses read: “[2] Japan shall maintain land, sea, and air forces, as well as other war potential, for self-defense purposes. [3] Japan retains the right to exercise its right to collective self-defense.”

Nakasone, like the other drafts, constitutionalizes the SDF, and adds collective self defense which allows the SDF to participate both in U.N. operations and in a treaty alliance such as that created through the Japan-U.S. Security Treaty.

Why have people so adamantly promoted revising the constitution? One reason, which has become much more prominent in the arguments presented by conservatives in Japan since the Nakasone administration, is that there is a feeling that Japan should be a “normal” nation. Along with Japan’s economic power has come pressure from the international community for Japan to participate in the international community in the same way that other nations of similar economic power do. Specifically there is a feeling that Japan should contribute more than just money to the world community. Patrick Smith describes the opinion of Ozawa Ichiro after a discussion they had on the topic: “‘what is a normal nation?’ he asked. It is one that takes its share of responsibility and one that cooperates with others, Ozawa argued.” He goes on to quote Ozawa at length, including Ozawa’s opinion that “when we consider the burden that individual nations must bear in

\[98\] Ibid., 316-317.
\[99\] Ibid., 317.
\[100\] Ibid., 318.
international society, it is questionable whether Japan has functioned fully enough to be called a ‘nation’ at all.\textsuperscript{101} Others have pointed out that “even absolutely neutral countries like Switzerland have military forces,”\textsuperscript{102} Reasons that the Peacekeeping Operations bill passed was a desire among some politicians to “gain international acceptance as a ‘normal state’ or ‘regular player’ in international affairs.”\textsuperscript{103}

More recently, Japan has been pushing to become a permanent member of the U.N. Security Council, causing some to propose that before Japan will be accepted as such the constitution must be revised to allow Japan to participate in the United Nations as other “normal” nations do. As Kawada Tsukasa states in an article in the \textit{Gaiko Forum}: “Japan is ready to contribute further to the international community by serving as a permanent member of the U.N. Security Council.”\textsuperscript{104} After all, Japan has had a lot of experience developing its economy and state in the years since the end of World War II, and developing countries could certainly benefit from Japan’s potential contributions in this regard. Several people have suggested that Article 9 will block Japan from attaining this seat. In July of 2004 the U.S. Deputy Secretary of State Richard Armitage “hinted that Japan should revise Article 9 so Japan’s Self-Defense Forces could play a greater role on the international stage…. If Tokyo truly intends to become a UNSC permanent member, Armitage’s words indicate that the U.S. hopes Japan would revise Article 9 of the Constitution.”\textsuperscript{105} The following month Secretary of State Collin Powell suggested the same, saying “Japan had to think about revising the war-renouncing Article 9 of the Constitution if Tokyo really wanted to become a permanent member of the U.N. Security Council…. But… it was entirely up to the Japanese people to decide whether to revise the Constitution or not, adding that he knew the significance of Article 9 for Japan.”\textsuperscript{106} As foreign pressure, particularly that from the United States, has long had a large impact on Japanese

\textsuperscript{101} \textit{Japan: A Reinterpretation}, 303.
\textsuperscript{102} Nomura Kichisaburo, as quoted in \textit{Japanese Constitutional Law}, 73.
\textsuperscript{103} “Japan’s Participation in U.N. Peacekeeping Operations,” 565.
policy, these comments have contributed to the idea that Japan must become a ‘normal’ nation, especially if they want the prestige of being a permanent member of the U.N. Security Council.

There is, however, a counter-argument that Japan does have more than its military to contribute internationally. Japan can contribute its pacifist principles, embodied in Article 9, to the international community in the stead of its military. Hagihara Nobutoshi states, in a debate reported in *The End of the Century; The Future in the Past*,\(^{107}\) that “we must endeavor to change Japan into a more open country, cease merely to be a beneficiary of the international community, and strive to make Japan a more positive contributor in a non-military was to international society.”\(^{108}\) Machimura Nobutaka also stated that “Japan can fully serve as a permanent U.N. Security Council member even on the assumption that we maintain the current Constitution.” He reasons that just gaining such a position would not in fact require Japan to dispatch the SDF abroad more often.\(^{109}\)

**Public Opinion**

The change in the debate during the 1990s demonstrates that public opinion on the topic of constitutional revision had also changed. The very fact that revision came to be publicly discussed demonstrates that the taboo on the constitution was being rethought. When the U.N. Peacekeeping Operations bill passed, the public’s relative silence and the results of the next election indicated public assent for the bill.\(^{110}\)

Although when the constitution was first promulgated “among the Japanese people, ‘almost everyone … approved of Article 9’;”\(^{111}\) by the early 1990s the situation in both the world and Japan had changed enough that the Japanese people were more willing to accept change to a document many had once held sacrosanct. One reason the people

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\(^{107}\) *The End of the Century* is a collection of essays from a symposium held in Japan in 1993, each one followed by a brief transcript of the discussion that followed the presentation.

\(^{108}\) *The End of the Century*, 408.


\(^{110}\) “Japan’s Participation in U.N. Peacekeeping Operations”, 563.

were so supportive of Article 9 at the time of its promulgation is the fact that they had just lost one of the bloodiest and hardest wars in Japanese history. After the devastation, death, and want the people experienced in World War II, the Japanese people were weary of war, and their support of Article 9 clearly demonstrates their desire for peace. However, as the generation that experienced the war has grown old and replaced by the next, the strong antiwar feelings have grown weaker as individuals grow up without vivid memories of the consequences of war. This brings the question “how will pacifism fare at the hands of a generation that has lived in ignorance of (and freedom from) war?”

Some argue that with the disappearance of direct memories of war, the new generation will once more “come under the sway of the fatal attraction of war and, as a result, both Article 9 and pacifism will vanish from the national agenda.” If “it is ultimately mass political actions and attitudes that determine the government’s defence and security policies,” then the public’s silence on the changes that have gradually given more power to the Self Defense Forces would certainly seem to indicate this is the case. However, as Japan is one of the only countries in the world, and certainly among the only major powers in the international community, not to have been embroiled in some form of war for more than half a century, “it is conceivable, but not guaranteed, that the preservation of the advantages of a warless society may outweigh the dangerous attraction that war seems to hold for humankind.” In this regard, the continued support at least for the renunciation of war clause in Japanese society may indicate the current generation’s views of war.

The two ways that public opinion is most often measured are opinion polls and popular movements. Opinion polls have been taken on the subject of Article 9, within the context of constitutional revisions as well as as an issue in itself, since the end of the Occupation, and have intensified since Nakasone’s attempts to change the article in the 1980s, especially through the Yomiuri Shimbun. Popular political movements, such as the protests over the Japan-U.S. Security Treaty in the 1960s, are also reported, although because most such movements are not on the same scale as those of the 1960s they do

112 Japanese Constitutional Law, 44.
113 Ibid.
114 Militarization and Demilitarization, 5.
115 Japanese Constitutional Law, 44.
not get the same amount of press coverage.

Opinion polls taken since 1955 on whether or not to revise Article 9 indicate consistent opposition to such a move. The opposition grew from 1955 until a poll in 1968, when opposition began to wane. However, in 1978, two years after the adoption of the non-nuclear principles as official government policy, opposition began rising again, and by 1983 this opposition was rising steadily. The changes in the polls obviously reflect their times. The drop in opposition between 1968 and 1978 is likely due to the rise of Japan’s economy, which would cause the issue of revision to become less immediate and less important to most Japanese people. Support did not grow at this time, but the number of people who were indifferent grew. The growth in the 1983 poll indicates the reaction to Nakasone’s plans to revise the constitution.  

In a more recent poll taken by the *Asahi Shimbun* in 1997, several questions pertained to Article 9. Each question is compared with the responses from the same question asked in an earlier poll. When asked whether or not the decision to renounce war and not maintain military forces was a good choice, in both 1978 and 1997, 82 percent of the respondents said the decision was good, but in 1978 seven percent declared the decision bad, while in 1997 that number grew to 10 percent. The 1997 poll also included a question asking whether Article 9 has contributed to the greater peace in the Asia-Pacific region, 72 percent of the respondents said it has, and furthermore, 73 percent said that this renunciation of war would continue to contribute to the peace of the world in the future. When asked if the SDF is constitutional, a 1992 poll had 28 percent saying it was unconstitutional, while this percentage dropped in 1997 to 21 percent. The number of those saying the SDF is constitutional grew from 47 percent in 1992 to 54 percent in 1997. The majority of those polled in both years then said they believed the SDF should primarily be used in domestic emergencies, with defense taking second place. These numbers indicate that although the public has remained fairly adamant that the renunciation of war was and continues to be a good idea, the SDF has gained significant acceptance among the population at large.

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116 All the polls mentioned here were found graphed in *Militarization and Demilitarization*, 103.
The most recent poll conducted by the *Yomiuri Shimbun* in March of 2005 reported that 61 percent of respondents said they supported constitutional revision overall. Of those favoring revision, 44 percent favored revising Article 9 while 28 percent said it should continue to be reinterpreted with the changing times. Only 18 percent said Article 9 should be read strictly with no interpretation.\(^{118}\)

There has been no massive popular movements over the changing interpretations of Article 9 since the 1960 protests. However, each time a major change occurred, particularly when Nakasone spent over the one percent cap on the military, there have been smaller movements that oppose the change. These movements have frequently delayed a Diet vote, but as can be seen, the vote eventually goes forward and the motion or bill passes.

The most recent movement was opposition that arose when current Prime Minister Koizumi Junichiro chose to send SDF troops to Iraq in support of the U.S. war that began there in 2003. Although Koizumi did not send the troops until after U.S. President George Bush had declared the major combat operations over, Iraq has remained a hotbed of conflict, and the opposition to Koizumi’s move has largely derived from fears of what may happen should the SDF come under fire and have to defend themselves.\(^{119}\) “Since the troops will set quite a precedent just by showing up, Mr. Koizumi -- and nearly everyone in Japan -- will hope that they do not make even more history by getting shot at.”\(^{120}\) Popular unease grew in November 2003 “when two Japanese diplomats on their way to a conference were killed in Iraq.” The major reason Koizumi is having trouble with his decision is that “most Japanese seem not to be fully convinced by the government as to why the

\(^{118}\) *Yomiuri Shimbun*, “61% Support Constitutional Revision,” (2005, the Daily Yomiuri website does not print the date the article was written) [database online] http://www.yomiuri.co.jp/newse/20050408wo01.htm, accessed on April 9, 2005.


SDF should be sent to Iraq despite the well-known risks and dangers of this mission.¹²¹

Despite the obvious obstacles to Koizumi’s decision in sending troops to Iraq, and despite the initial opposition, the following election seemed to show that the public still supported him overall, and could even have validated the SDF’s dispatch. In this election the LDP one more won a majority of the Diet seats, with the total coming to 240 of the 480 seats, losing only 6 seats to other parties. Koizumi took these results to represent “a public vote of confidence in his intention to send Self-Defense Forces units to Iraq.”¹²² Perhaps because of this apparent validation of his Decision, Koizumi has not yet withdrawn the SDF from Iraq at this time.

Pacifism in Popular Culture

To better understand how much the pacifistic ideals of Article 9 have permeated Japanese society, it will be useful to look at a form of popular entertainment in Japan known as anime. Anime is the term used to describe animated television shows in Japan, although in America the term refers specifically to those animated shows that have originated in Japan. Many anime are based upon manga, the Japanese word for comic book, which Patrick Smith described as “full of violence, sex, and derring-do of all varieties. [Manga] are a prevalent addiction because they are an outlet for people whose social codes are rigid and confining. This makes them a kind of inverse image of the Japanese, a way to gather and explore the collective wishful thinking.”¹²³ Therefore both manga and anime are a valuable way to get at currents in Japanese society that are frequently otherwise closed to a foreigner’s view.

It is also therefore interesting to find ideas of pacifism in several different anime. One is called Trigun. Trigun is set on a futuristic desert planet, and follows the story of a man named Vash the Stampede. Vash has a price on his head, and disaster follows him everywhere he goes. However we soon find out that he has a long past, and in his entire life, he himself would not hurt a fly. In one scene, Vash and his brother, when they are children, find a butterfly trapped in a spider’s web. Vash moves to save the butterfly, but

¹²³ Japan; A Reinterpretation, 304.
his brother smashes the spider. Vash becomes angry with his brother because he would find a way to save both the butterfly and the spider. As the series continues it is revealed that Vash’s brother is behind his troubles, and the troubles culminate when Vash is forced to kill one of his brother’s minions in order to save his friends. This is the first time Vash kills in the entire series, despite the gun he always carries with him. The amazing level of pacifism presented with Vash, who refuses to take another life until the circumstances he is forced into leave him no other choice, could reflect a similar attitude in Japanese society. Even in sending troops to Iraq, the Japanese are worried that they will be forced into a combat situation.

A second series that presents pacifism as an ideal in its protagonist is Rurouni Kenshin. This series is set in the early Meiji era and follows the story of Himura Kenshin, a swordsman who killed hundreds of people during the fighting in Kyoto that occurred during the Meiji Restoration. As the series begins he has vowed never to kill again, having found regret for his previous acts, and carries a “reverse-blade sword” which has the blade on the wrong side, so that when he swings it the sword does not cut. Kenshin now travels as a wanderer, helping people where he can. He makes friends in Tokyo and defeats without killing many people who would oppress or otherwise hurt the people around him. During the second season of the anime Kenshin is forced to confront his past in order to stop a madman from conquering Japan and returning it to rule by the strong. As in Trigun, Rurouni Kenshin expresses the ideal that the strong protect the weak yet exhaust all possible means before resorting to violence. However, both of these series indicate that there is a point at which violence may be the only way to solve the problems that arise between people.

The third series in which Pacifist principles have a dominant place in the story is Gundam Wing. Gundam Wing is a variation of the original Mobile Suit Gundam made in 1995 and released in the United States a few years later. Like the original Mobile Suit Gundam, Gundam Wing is set in the future when the people of the Earth have expanded

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124 Yasuhiro Nightow, Trigun, prod. Victor Company of Japan, dir. Satoshi Nishimura, 26 30 min. episodes, English Adaptation Geneon Entertainment (USA) Inc. DVD.
and now many also live in colonies in space, and war is conducted with the use of mobile suits, giant robotic fighting machines. The story of *Gundam Wing* begins as five Gundams, extremely powerful mobile suits, are sent from the colonies to the Earth to fight against a militaristic organization known as Oz, which has been influencing the major political body called the Earth Alliance to become more militaristic and to oppress the people of the colonies. As the story develops, many new factions break off the original ones and fight amongst themselves, while the five Gundams remain a force in their own right. However one kingdom that establishes itself on Earth is the Sanc Kingdom; founded by Relena Peacecraft, a descendant of the rulers of the Sanc Kingdom which existed before the Earth Alliance destroyed it, the Sanc Kingdom declares itself neutral and devoted to the ideals of “Total Pacifism.” The Sanc Kingdom itself does not maintain forces of any kind to defend itself, but because its ideals threaten the military powers that control the world, it soon comes under attack. Several of the Gundam pilots choose to defend the kingdom long enough for Relena and the other civilians to evacuate. After more fighting that results in an orbital attack on the earth from a massive space station, the world finally gives up war, and Relena is brought in as the ruler of the planet, which is now entirely devoted to “Total Pacifism” and has forsaken war forever.\(^\text{126}\)

The difference between *Gundam Wing* and either *Trigun* or *Rurouni Kenshin* is that the pacifism espoused in *Gundam Wing* is not on a personal level, but on the national level. The message in the fate of the Sanc Kingdom seems to be that if a nation attempts to follow such a path to “Total Pacifism,” becoming absolutely neutral and maintaining no defense forces, at a time when the rest of the world is at war, in the end it serves as an open invitation for another nation to attack them. However, if the world can finally learn its lesson, then the ideal “Total Pacifism” becomes possible. It is difficult to maintain a commitment to pacifism during a time of conflict, because “genuine pacifism requires, in all circumstances, that a person (or a community) turn the other cheek and refrain from hostile reaction, based on faith in human goodness and disciplined conviction in the face of provocation, or on a belief that, on balance, violent response is counterproductive by some

other cost-benefit analysis.”

“Absolute Pacifism” is also described in “Renunciation of War as a Universal Principle of Mankind” as one of two alternatives Japan can take when pressed for how far they will go to press for peace. Absolute Pacifism here implies “Japan will maintain no military forces, no resistance and no defence, even though they are permitted the right to defend themselves without using military force…. theirs is a conscientious refusal to fight…. the Japanese will be able to achieve the fruits of internationally peaceful co-operation and humanitarian operations for saving victimised refugees and children.” Charles Overby also proposes that Japan could commit itself to a national conscientious objector status that would exempt it from participating in global military operations.

Where Is Japan Going?

Although the principle of pacifism has come to permeate much of Japanese culture, support for the SDF has also become more widespread. After the terrorist attacks in the United States on September 11, 2001, and the subsequent dispatch of the SDF to Iraq in 2003, the Japanese government has moved steadily in the direction of constitutional revision.

In April 2005, a panel that the lower house of the Diet created to study the possibility of constitutional revision five years ago turned in a report stating that there was a “need to amend the Constitution’s war-renouncing Article 9 and to allow a female to ascend the Chrysanthemum Throne.” The panel reached its conclusions by declaring those opinions backed by over two-thirds of the panel members as being a majority view. The final decision in the case of Article 9 was to maintain the renunciation of war, but also to state clearly “the legal status of the Self-Defense Forces” and “the nation’s right to self-

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129 *A Call for Peace*, 105.
defense.” As these reports indicate, constitutional revision within Japan may soon become a reality, possibly even within the next few years.

The move to keep the renunciation of war and at the same time recognize the Self Defense Forces as legitimate has been described as a move from passive to active pacifism. During the Cold War, as Japan recovered from the devastation of World War II, Japan’s foreign policy focused on following the United States, but not actively getting involved in world affairs. The world accepted Japan’s promise never to engage in war as a valid contribution to the world order. However, the world community soon began to ask for a more active participation in the maintenance of peace worldwide. With the dispatch of the SDF on U.N. Peacekeeping Operations starting in 1992, Japan seems to be moving towards a more active role in world affairs.

Tanaka Hitoshi argues that one way of actively participating in the world order is to strengthen the Japan-U.S. Security Treaty in order to influence the decisions the United States makes in the future. However this does not mean that Japan should participate militarily or in all the actions that the United States undertakes. Tanaka describes the opinion abroad: “some observers say that Japan, having so far only paid for an expensive seat in the grandstand, should now join the other players out on the field.” However, “this depends on the nature of the game. Each player… has a different role to play. The important thing is whether or not each player is ready to fulfill its role in order to achieve collective victory.” Even in the case of Iraq, where the SDF has been sent into a dangerous area overseas, Tanaka says Japan’s role should also include building international consensus and expanding the role the United Nations plays. An active role in building cooperation and coordination internationally could indeed help Japan lead the world towards peace in the spirit of a war-renouncing constitution.

Kamiya Matake similarly argues that Japan has and should move towards a more active role internationally. One reason the government is moving this way is to preserve its

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134 Ibid., 7-8.
alliance with the United States, especially in the face of a nuclear North Korea. However this would also imply that Japan needs to be ready to respond to U.S. demands at any time. Kamiya does not believe this is necessarily the case. He argues that Japan needs to accept that “there are always cases in building and maintaining peace when the only effective means are military.” Even in accepting this idea, Kamiya does not feel that Japan would come to be a tool for the United States. Japan would make its own decisions about when military force would be necessary. In the case of Iraq, “some claim… that the American attack on Iraq had no legitimacy to begin with… but as soon as one fully comprehends the desperate plight of the Iraqi people today, it becomes clear that to refuse to help… is not an option for a nation of active pacifism,” and Japan has thus been justified in sending the SDF to Iraq in the interests of rebuilding both the country and the peace of Iraq.

Kamiya specifies several aspects of the actively pacifist nation that Japan could become. Such a nation does not aspire to become a military power and will exercise restraint in using military force for only self defense and internationally approved operations. An actively pacifist nation also will “not impose taboos on supplying equipment for the minimum necessary military force exercised in self defense.” Finally, “in international joint actions in building and maintaining peace, it plays an active part appropriate to its resources and circumstances, including its military aspect.” In this context, the recent reports advocating the revision of Article 9 to allow the SDF and to outline Japan’s role in international peacekeeping, are perfectly in keeping with the idea of an actively pacifist nation.

Conclusions

In 1947, the Japanese war-renouncing constitution was officially ratified. Because of Article 9, the clause that declares that Japan will not participate in a war, Japan was able to focus on rebuilding the infrastructure and economy that had been devastated in World War II. However, the peace clause soon came under attack as the United States and nationalist

136 Ibid., 18.
137 Ibid., 19.
138 Ibid., 18-19.
Japanese began to declare that Japan should have a military, especially in the cause of self defense. In 1950, the national police reserve was brought into existence, and in 1954 this small force was renamed the Self Defense Force. Since that time Japan has in fact maintained a defensive military force, as well as allowing the United States to use Japanese land as bases for the U.S. military presence in Asia. It was also from this time that the debate over Article 9 itself gained momentum. For the first several decades the Japanese people adamantly supported the renunciation of war in Article 9, and the government was cautious in allowing any military expenditures, leading to the policy of a one percent ceiling on military spending.

In the 1980s, Nakasone Yasuhiro was appointed prime minister, and his agenda included constitutional revision. Although he was unable to have the constitution revised during his administration, Nakasone did make some actual changes. He spent over one percent of the GNP on the military, and he visited Yasukuni shrine, the shrine to the war dead. Then, after the 1991 Gulf War, Japan passed a bill allowing the SDF to be sent abroad on U.N. Peacekeeping missions as a response to international criticism of Japan’s refusal to send troops to Iraq. After the September 11 terrorist attacks in the United States, Prime Minister Koizumi Junichiro dispatched the SDF to Iraq, even though the country was obviously not peaceful. And in 2005 a five year panel from the Diet delivered a report advising constitutional revision that would make the SDF clearly constitutional, even while keeping the renunciation of war.

These actions represent a clear move towards what has been described as an active pacifism. The Japanese government progressed towards a more active role internationally, through the United Nations and through allowing the SDF to be dispatched abroad. At the same time, the change in the debate over Article 9 has shown a growing acceptance for the SDF even as there is continued support for the renunciation of war. As time has passed the debate has evolved to fit the era. It has been this change in times that has brought about the changes in public opinion and in government goals, and in observing the change in the debate one can discover these changes in perception. Japan is certainly moving to revise the constitution, at the same time pushing for greater participation in the international community. While it is impossible to determine how these changes will affect
Japan and the world as a whole, that Japan has allowed a debate and seems intent on reaffirming for themselves their dedication to the renunciation of war will certainly reflect positively in the future.
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