

Japan On the ongoing fight over Constitutional change

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74% of winners in upper house election favor constitutional amendment: Mainichi poll

Seventy-four percent of winners in the July 21 House of Councillors election are in favor of revising the pacifist Constitution while only 19 percent are opposed to any move to change the supreme law, according to a survey conducted by the Mainichi Shimbun.

The Mainichi also conducted a questionnaire of other upper house legislators whose seats were not contested in the July 21 national poll. Of the lawmakers surveyed, 75 percent said they were in favor of revising the Constitution while only 18 percent were against amending it. Some upper house lawmakers from the Democratic Party of Japan (DPJ) and New Komeito, which are not generally regarded as forces in favor of changing the supreme law, are in fact supportive of a move to change the 1947 Constitution. Therefore, there is a possibility that at least a two-thirds vote of all members even in the upper chamber — a condition necessary for initiating constitutional changes — could be secured depending on the content of revisions.

Of the 121 winners in the July 21 election, 117, or 97 percent, responded to the Mainichi poll. Of the upper house lawmakers whose seats were not up for grabs in the latest national contest, 71, or 59 percent, responded to the survey.

After the July 21 election, the Liberal Democratic Party (LDP), the Japan Restoration Party (JRP), Your Party (YP) and the New Renaissance Party (NRP), that are regarded as groups in favor of constitutional revision, hold a combined total of 143 seats in the upper chamber, not enough for at least 162 seats needed for initiating constitutional changes.

In response to the *Mainichi* survey of the winners in the latest election, 10 — seven from New Komeito, two from the DPJ and one independent — said they “favor” constitutional amendment. Furthermore, a total of 14 lawmakers whose seats were not up for grabs in the recent poll — four from New Komeito, nine from the DPJ and one independent — said they were in favor of revising the supreme law. If those 24 legislators are simply added to the 143 upper house lawmakers who are in favor of constitutional revision, the number will surpass the 162 seats necessary to initiate constitutional changes. However, New Komeito, which considers primarily creating more clauses, if necessary, rather than changing the Constitution itself, is still far apart from those groups in favor of revising the supreme law.

Meanwhile, 26 percent of the winners in the latest upper house poll said “no” to revising Article 9 of the Constitution, while 64 percent of them responded in favor of changing the pacifist clause. Of the 64 percent of winners, 38 percent said Article 9 should be revised to “clarify the role and limitations of the Self-Defense Forces (SDF),” and 26 percent said “the SDF should be upgraded to a ‘national defense force’ on par with other countries.”

Prime Minister Shinzo Abe is willing to change Article 96 of the Constitution to lower the hurdle for the Diet to initiate changes to the Constitution — from at least a two-thirds vote of all members in both houses of the Diet to a simple majority. Of the winners in the latest election, 50 percent said they were in favor of amending Article 96, while 38 percent said they were opposed to such a move. But the number of those in favor of revising Article 96 is far smaller than those in favor of changing Article 9 of the Constitution. On whether to change the government’s interpretation of the Constitution to allow Japan to exercise the right to collective self-defense, 46 percent of the election winners said it should be “reviewed,” while 32 percent said it “should not be reviewed.”

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<http://mainichi.jp/english/english/newsselect/news/20130723p2a00m0na013000c.html>

Election viewpoints: The Constitution and Article 96

Japan’s major political parties have released their manifestos ahead of the July 21 House of Councillors election. In a series of articles, the *Mainichi Shimbun* examines the viewpoints of the various parties on five major issues.

The Liberal Democratic Party (LDP), Japan Restoration Party (JRP), and Your Party have taken a positive stance toward revising Article 96 of the Constitution to ease rules for initiating constitutional change. Article 96, which came into focus after Prime Minister Shinzo Abe proposed changing it, states that any initiative to amend the Constitution must be supported by at least two-thirds of members of each house of the Diet. Other parties including the Democratic Party of Japan (DPJ) and New Komeito have been hesitant to change the article, highlighting a gap between the various parties’ stances.

At first the prime minister actively called to revise Article 96 ahead of other articles. However, opinion polls conducted by various news organizations showed people against such a move outnumbered those in favor. Because of this, and the cautious stance adopted by the ruling LDP’s coalition partner, New Komeito, Abe’s party avoided stating in its manifesto that Article 96 would undergo “priority” revision. Instead it stated that the party “will make it easier for the sovereign people of Japan to have the chance to make decisions on the Constitution through referendums.”

Venturing the furthest on the issue was the JRP, which declared that it “will first set about revising Article 96.”

A pledge on Your Party’s website stated that it would “ease the requirements for making proposals for constitutional amendment.” However it is opposed to prioritizing changes to Article 96, and did not feature the issue in printed election pledges.

The DPJ, meanwhile, says it is opposed to prioritizing eased conditions for initiating constitutional

reform without raising the question of which parts of the Constitution would actually be changed. The Japanese Communist Party (JCP) is cautious about revising the supreme law, stating that “the attributes of an ‘entrenched constitution’ should be upheld.”

New Komeito proposed adding new stipulations to the Constitution — a shift from its stance during last year’s House of Representatives election — to avoid widening the gap between itself and the prime minister. It gave “environmental rights” as an example of a stipulation it might add to the constitution. The LDP has taken a unified line on this point, adding “the duty of environmental preservation” as a main candidate for constitutional revision. However, there still remains a chasm between the LDP and New Komeito over any revision to war-renouncing Article 9 of the Constitution. The LDP proposes to establish a “national defense military” while New Komeito says it will “consider the issue with caution.”

The DPJ has both proponents and opponents of constitutional change within its ranks. It made a vague pledge to “build a future-oriented Constitution.” Other than clarifying its position on Article 96, it has not engaged in any concrete debate.

The JRP proposes the public election of prime ministers and the establishment of a single chamber of parliament. In its previous manifesto for last year’s House of Representatives election, it proposed establishing an “autonomous Constitution,” but mention of that plan vanished from its pledge for this month’s election. (This is part one of a five-part series)

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<http://mainichi.jp/english/english/newsselect/news/20130708p2a00m0na007000c.html>

Mainichi poll shows 52% oppose amending Constitution’s Article 96

More than half the public is against amending Article 96 of the Constitution to make it easier for the Diet to initiate constitutional revisions, a Mainichi Shimbun poll has found.

The nationwide poll, conducted on May 18-19, found 52 percent of respondents oppose the ruling Liberal Democratic Party (LDP)’s move to amend Article 96 — a 6-point rise from an April poll — as against 41 percent in favor, down 1 point.

Article 96 stipulates the conditions for initiating constitutional changes, and the recent move to lower the hurdle for such initiatives — from a two-thirds vote of all members in both houses of the Diet to a simple majority — has stirred controversy.

A total of 64 percent of respondents said they will take the move toward Article 96 revisions into consideration “greatly” or “somewhat” in deciding which party they will vote for in the summer House of Councillors election. Those who said they will take the constitutional question into account “very little” or “not at all” in their voting decisions stood at 33 percent.

By gender, 54 percent of female respondents opposed the move to amend Article 96, up 11 points from the previous poll and far surpassing the 35 percent who supported the drive. Among men, 49 percent were against the move while 47 percent were in favor.

By party affiliations, more respondents were in favor of the push to amend Article 96 among supporters of the LDP and the Japan Restoration Party than those against, with 59 percent of LDP supporters backing the move.

The poll also found that 50 percent of supporters of Prime Minister Shinzo Abe's Cabinet were in favor of changing Article 96, while 80 percent of those who disapprove of the Abe Cabinet opposed to the move.

Regarding how much they will take the move for Article 96 revisions into consideration when deciding which candidate or party to vote for in the upper house election, 69 percent of those supporting the move and 64 percent of those against said they will weight that factor "greatly" or "somewhat."

Asked what the LDP and its coalition partner New Komeito — the latter cautious about constitutional amendments — should do about their coalition if their response to constitutional revisions conflicted, 46 percent said the two parties should dissolve their coalition, while 49 percent said there is no need to do so.

With respect to Japan's export of nuclear power plant technology to foreign countries in connection with a recent pact with Turkey, 60 percent of respondents opposed the initiative, against 32 percent in favor.

Despite rising stock prices due in part to monetary easing measures, a whopping 80 percent of pollees testified that they don't see the benefits of economic recovery in their own lives, while 13 percent said they do.

As to whether they expect the so-called "Abenomics" economic policy promoted by Prime Minister Abe to revive Japan's economy, 59 percent responded that they do, down 1 point from the previous poll.

The telephone survey covered 1,550 randomly selected households with eligible voters, of which 912 individuals responded.

Mainichi Shimbun, May 20, 2013

<http://mainichi.jp/english/english/newsselect/news/20130520p2a00m0na012000c.html>
