



The Politics of Constitution Revision in Abe's Japan

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The constitution is the fulcrum of every democratic state. However, seldom the constitution is the source of a state's trouble with the probable exception of Japan. Japan's constitution has been a subject of debate and discussion at various junctures in post-war Japanese history since its enforcement in 1947. Nonetheless, Prime Minister Shinzo Abe-led ruling Liberal Democratic Party's (LDP) declared intent to revise the constitution, and the possibility of LDP-led coalition securing a landslide victory in the forthcoming House of Councilors (Upper House) elections, 21 July 2013, have provided greater traction and attraction to the question. In this context, it is pertinent to investigate as to what extent the dynamics of constitution revision resonates in Japanese polity.

According to Article 9 – Chapter II: Renunciation of War – of Japanese Constitution, it not only “renounced the sovereign right” to wage war and the “threat or use of force as a means to settle international disputes”, but also maintaining “military forces and other war potentials”. Junichiro Koizumi led LDP government undertook the first serious attempt to revise the constitution and brought out a draft of a proposed constitution in November 2005. Koizumi shelved it due to overwhelming public opposition. Still, Koizumi government interpreted the constitution in myriad ways to extend the mandate of Self-Defense Forces (SDF) to participate in the US-led wars, though mostly in non-combat roles.

Abe government's initiatives through the LDP's draft constitution of April 2012 assume broader scope with far reaching consequences. The arguments put forth for the revision are: (a) the present constitution should be changed as it was imposed during the US occupation; (b) should be changed as its time has passed; and (c) Japanese people are sovereign and should be entitled to revise their constitution. The proposed changes in the draft carry words such as 'Distinct Culture and Tradition', 'Harmony', 'Community and Society', and appear to orient away from shared Western values of 'Individual', 'State', 'Public Welfare' and 'Property Rights'. Moreover, it would transform the emperor to be the 'Head of the State' and the SDF into 'National Defense Force'. This has been viewed as an attempt to shift its pacifist path to a militaristic mode with nationalistic overtones.

The preferred *modus operandi* appears to amend Article 96 at first, by "*lowering the bar from two-thirds or more of all the members of each house of the Diet to just more than one-half of both chambers*" required for constitutional amendment. Once diluted, the task of amending the constitution becomes relatively easier, especially Article 9. Because amending Article 9 requires two-thirds majority in the Diet followed by a referendum. Besides, Abe's chosen theme for Upper House election campaign is economy rather than constitution, which probably is an attempt to downplay it.

On the other hand, the position of political parties varies from strong support to strident opposition to the proposed amendment. LDP's junior coalition partner, New Komeito, has been cautious in revising Article 96 and prefers debate along with other amendments. The Democratic Party of Japan (DPJ) is clearly opposed to the revision, though some of its members support it. The Japan Communist Party (JCP) and the Social Democratic Party (SDP) are opposed to any amendment of the constitution. Moreover, recently formed 'Japan Restoration Party' and 'Your Party' support the revision although they prioritise structural changes to the constitution. The cleavages among political parties manifest a divided house and the question of constitutional revision still remains open-ended.

Japanese public reaction to the proposed amendments is interesting. A protest rally, consisting of members of opposition parties, labour groups, religious organisations and private

individuals, took place recently opposing the constitutional revision. Meanwhile, media polls reflect a contradictory picture. The predominant conservative media polls signify an increased support for the revision and decreased support for retention, whereas the liberal media polls report the opposite. Nevertheless, authenticity of media polls, at times, needs proper verification, and moreover, the larger public is yet to register its reactions.

There is always an external dimension to Japan's constitutional revision. First, there is apprehension among Asian states about Japan renewing militarism; and second, its security partnership with the US. In this scenario, Abe told reporters that "it is our country's Constitution, it is not an issue that needs to be explained" to China and South Korea. This invited a strong reaction from China, though not officially, accusing Japan of moving in rightist direction. The US position, though, remains ambivalent; former Deputy Secretary of State Richard Armitage and former Assistant Secretary of Defense Joseph Nye together advocated in 2010 that Japan should consider abrogating Article 9. However, the changing geo-politics in the region is bound to influence not only the choice of Japan, but also the stated positions of the other players in the region on constitution revision.

Hence, Shizo Abe's endeavour to revise the constitution is contingent on the above-mentioned and other factors. LDP may secure a majority in the Upper House and dominate the Diet, yet factional politics and differences among members perhaps can thwart it. A groundswell public opposition may forestall the constitutional revision. Negative reactions from the international community, especially China and Korea, may force Japan to reconsider its decision. In a nutshell, constitutional revision may pose more challenges for Abe than he seems prepared to encounter.

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