

# The Myth of the 'Pacifist' Japanese Constitution 日本国憲法の平和主義は神話

Guy Almog

## Précis

In 1947, two years after its unconditional surrender, Japan adopted a new constitution. This constitution has attracted great interest over the years, mostly due to its famous Article 9, which even was recently nominated for a Nobel Peace Prize. This constitution has increasingly become known as a symbol of pacifist ideals and has given rise to extensive local and international discourse since its establishment. Contrary to popular perception, however, I make the case that this constitution, and Article 9 in particular, do not withstand close philosophical and historical scrutiny as pacifist—not by nature, not by function and not by circumstance. The problematic categorization of Japan as a "pacifist country," and the Japanese public as a whole as "pacifist", are also addressed.

**Key Words:** Article 9 of the Japanese constitution; Pacifism in Japan; Constitutional law and history in Japan (1945—); Just war theory; Nobel Peace Prize



**Figure 1. Article 9 of the 1947 Japanese Constitution has long been regarded as a symbol of pacifism. [Source](#).**

"Peace" in military mouths today is a synonym for "war expected." The word has become a pure provocative, and no government wishing peace sincerely should allow it ever to be printed in a newspaper. Every up-to-date dictionary should say that "peace" and "war" mean the same thing, now in posse, now in actu. [William James \(1910\)](#)

For some time, it has seemed to me that something about discussion of the "pacifist" [Japanese constitution](#), or about its "pacifist" Article 9, is fundamentally flawed. This misconception—which affects both the academic and the popular spheres—has deep

roots, which in turn create many false and distorted images of the modern Japanese state in the popular imagination. As will be shortly explained, characterizing the Japanese constitution as "pacifist" leads in turn to unrealistic views regarding the "pacifism" of the Japanese state, and of the Japanese people as a whole. These simplistic statements on "Japanese pacifism" not only distort Japanese reality, they also blur the image of Japan's real pacifists, who are absorbed into the allegedly pacifist Japanese public rather than examined in their own right. Such a discourse also usually fails to deal with the subject of war and pacifism in Japan vis-à-vis the significant role of the American occupation and in light of the continuous military alliance between the two countries. As will be demonstrated, far from "imposing" pacifism on Japan, as some might claim, these factors actually nullified its possibility. This is a good time to tackle this issue, considering the recent [nomination of Article 9 for a Nobel Peace Prize](#), which has generated yet another wave of articles that casually mention the pacifism of the Japanese constitution, and of Japan in general.

In what follows I shall first present some of the myriad examples of what I regard as the misguided and misleading discourse which engulfs the Japanese constitution, Article 9, and even the Japanese state and the "Japanese" as a whole. Later, I will briefly address concepts such as pacifism and Just War Theory, and will then proceed to explain why this constitution should not be regarded as pacifist in light of its history and content, and why such a view is misguided considering the realities of post-war Japan.

### The Discourse Regarding the "Pacifist" Japanese Constitution—Some Examples

Before explaining some of the problems with the discourse surrounding the alleged pacifism of Article 9, the Japanese constitution, and Japan in general, let us first look at a handful of

examples illustrative of claims concerning the "pacifist" constitution.

It might be fitting to begin with Edwin Reischauer, one of the most prominent western scholars of Japanese history and culture and US ambassador to Japan. Late in his career, he claimed that "today no people surpass the Japanese in their devotion to pacifism. It is their great ideal, supported by both their emotions and their intellects" (Reischauer 1988: 352).<sup>2</sup>

Some scholars put a greater emphasis on the "pacifism" of the constitution. The Japanese jurist Matsui Shigenori states, for instance, that "the Japanese Constitution is quite unique in providing a pacifism principle." He even opines that "this principle of the Japanese Constitution aspires to *absolute pacifism* and is thought of by many Japanese people as an unprecedented and commendable accomplishment" (Matsui 2011: 233, my emphasis).<sup>3</sup>

Another common approach in this discourse is to combine arguments regarding the pacifism of the Japanese constitution with arguments regarding the pacifism of the Japanese state and the Japanese themselves. This approach usually notes that the general "Japanese pacifism" developed in response to the new "pacifist" constitution. It may also explain how the general Japanese "pacifist sentiment" which consolidated after their devastating defeat has led to such a wide acceptance of a "pacifist" constitution.

As an example of this approach, consider William Middlebrooks 2008 book *Beyond Pacifism*, in which he often refers to the "official pacifism" of Japan and its constitution. He states that "the question remains unanswered, however, whether the Japanese people are yet ready to abandon formally the pacifist principles that Article 9 enshrines. Pacifism may have been imposed upon them by their victors, but it has nonetheless become the defining element in how the Japanese see

themselves in relation to the rest of the world" (Middlebrooks 2008: xv).<sup>4</sup> Similarly, Lawrence Beer argues that "Geopolitical factors and the Mutual Security Treaty with the United States (1960) has eased the pursuit of pacifism in the decades since 1945 [in Japan]" (Beer 1998: 816).<sup>5</sup> In addition, Beer utilizes another problematic concept, also used by many other scholars when referring to the Japanese constitution: "constitutional pacifism" (see, e.g., Beer 1998: 817; Ben-Rafael Galanti 2009: 133-134; Maki 1993: *passim*).

Sigal Ben-Rafael Galanti also claims, for example, that "Japan's post-war regime was imposed by its American occupiers (1945-52) – who, among other demands, handed the Japanese government a pacifist democratic draft [...] as Japan's new basic law." She adds that Prime Minister Yoshida Shigeru was "eager to please the American occupiers, [and] he showed his enthusiasm for endorsing a pacifist democratic regime. Yoshida also made it clear that such a regime would help Japan solve its social and economic problems and provide a means for regaining a role in the international community" (Ben-Rafael Galanti 2009: 130, 132). In a similar vein, John Miller maintains that "Gen. Douglas MacArthur, entrusted by Washington with rehabilitating the Japanese, conceived of his mission as turning them into a nation of democrats and pacifists [...]." He later claims that "today, a plausible case could be made that Japan has become a normal country, and one of Washington's staunchest allies. But it has not jettisoned its pacifist heritage" (Miller 2005/6: 36, 43).<sup>6</sup>

For an example from this journal, consider the foreword to the round table discussion "[Japan's Political and Constitutional Crossroad](#)," (with John Junkerman, Gavan McCormack, and David McNeill), which notes that "in the wake of dispatch of GSDF forces to Iraq and the MSDF fleet to the Persian Gulf, the pacifist constitution faces the possibility of revision for the first time since its adoption during the

postwar occupation sixty years ago." It also mentions that "Over the decades, attempts to carry out this policy faltered, primarily because the pacifist and democratic clauses of the constitution enjoyed broad support among the Japanese people."

This kind of discourse is not limited to the scholarly sphere.<sup>7</sup> The popular discourse surrounding the Japanese constitution is also replete with examples of this phenomenon. To understand the gist of this discourse, let us examine a few recent newspapers articles on this subject.

Consider the 2013 Time article "[Why Japan Wants to Break Free of Its Pacifist Past](#)," in which Kirk Spitzer claims, *inter alia*, that "under the current interpretation of Japan's *pacifist constitution*, Japan's armed forces are not permitted to fight on behalf of friends or allies unless the Japanese themselves come under direct attack" (my emphasis). In a similar vein, a 2014 *Asahi Shimbun* (English) editorial entitled "[New arms export rules undermine Japan's pacifism](#)" claims that "the old principles constituted one of the main pillars of *Japan's postwar pacifism*, which is based on the basic tenets of the Constitution" (my emphasis). The recent [nomination of Article 9 for a Nobel Peace Prize](#), Prime Minister [Abe's plan for revising Article 9](#), as well as his successful move to [reinterpret Article 9](#) (so as to allow Japan's armed forces to fight alongside its allies), have generated yet another surge of articles stressing the abysmal gaps between the "pacifist constitution" and the seemingly hawkish stance of the current Japanese cabinet (e.g., [Kawabata 2014](#); [Japan's Pacifist Constitution, 2014](#); [Japan's Pacifist Constitution: Keeping the Peace, 2014](#); [Jacoby 2014](#); [McNeill 2014](#); [McCurry 2014](#); [Yamaguchi 2014](#)).<sup>8</sup> For a recent similar example in the Japanese language, consider a 2014 *Asahi Shimbun* editorial entitled "[Abe's Administration and the Constitution: Don't Destroy the Essence of Pacifism!](#)" The authors

claim that due to the way in which Abe's Cabinet interprets Article 9 (i.e., using it to recognize the right of collective self-defense) "even if the shape of the Japanese constitution's pacifism is to remain, it is clear that its spirit will be snatched."<sup>9</sup>

This phenomenon can be found in other languages too. Here are two recent examples of similar articles in Hebrew from two widely read Israeli newspapers. The first—a *Haaretz* article from July 2, 2014—is entitled "[Despite Public Opinion, Japan Moves Away From the Pacifist Constitution](#)." The second—a July 1, 2014 *Ynet* article—is entitled "[History: Japan Abandons its Pacifist Constitution](#)." It is quite reasonable to assume that many Israeli readers will have the mistaken impression that the Japanese state has been "a pacifist state" since the end of War World II.<sup>10</sup>

Before proceeding to the next sections, which show why the aforementioned discourse is so problematic, it might be helpful to reflect on Yamada Ichirō's 2012 book 平和主義は諸悪の根源 [Pacifism is the Root of Many Evils]. Yamada expresses his deep discontent with the current Japanese discourse surrounding the use of the term "pacifism" (平和主義) insofar as it relates to modern Japan. Yamada explains that in postwar Japan many people subscribing to very different ideologies have advocated their creed by using the word "pacifism." There are those who seek to protect the current version of the constitution in general and Article 9 in particular, but also those who want to revise it; those who advocate the total disarmament of Japan, and those who admit that a certain amount of military force is necessary. All use the word "pacifism" over and over again. However, Yamada argues, their understanding of this word is too wide.

If, as he argues, pacifism simply means the tendency to hate war and love peace, then almost everyone is a pacifist. Accordingly, he suggests that the word "pacifism" has entirely

lost its meaning in contemporary Japanese discourse. In addition, Yamada believes that many of the Japanese have become "intoxicated" by this "curse of pacifism," and are consequently incapable of recognizing the dangerous reality in which Japan exists. He argues that Japan must escape from this "curse" and come to its senses (Yamada 2012: passim, especially 1-23). I am not sure whether Japan's situation is actually as dangerous as Yamada believes it to be; I am certain, however, an improved discourse would be very beneficial.

### What "Pacifism" does not Mean

"Pacifism", whose meaning may seem transparent, is a term that poses formidable problems. It has been used in many contexts—philosophical and political, academic and popular—and has many definitions and subcategories. This does not suggest, however, that the term is meaningless. To hew to its essence, let us construe "pacifism" as the philosophy which holds that wars—regardless of their specific circumstances—are never morally justified. This point has been agreed upon by many moral philosophers and other scholars. Indeed, there are many degrees and kinds of pacifism, but, as Duane Cady asserts, the common ground for all kinds of pacifists is that they "all regard war as immoral by its very nature. No one likes war, but many people believe that war can be morally acceptable, even morally required. They are not pacifists" (Cady 2010: 76). Similarly, Martin Ceadel defines pacifism as "the absolutist theory that participation in and support for war is always impermissible" (Ceadel 1987: 5). Pacifism is indeed "an absolutist theory" since in all of its versions war is morally impermissible. Brian Orend agrees with this view and argues that "no matter what kind of pacifist you are, you believe that war is always wrong; there is always some better approach to the problem than warfare" (Orend 2006: 244).



In other words, *pacifism is not just a general inclination towards peace*. If it were, then almost everyone nowadays should be considered pacifist, depriving the term of any significant meaning. Which of the world's leaders today can honestly declare that s/he supports war for the sake of war? Probably none. Even the most bellicose of contemporary despots (pick your favorite) would claim that past, present, as well as future wars, are all conducted under the aegis of peace and prosperity. Consider, for instance, how North Korea's UK ambassador recently justified his country's behavior. As he explained, "[DPR Korea has no option but to have the nuclear deterrent in order to defend the sovereignty of the country and in order to save the security and peace on the Korean peninsula as well as the lives of the people](#)." Reasonably enough, no one claims that the current North Korean regime—or the U.S. or Israeli regimes are "pacifist"—even though each claims that its objective is to maintain peace.

While Pacifism—i.e., the view that wars are never morally justified—is not a widespread view among policymakers today, [Just War Theory](#) (JWT) is—*de jure* and *de facto*—the most accepted form for morally evaluating wars among scholars, politicians and national and international organizations. JWT maintains that not all wars are morally acceptable. In fact, the majority of modern just war theorists would categorize many of history's wars as "unjust wars." According to modern JWT, for a war to be considered "just" for one or more of the sides involved, it must have a "just cause" (part of *jus ad bellum*), it ought to respect and adhere to strict moral values and constraints during the war (*jus in bello*), and, according to some, even after the war is over (*jus post bellum*).

The concept of a just war is not new. History contains many examples of different nations, ideologies, religions, scholars and leaders that have advocated moral limitations upon war and

a moral classification of wars—lauding some while denouncing others. Much of the modern philosophical discussion of JWT was awakened by the publication of Michael Walzer's book [Just and Unjust Wars](#) (1978). Since then, almost every philosophical article or book pertaining to JWT has referred to Walzer's arguments as either an explanatory tool or as a subject for consideration and criticism (e.g., Cady 2010: 22, 34, 96; Ceadel 1987: 44, 83-84; Fiala 2010; Hoffmann 1981: 1, 46-47; Norman 1995: 120, 132-140).

As mentioned above, it is not only philosophers that use the language of JWT. American [President Barak Obama's 2009 Nobel Peace Prize acceptance speech](#) is an excellent case in point. Given that the speaker is considered by many to be the leader of the world's strongest country (both economically and militarily) and that he presented this speech under the auspices of the world's most esteemed peace-promotion organization, the speech provides a powerful demonstration of the widespread international popularity of JWT.

Well aware of the controversy which accompanied his acceptance of the prize, Obama admitted that "[...] perhaps the most profound issue surrounding my receipt of this prize is the fact that I am the Commander-in-Chief of a military of a nation in the midst of two wars. One of these wars is winding down. The other is a conflict that America did not seek; one in which we are joined by forty two other countries—including Norway—in an effort to defend ourselves and all nations from further attacks." Accordingly, large parts of his speech concern the possible justifications for these ongoing wars and for the wars that are yet to come. Obama even relates directly to the concepts of JWT in order to elucidate his thoughts:

Over time, as codes of law sought to control violence within groups, so did philosophers, clerics and

statesmen seek to regulate the destructive power of war. The concept of a "just war" emerged, suggesting that war is justified only when it meets certain preconditions: if it is waged as a last resort or in self-defense; if the force used is proportional; and if, whenever possible, civilians are spared from violence. [...] We must begin by acknowledging the hard truth that we will not eradicate violent conflict in our lifetimes. There will be times when nations—acting individually or in concert—will find the use of force not only necessary but morally justified.

Obviously, despite receiving a Nobel Peace Prize, Obama does not claim to be a pacifist. Indeed, such a claim would be absurd. Naturally, Obama states that despite his current and future involvement in wars, he is pro-peace. During the speech Obama even relates to the horrors of war, which, according to him, we should do our best to mitigate and avoid if possible. The bottom line, however, is that sometimes, war is not only morally permissible but a moral duty. This is a conclusion which pacifists cannot accept. Now, I do not presume to judge whether or not Article 9 should receive a Nobel Peace Prize. However, I will argue that, whatever its merits, it does not deserve this prize for **representing pacifism** as many of the supporters of this **campaign** claim (though it might be recognized for promoting peace).

As we have seen, pacifism is not identical with JWT. However, as Cady himself argues throughout his book, pacifism and JWT are not separated by an unbridgeable gap, but are rather different positions on the same moral continuum, which contains many different degrees of JWT and pacifism (Cady 2010:

passim). Sometimes a JWT supporter could be flirting with pacifist ideals and vice versa. Likewise, a Christian might be labeled as such, even if he is not a "perfect Christian," and does not even go to church every Sunday. Yet, some boundaries are worth maintaining. It will make no sense calling someone a Christian if he doesn't believe in Jesus Christ, and regularly goes to the local Mosque to pray to Allah. If you think that some wars are morally justified (including "wars of self-defense")<sup>11</sup> then "pacifist" is probably not the right label for you. Still, you might be a dovish Just War Theorist, who hates war, tries his best to avoid it, and even wishes to eventually abolish the institution of war all together.<sup>12</sup> True, pacifists also wish to abolish war, but unlike most Just War Theorists who recognize the legitimacy of certain wars, they do not believe that the road to this goal morally permits war, viz., they reject the notion of "war for the sake of peace." Absolute pacifists even go one step further and claim that any killing (or even any violence) whatsoever is morally impermissible (see e.g., Ceadel 1987: 141-143; Teichman 1986: 10-15; Yoder 1992: passim), but they are usually considered to be an eccentric minority even among pacifists (e.g., Cady 2010: 64).<sup>13</sup> Following this line of reasoning, a state willing to expend its men, capital, or even its moral and diplomatic support on war efforts—whether its own or others'—cannot be considered a "pacifist state."<sup>14</sup>

As demonstrated below—and contrary to popular belief—the Japanese constitution in general, and Article 9 in particular, do not meet the minimum qualifications for being considered pacifist, and nowhere in their text did they claim to represent pacifism ("absolute" or otherwise). In addition, and as we shall see in more detail shortly, despite the relatively large number of Japanese who can be satisfactorily situated somewhere on the pacifist side of the continuum, the majority of Japanese, as well as the Japanese state (as a political, economic, and military entity)

brandish quite a different flag.

## The Non-pacifist Progenitors of the Japanese Constitution and Article 9

The 1947 Japanese constitution in general, and Article 9 in particular, had many parents, but it seems none of them were pacifists, nor did they have any pacifist intentions at the time of writing. While I will not go through all of the historical details surrounding the constitution's creation in the present article,<sup>15</sup> I will provide evidence of the non-pacifist nature of this process.

The most influential figure in the process of creating the new Japanese constitution was undoubtedly [General Douglas MacArthur](#), who was appointed by President Truman as the Supreme Commander of the Allied Powers (SCAP). It is reasonable to begin this discussion with MacArthur, who was not only the most influential among the figures involved in the creation of the constitution, but also the one who ultimately had the final say in this matter as in others. Quite surprisingly, according to MacArthur's 1964 memoirs, the idea of Article 9 was actually proposed to him before the release of his famous three notes (the so called "MacArthur Notes")<sup>16</sup> by Prime Minister [Shidehara Kijūrō](#) on January 24:

Shidehara then proposed that when the new constitution became final that it include the so-called no-war clause. He also wanted it to prohibit any military establishment for Japan—any military establishment whatsoever. Two things would thus be accomplished. The old military party would be deprived of any instrument through which they could someday seize power, and the rest of the world would know that Japan was never intended to wage war again. He added that

Japan was a poor country and could not really afford to pour money into armaments anyway. Whatever resources the nation had left should go to bolstering the economy (MacArthur 1965: 346-347).

I will later discuss the possible discrepancies between this statement and other accounts, but for the time being, let us consider this statement true. Assuming Shidehara had indeed promoted this line of thought, there was nothing "pacifist" about it, as the reasons he voiced to MacArthur did not derive from a moral attitude that deems the participation in any war as impermissible. The reasons he presented were much more a matter of preference and practicality. Japan should ban "any military establishment whatsoever" not because it was inherently immoral, but because this action would satisfy the other nations, and at the same time prevent the former militarist leaders who had led Japan to disaster from regaining strength. In addition, Japan could not afford the creation of new armaments given its wretched postwar economic condition in which 64 cities were destroyed by fire bombing and two by nuclear bombs.

Thus, if these were the reasons behind Shidehara's proposal, we can safely determine that he was not truly a pacifist, but rather a very practical person. This practicality can be seen in an interview made years later with Shidehara's son, Michitarō, who stressed that the point of his father's suggestion to MacArthur was a "universal disarmament" but certainly not a "unilateral disarmament," since he did not dwell in "illusory idealism" (McNelly 2000: 107). Indeed, who would not desire an eventual "universal disarmament"? The road to this dream, however, seems very different in the eyes of the pacifist and the just war theorist. Pacifism demands "unilateral disarmament" regardless of other nations'

actions, since it totally forbids any participation in war (and without arms, one cannot participate in a war). Although JWT strives to eventual peace, it does not support such notions.<sup>17</sup>

The account of Kishi Kuramatsu, Shidehara's personal secretary, reveals another intriguing point regarding Shidehara's genuine position. According to Kishi, Shidehara did not suggest the inclusion of a principle banning arms in the constitution, but when the draft was presented to the Privy Council he admitted that the idea was his, and not SCAP's, for reasons of practicality (McNelly 2000: 107). In a similar vein, [Matsumoto Jōji](#) (who, *inter alia*, served as Minister of State in the Shidehara Cabinet) declared in 1954 that Shidehara mentioned certain ideas regarding the military to the Americans "out of politeness," and that, in any case, the renunciation of war was an American idea (McNelly 2000: 124).

As for MacArthur, calling him a "pacifist" would be utterly grotesque. He was an active and experienced general who had participated in his fair share of wars, which he believed to be necessary and moral. MacArthur of course subsequently commanded the United States' troops in the Korean War until his dismissal from command by President Truman (due to several pugnacious public statements regarding China). In addition, MacArthur ordered (or "allowed") the creation of the Japanese NPR (National Police Reserve),<sup>18</sup> which later became the [JSDF](#) (Japan Self Defense Force). Indeed, as Tessa Morris-Suzuki elaborates, Japanese combatants participated (and perished) in the Korean War under MacArthur's command (Morris-Suzuki 2012: passim), and although the JSDF was yet to be officially established, the constitution and Article 9 were no less valid than they are today.

In addition, and even before the outbreak of the Korean War, MacArthur announced in his message to the Japanese people that Article 9

cannot possibly "be interpreted as a complete negation of the inalienable right of self-defense against unprovoked attack" (quoted in McNelly 2000: 127-128). So, why did MacArthur agree to and even want to promote such a clause in the first place? The answer requires that we bring up another figure worth considering—[Emperor Hirohito](#).

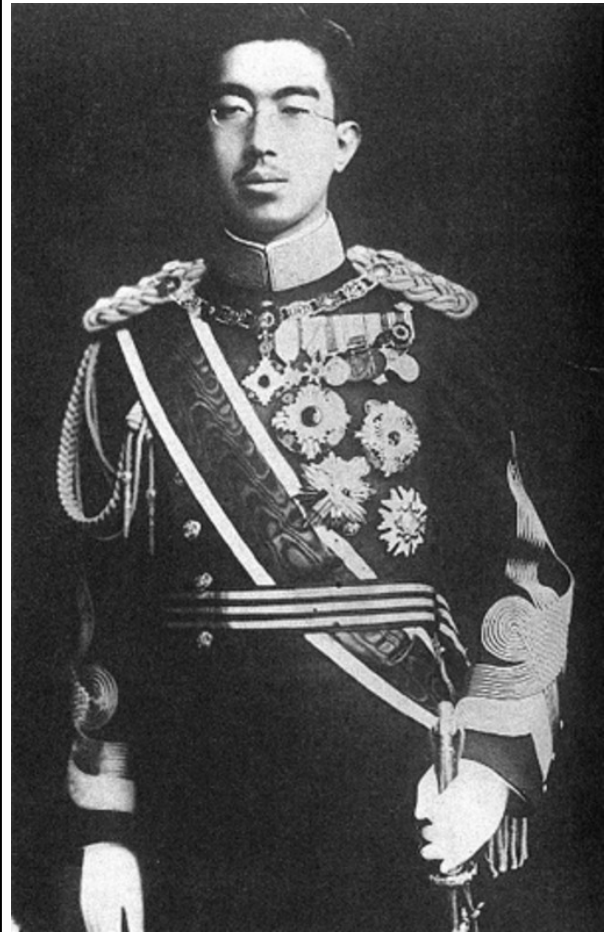
As is widely known today, MacArthur deemed the preservation of the imperial system, and the maintenance of the emperor as a symbol of Japanese unity, to be vital to the accomplishment of the occupation's main goals. MacArthur was naturally not the only person concerned about the emperor's fate, an issue that occupied the minds of many Japanese government officials at the time (e.g., Inoue 1991: 27-28). Thus, as argued by Matsui, MacArthur believed that renouncing war and prohibiting the maintenance of any armed forces might reduce the hostile attitudes held by some countries towards the emperor and Japan (Matsui 2011: 15).

Furthermore, it appears that the emperor issue was of cardinal importance to the drafting of the new constitution. The very structure of the constitution indicates this quite clearly. The first chapter of the constitution is entitled "The Emperor" and contains the first eight articles. Chapter II contains only one article—Article 9. Why did both the American and Japanese creators of this constitution choose the emperor as the subject of the first chapter of the constitution in a similar vein to the previous (and conservative) Meiji constitution? Why did they include Article 9 only after dealing with the emperor issue? If the whole matter of the "renunciation of war" was indeed a means of preserving the emperor, it is understandable why it was of secondary importance to the issue of the emperor. Historian Hata Ikuhiko even argues that "Article 9 [...] was a *quid pro quo* for the retention of the imperial institution" (Hata 2007: 188). On top of that, consider the date of the constitution's



promulgation—November 3—the day on which Emperor Meiji was born 94 years earlier. This was surely no coincidence, since securing the emperor's position (as a symbol) was the constitution's top priority, while Article 9 attracted little attention throughout the drafting process.

In addition, the emperor might have had an even more personal stake in the creation of Article 9. First, he was one of the "high contracting parties" who signed the 1928 [Kellogg-Briand Pact](#), a document that probably helped to shape Article 9. Second, on January 1, 1946, Hirohito issued his famous [Humanity Declaration Rescript](#) (人間宣言) in which he renounced his divinity, but also proclaimed that "we will construct a new Japan thoroughly being pacific." MacArthur presumably commented on this statement that "a sound idea cannot be stopped" (Kades 1989: 224). I discuss this point in more detail below, but for the time being let us assume that Hirohito personally supported Article 9. Was he a pacifist? Apparently, before the Japanese surrender he was anything but pacifist;<sup>19</sup> could he have experienced a change of heart? This is unlikely, since if he was a pacifist, he should have publicly resisted the creation of the NPR and the JSDF, as well as opposed military alliance with any country. Consider, for example, Hirohito's reactions to the Korean War. According to Hata, several secret messages were sent to American officials, including MacArthur, as early as 1950, expressing Hirohito's "support for the Korean War" (Hata 2007: 245).



**Figure 2. Emperor Hirohito.** [Source.](#)

Let us now turn to Hirohito's January 1 proclamation. As Theodore McNelly notes, it was probably (at least partly) the product of Shidehara. However, it is also very unlikely that the SCAP authorities, and especially MacArthur, did not know about the contents of this declaration and approve it beforehand (McNelly 2000: 111). At any rate, [Charles Kades](#)—one of the members of the Steering Committee charged with drafting the constitution, and the person in charge of drafting Article 9—found this declaration inspiring (Kades 1989: 224), and, according to McNelly, he later suggested to Major General [Courtney Whitney](#)—Chief of the Government Section at GHQ (SCAP General Headquarters), as well as MacArthur's close advisor—that it

might be beneficial if the emperor specifically renounced war in an official rescript, an act that "might also help remake the Japanese international image and help carry out the [Potsdam Declaration](#)" (quoted in McNelly 2000: 109-110). Whitney, in turn, suggested this to Shidehara, but the date of their meeting is disputed.<sup>20</sup>

All in all, the "initial originator of the idea" of Article 9 remains uncertain. While many authors and scholars have presented different and competing theories and opinions regarding this matter (e.g., Schlichtmann 2009 II: 208-220), I tend to believe that Article 9 was the outcome of a combination of personal ideas and discussions between many possible creators. In addition, and as we have already seen above, even if we consider MacArthur or Shidehara (or both) to be the original creators of Article 9, they did not do so for pacifist reasons. But what about Kades and Whitney? They might have also exerted considerable influence over this matter. In any case, I argue that they too were not guided by pacifist motives. First, both were high-ranking officers in the United States Army, clearly making them both non-pacifists. Whitney had also later served at MacArthur's side during the Korean War and resigned from the army after MacArthur was dismissed.



**Figure 3. General Douglas MacArthur (center) and Brigadier General Courtney Whitney (left) during the Korean War. Source.**

Similarly, Kades was not a pacifist. Although it is possible that "Kades had since his law school days admired the Kellogg-Briand Pact" (McNelly 2000: 109), he was still an army Colonel. Moreover, after receiving the initial "MacArthur Notes" (see above), Kades omitted the phrase "even for preserving its own security" from the second note during the drafting process since he thought "it was unrealistic to ban a nation from exercising its inherent right of self-preservation" (Kades 1989: 236). In other words, Kades supported the notion of a just war such as a war of self-defense. This omission was accepted by both Whitney and MacArthur, who did not insist on the stricter version, and at any rate, clearly did not really believe that the total renunciation of war, even for the purpose of self-defense, was the *morally* and *universally* right attitude (later proving it by "defending" Korea in 1950).

If so, why did MacArthur (or Whitney, as some argue) suggest it from the outset? Why did the MacArthur Notes explicitly demand that Japan should not maintain arms, even for its own self-defense? The answer is simple. They did not seek the disarmament of Japan for pacifist reasons. Rather they sought—consistent with the Potsdam Declaration—that Japan would never again become a menace to America in particular and to the world in general (Yamada 2012: 16-17). They also wished to preserve the imperial system, and thought that a clause of this kind would counter international demands calling for Hirohito to be placed on trial for war crimes. However, as Kades argued, while the renunciation of aggressive wars was acceptable and desired, the banning of defensive wars was "unrealistic," and both MacArthur and Whitney accepted this correction.



**Figure 4. Colonel Charles L. Kades.**  
**Source.**

Now, apart from Kades' significant omission, there were a few more developments that helped to shape and consolidate the present form of Article 9. The first of these was the so-called "Ashida Amendment." As Matsui notes, during the deliberations which took place in the Japanese Diet before the enactment of the new constitution, Article 9 did not attract a great deal of opposition. However, two phrases were added to the article's text following the suggestion of [Ashida Hitoshi](#) (who later became prime minister). First, the phrase "aspiring sincerely to an international peace based on justice and order" was placed at the beginning of the first paragraph. Secondly, the phrase "in order to accomplish the aim of the preceding paragraph" was attached to the beginning of the second paragraph. Kades recalls that Ashida consulted him before suggesting this

amendment and asked whether it was acceptable and whether it required the approval of higher officials (i.e., Whitney and MacArthur). Kades informed Ashida that the amendment was acceptable, and that "neither MacArthur's nor Whitney's approval was necessary because of an oral standing order not to object to any proposed amendment that did not violate a basic principle" (Kades 1989: 236).

This Amendment later enabled the Japanese government to justify the existence of the JSDF, since, according to the usual official interpretation of Article 9, it is only prohibited from maintaining arms "in order to accomplish the aim of the preceding paragraph"; i.e., it is prohibited from maintaining arms as "means of settling international disputes," but it is allowed to maintain a "defense force" as means of national self-defense. Although many Japanese and outside observers tend to reject this so-called "creative interpretation," Kades—who originally drafted Article 9 in the SCAP draft after receiving the MacArthur Notes—accepted this very interpretation. Kades represented the official SCAP position, and approved this amendment, fully aware, as he later wrote, that "the rather vague terms of his [Ashida's] amendment would permit Japan to have forces, such as a home guard and a coast guard, *sufficient to repel any invasion*, as well as to *contribute an armed contingent to a United Nations international force*" (Kades 1989: 236-237, my emphasis). This, of course, is consistent with Kades' earlier decision to omit the phrase "even for preserving its own security" from the article during the drafting process.<sup>21</sup>

As we have seen, the decision to create Article 9 did not originate from pacifist ideals. Far from it. The documents that inspired its creation—mainly the Potsdam Declaration, [SWNCC-150/4](#) and [SWNCC-228](#)—were crafted to assure that Japan would never again rise as a "menace" to the United States and its allies



(the alternative for an unconditional surrender presented to Japan in the Potsdam Declaration was "prompt and utter destruction"). In other words, they were essentially firm demands for the disarmament of Japan. These demands came from Allies bent on securing military victory; they were definitely not intended to promote pacifism.

Furthermore, none of the main figures who contributed to the creation and consolidation of Article 9 were pacifists, and none of them intended to create a "pacifist clause." MacArthur, Whitney and Kades were all high-ranking officers in the American army. They did not believe in pacifism in any form or fashion. While they did strive to fulfill the occupation's main goals—i.e., the democratization, disarmament and rehabilitation of Japan, and the radical reduction of the power of the Japanese imperial state as subordinate to the occupation authorities—these endeavors had nothing to do with pacifism. Their Japanese counterparts were also not motivated by pacifism, but by pragmatism, as suggested by their conduct and expressions. Moreover, as we have seen, MacArthur and his Japanese colleagues were primarily concerned with perpetuating the Emperor's symbolic role (while subordinating him to the occupation at the same time). The creation of a new constitution including Article 9 was considered an excellent means for attaining this goal.

On the other hand, one might claim that while the constitution and Article 9's main progenitors were not motivated by pacifist beliefs, it might nonetheless be possible that their endeavors eventually led to the creation of a pacifist text, or at least to a text which is widely perceived as embodying pacifism. And indeed, from time to time, political processes occasionally lead to unexpected outcomes. For example, as Claude Weathersby opines, "[the symbol of what the Emancipation Proclamation came to represent marked a sharp departure from the original goal of the Union.](#)" In

addition, many of the abolitionists who helped to shape this document were also tainted by some degree of racism (Weathersby 2012). Still, even if the initial goals of some of its creators were not as pure as one might assume, does this diminish the importance of the Proclamation's historical and symbolic roles? Perhaps the case of Article 9 is similar? Perhaps a pacifist Golem turned on its non-pacifist makers? I turn to examine this possibility in the next sections.

## Reexamining Article 9

Article 9 reads:

1. 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.

2. 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.

1. 日本国民は、正義と秩序を基調とする国際平和を誠実に希求し、国権の発動たる戦争と、武力による威嚇又は武力の行使は、国際紛争を解決する手段としては、永久にこれを放棄する。

2. 前項の目的を達するため、陸海空軍その他の戦力は、これを保持しない。国の交戦権は、これを認めない。

As we have seen, Article 9 is usually considered the core of the constitution's alleged pacifism.<sup>22</sup> But does it actually constitute pacifism, or even



"absolute pacifism," as many claim it does? To clarify this, let us carefully consider the article's text.

First and foremost, the word "pacifism" (or the Japanese equivalent 平和主義) does not appear anywhere in the text. "Pacifism" does not appear anywhere else in the constitution too. The word "peace" (平和) does appear, but this is nothing out of the ordinary.<sup>23</sup> The first sentence—"Aspiring sincerely to an international peace based on justice and order"—added to this paragraph as a part of the Ashida Amendment is also hardly unique. In fact, many other constitutions employ a similar wording. For example, Article 5 of the 1987 [South Korean constitution](#) reads: "the Republic of Korea endeavors to maintain international peace and renounces all aggressive wars." Article 11 of the 1948 [Italian constitution](#) proclaims that:

Italy rejects war as an instrument of aggression against the freedom of other peoples and as a means for the settlement of international disputes. Italy agrees, on conditions of equality with other States, to the limitations of sovereignty that may be necessary to a world order ensuring peace and justice among the Nations. Italy promotes and encourages international organisations furthering such ends.

In a similar manner, the Preamble to the 1984 [constitution of the People's Republic of China](#)'s claims that China "strives to safeguard world peace and promote the cause of human progress." The Preamble to the 1988 [Brazilian constitution](#) offers a similar version and proclaims that the Brazilian people are "committed, in the internal and international spheres, to the peaceful solution of disputes." Article 17 of the [1972 North Korean](#)

[constitution](#) asserts that "independence, peace and friendship are the basic ideals of the foreign policy and the principles of the external activities of the Democratic People's Republic of Korea." The [1993 Cambodian constitution](#) goes one step further and proclaims the following:

Article 1: (2) The Kingdom of Cambodia is an independent, sovereign, peaceful, permanently neutral and non-aligned State.

Article 53: (1) The Kingdom of Cambodia maintains resolutely a policy of permanent neutrality and non-alignment. The Kingdom of Cambodia coexists peacefully with its neighbours and with all other countries throughout the world.

(2) The Kingdom of Cambodia shall never invade any country, nor interfere in any other country's internal affairs, directly or indirectly, and shall solve any problems peacefully with due respect for mutual interests.

(3) The Kingdom of Cambodia shall not join in any military alliance, nor conclude any military agreement which is incompatible with its policy of neutrality.

(4) The Kingdom of Cambodia shall not authorize any foreign military base on its territory, nor have its own military bases abroad, except within the framework of a United Nations request.

(5) The Kingdom of Cambodia reserves the right to receive foreign assistance in military equipment, armaments, ammunition, in training of its

armed forces, and other assistance for self-defense and for ensuring public order and security within its territory.

All of the above-mentioned countries maintain an army, which they all regard as a means of self-defense and as a means of preserving internal, or even world, peace. Indeed, (almost) everyone aspires to world peace, but striving for peace does not automatically make someone pacifist. In fact, the maintenance of an army is perfectly acceptable in JWT, which is currently the prevailing moral opinion among war ethicists. Fittingly, no one defines China, South Korea or even Cambodia as "pacifist nations," and (as far as I know) no one claims their constitutions are "pacifist." If so, Article 9's "aspiring sincerely to an international peace based on justice and order" is of little significance. Everyone aspires to an "international peace based on justice and order," not just the Japanese people. Surprisingly, however, many criticize Japan for not acting in line with its "pacifist constitution," but I am not aware of similar attempts to criticize the aforementioned countries for neglecting their constitutions' "pacifist" nature.

Article 9's renunciation of "the threat or use of force as means of settling international disputes" is also not unique. The aforementioned Cambodian constitution proclaims, for instance, that it "shall never invade any country, nor interfere in any other country's internal affairs, directly or indirectly, and shall solve any problems peacefully with due respect for mutual interests." Does a war of self-defense constitute "a means of settling international disputes"? As early as the days of the Kellogg-Briand Pact,<sup>24</sup> the common understanding of such proclamations has been that they do not include wars fought in self-defense, and that every nation has the basic right to self-defense. While I find this argument quite puzzling and problematic (especially

since almost every modern war is considered by both sides to be a war of self-defense, and there is also no apparent reason not to consider foreign "aggressive" invasions as an "international dispute"<sup>25</sup>), it is still the common international interpretation for this kind of wording. Accordingly it is unreasonable to claim that it should be interpreted any differently in the case of the Japanese constitution, especially since the people who first drafted it (notably MacArthur and Kades) accepted precisely this interpretation.

So, where is the difference? The most distinctive aspect of Article 9, and possibly of the entire Japanese constitution, is the phrase "land, sea, and air forces, as well as other war potential, will never be maintained." As we have seen, the "renunciation of war" or the "sincere aspiration to world peace" in Article 9's first paragraph, are not very different from similar phrases in other constitutions and legal documents (such as the Kellogg-Briand Pact). Nonetheless, the explicit prohibition of maintaining any war potential whatsoever is unusual. It is not, however, unprecedented.<sup>26</sup> Article 12 of the 1949 [constitution of Costa Rica](#) proclaims that:

The Army as a permanent institution is abolished. There shall be the necessary police forces for surveillance and the preservation of the public order.

Military forces may only be organized under a continental agreement or for the national defense; in either case, they shall always be subordinate to the civil power: they may not deliberate or make statements or representations individually or collectively.

However, unlike the English version of the

Japanese Article 9, the constitution of Costa Rica does not state that the military "will *never* be maintained" (my emphasis), and even leaves enough leeway for the possible establishment of a military under certain circumstances (namely "national defense"). In addition, the Japanese version of Article 9, which is undoubtedly of greater significance to Japanese people and officials, does not include this "never" in the second paragraph.<sup>27</sup>

So, does Article 9 actually prohibit the maintenance of an army?

The Ashida Amendment added the phrase "in order to accomplish the aim of the preceding paragraph," to the beginning of the second paragraph. As the Japanese government has claimed for many decades, the first paragraph only renounces war "as a means for settling international disputes," and accordingly, Japan still maintains the right to self-defense. In this light, and until recently at least, the Japanese government used to interpret the second paragraph of Article 9 as prohibiting the maintenance of any military power that would be used "as a means for settling international disputes," i.e., as a means for waging an aggressive war. However, the maintenance of the minimal force necessary for defending Japan against foreign aggression has been considered constitutional. In short, the common Japanese opinion asserts that Article 9 "does not prohibit the maintenance of the 'minimum force necessary to defend the country' and that the JSDF is indeed the minimum force necessary [...]" (Matsui 2011: 240-241). In other words, the existence of the JSDF is not considered "a means for settling international disputes." As we shall see in the next section, a sober examination of the JSDF's relative strength reveals an organization which, putting it mildly, is very far from being the "minimum force necessary to defend the country." Still, despite having one of the strongest militaries in the world, and unlike other countries which possess forces of such caliber, Japan has

tended to downplay its military power, and to restrict it in various ways. In fact, Japan has not been an active combatant (i.e., offering more than economic or logistic support) in any modern war since 1945, due in part to Article 9, and this is quite an impressive achievement indeed, considering the historical record of pre-1945 Japan.

This *status quo* of a relatively long and peaceful hibernation might already be changing, following the Abe administration's recent cabinet decision to reinterpret Article 9 such as to allow Japan the "right of collective self-defense." In other words, under the current official interpretation, the JSDF is allowed to use force abroad in order to defend its allies, even if Japan is not under direct attack.

Furthermore, The Japanese Supreme Court usually refuses to rule on matters relating to the constitutionality of the JSDF, the maintenance of the [American bases in Japan](#) and the [Mutual Security Treaty between Japan and the United States](#), claiming that these are "political issues." However, it did hold that Article 9 provides Japan with the right to self-defense and that the alliance with the United States is not *prima facie* unconstitutional (Beer 1998: 821; Matsui 2011: 240-243).

Objectors might claim nonetheless that this interpretation of the constitution is far-fetched. Article 9 clearly states that no force or war potential may be maintained by the Japanese people, and that attempts to claim otherwise are a distortion of the constitution's "pacifist" intent. I tend to agree with the first part of this claim. Even though the intentions of its original creators might have been different, and as Douglas Lummis argues, the Article is "written in language as clear as clear gets" (Lummis 2013). It is this clarity, according to Lummis, that strikes numerous people as "incomprehensible," since it goes against the common sense of international relations, and against the orthodox Weberian conception of a

state mentioned above. In the light of language such as "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," the existence of the (assuredly war-ready) JSDF indeed seems unconstitutional. However, as explained below, this does not make Article 9 pacifist.

Let us now consider the second part of the second paragraph, which states that "The right of belligerency of the state will not be recognized." I find it questionable whether a country can discard such a basic "right" (権, *ken*). Does it have the (somewhat paradoxical) right to renounce rights guaranteed under international law? The answer is unclear even if we regard the state as we would regard a human moral agent. We are usually permitted to renounce some of our rights (citizens, for example, are allowed in some cases to resign their citizenship, and their right to vote) while other, more "basic," rights cannot be renounced (according to the common moral sense). Can I renounce my right to personal freedom and then sell myself into slavery? Most normative ethics systems would disagree. I do not presume to decide whether or not "the right of belligerency" is a right which the state can renounce, or if it is a "basic" unpronounceable, inalienable right. I do, however, wish to maintain that by choosing to renounce this right, Article 9 actually admits, albeit inexplicitly, that other countries still maintain this "right" (since *only* the Japanese state renounces it). This is not pacifism. Pacifism does not seek the "renunciation" of the "right to engage in war." *Pacifism denies the existence of this right altogether*—nobody has this right, and therefore there is nothing to renounce. Ironically, therefore, the symbolic act of renouncing the right of belligerency actually reinforces it.

Having said all that, I still maintain that the Japanese Constitution as a whole, and Article 9 in particular, certainly express a clear desire

for peace. They do not, however, constitute pacifism as many claim they do. The mere act of keeping one's hands clean is not pacifism. Even if we accept the compelling argument that Japan is constitutionally proscribed from maintaining any military force whatsoever (rendering the JSDF unconstitutional), there is nothing in its text that suggests pacifism. Not having an army does not automatically make a certain country "pacifist." There is nothing in the constitution or in Article 9 that prohibits an alliance with other nations, including alliances which place Japan under a foreign protective military umbrella. True Pacifists would obviously resist the notion of allying with any military (foreign or domestic), especially if that means, as it usually does, having to support this military economically, diplomatically, morally, or otherwise in such activities as waging war. As will be explained in detail in the next section, and despite popular misconceptions, the reality of present-day Japan cannot be classified as pacifist (although it does feature some undeniably pacifist elements).

## The Not-So-Pacifist Reality in Postwar Japan

As has been shown above, many choose to classify the contemporary Japanese public or a majority of Japanese people as pacifists, as well as to describe post-war Japan as a "pacifist state." In this section, I will address this issue by comparing contemporary Japanese reality with the previous sections' conclusions. By "reality," I mean the current state of affairs in modern Japan as reflected by empirical data such as the amount of money allocated to the JSDF as well as to other armed forces, the military alliance with the United States, as well as Japanese public opinion on such matters as reflected by different polls throughout the years.

Before examining recent developments, it should be noted that Japan established the NPR



under the auspices of the United States. As early as 1950, this force comprised 75,000 people. Four years later, it was transformed into the JSDF and currently comprises about a quarter of a million active members. In addition, Japan has maintained its military alliance with the United States, an alliance which has existed since the signing of the Japan-United States Mutual Security Treaty in 1952. This alliance has permitted the hosting of many United States army bases and troops in Japan (mainly in Okinawa), as well as a generous Japanese annual support budget for these bases, the so-called "[Sympathy Budget](#)" (思いやり予算), which covers most of the operating costs incurred by their presence. The alliance also includes joint training exercises involving both Japanese and American troops (e.g., Lind 2004: 113).

The current [Guidelines for US-Japan Defense Cooperation](#) (1997) state, inter alia, that "when an Armed Attack against Japan Takes Place,"

Japan will have primary responsibility immediately to take action and to repel an armed attack against Japan as soon as possible. The United States will provide appropriate support to Japan. Such bilateral cooperation may vary according to the scale, type, phase, and other factors of the armed attack. This cooperation may include preparations for and execution of coordinated bilateral operations, steps to prevent further deterioration of the situation, surveillance, and intelligence sharing (Section IV, Clause 2.a).

That doesn't sound very pacifist to me. In addition, as many have pointed out (e.g., Lind 2004, 114-115; Middlebrooks 2008, 43; Miller 2005/6, 40), the current Guidelines for US-

Japan Defense Cooperation (1997) determine that "in response to situations in areas surrounding Japan," the US and Japan "will support each other as necessary in accordance with appropriate arrangements" (Section V, clause 2).

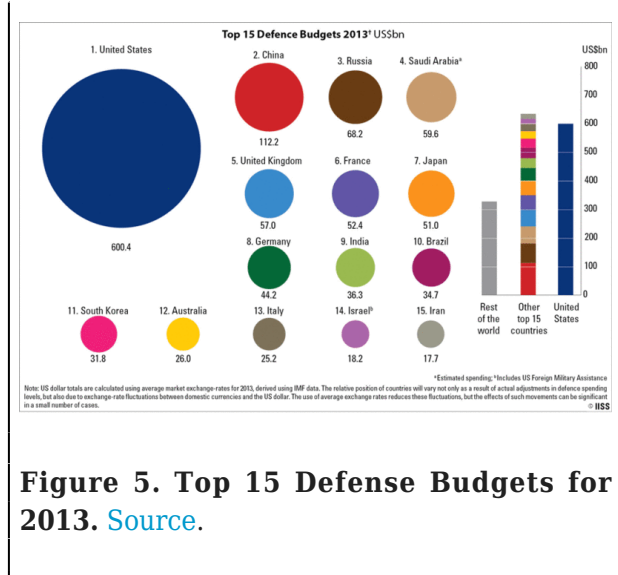
Does this mean, in other words, that if a war were to break out in the "areas surrounding Japan" (a very problematic definition in itself), the United States and Japan would cooperate and fight this war (against North Korea or China, for example) together? Again, this does not sound very "pacifist," even if one were to assume that the Japanese "support" were to be limited to economic, diplomatic and logistic elements (which would be unlikely, particularly if the fighting were to reach the American bases in Japan).

Indeed, Japan has long supported the United States' and United Nations' ("defensive") war efforts in roundabout ways. Consider, for instance, the so-called Japanese "checkbook diplomacy" during the First Gulf War (1991), where Japan contributed around eleven billion dollars to the war efforts (Middlebrooks 2008: 38-40). After receiving a great deal of "brutal international criticism" (Matray 2000: 24) for its *lack* of direct military involvement, the Japanese diet passed a "Law Concerning Cooperation for United Nations Peacekeeping Operations and Other Operations" in 1992. This law allowed JSDF forces to be sent to several "non-combat" missions (such as clearing mines) around the world (e.g., in Iraq and Afghanistan) and to provide other forms of auxiliary support to United Nations peacekeeping missions (Kelly 2008: 504; Middlebrooks 2008: 40-41).

In addition to its reliance on the aforementioned pact, as the International Relations scholar Jennifer Lind convincingly points out, many observers tend to underestimate the JSDF's actual strength, since they rely on what she finds to be a "misleading statistic:" the percentage of GDP allocated to

defense purposes in Japan. Indeed, the traditional one percent of GDP which has been allocated to defense in Japan appears to be minuscule, certainly when compared to the relative size of other countries' defense budgets. However, as Lind suggests, the allocated percentage of GDP is not a very fitting measure for the assessment of military might. One percent of the Japanese GDP would amount to more than twenty percent of a less economically powerful state's GDP. Accordingly, Lind argues that a more balanced assessment of the JSDF's actual strength should be based upon two variables: Aggregate Defense Spending (ADS) and an assessment of Japan's military encompassing land, air and marine capabilities (Lind 2004: 94-96).

Insofar as ADS is concerned, Lind presents a table taken from the International [Institute for Strategic Studies](#)' [IISS] Military Balance report for 2001-2002 ranking the world's Leading Defense Spenders for the year 2000. According to this table, Japan's defense budget appeared to be the world's third largest after the United States and Russia. Although Lind admits that this measurement might not be "precise," she argues that it is still possible to use it in order to determine that "Japan is clearly one of the world's leading defense spenders" (Lind 2004: 95-96). The situation does not seem to have changed much since then. As the most recent IISS Military Balance (Figure 5), clearly shows, Japan is still among the top ten defense spenders for 2013, ranking seventh with 51 billion dollars.



**Figure 5. Top 15 Defense Budgets for 2013.** Source.

Let us proceed, therefore, to discuss Lind's second criterion for assessing actual Japanese military strength—an examination of Japan's Land, Air and Sea forces in comparison to those of other states. First, Lind recognizes that Japan's Ground Self Defense Force (JGSDF) is relatively modest in size and capabilities when compared to the equivalent forces in neighboring countries (most notably China, Russia and the two Koreas). However, since Japan is an archipelago and since all its borders are marine, it might not face the same threats as those countries with a powerful Land Force (Lind 2004: 96-97).<sup>28</sup>

The Japanese Air Self-Defense Force (JASDF), on the other hand, is a completely different story. According to Lind, the JASDF is the world's fourth most powerful air force, and "its pilots are among the world's best trained." Although the JASDF might be somewhat lacking in offensive capabilities, Lind concludes that it can "present a serious challenge to any of its neighbors' air forces" (Lind 2004: 97-98). Moreover, Lind notes that the Japan Maritime Self-Defense Force (JMSDF) is considered "among the top two or three countries in the world." Indeed, she asserts that "Japan's sea control capabilities are as good or better than most of the world's great powers" (Lind 2004: 98-100).

How can one account, therefore, for Japan's relatively weak ground forces? Is it due to "pacifist" aspirations and a "pacifist" national sentiment? Lind offers a different, and more reasonable, explanation for this: Japan is simply acting in accordance with its own situation and needs. The JGDSF does not need to be very strong since the odds of a ground-based invasion of Japan are slim at best, but Japan does need a strong navy and air force. As Lind explains, "Israel, for example, emphasizes its army and air force and has a much weaker navy; not because Israel is antimilitarist, but because that force structure best suits its needs" (Lind 2004: 117).

While the JSDF is not as experienced as other armed forces,<sup>29</sup> it is ready for war, even if this war were to be strictly defensive. Although it has other important roles to play in Japanese society, particularly in disaster relief operations, the JSDF's main mission remains the protection of Japan from any possible foreign threat and invasion, and it is ready for this mission with massive United States support. Indeed, the JSDF is not just a pretty ornament. Consider, for example, a December 2001 incident (also known as [the Battle of Amami-Ōshima](#)), in which the JMSDF encountered a North Korean spy vessel. After firing several warning shots to no avail, the situation escalated into a battle and the North Korean ship was sunk. The entire North Korean crew died during the battle, while the Japanese crew sustained only a few injuries (see, e.g., Miller 2005/6: 41; Yasuo 2008: 1). This little known fact contradicts the popular belief that the JSDF never actualized its lethal potential.

All of the above suggests that the Japanese state is not pacifist. However, many still choose to regard it as such. Michael J. Kelly, for instance, claims that "the Yoshida Doctrine, as it came to be known, 'called for Japan to adopt the U.S. stance on international politics in exchange for military protection.' That doctrine, although eroded somewhat recently,

remains intact under the pacifist constitution" (Kelly 2007: 499). Try as I might, I cannot understand how the adoption of "the U.S stance on international politics" while basking in its (nuclear) military protection could be seen as pacifist.

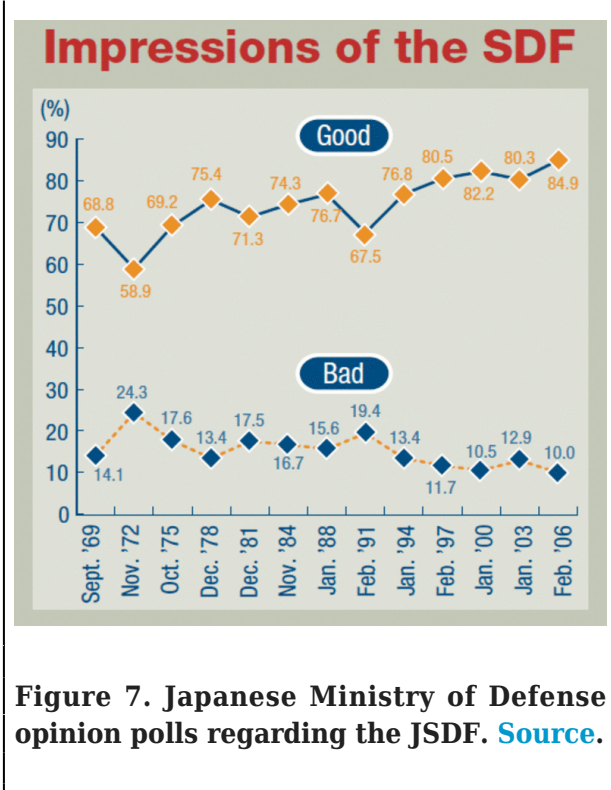
No state possessing so much military might can possibly be pacifist. Moreover, even if we disregard the JSDF's massive strength, or even its existence altogether, the huge economic (and diplomatic) support Japan regularly provides to the United States' and United Nations' war efforts cannot possibly be consistent with pacifism.



**Figure 6. "For Further Contribution to World Peace": An official banner taken from the Japanese Ministry of defense website. [Source](#). (Accessed July 1, 2014).**

Despite all of the above, one might still be able to claim that while the Japanese government or the Japanese ruling class are not pacifists, the Japanese general public is in fact very committed to pacifist norms. Lind, for example, claims that the Japanese state acts in accordance with a "buck-passing" rather than a "pacifist" strategy. However, she proceeds to argue that Tokyo does so in spite of the fact that "Japanese society is imbued with pacifist norms" (Lind 2004: 92). These norms "have not constrained Japanese security policy. They have not prevented it from building one of the most powerful military forces in the world, with potent offensive and defensive capabilities." In addition, according to Lind, "the pacifist article 9 has proven to be as malleable as Tokyo wants to make it" (Lind 2004: 120).

However, in reality, and according to several polls performed at various periods since the end of the American occupation, most Japanese have supported the JSDF's existence and the existence of the military alliance with the United States (e.g., Berger 1998: 67, 112-116, 151-155; Murata 2004: 146-147). In fact, recent polls have shown that Japanese public support of the JSDF has been at its highest level since the end of World War II. In this respect, consider, for instance, a 2012 *Yomiuri Shimbun* article which presents the results of a public opinion poll conducted by the Japanese Cabinet office. According to this poll, over ninety one percent of the Japanese public has a positive image of the JSDF. The same poll also found that only "13 percent said that Article 9 should be 'strictly interpreted to prevent Japan from participating in all foreign military operations'" (Epstein 2012). As another example, consider the results of the [opinion poll conducted by the Japanese Ministry of Defense in 2006](#): out of a total of 3,000 adults, 84.9% of respondents declared that "they had a 'good impression' of the SDF." The following graph provided with the poll also indicates that all similar polls conducted between 1969 and 2006 demonstrate that the majority of the Japanese public has a good impression of the JSDF (see Figure 7).



**Figure 7. Japanese Ministry of Defense opinion polls regarding the JSDF. Source.**

Before moving on to the conclusions, I wish to clarify that I am not claiming that there are no pacifists whatsoever in Japan. On the contrary. Japan has a relatively large number of pacifists, or at least many citizens expressing pacifist sentiments. There are also many grassroots peace / anti-war movements in Japan which might also reflect true pacifist sentiments (e.g., Yamamoto 2004). Consider, for instance, the activities of Shinagawa Masaji and the [Article 9 Association](#), as depicted in a [2014 article](#) by Miho Matsugu.

These "pacifist sentiments" were much more common among Japanese during the immediate period after the war, and reached a peak during the 1960's, but gradually abated thereafter. Yuan Cai, for example, has reviewed the various factors that helped to shape these sentiments, including the influence of the Japan Teachers' Union (日教組) and other leftist organizations. Throughout the article, Yuan laments the gradual "decline of Japanese pacifism" and concludes that:



Generational change is perhaps the greatest enemy of pacifism in Japan, especially in the absence of an effective transmission mechanism that could convey pacifist messages from one generation to another. Generational change in Japan saw not only youth without any sense of a victim consciousness, but also a generation of teachers devoid of the sense of mission to educate the next generation of the barbarism of war that was a characteristic of their predecessors. Unlike western pacifism rooted in religious tradition, Japanese pacifism was built on the shifting sands of fear-induced aversion to war. The root cause of the decline in pacifism is the fragility of its foundation (Yuan 2008: 197).

Notwithstanding the many Japanese who truly harbor pacifist sentiments at present, I do believe it is unreasonable to claim that the majority of Japanese, or the policies and practices of the Japanese state, can be categorized as pacifist. Even if the majority of Japanese "support Article 9," (which is, in itself not necessarily pacifist, as I have shown above) they also support the existence of the JSDF and the military alliance with the U.S. This kind of attitude might be seen as reflecting a stark hypocrisy, or, alternatively, what Lummis refers to as "clever pragmatism" (Lummis 2010), but should not be regarded as pacifism.



**Figure 8. A banner from the official JGSDF website. The caption reads "Equipment: Everything for civilian peace of mind—[we] maintain the equipment necessary for the execution of [our] duties". Source. (Accessed August 12, 2014).**

## Conclusions

Different people may interpret the same word or concept in totally different ways. However, it is advisable to maintain some boundaries, since language can be used both as a constructive means for the expression and mutual understanding of important ideas and realities, and as a confusing and even destructive device. If individuals and collectives wish to reach a true understanding and transcend the horrors of war, they must first establish a common language of accepted terms and definitions. This should not only hold true to the political and public arenas, but also to the scholarly discourse which critically examines them. As Thomas Merton has argued, "the use of language to extol freedom, democracy, and equal rights, while at the same time denying them, causes words to turn sour and to rot in the minds of those who use them" (Merton 1969: 110).

In this respect, and as the current paper sought to exemplify, the use of the term "pacifism" in the Japanese context is fundamentally flawed. The term has not only been misused to describe the current Japanese constitution and Article 9, but also to represent the Japanese (or Japan) as a whole. This situation is far from desirable, especially for those to whom the word still represents something more than the current cabinet's cynical use of the term "proactive pacifism."

In closing, I would like to reiterate that I am not claiming that there are no pacifists per se in Japan. On the contrary. Japan has a relatively

large number of pacifists. However, I do argue that many aspects of the modern Japanese state tend to be mischaracterized as pacifist by scholars and laymen alike and actually represent quite different attitudes. Contrary to the prevailing scholarly and popular discourse, the majority of present-day Japanese are not committed to pacifism or to pacifist ideas and ideals. By mischaracterizing the whole Japanese populace (or just large portions of it) as pacifist, we not only apprehending the Japanese reality in a distorted manner, but might also lose sight of Japan's true pacifists, who would be otherwise absorbed into a pseudo-pacifist Japanese public.

If one insists on characterizing the Japanese constitution, state, or national sentiment as "pacifist" because it sincerely supports peace, then almost everyone and everything today is "pacifist."<sup>30</sup> Who does not sincerely aspire to eventual peace? Which recent war has not been waged under the premises of maintaining or obtaining peace? Using the term "pacifism" in these contexts is a nullification of its significant and original meaning.<sup>31</sup> Such over-generalization only gives rise to blurred and flawed interpretations which are too broad to be of any descriptive value, and that should thus be avoided. Finally, let it be clear that I am not suggesting that the discourse surrounding the modern Japanese state and constitution should refrain from using the word "pacifism" under any circumstances. I do, however, argue that the term should be handled with appropriate care and used with sufficient sensitivity to preserve its unique meaning and ramifications.

Recommended citation: Guy Almog, *"The Myth of the 'Pacifist' Japanese Constitution"*, *The Asia-Pacific Journal*, Vol. 12, Issue 36, No. 2, September 8, 2014.

### About the author

Guy Almog is a doctoral student and teaching assistant in the Department of Asian Studies at

the University of Haifa. He may be reached at [almoguy@gmail.com](mailto:almoguy@gmail.com)

### Related articles

DeWit, Andrew. 2013. [Abe and Pro-Active Pacifism in the Face of Climate Change](#).

Dudden, Alexis. 2014. [The Nomination of Article 9 of Japan's Constitution for a Nobel Peace Prize](#).

Junkerman, John, Gavan McCormack, and David McNeill. 2005 [Japan's Political and Constitutional Crossroad](#).

Komori Yōichi. 2014. [Japan's Article 9 and Economic Justice: The Work of Shinagawa Masaji](#).

Lummis, C. Douglas. 2010. [The Smallest Army Imaginable: Gandhi's Constitutional Proposal for India and Japan's Peace Constitution](#).

Lummis, C. Douglas. 2013. [It Would Make No Sense for Article 9 to Mean What it Says, Therefore It Doesn't: The Transformation of Japan's Constitution](#).

Morris-Suzuki, Tessa. 2012. [Post-War Warriors: Japanese Combatants in the Korean War](#).

Yuki Tanaka. 2007. [Oda Makoto, Beheiren and 14 August 1945: Humanitarian wrath against indiscriminate bombing](#).

### Recommended Videos

[Making the Japanese Constitution](#): Col. Kades interviewed by Prof. Haley.

[A commercial for the JGSDF](#).

### Sources

Beer, Lawrence W. 1998. "Peace in Theory and Practice under Article 9 of Japan's Constitution," *Marquette Law Review*, 85: 815-830.

- Behr, Edward. 1989. *Hirohito: Behind the Myth*. London: Hamish Hamilton.
- Ben-Rafael Galanti, Sigal. 2009. "The Memory of the Second World War and the Essence of 'New Japan': The Parliamentary Debate Over Japan's Democratic Constitution," In G. Podoler (ed.), *War and Militarism in Modern Japan: Issues of History and Identity* (pp. 129-140). Folkestone: Global Oriental.
- Berger, Thomas U. 1998. *Cultures of Antimilitarism: National Security in Germany and Japan*. Baltimore, Md.: The Johns Hopkins University Press.
- Bunkall, Alistair. 2014. "North Korea: Kim Jong-Un Official Speaks," *Sky News*, January 30.
- Cady, Duane L. 2010. *From Warism to Pacifism: A Moral Continuum*. Philadelphia, Pa.: Temple University Press.
- Ceadel, Martin. 1987. *Thinking about Peace and War*. Oxford: Oxford University Press.
- Cochran, David Carroll. 1996. "War-Pacifism," *Social Theory and Practice* 22: 161-180.
- DeWit, Andrew. 2013. "Abe and Pro-Active Pacifism in the Face of Climate Change," *The Asia-Pacific Journal*, October 30.
- Dudden, Alexis. 2014. "The Nomination of Article 9 of Japan's Constitution for a Nobel Peace Prize," *The Asia-Pacific Journal*, April 20.
- Epstein, Ethan. 2012. "Japan's New Islands? Nationalism Makes a Comeback," *The Weekly Standard - the Magazine* 17 (43), July 30.
- Fiala, Andrew. 2014. "Pacifism," *The Stanford Encyclopedia of Philosophy*, July 19, 2010.
- Hata Ikuhiko. 2007. *Hirohito: The Shōwa Emperor in War and Peace*. Folkestone: Global Oriental.
- Hinohara Shigeaki. 2012. "'Hisen' no seishinde sonzaikan shimesō" [「非戦」の精神で存在感示そう], *Asahi Shimbun*, March 30.
- Hoffmann, Stanley. 1981. *Duties Beyond Borders: On the Limits and Possibilities of Ethical International Politics*. New York: Syracuse University Press.
- Inoue Kyoko. 1991. *MacArthur's Japanese Constitution: A Linguistic and Cultural Study of Its Making*. Chicago: University of Chicago Press.
- Jacoby, Jeff. 2014. "Japan Needs Military Options," *The Boston Globe*, May 7.
- James, William. 1970 [1906/1910]. "The Moral Equivalent of War," In R. A. Wasserstrom (ed.), *War and Morality* (pp. 4-14). Belmont: Wadsworth. [Also available [here](#)].
- Junkerman, John, Gavan McCormack, and David McNeill. 2005. "Japan's Political and Constitutional Crossroad," *The Asia-Pacific Journal*.
- Kades, Charles L. 1989. "The American Role in Revising Japan's Imperial Constitution," *Political Science Quarterly*, 104 (2): 215-247.
- Kawabata Shunichi. 2014. "Demonstrators, Nobel-winning Writer Rally to Protect Pacifist Constitution," *The Asahi Shimbun*, April 9.
- Kelly, Michael J. 2008. "The Article 9 Pacifism Clause and Japan's Place in the World," *Winsconsin International Law Journal* 25: 491-505.
- Kingston, Jeff. 2011. *Contemporary Japan: History, Politics and Social Change Since the 1980s*. Malden, MA: Wiley-Blackwell.
- Kingston, Jeff. 2014. "Weapons for Peace and Proactive Pacifism," *The Japan Times*, April 12.
- Komori Yōichi. 2014. "Japan's Article 9 and Economic Justice: The Work of Shinagawa Masaji," *The Asia-Pacific Journal*, 11 (23-3).

- Koseki Shoichi. 1998. *The Birth of Japan's Postwar Constitution*. Boulder, Colo.: Westview Press.
- Lind, Jennifer M. 2004. "Pacifism or Passing the Buck? Testing Theories of Japanese Security Policy," *International Security*, 29: 92-121.
- Lummis, C. Douglas. 2010 "The Smallest Army Imaginable: Gandhi's Constitutional Proposal for India and Japan's Peace Constitution," *The Asia-Pacific Journal*, 3 (2-1).
- Lummis, C. Douglas. 2013. "It Would Make No Sense for Article 9 to Mean What it Says, Therefore It Doesn't: The Transformation of Japan's Constitution," *The Asia-Pacific Journal*, 11 (39-2).
- MacArthur, Douglas. 1965. *Reminiscences*. New York: Fawcett.
- Maki, John. M. 1993. "The Constitution of Japan: Pacifism, Popular Sovereignty, and Fundamental Human Rights." In P. R. Luney Jr., and K. Takahashi (eds.), *Japanese Constitutional Law* (pp. 39-55). Tokyo: University of Tokyo Press.
- Matray, James. I. 2001. *Japan's Emergence as a Global Power*. Westport, Connecticut: Greenwood Press.
- Matsui Shigenori. 2011. *The Constitution of Japan: A Contextual Analysis*. Oxford: Hart.
- McCurry, Justin. 2014. "Japan PM to Overturn Pacifist Defence Policy," *The Guardian*, June 30.
- McNeill, David. 2014. "Japan's Pacifist Constitution: After 70 Years, Nation Changes the Rules so it can Go to War," *The Independent*, July 2.
- Merton, Thomas. 1969. "War and the Crisis of Language," In R. Ginsberd (ed.), *The Critique of War* (pp. 99-119). Chicago: Henry Regnery.
- Middlebrooks, William C. Jr. 2008. *Beyond Pacifism: Why Japan Must Become a "Normal" Nation*. Westport, Conn.: Praeger Security International.
- Miller, John. 2007. *States, Nations and the Great Powers: the Sources of Regional War and Peace*. Cambridge: Cambridge University Press.
- Morris-Suzuki, Tessa. 2012. "Post-War Warriors: Japanese Combatants in the Korean War," *The Asia-Pacific Journal*, 10 (31-1).
- Murata Koji. 2004. "Japanese Domestic Politics and the U.S.-Japan-ROK Security Relationship." In T. Kim and B. Glosserman (eds.), *The Future of U.S.-Korea-Japan Relations: Balancing Values and Interests* (pp.140-149). Washington, D.C.: CSIS Press.
- Nelly, Theodore. 2000. *The Origins of Japan's Democratic Constitution*. Lanham, Md: University Press of America.
- Norman, Richard. 1995. *Ethics, Killing and War*. New York: Cambridge University Press.
- Orend, Brian. 2006. *The Morality of War*. Peterborough, Ont.: Broadview Press.
- Pamintuan-Lamorena, Maan. 2014. "3,000 Protest in Tokyo against Revision of Japan's Pacifist Constitution," *The Japan Daily Press*, April 9.
- Reischauer, Edwin O. 1961 [1953]. *Japan: Past and Present*. Tokyo: Charles E. Tuttle.
- Reischauer, Edwin O. 1988 [1977]. *The Japanese Today: Change and Continuity*. London: Belknap Press of Harvard University.
- Schlichtmann, Klaus. 2009. *Japan in the World: Shidehara Kijūrō, Pacifism, and the Abolition of War*. Lanham: Lexington.
- Spitzer, Kirk. 2013. "Why Japan Wants to Break Free of Its Pacifist Past," *Time*, October 22.



Teichman, Jenny. 1986. *Pacifism and Just War*. New York: Basil Blackwell.

Walzer, Michael. 1978 [1997]. *Just and Unjust Wars: a Moral Argument with Historical Illustrations*. London: Allen Lane.

Weathersby, Claude. 2012. "The Did and Did not of the Emancipation Proclamation," *DarronSmith.com*, August 7.

Yaginuma Hiroyuki. 2014. "Campaign to Award Nobel Peace Prize to Japanese for Article 9 Gathers Steam," *The Asahi Shimbun*, April 3.

Yamada Ichirō. 2012. *Heiwashugi wa Shoaku no Kongen* [Pacifism is the Root of Many Evils]. Tokyo: Tokyo tosho shuppan.

Yamaguchi Jiro. 2014. "Wrong Path to Full Sovereignty," *The Japan Times*, September 2.

Yamamoto Mari. 2004. *Grassroots Pacifism in Post-War Japan: the Rebirth of a Nation*. London: RoutledgeCurzon.

Yasuo Takao. 2008. *Is Japan Really Remilitarising?: The Politics of Norm Formation and Change*. Clayton: Monash University Press.

Yoder, John Howard. 1992. *Nevertheless: The Varieties and Shortcomings of Religious Pacifism*. Scottdale Pens.: Herald Press.

Yuan Cai. 2008. "The Rise and Decline of Japanese Pacifism," *New Voices*, 2: 179-200.

## Unsigned

"Despite Public Opinion, Japan Moves Away From the Pacifist Constitution," *Haaretz*, July 2, 2014. [Hebrew].

"Abe seiken to kenpō: heiwashugi no yō wo kowasuna," [Abe's Administration and the Constitution: Don't Destroy the Essence of Pacifism], *Asahi Shimbun*, May 3.

"History: Japan Abandons its Pacifist

Constitution," *Ynet*, July 1, 2014. [Hebrew].

"Japan's Pacifist Constitution," *The New York Times*, May 8, 2014.

"Japan's Pacifist Constitution: Keeping the Peace," *The Economist*, May 14, 2014.

"New Arms Export Rules Undermine Japan's Pacifism," *The Asahi Shimbun*. April 3, 2014.

<sup>1</sup> I wish to thank Rotem Kowner for patiently guiding me throughout the process of writing of my M.A. thesis, which serves as the basis for the current article, and to Daniel Statman for all his generous assistance. I am also indebted to C. Douglas Lummis and Mark Selden for helpful insights and remarks on earlier versions of this article, and finally to Nimrod Chiat for his excellent advice in all matters lingual.

<sup>2</sup> It seems that this Japanese "devotion to pacifism" was less obvious to Reischauer at an earlier stage, when he claimed that "in time, Japan's constitutional renunciation of armed self-defense will probably be modified, and, as economic and political conditions permit, the Japanese will probably take over bit by bit the burdens of their own defense thus in time bringing to an end the need for American bases in Japan" (Reischauer 1961: 226).

<sup>3</sup> This is a good example for the overly loose and vague usage of the term "absolute pacifism," as will become apparent when I explore the point at greater length below. Note that Matsui (2011) is not alone in labeling the Japanese constitution and Article 9 as avatars of "absolute pacifism." Yuan Cai also argues, for instance, that "the conservatives' creative interpretation of the constitution largely evaded the spirit of *absolute pacifism* embedded in the renowned Article IX" (Yuan 2008: 179, my emphasis).

<sup>4</sup> But how can one "impose" pacifism on another? As will be shortly explained, pacifism is a moral attitude, and not just the mere

inability to rearm oneself due to the imposing military might of others. Whether the Japanese in fact *chose* to accept pacifism, is an entirely different issue.

<sup>5</sup> This sounds a bit absurd. If anything, the Security Treaty with the United States had nullified the pursuit of pacifism since it is a *military pact*, which is obviously non-pacifist by definition.

<sup>6</sup> Again, I cannot seem to understand how Japan can adhere to its "pacifist heritage" and at the same time be "one of Washington's staunchest [military] allies."

<sup>7</sup> For further prominent academic examples of this discourse see, for instance, Hein 2009, passim; Kingston 2011: 129; Shillony 2002: 246-248, 258, 302-303; Southgate 2003: passim.

<sup>8</sup> Needless to say, the new term adopted by Abe's cabinet—"Proactive Pacifism" (積極の平和主義) is all the more incoherent (cf. e.g., Kingston 2014; DeWit 2013).

<sup>9</sup> For another example, consider a 2012 *Asahi Shimbun* article marking of Hinohara Shigeaki's one-hundredth birthday. In it, Hinohara claims that "the [1947] constitution of Japan is based upon deep reflection on the World War, and with *pacifism as its fundamental principle*, its renunciation of war was an epoch-breaking event even from a world-history point of view" (my emphasis).

<sup>10</sup> Many Israelis who I've talked with about this subject were even surprised to hear that Japan actually maintains an army.

<sup>11</sup> Which war today is not fought under the premise of "self-defense"?

<sup>12</sup> Some call this notion "pacificism." Accordingly, pacificism is actually not a separate or competing view to either JWT or pacifism (but does go against militarism and

war-realism). Ceadel defines it as a position according to which "war can be not only prevented but in time also abolished by reforms which will bring justice in domestic politics too" (Ceadel 1987: 5). Thus, as Jenny Teichman stresses, "naturally all pacifists are pacificists, but not all pacificists are pacifist" (Teichman 1986: 3). In the same way, just war theorists might also seek the *eventual* abolishment of war. However, until it is finally attained, and unlike pacifists, they deem war morally permissible, and in some cases even a moral duty.

<sup>13</sup> As Cady argues: "while few if any actual pacifists have held this view, it is the position often identified with pacifism. In its most extreme form, it is the view that it is wrong always, everywhere, for anyone to use force against another human being. Here force is understood to mean an imposition of physical strength" (Cady 2010: 64).

<sup>14</sup> This term—a "pacifist state"—seems to challenge Max Weber's influential theory concerning the "[Monopoly on violence](#)," according to which, a "state" is a "human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory." If this empirical generalization is true, how can a pacifist state exist in the first place? One possible way of settling this apparent paradox is by distinguishing between formal organizations such as a police force, and a military force. While the latter's purpose is to defend the state even if this means fighting a war, the former's objective is merely to maintain internal order. Although all pacifists shun war (and thus militaries), they do not necessarily condemn all kinds of violence. Many of them accept notions of *individual* self-defense, and can accordingly accept the existence of a police force which cannot participate in a war (even if it is a "war of self-defense"), but only deal with local, small-scale incidents. For more on the different types of pacifism and pacifists see e.g., Cady 2010:

passim. Another, more challenging way of settling this contradiction is by denying the validity of Weber's definition all together, which I shall not pursue here. For more on this issue, and on the notion of a state without an army, see Lummis 2010.

<sup>15</sup> For more in-depth descriptions of this, see, e.g., Inoue 1991; Koseki 1998; Matsui 2011; McNelly 2000.

<sup>16</sup> Three handwritten notes with general guidelines which Macarthur handed down to the American Steering Committee charged with drafting the constitution. The second note was undoubtedly the basis for Article 9. For the notes' full text see [here](#).

<sup>17</sup> Note that although almost all modern just war theorists agree that war is horrific, they differ in the ways in which they determine which wars are just. One such approach is expressed by Ceadel's definition of "crusading." According to Ceadel, this view's "distinctive feature is a willingness under favorable circumstances to use aggressive war to promote either order or justice, as it conceives it, and thereby help to prevent or abolish war in the longer term. If militarism is aggression for its own sake, crusading is thus aggression for the sake of peace" (Ceadel 1987: 4-5). This fits nicely with the overall approach of the United States, or at least with the way it justifies its international actions. As Obama declares in his Nobel speech "I believe that force can be justified on humanitarian grounds, as it was in the Balkans, or in other places that have been scarred by war." "Defensism," on the other hand, according to Ceadel, is a JWT stance which "accepts that aggression is always wrong, but insists both that defense is always right and that the maintenance of strong defenses offers the best chance of preventing war" (Ceadel 1987: 5). Dovish as it may be, "defensism" is not pacifism, since it is an approach that morally justifies wars if defensive deterrence efforts turn out to be

ineffective (if only for the sake of "self-defense").

<sup>18</sup> As early as 1950, this force comprised about 75,000 people (see e.g., Matsui 2011: 17). However, Matsui claims that MacArthur did not order the creation of the National Police Reserve, but merely "allowed" Prime Minister [Shigeru Yoshida](#) to establish it. Koseki's analysis also supports this claim, and suggests that the American change of policy "was a blessing for Yoshida because he was then free to shift the responsibility for the change in his own policy to the Americans" (Koseki 1998: 240).

<sup>19</sup> For example, as Edward Behr elaborates: "[...] Hirohito allowed the Manchukuo and China 'incidents' to happen, promoted those responsible for them, and was fully aware of preparations for World War Two without ever making one concrete move that would have reversed the trend towards confrontation. As diaries of his most intimate staff have revealed, he was not only aware of the key step taken in advance of Pearl Harbor - the establishment of Japanese army and air force bases in what was then French Indochina in 1941 - but also openly questioned whether this should not also be accompanied by an invasion of Thailand" (Behr 1989: 17).

<sup>20</sup> If this suggestion took place before the MacArthur-Shidehara meeting of January 24, then perhaps Whitney's idea (which was originally Kades' idea) inspired Shidehara to suggest the constitutional renunciation of war to MacArthur. However, as a personal letter from Kades to McNelly reveals, Whitney met Shidehara after the January 24 meeting (probably on January 28). Now, since Whitney knew about the contents of the MacArthur-Shidehara meeting, why would he suggest the same thing he himself proposed just a few days ago? As McNelly explains, and assuming Kades' statement is accurate, it seems that Whitney's suggestion to Shidehara implies that Shidehara

did not propose the constitutional renunciation of war and the banning of arms to MacArthur on January 24 despite MacArthur's personal account (McNelly 2000: 109-111).

<sup>21</sup> For further details and opinions concerning the Ashida Amendment see e.g., Koseki 1998: 192-208; McNelly 2000: 126-128.

<sup>22</sup> Many scholars have also addressed the constitution's "pacifism" based upon the wording of the Constitution's preamble over and above Article 9. Matsui, for example, argues that the second paragraph of this Preamble "makes clear its commitment to pacifism" (Matsui 2011: 234). However, even if one persists in suggesting that the Preamble reflects "pacifist aspirations," and even if we accept this, it is insufficient for arguing the constitution as a whole is "pacifist," since, as Matsui himself explains, "the preamble is an interpretive provision of the main text and not an independent source that could be relied on by the courts during an evaluation of constitutionality" (Matsui 2011: 22). In other words, the Preamble does not have any compelling legal power in and of itself. Thus, even if we assume that the Preamble is pacifist (which it is not, and does not claim to be), the constitution's "pacifism" can only be derived from the binding legal articles that follow the Preamble, and especially the so-called pacifist clause—Article 9. While this subject is worthy of further examination, it is beyond the scope of the current paper.

<sup>23</sup> The word "peace" (平和) only appears once in the constitution's binding Articles. And while it does appear four more times (in both versions) in the (unbinding) preamble, one might still expect a "pacifist constitution" to make more references to "peace."

<sup>24</sup> "The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and

renounce it, as an instrument of national policy in their relations with one another."

<sup>25</sup> For more on this subject see Lummis 2013.

<sup>26</sup> For more about the notion of a state without an army, see Lummis 2010.

<sup>27</sup> I argue that making statements about *forever* and *never* are problematic and even paradoxical in a so-called democratic constitution amendable by law. This phenomenon, however, does not solely characterize the Japanese constitution, and, as Douglas Lummis has suggested, might simply reflect "wishful rhetoric" (which could nonetheless be translated into some, probably minor, political leverage; Lummis, May 2014, personal communication).

<sup>28</sup> It is also important to note that although the JGSDF has *relatively* modest capabilities in comparison to the Japanese air force or navy, it is still well trained and ready for deployment. Like many other armies in the world, the JGSDF possesses formidable elite units, most notably the [1st Airborne Brigade](#) (第1空挺団), which is Japan's elite paratrooper unit. This unit comprises about two thousand troops and has undergone, among other things, [sniper training courtesy of the United States](#).

<sup>29</sup> The JSDF does have some—non-combat—experience abroad, as it has been sent on behalf of the UN to participate in "peacekeeping operations" in such areas as Lebanon and Iraq under severe limitations. Due to the obvious sensitivity of this issue, the Japanese Diet had to create a specific law for each of these dispatches (e.g., Beer 1998; Kingston 2011: 129-130; Lind 2004: *passim*; Lummis 2013). As Lummis argues, however, the presence of the JSDF in these "peacekeeping operations" was - above all - a political gesture. The actual contribution of the JSDF to these operations might even be negative, since "nothing is more dangerous than to send the SDF, who do not have that



right, into a war zone, as they look like soldiers, act like soldiers, dress like soldiers and are equipped like soldiers, and perhaps even imagine they are soldiers, but have no more right under Japanese law to carry out a military action than a party of duck hunters" (Lummis 2013).

<sup>30</sup> Better terms to describe the constitution and Article 9, which some scholars have already adopted, include the "anti-war," or "war-

renouncing" clause / constitution, or alternatively the "peace clause" or the "peace constitution" (e.g., Lummis 2010; 2013).

<sup>31</sup> Andrew Fiala, for instance, argues that, "Richard Nixon once called himself a pacifist, even as he continued to support the Vietnam War" (Fiala 2010). As we have seen recently, Prime Minister Abe also considers himself a ("proactive") pacifist. If the threshold of pacifism is so low, then who, indeed, isn't a pacifist?