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Japan's commitment to peace is a victim of political reality

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DISCLOSURE STATEMENT

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Shinzo Abe: victim of the times? Franck Robichon/EPA

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There has never been anything quite like Article 9 of the Japanese Constitution. It formally renounces war and the sovereign right of belligerency, prohibiting the use of land, sea and air forces to settle international disputes. Instituted after World War II, it was a commitment to peace based on justice and order that countered Japan's expansionist policy of the 1930s and 40s.

But, since the American invasion of Iraq in 2003, all of Japan's prime ministers have called for Article 9 to be revised. And, as of July 1 this year, the cabinet of Prime Minister Shinzo Abe's government approved a proposal to reinterpret the unique provision, ending the ban on allowing its military forces to exercise the right of collective self-defense. The decision has provoked a dramatic response from some quarters, with fears that Japan will start engaging in foreign wars.

Mixed reactions

Demonstrations were held across Japan with **thousands of people marching** in the streets of Tokyo and a **man attempted self-immolation**, apparently in protest, at a busy intersection near the

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bustling Shinjuku Station.

The Japanese prime minister's supporters, on the other hand, have maintained that the reinterpretation of Article 9 is necessary to allow Japan to protect itself and its neighbours, in particular South Korea, should China choose to assert its power in the region.

The move is also a welcome one for US security officials, as Article 9's commitment to staying out of conflict has **long-complicated the US pledge to defend Japan**, which is ingrained in a 1952 defense treaty. Following its pivot to Asia, the Obama administration has been pushing for the reinterpretation for some time. The irony is that the US spearheaded the adoption of Article 9 after the World War II only to champion its modification years later, when American geopolitical interests shifted.

The precise origin of Article 9 is unknown. The provision was a product of private discussions between US General Douglas MacArthur and Japanese Prime Minister Kijuro Shidehara during America's occupancy of Japan following World War II. A draft of Article 9 appears in MacArthur's notes from the time, and he apparently gained Shidehara's trust by sharing classified American documents with him.

Many Japanese leaders refused to agree to the provisions of Article 9 without concessions on the part of the US. As a result, the US agreed to preserve Japan's *tenno* system, a ruling tradition that positioned the emperor as the ultimate and symbolic head of the nation. So long as the *tenno* system could be maintained, Japan's leaders agreed to accept the provisions of Article 9. And it has been in effect ever since – although a long line of court cases has struggled to clarify how the antiwar provisions apply in practice.

The formalities

It bears noting that Abe's cabinet has not formally revised Article 9, an act that would require an official government referendum and approval by two-thirds of both houses of the country's Diet. What has come to pass, instead, is a "reinterpretation" authorised by a bipartisan group of lawmakers and adopted by Abe's cabinet.

Still, the change seems permanent.

The commentariat has mostly decried Abe's efforts. At Think Progress, for instance, **Hayes Brown calls Abe's administration "hawkish"**, while an editorial in The Japan Times accuses Abe of lying to the Japanese

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people and **threatening the integrity of the constitution itself.**

Yet, the cabinet's decision came about after a **remarkably transparent process**, where proceedings were reported on daily in the media and the specifics of the reinterpretation were shaped by opposition groups. Plus, as the reinterpretation is converted into legislation and laws changed, such as Japan's Self-Defense Law and Coast Guard Law, the decision will endure public debate in the Diet.

There is, of course, something to be said about the loss of an ideal, the chipping away at what Article 9 represents. Was it quixotic to believe that one generation could bar future generations from military activity, or that a people could forever renounce war and never again maintain armed military forces? Was it unrealistic to memorialise in a constitution an aspiration to international peace?

Perhaps so, but perhaps we should bemoan that sad reality rather than the politicians who recognise it.

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