

# Constitutional Law in Japan, 2025 edition

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## Abstract

This paper reviews recent developments surrounding the Constitution of Japan, mainly from the perspectives of ① the Diet, ② the political parties, and ③ public opinion as follows. ① Within the Diet, the Commission on the Constitution is a permanent body established in each House. In 2024, the Commission of the House of Representatives and that of the House of Councillors had been held 14 and 8 times, respectively. ② The political parties each published their proposals about amending the Constitution. These parties also referred to the Constitution in their party manifestoes, for the 2024 general election of members of the House of Representatives. ③ In the public opinion polls conducted by the press, the following items were surveyed: whether necessary or not to amend the Constitution, whether to encourage active discussions on amendments, items to be considered or amended, and policy issues that should be prioritized (priority of constitutional amendments in various policy issues).

## Introduction

The Constitution of Japan (hereinafter referred to as “the Constitution”) was promulgated in 1946 and enforced in 1947. Since then, it has not been amended further. This paper reviews the developments surrounding the Constitution in recent years, mainly from the perspectives of (1) the Diet (i.e. the National Diet of Japan), (2) the political parties, and (3) public opinion.

## I Developments in the Diet

### 1 *Outline of the Commission on the Constitution*

The Commission on the Constitution (KEMPO SHINSAKAI, hereafter, “the Commission”) is a permanent body established in each House (the House of Representatives and the House of Councillors) from the 167th session of the Diet (convoked on August 7, 2007). Its predecessor, the Research Commission on the Constitution (KEMPO CHOSAKAI), was established in each House in order “to conduct broad and comprehensive research on the Constitution of Japan.” In contrast, the Commission is to conduct research not only on the Constitution but also on the “fundamental legislation closely related to the Constitution of Japan”. In addition to conducting such research, it was established in each House in order “to consider Preliminary Draft Amendments to the Constitution and bills on the initiation of Amendments to the Constitution and/or a National Referendum thereon and other matters” (Article 102-6 of the Diet Act (Act No. 79 of 1947)). Membership of each Commission (50 members of for that of the House of Representatives and 45 members for that of the House of Councillors) is allocated to political groups<sup>(1)</sup> in each House in proportion to their numerical strength.<sup>(2)</sup>

### 2 *Details up to the Establishment of the Commission*

On June 11, 1956, the Cabinet’s Research Commission on the Constitution was established through the Research Commission on the Constitution Act (Act No. 140 of 1956), and it reported its findings to the Cabinet on July 3, 1964.<sup>(3)</sup> It was abolished on June 3, 1965; thereafter, no institution specializing in constitutional law was established.<sup>(4)</sup> However, through the Act Partially Amending the Diet Act (Act No. 118 of 1999), the Research Commission on the Constitution was established in each House on January 20, 2000.

On April 15, 2005, the Research Commission on the Constitution of the House of

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\* The last online access date for information presented in this paper was February 21, 2025.

<sup>(1)</sup> A political group is an association of legislators who are willing to work together in the House, often formed by or around a political party (浅野一郎・河野久編著『新・国会事典 第3版』有斐閣, 2014, pp.82–84 (ASANO Ichiro and KONO Hisashi, eds., *New Diet Encyclopedia 3rd ed.* Yuhikaku Publishing, 2014, pp.82–84)).

<sup>(2)</sup> The Regulations of the Commission on the Constitution of the House of Representatives (passed on June 11, 2009) Article 2 and Article 3, paragraph (2), and the Regulations on the Commission on the Constitution of the House of Councillors (passed on May 18, 2011) Article 2 and Article 3, paragraph (2).

<sup>(3)</sup> 『憲法調査会報告書』憲法調査会, 1964 (“The Research Commission on the Constitution Report,” Research Commission on the Constitution, 1964). It was then reported to the Diet via the Cabinet.

<sup>(4)</sup> 参議院憲法調査会『日本国憲法に関する調査報告書』2005.4, p.4 (The Research Commission on the Constitution of The House of Councillors “Research Report on the Constitution of Japan,” 2005.4, p.4). See also *idem*, “Handbook on the Research Report on the Constitution of Japan,” 2005.

Representatives and on the 20th of the same month, that of the House of Councillors presented their respective reports to the President of each House.<sup>(5)</sup> Subsequently, in order to give consideration to measures with regards to the Constitutional Amendment Procedure Law (National Referendum system) commented within these reports, the Special Committee for Research on the Constitution of Japan was established in the House of Representatives on September 22 of the same year. The House of Councillors followed suit on January 25, 2007.<sup>(6)</sup>

Following the consideration given by these bodies, on May 14 of the same year, the Act on Procedures for Amendment of the Constitution of Japan (Act 51 of 2007 (hereinafter referred to as “the Constitutional Referendum Act”) became a law and was promulgated on the 18th of the same month. Based on Article 102-6 of the Diet Act as amended by the Constitutional Referendum Act, the Commission was established in each House on August 7 of the same year (the day of the first convocation of the Diet on or after the promulgation of the Constitutional Referendum Act).

### 3 *Progress of the Activities of the Commission*

#### (1) Details up to the Holding of the Commission and the Number of Times It Has Been Held

Although the Commission was established on August 7, 2007, it continued to not be convened against the backdrop of the conflict between the ruling parties (the Liberal Democratic Party (LDP) and Komeito) and the opposition parties (the Democratic Party of Japan (DPJ), etc.) over the vote on the Constitutional Referendum Act in the same year.<sup>(7)</sup> The Regulations of the Commission regarding its organizational-, and managerial-, matters were passed the House of Representatives on June 11, 2009. But in the House of Councillors, in which the opposition parties held the majority, the Regulations of the Commission was not passed, and on August 30 of the same year, a change of government was brought about by the general election of members of the House of Representatives. However, on July 11, 2010, in an ordinary election of members of the House of Councillors,

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(5) 衆議院憲法調査会『衆議院憲法調査会報告書』2005.4 (The Research Commission on the Constitution of the House of Representatives, “Research Commission on the Constitution of the House of Representatives Report,” 2005.4); *ibid.*; 第162回国会参議院憲法調査会会議録第7号 平成17年4月20日 p.5 (Minutes of the 162nd Session of the Research Commission on the Constitution, House of Councillors, No. 7, April 20, 2005, p.5).

(6) 第163回国会衆議院会議録第2号 平成17年9月22日 p.4 (Minutes of the 163rd Session of the Plenary Sitings, House of Representatives, No. 2, September 22, 2005, p.4); 第166回国会参議院会議録第1号 平成19年1月25日 p.1 (Minutes of the 166th Session of the Plenary Sitings, House of Councillors, No. 1, January 25, 2007, p.1).

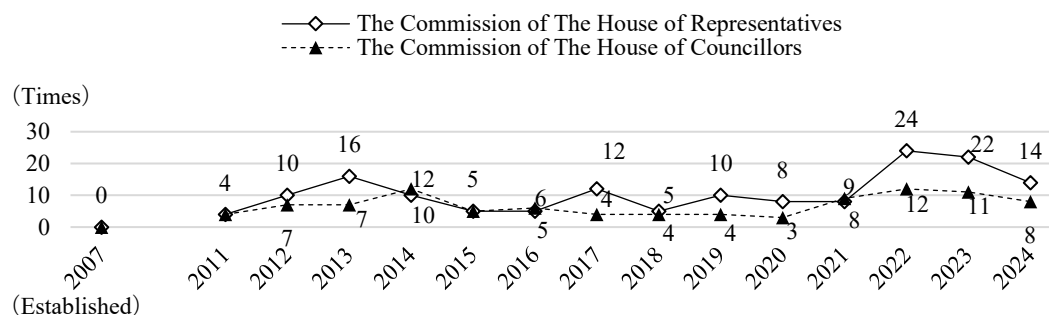
(7) 「憲法審査会 やっと始動」『読売新聞』2011.10.14 (“The Commission on the Constitution has finally started,” *The Yomiuri Shimbun*, 2011.10.14); 「憲法審査会 衆参で始動へ」『朝日新聞』2011.10.19等 (“The Commission on the Constitution starts in both Houses,” *The Asahi Shimbun*, 2011.10.19, etc.).

the opposition party, the LDP, increased its seats, and the ruling parties (DPJ and the People's New Party), which had lost their majority, were forced to make concessions.<sup>(8)</sup> Consequently, on May 18, 2011, the Regulations of the Commission passed in the House of Councillors as well. And in October of the same year, about four years after its establishment, the Commission was held in each House.

Since then, the Commission has been held every year, and by 2024, the Commission of the House of Representatives and that of the House of Councillors had been held 14 and 8 times, respectively (see Figure 1). The most times it was held in a single year was in 2022, when the Commission of the House of Representatives was held 24 times.

In the 50th general election of members of the House of Representatives (held on October 27, 2024), the ruling parties (LDP and Komeito) did not achieve a majority, and on November 13 of the same year, the Commission of the House of Representatives selected its Chairman from among the opposition parties (from the Constitutional Democratic Party of Japan (CDP)) for the first time, including the time periods of the Research Commission on the Constitution and the Special Committee for Research on the Constitution of Japan.<sup>(9)</sup>

**Figure 1. Number of times the Commission has been held (by year)**



(Note) The Commission was not held for approximately four years after it was established.

(Sources) Prepared by the author based on 「会議日誌・会議資料」衆議院憲法審査会ウェブサイト (“Meeting logs and meeting materials.” The Commission on the Constitution of the House of Representative’s website); 「審査会の経過」参議院憲法審査会ウェブサイト (“Progress of the Commission on the Constitution.” The Commission on the Constitution of the House of Councillors’ website)

## (2) Discussion Themes

Up to this point, various themes have been discussed focusing on the articles of the Constitution, the National Referendum system, etc. (Table 1; for the Constitutional

<sup>(8)</sup> *ibid.*; 「参院にも憲法審査会規程」『読売新聞』2011.5.18, 夕刊 (“The Regulations of the Commission on the Constitution in both Houses,” *The Yomiuri Shimbun*, 2011.5.18, Evening edition); 「議論開始 気配なし」『東京新聞』2011.5.19 等 (“No sign of discussions starting,” *The Tokyo Shimbun*, 2011.5.19, etc.).

<sup>(9)</sup> With regards to the Commission of the House of Councillors, in one instance on October 21, 2011, a chairman was elected by an opposition party (LDP).

Referendum Act, see (3) below). Regarding how the term "present" in Article 56, paragraph (1) of the Constitution<sup>(10)</sup> should be interpreted, there is a comment that a resolution on it by the Commission of the House of Representatives on March 3, 2022<sup>(11)</sup> is the first time the Commission has summarized its interpretation and judgment on the Constitution.<sup>(12)</sup>

The main themes taken up by the Commission of the House of Representatives in 2024 were emergency situations (in particular, maintaining the functions of the Diet in a situation in which it would be extremely difficult to hold an election) and various issues relating to the Constitutional Referendum Act, including the matters relating the Board of Public Information on National Referendum.<sup>(13)</sup> The main themes taken up by the Commission of the House of Councillors in the same year were the emergency session of the House of Councillors and the Constitutional Referendum Act.

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<sup>(10)</sup> "Business cannot be transacted in either House unless one-third or more of total membership is present."

<sup>(11)</sup> 第 208 回国会衆議院憲法審査会議録第 4 号 令和 4 年 3 月 3 日 p.9 (Minutes of the 208th Session of the Commission of the House of Representatives, No.4, March 3, 2022, p.9). The majority of the commission members were of the opinion that the term "present" under Article 56, Paragraph 1 of the Constitution can be interpreted to include "present online" as an exception when it is deemed absolutely necessary to hold a plenary session in the event of an emergency, etc.

<sup>(12)</sup> 上田健介「憲法審査会のあり方について」山本龍彦ほか編著『国会実務と憲法—日本政治の「岩盤」を診る—』日本評論社, 2024, p.66 (UEDA Kensuke, "Regarding the approach to the Commission on the Constitution," YAMAMOTO Tatsuhiko et al., eds, *Diet Practice and the Constitution: Examining the "bedrock" of Japanese politics*, Nippon Hyoronsha., 2024, p.66). Mr. Ueda noted that, within the discussions in the Commission of the House of Representatives, a question-and-answer session clarified that the scope of investigation of the Commission extended to the constitutionality of specific issues (*idem*; 第 208 回国会衆議院憲法審査会議録第 2 号令和 4 年 2 月 17 日 p.10 (Minutes of the 208th Session of the Commission on the Constitution of the House of Representatives, No.2, February 17, 2022, p.10)).

<sup>(13)</sup> A body established in the Diet to undertake affairs concerning public information related to the initiated Amendments to the Constitution (Article 102-11, paragraph (1) of the Diet Act).

**Table 1. The key themes discussed in the Commission (by year)**

Year (Consecutive Sessions)	Number of times held and main themes	
	The Commission of the House of Representatives	The Commission of the House of Councillors
2007 (Note 1)	Established	Established
2011 (179)	4: The history of the Research Commission on the Constitution and the Special Committee for Research on the Constitution of Japan of the House of Representatives, etc.	4: Progress of discussions in the Research Commission on the Constitution and the Special Committee for Research on the Constitution of Japan of the House of Councillors, etc.
2012 (180–182)	10: Issues for consideration regarding the Constitutional Referendum Act; verification of each article of the Constitution	7: The Research Commission on the Constitution of the House of Representatives Report; provisions on review in the Constitutional Referendum Act's Supplementary Provisions; the Great East Japan Earthquake and the Constitution
2013 (183–185)	16: Same as above; report on the overseas survey missions	7: Bicameral system; new human rights
2014 (186–188)	10: Bill on amending the Constitutional Referendum Act (2014 amendment bill <sup>(Note 2)</sup> , passed); report on the overseas survey missions; the matters that should be discussed in the Commissions on the Constitution in the future	12: Bill on amending the Constitutional Referendum Act (same as left, passed); perceptions of the Constitution; the Constitution and the House of Councillors
2015 (189)	5: The matters that should be discussed in the Commission on the Constitution in the future; various issues relating to protection of the constitution	5: Report on the overseas survey missions; “what is the Constitution?”; the issues that should be addressed by the Commission on the Constitution of the House of Councillors; bicameral system
2016 (190–192)	5: Looking back on the history of the enactment of the Constitution and 70 years after it was promulgated; constitutionalism; limits of constitutional amendments; the approach to judicial reviews	6: Bicameral system; ideas about the Constitution
2017 (193–195)	12: Issues concerning the guarantee of the right to political participation; the relation between state and local governments; new human rights, etc.; the Chapter I of the Constitution; report on the overseas survey missions	4: Ideas about the Constitution
2018 (196–197)	5: Bill on amending the Constitutional Referendum Act (2018 amendment bill <sup>(Note 3)</sup> )	4: Ideas about the Constitution
2019 (198–200)	10: Status of consideration of self-regulation of paid advertising in relation to the constitutional referendum; report on the overseas survey missions	4: - <sup>(Note 4)</sup>
2020 (201–203)	8: Various issues relating to the Constitution and the Constitutional Referendum Act; the bill on amending the Constitutional Referendum Act (2018 amendment bill <sup>(Note 3)</sup> )	3: - <sup>(Note 4)</sup>
2021 (204–207)	8: Various issues relating to the Constitution and the Constitutional Referendum Act; the bill on amending the Constitutional Referendum Act (2018 amendment bill <sup>(Note 3)</sup> , passed)	9: Ideas about the Constitution, the bill on amending the Constitutional Referendum Act (same as left, passed); various issues relating to the Constitution and the Constitutional Referendum Act
2022 (208–210)	24: Various issues relating to the Constitution and the Constitutional Referendum Act; various issues relating to the amendment of the Constitution and the Constitutional Referendum Act; the bill on amending the Constitutional Referendum Act (2022 amendment bill <sup>(Note 5)</sup> )	12: Ideas about the Constitution

2023 (211–212)	22: Various issues relating to the amendment of the Constitution and the Constitutional Referendum Act, report on the overseas survey missions	11: Ideas about the Constitution
2024 (213–216)	14: Various issues relating to the amendment of the Constitution and the Constitutional Referendum Act; how to progress discussions in the Commission on the Constitution in the future	8: Ideas about the Constitution

(Note 1) The Commission was established on August 7, 2007, but it did not meet for about four years after its establishment.

(Note 2) The Bill on Partially Amending the Act on Procedures for Amendment of the Constitution of Japan (186th Session of the House of Representatives, bill No. 14)

(Note 3) The Bill on Partially Amending the Act on Procedures for Amendment of the Constitution of Japan (196th Session of the House of Representatives, bill No. 42)

(Note 4) The consideration of petitions, elections of Chairman and Directors, and others were carried out.

(Note 5) The Bill on Partially Amending the Act on Procedures for Amendment of the Constitution of Japan (208th Session of the House of Representatives, bill No. 34)

(Sources) Prepared by the author based on 衆議院憲法審査会事務局『衆議院憲法審査会 関係資料集 令和6年版』 (the Office for the Commission on the Constitution of the House of Representatives, “The Commission on the Constitution of the House of Representative’s related reference materials collection, 2024 edition”); 「会議日誌・会議資料」衆議院憲法審査会ウェブサイト (“Meeting logs and meeting materials.” The Commission on the Constitution of the House of Representative’s website); 「審査会の経過」参議院憲法審査会ウェブサイト (“Progress of the Commission.” The Commission on the Constitution of the House of Councillors’ website)

### (3) Partial Amendment of the Constitutional Referendum Act

The content of the Constitutional Referendum Act was substantially amended in 2014 and 2021. In both cases, a bill amending the Constitutional Referendum Act (submitted by members of the House of Representatives) was passed in both Houses and became law. Other than this, on April 27, 2022, a bill to amend the Constitutional Referendum Act (same as above) was referred to the Commission of the House of Representatives, but the consideration was not completed (i.e. it was dropped) because of the dissolution of the House of Representatives on October 9, 2024. The progress of the contents of these acts and bills is described below (see also Figure 2).

#### (i) The first amendment (2014)

This amendment was intended to solve the three issues for consideration set forth in the Constitutional Referendum Act’s Supplementary Provisions (i.e., the so-called “three conditions”) as follows: ① lowering the voting age to 18 years,<sup>(14)</sup> ② legislation relating to

<sup>(14)</sup> A gap existed between the referendum voting age newly established by the Constitutional Amendment Act (the age at which a person is entitled to vote in a constitutional referendum became 18 years) and the voting age (as well as the age of maturity, etc.) at that time (20 years), thus, a provision was established that necessary legislative measures and other measures shall be taken to lower the voting age to 18 years of age, etc. and the referendum voting age shall be temporarily set as 20 years of age since such measures were taken until it was realized to lower the voting age to 18 years of age, etc. (the Constitutional Referendum Act Supplementary Provisions Article 3). However, until the full enforcement of the bill amending the Constitutional Referendum Act (May 18, 2010), necessary legislative and other measures were not taken to lower

restrictions on political acts of a public employee, and ③ investigating the expansion of the scope of the National Referendum.<sup>(15)</sup>

The amendment bill proposed to the House of Representatives (the 186th session of the House of Representatives, bill No. 14) On April 8, 2014<sup>(16)</sup> was passed by the House of Councillors on June 13 of the same year and became a law (promulgated on the 20th of the same month. Act No. 75 of 2014).

(ii) The second amendment (2021)

The revision of the Public Offices Election Act (Act No. 100 of 1950) was made several times in 2016 to improve the voting environment. Following this example, this amendment added similar legislation for seven items<sup>(17)</sup> to the Constitutional Referendum Act.

The amendment bill (196th session of the House of Representatives, bill No. 42)<sup>(18)</sup> was proposed to the House of Representatives on June 27, 2018. Subsequently, although it was not considered across multiple sessions,<sup>(19)</sup> following discussions between the ruling and opposition parties, full-fledged considerations began in the 203rd session of the Diet (November 2020). These considerations were carried over to the 204th session (2021 regular session) of the Diet, finally in May of the same year, the bill was amended by the House of Representatives to add provisions on review, and it was then passed in the House of Councillors on June 11 of the same year and became a law (promulgated on the 18th of the same month. Act No. 76 of 2021).

The provisions on review (Article 4 of the Supplementary Provisions) stipulated that the state was to review ① matters to improve the voting environment (mainly two items)<sup>(20)</sup> and ② matters to ensure the fairness and impartiality of the National Referendum (mainly three

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the voting age to 18, etc., and the interpretation of the referendum voting age remained in doubt (橋幸信・氏家正喜「法令解説 憲法改正国民投票が実施可能な土俵の整備—選挙権年齢等の一八歳への引下げ、公務員の政治的行為の制限に係る法整備等—」『時の法令』1962号, 2014.9.30, pp.4–5, 8 (TACHIBANA Yukinobu and UJIIE Masaki, “Explanation of Laws and Regulations; establishment of a level playing field in which the Constitutional Referendum can be implemented: lowering the voting age, etc. to 18 years., legislation relating to restrictions on political acts of a public employee, etc.,” *Laws and Regulations of the Time*, No.1962, 2014.9.30, pp.4–5, 8)).

<sup>(15)</sup> *ibid.*, p.4.

<sup>(16)</sup> The proposing political groups were LDP, DPJ and the Club of Independents, the Japan Restoration Party, Komeito, the Your Party, the Unity Party, and the People’s Life Party.

<sup>(17)</sup> The creation of a common voting booth system, the expansion of shipboard voting coverage, etc.

<sup>(18)</sup> The proposing political groups were LDP, Nippon Ishin (JIP), Komeito, and the Party of Hope.

<sup>(19)</sup> The one of reason cited was that the parties did not reach an agreement on how and in what order to carry out the process, such as the questions and votes on the proposed amendments and the discussion on advertising broadcast regulations in the referendum campaign, etc. (The part of the review provisions discussed below that relates to ②) (中西絵梨「法令解説 投票環境向上のための憲法改正国民投票法改正」『時の法令』2131号, 2021.10.15, p.15 (NAKANISHI Eri “Explanation of Laws and Regulations: The bill amending the Constitutional Referendum Act to improve the voting environment”, *Laws and Regulations of the Time*, No.2131, 2021.10.15, p.15)).

<sup>(20)</sup> ① Improvement of regulations for the appointment of vote-counting observers, ② Relaxation of requirements for the appointment of voting observers, and ③ Other necessary matters.

items)<sup>(21)</sup> by approximately three years from when this Act came into effect (September 18, 2021), and it was to take necessary legislative and other measures. The proposers of the bill said that adding the provisions on review was necessary because further revision was made to the Public Offices Act in relation to the voting environment,<sup>(22)</sup> and because it was necessary to start examining unaddressed issues, such as the regulations on commercials (broadcast advertising) and campaign finances, as soon as possible and reach certain conclusions to them.<sup>(23)</sup>

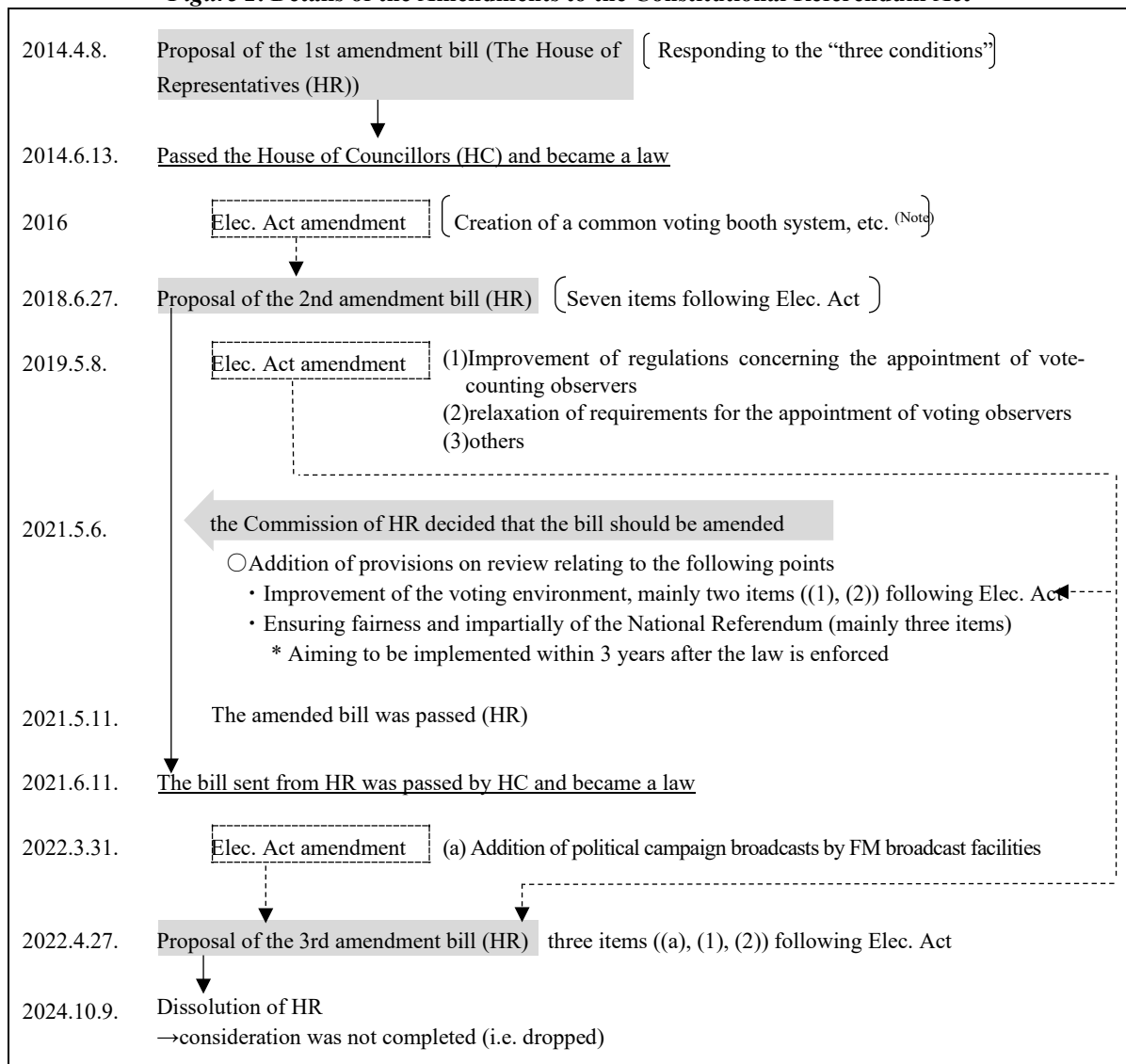
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<sup>(21)</sup> ① Restrictions on paid advertising by means of broadcasting advertisements for referendum campaigns, etc., and using the Internet, etc., ② Regulations pertaining to funds for referendum campaigns, etc., ③ Measures to ensure the appropriate use of the Internet, etc., in relation to the National Referendum, and ④ Other necessary matters.

<sup>(22)</sup> Amended by Article 3 of the Act on Partially Amending the Act on Standards for Expenses of Diet Election and Other Election and Public Offices Election Act (Act No. 1 of 2019).

<sup>(23)</sup> 第 204 回国会衆議院憲法審査会議録第 3 号 令和 3 年 5 月 6 日 pp.5–6 (Minutes of the 204th Session of the Commission on the Constitution, House of Representatives, No.3, May 6, 2021, pp.5–6).

Figure 2. Details of the Amendments to the Constitutional Referendum Act



(Legend) "The Constitutional Referendum Act" is the Act on Procedures for Amendment of the Constitution of Japan (Act No. 51 of 2007). "Elec. Act" refers to the Public Offices Election Act (Act No. 100 of 1950). "The following Elec. Act" is an attempt, based on the amendment to the Public Offices Election Act, to improve the voting environment, etc., to make similar amendments as to the Constitutional Referendum Act.

(Note) In 2016, the Public Offices Election Act was amended several times.

(Sources) Prepared by the author based on the bill's outline, deliberative process, etc.

(iii) The third amendment bill (proposed in 2022)

The third amendment bill (208th session of the House of Representatives, bill No. 34<sup>(24)</sup>) proposed to the House of Representatives on April 27, 2022, contained two items for the improvement of the voting environment set forth in the provisions on review in the 2nd amendment (see (ii)); in addition, following the example of the revision of the Public Offices Election Act in the same year<sup>(25)</sup> (the addition of political campaign broadcasts by FM broadcast facilities), it added similar legislation to the Constitutional Referendum Act.

The third amendment bill was referred to the Commission of the House of Representatives on the 28th of the same month, but full-fledged consideration did not take place. It was not completed (i.e. it was dropped) because of the dissolution of the House of Representatives on October 9, 2024.

## II Developments in Political Parties

### 1 *Proposals for the Amendment of the Constitution*

The following is a list of the key proposals for constitutional amendments made by political parties in the order of publication. It is limited to those proposed since 2015<sup>(26)</sup> and by existing political parties.<sup>(27)</sup>

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<sup>(24)</sup> The proposing political groups were LDP, Nippon Ishin (the Japan Innovation Party), Komeito, and YK.

<sup>(25)</sup> Amended by Article 2 of the Act on Partially Amending the Act on Standards for Expenses of Diet Election and Other Election and Public Offices Election Act (Act No. 16 of 2022).

<sup>(26)</sup> With regards to proposals before 2014, see 諸橋邦彦「主な日本国憲法改正試案及び提言」『調査と情報—ISSUE BRIEF—』474号, 2005.3.18 (MOROHASHI Kunihiko, “Main Proposals for Constitutional Revision” *Research and Information: ISSUE BRIEF*, No.474, 2005.3.18); 同「主な日本国憲法改正試案及び提言—平成17(2005)年3月～11月—」『調査と情報—ISSUE BRIEF—』537号, 2006.4.24 (*idem.* “Main Proposals for Constitutional Revision: from March to November 2005,” *Research and Information: ISSUE BRIEF*, No.537, 2006.4.24); 鈴木尊紘「最近の主な日本国憲法改正提言—平成17年12月～平成24年12月—」『調査と情報—ISSUE BRIEF—』774号, 2013.3.14 (SUZUKI Takahiro, “Major recent proposals for Constitutional Revision: from December 2005 to December 2012,” *Research and Information: ISSUE BRIEF*, No.774, 2013.3.14); 元尾竜一「最近の主な日本国憲法改正提言—平成25年1月～平成26年12月及び補遺—」『調査と情報—ISSUE BRIEF—』856号, 2015.3.23 (MOTO Ryuichi, “Recent Major Suggestions for Amendment of the Constitution of Japan: from January 2013 to December 2014 and Supplement,” *Research and Information: ISSUE BRIEF*, No.856, 2015.3.23).

<sup>(27)</sup> On April 27, 2017, the Party for Japanese Kokoro published “The Draft of the Constitution of Japan”, and on January 17, 2019, the Party of Hope published the “The Draft of the Text for Constitutional Amendments”, but after the publication of these reports, both parties failed to meet the requirements to be a political party under the Political Funds Control Act (Act No. 194 of 1948) and ceased to be political parties. See both parties’ websites (The pages have been saved by the National Diet Library Web Archiving Project (WARP)).

## (1) Nippon Ishin (the Japan Innovation Party)

The Initiatives from Osaka, which was renamed to Nippon Ishin (the Japan Innovation Party or JIP), on March 26, 2016, had published the “Initiatives from Osaka Draft Constitutional Amendment,” whose main content was the following three items: ① free education, ② reform of governance structures (related to local sovereignty), and ③ the establishment of a Constitutional Court.<sup>(28),(29)</sup>

On May 18, 2022, because the JIP’s KEMPO KAISEI CHOSAKAI (It is an organ of the party distinct from the Research Commission on the Constitution (KEMPO CHOSAKAI) which was established in each House (see Subchapter 1 of Chapter I). KEMPO KAISEI stands for constitutional amendment.) saw the need to eliminate the grounds for claiming that the Self-Defense Forces (SDF) is unconstitutional, it published a draft article that would stipulate the SDF in Article 9 of the Constitution (hereinafter, in this subchapter, referred to as “Article 9”).<sup>(30)</sup> Moreover, on June 8 of the same year, it published draft articles for the response to emergency situations<sup>(31)</sup> (see also (5) below for the response to emergency situations).

After that, “Japan Innovation Party Draft Constitutional Amendment,” which brought together all of the above, was published.<sup>(32)</sup>

## (2) LDP

The LDP Headquarters for the Promotion of Revision of the Constitution (at that time) compiled the following four draft articles prior to its Party Convention on March 25, 2018.<sup>(33)</sup>

<sup>(28)</sup> 「おおさか維新の会 憲法改正原案」2016.3.24. おおさか維新の会ウェブサイト (国立国会図書館インターネット資料収集保存事業 (WARP) により保存されたページ) (“Initiatives from Osaka Draft Constitutional Amendment,” 2016.3.24. Initiatives from the Osaka website; the pages have been saved by the National Diet Library Web Archiving Project (WARP))

<sup>(29)</sup> 「「おおさか維新の会」 憲法改正原案公開のお知らせ」2016.3.26. おおさか維新の会ウェブサイト (国立国会図書館インターネット資料収集保存事業 (WARP) により保存されたページ) (““Initiatives from Osaka’ Public Notification of the Initiatives from Osaka Draft Constitutional Amendment,” 2016.3.26. Initiatives from the Osaka website; the pages have been saved by the National Diet Library Web Archiving Project (WARP))

<sup>(30)</sup> 日本維新の会憲法改正調査会「憲法 9 条の改正に向けて」2022.5.18 (JIP’s KEMPO KAISEI CHOSAKAI, “Toward an amendment of Article 9 of the Constitution,” 2022.5.18). Regarding the right to self-defense, the current framework of the interpretation of the Constitution by Cabinet Decisions and the discipline by the laws of Legislation for Peace and Security, etc. will be maintained.

<sup>(31)</sup> 「220608 憲法改正調査会 (緊急事態条項)」 (“220608 KEMPO KAISEI CHOSAKAI (provisions on emergency situations).”)

<sup>(32)</sup> 「日本維新の会憲法改正原案」日本維新の会ウェブサイト (“Japan Innovation Party Draft Constitutional Amendment.” JIP website) Compared to the previous proposed amendment to the constitution (see the text), there were some minor variations (slight lexical corrections, articles moved, commentary added, etc.).

<sup>(33)</sup> 自由民主党憲法改正推進本部「憲法改正に関する議論の状況について」2018.3.26 (The

Moreover, on September 2, 2024, the LDP Headquarters for the Realization of Revision of the Constitution summarized the main issues and confirmed that the stipulation of the SDF (see ①) and emergency cabinet orders (see ②) were to be based on the framework of the draft articles.<sup>(34)</sup>

① The stipulation of the SDF. Article 9-2 is newly established while maintaining the current Article 9 and its interpretation<sup>(35)</sup> Article 9-2 stipulates that the provisions of Article 9 shall not preclude the taking of necessary self-defense measures<sup>(36)</sup> and that the SDF shall be maintained as an armed organization capable of taking such measures.

② The response to emergency situations. When there are special circumstances that make it impossible to wait for the enactment of a law because of an extraordinary and large-scale disaster,<sup>(37)</sup> the Cabinet may enact emergency cabinet orders as provides for by law, and when such disasters make it difficult to hold elections properly, the Diet may establish Special Provisions on the terms of office of members of the Diet.

③ Abolition of merged constituencies and local public entities. It stipulates that factors other than populations (administrative divisions, etc.) shall be comprehensively taken into consideration when determining the members of the Diet's constituencies and that in each ordinary election of the members of the House of Councillors, at least one person should be elected from each prefecture.

④ Enhancing education. It stipulates that the government shall strive to improve the educational environment, including ensuring opportunities to receive education regardless of economic reasons.

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LDP Headquarters for the Promotion of Revision of the Constitution, "Status of discussions on constitutional amendments," 2018.3.26). ① was considered to be the majority opinion on which such a proposal should be based, and it was accompanied by "Other opinions on the argument for maintaining Article 9, paragraphs 1 and 2," and "The argument for deleting Article 9, paragraph 2. ② was considered as such a proposal, and "other opinions" was appended. ③ and ④ were considered to have been agreed upon with this proposal).

<sup>(34)</sup> 「自衛隊明記と緊急政令に関する論点を整理 憲法改正実現本部が取りまとめ」 2024.9.5. 自由民主党ウェブサイト ("Organizing the Key Points Regarding the Self-Defense Forces and Emergency Cabinet Orders Compiled by the Headquarters for the Realization of Revision of the Constitution," 2024.9.5. LDP website) In relation to four draft articles, new opinions, interpretations, etc., are expressed in some parts of the article. See Notes (35) to (37)).

<sup>(35)</sup> In the arrangement of the discussion points on September 2, 2024, regarding the position of the Article, while it was confirmed that "Article 9-2" should be adhered to, the opinion was voiced that a new provision in Chapter 5 of the Constitution, which defines the Cabinet's mandate, etc. "shall not be excluded as an option" (*ibid.*).

<sup>(36)</sup> It was decided to continue the discussion on the wording ("Shall not preclude taking necessary self-defense measures") to arrange its relationship with Article 9 (*ibid.*).

<sup>(37)</sup> In the arrangement of the discussion points on September 2, 2024, it was deemed that the types of emergency situations to be covered were extraordinary and large-scale disasters, an armed attack, terrorism or civil strife, the spread of infectious diseases, etc. (*ibid.*).

### (3) The Democratic Party For the People (DPFP)

The former Democratic Party For the People—the predecessor to the current DPFP—in its “Basic Policy” at the time of its formation on May 7, 2018, opposed any arbitrary and expedient changes in the interpretation of the Constitution and the stipulation of the SDF, which it felt did not clarify the limits of the exercise of the right to self-defense; it set forth the issues requiring deeper discussion, including restricting the power of the Cabinet to dissolve the House of Representatives, new human rights, and local autonomy.<sup>(38)</sup>

The current DPFP<sup>(39)</sup>’s KEMPO CHOSAKAI (It is an organ of the party distinct from the Research Commission on the Constitution (KEMPO CHOSAKAI) which was established in each House (see Subchapter 1 of Chapter I.) in its “Arrangement of discussion points toward constitutional amendment” on December 4, 2020, indicated ① updating the protection of human rights, ② developing and strengthening local autonomy, ③ rebuilding the approach to governance, and ④ confirmation and declaration of the three basic principles of the Constitution (respect for human rights, national sovereignty, and pacifism) and establishing national objectives provisions (Staatszielbestimmungen), as the direction to be taken for constitutional amendments. It also presented draft articles for several discussion points.<sup>(40)</sup>

Moreover, on December 14, 2022, it approved the draft articles with regards to the response to emergency situations<sup>(41),(42)</sup> (see also (5) below for the response to emergency situations).

### (4) CDP

On July 19, 2018, the former CDP, which was the predecessor to the current CDP, published “Ideas on the Constitution: Discussions on the Constitution from the Constitutionalist’s Viewpoint.” It announced that the CDP would advance the discussion on the Constitution from the perspective of deepening constitutionalism and making it more thorough. And then it indicated its ideas for ① so-called security legislation, ② arguments for so-called SDF addition to the Constitution, ③ civilian control, ④ the demand to convoke

<sup>(38)</sup> 「基本政策」2018.5.7. 国民民主党ウェブサイト (“Basic policy,” 2018.5.7. DPFP website)

<sup>(39)</sup> The current DPFP was formed on September 14, 2020.

<sup>(40)</sup> 国民民主党憲法調査会「憲法改正に向けた論点整理—新時代の人権保障と統治機構の再構築を通じて憲法の規範力を高めるために—」2020.12.4 (DPFP’s KEMPO CHOSAKAI, “Arrangement of the discussion points toward constitutional amendments: In order to increase the power of the Constitution’s regulations through the protection of human rights and rebuilding the government structure in a new era,” 2020.12.4).

<sup>(41)</sup> 「緊急事態条項の条文イメージ (たたき台素案)」 (“Image of emergency situation provisions (preliminary draft as the basis for discussions).”)

<sup>(42)</sup> 「玉木雄一郎ブログ 権限統制のための緊急事態条項の憲法条文案をとりまとめました」2022.12.14. 選挙ドットコムウェブサイト (“Yuichiro Tamaki’s Blog Compilation of the Constitution’s draft of the text of the emergency situation provisions for authority control,” 2022.12.14. senkyo.com. website)

an extraordinary session of the Diet, ⑤ the dissolution of the House of Representatives, ⑥ the investigatory powers of the each House, ⑦ the right to know etc., ⑧ LGBT rights,<sup>(43)</sup> ⑨ free higher education, and ⑩ the National Referendum<sup>(44)</sup>.

On November 19, 2020, the current CDP<sup>(45)</sup>'s SEIMU CHOSA SHINGIKAI (the party's organ which was established to deliberate and determine policies) approved the "Guidelines for Discussions on the Constitution". In addition to the above ten discussion points, it indicated its ideas on ⑪ local autonomy and ⑫ other considerations (approach to the constitutional review system, the role of the state power and its constitutional control in emergency situations, how government funds should be spent in accordance with the spirit of the Constitution, and respecting and ensuring the autonomy and expertise of organizations and associations).<sup>(46)</sup>

Moreover, from February 2022, the same party's KEMPO CHOSAKAI (It is an organ of the party distinct from the Research Commission on the Constitution (KEMPO CHOSAKAI) which was established in each House (see Subchapter 1 of Chapter I.) conducted discussions among its Diet members on the discussion points of "the Diet's approach," "the protection of human rights in an information society," "local autonomy," and "security".<sup>(47)</sup> And the same party's "next Cabinet," approved "the Subcommittee Interim Report on the Information Society and Protection of Human Rights" on November 10th of the same year, "the Subcommittee Interim Report on Local Autonomy" on February 9, 2023, and "the Subcommittee Interim Report on the Diet's Approach" on the 22nd of the same month.<sup>(48)</sup>

## (5) Proposals Jointly Made by Multiple Political Parties and Other Measures

JIP, DPFP and Yushi no Kai (YK) (hereafter, the two parties and one group) on March 30, 2023 published the draft articles for extending the terms of office of members of the Diet as a measure regarding the response to emergency situations. Its content confirmed extending the terms of office of members of the Diet by a resolution through a majority of two-thirds

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<sup>(43)</sup> An acronym formed from the initials of Lesbian, Gay, Bisexual, and Transgender, sometimes used as a term to denote sexual minorities.

<sup>(44)</sup> 立憲民主党「憲法に関する考え方—立憲的憲法論議—」2018.7.19 (CDP, "Ideas on the Constitution: Discussions on the Constitution from the Constitutionalist's Viewpoint," 2018.7.19).

<sup>(45)</sup> The current CDP was formed on September 15, 2020.

<sup>(46)</sup> 「政調審議会「憲法論議の指針」を了承」2020.11.20. 立憲民主党ウェブサイト ("SEICHO SHINGIKAI approves the "Guidelines for Discussions on the Constitution," 2020.11.20. CDP website)

<sup>(47)</sup> 「【政調】党憲法調査会 4つの類型の勉強会を行う」2022.2.9. 立憲民主党ウェブサイト ("【SEICHO (Policy Research Committee)】 The party's KEMPO CHOSAKAI ; Four types of workshops will be conducted," 2022.2.9. CDP website)

<sup>(48)</sup> 「【憲法調査会】3分科会で「中間報告」了承」2023.2.24. 立憲民主党ウェブサイト ("【KEMPO CHOSAKAI】 The 'Intermediate Report' was approved by the 3 sub-committees," 2023.2.24. CDP website)

or more of the members present in each House when an armed attack, civil war or terrorism, natural disaster, spread of infectious disease, etc., occurred and holding a national election properly was manifestly difficult for a period of at least 70 days.<sup>(49)</sup>

Subsequently, on June 19 of the same year, the two parties and one group also compiled their draft articles regarding the response to emergency situations other than extending the terms of office of members of the Diet.<sup>(50)</sup> When there is a special need to maintain the Diet's functions to deal with an armed attack, civil strife or terrorism, natural disaster, spread of infectious disease, etc., the Cabinet may declare an emergency situation on the condition of the approval of the Diet, which has an effect of prohibiting during this emergency situation period the closing of the Diet, the dissolution of the House of Representatives, and constitutional amendments. Moreover, as measures to be taken during peacetime, it stipulated the due date for convoking an extraordinary session of the Diet and the limits on restrictions of human rights. Discussion points, such as the introduction of the Constitutional Court and its participation, emergency cabinet orders, are placed as matters for further consideration.

## 2 Party Manifestoes and Other Measures

The main party manifestoes etc. of each party in relation to the Constitution published for the 50th general election of members of the House of Representatives (held on October 27, 2024), which is the most recent national election, are shown in Table 2.

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<sup>(49)</sup> 「緊急事態条項（国会議員の任期延長）概要・条文原案」国民民主党ウェブサイト  
（“Provisions on Emergency situation (extension of the terms of office of members of the Diet)  
outline and original draft of the provisions.” DFPF website)

<sup>(50)</sup> 「緊急事態条項（国会議員の任期延長その他の国会機能維持）概要」日本維新の会ウェブサイト  
（“Provisions on emergency situation (extension of the terms of office of Diet  
members and the maintenance of other functions of the Diet) outline.” JIP website); 「緊急事態  
条項（国会議員の任期延長その他の国会機能維持）憲法改正原案（イメージ）」同  
（“Provisions on emergency situation (extension of the terms of office of Diet members and the  
maintenance of other functions of the Diet) Preliminary Draft Amendment to the Constitution  
(image).” *ibid.*)

**Table 2. The main party manifestoes and so on, of each party in relation to the Constitution for the 50th general election of members of the House of Representatives (held in 2024)**

LDP	<ul style="list-style-type: none"> <li>• “LDP is currently presenting four items as the draft articles of the constitutional amendments: ① stipulation of the SDF, ② response to emergency situations, ③ abolition of merged constituencies; local public entities, and ④ enhancing education.”</li> <li>• “In the Commission of both Houses, the LDP will deepen the discussion on the Constitution, propose and initiate the Preliminary Draft Amendments to the Constitution to the Diet, implement the National Referendum, and realize an amendment of ‘the Constitution’ at an early stage.”</li> </ul>
CDP	<ul style="list-style-type: none"> <li>• CDP “will promote ‘RONKEN (discussing the Constitution)’ based on the basic principles of the current Constitution and constitutionalism. It will actively engage in discussions that contribute to keeping in check the power of the state and expanding citizen rights.”</li> <li>• “It will deepen the discussion on restricting the dissolution of the House of Representatives by the Cabinet, stipulating the due dates on convoking an extraordinary session of the Diet, strengthening the investigatory powers of each House, clarifying the duty of the government to disclose information, and enhancing local autonomy.”</li> </ul>
Nippon Ishin (JIP)	<ul style="list-style-type: none"> <li>• Nippon Ishin will “actively lead the stalled discussions on constitutional amendments by presenting specific amendment draft, such as free education, stipulation of the SDF, and the creation of clauses for emergency situations, and aiming to realize a National Referendum by a set deadline.”</li> <li>• “In light of the fact that the actual state of affairs and interpretation of the Constitution has been changed by the current administration without being left up to the people’s choice, Nippon Ishin will realize a National Referendum for the people to choose the Constitution at an early stage.”</li> </ul>
DPFP	<ul style="list-style-type: none"> <li>• DPFP will “advance discussions to increase the normative power of the Constitution.”</li> <li>• The items to be discussed and considered include “the fundamental right to data protection,” “guaranteeing same-sex marriage,” “guaranteeing the rights of the child,” “restricting the Prime Minister’s power of dissolution,” “stipulating the due dates on convoking an extraordinary session of the Diet,” “establishing a Constitutional Court,” “emergency situations provisions,” “Article 9 of the Constitution”.</li> </ul>
Komeito	<ul style="list-style-type: none"> <li>• “If new ideals that were not envisioned at the time of enforcing the Constitution, or issues that can only be resolved by a constitutional amendment become apparent, the addition of necessary provisions (Kaken) should be considered.”</li> <li>• The items to be discussed and considered include “Article 9 of the Constitution and the SDF,” “maintaining the functions of the Diet in emergency situations,” “the progress of digital society and the Constitution,” and “the responsibility to preserve the global environment.”</li> </ul>
REIWA SHINSENGUMI	<ul style="list-style-type: none"> <li>• “Our aim is, in preference to amend the Constitution, to make the best use of the current Constitution. We do not subscribe to the constitutional amendments advocated by those whose only goal is to change the Constitution while contradicting what is required by the current Constitution, such as Article 25 which provides for ‘the minimum standards of wholesome and cultured living’. Provisions on Emergency situation that concentrate power only in the Cabinet under the pretext of disasters and emergencies are actually dictatorship provisions.”</li> </ul>

The Japanese Communist Party (JCP)	<ul style="list-style-type: none"> <li>• “The attack on the Constitution under the Ishiba administration is not confined to a textual amendment to the Constitution. It is nothing but an attempt to meet the specific requirements of law and regime for establishing a literal ‘war states’.”</li> <li>• “It is no exaggeration to say that the fight to defend pacifism and to not allow a textual amendment to the Constitution in the Diet depends on the progress of JCP.”</li> </ul>
Sanseito	<ul style="list-style-type: none"> <li>• “We oppose excessive restrictions on personal activities and excessive control of information by the government, such as a proposal for constitutional amendments which includes provisions on emergency situation.”</li> <li>• “The current Constitution of Japan was drafted 78 years ago, during the Allied Occupation, based on foreign instructions and drafts. It cannot be said to be based on the free will or historical view of the Japanese people. Sanseito is conducting ‘Soken’ activities for the Japanese people to create the Constitution afresh by themselves.”</li> </ul>
The Conservative Party of Japan (CPJ)	<ul style="list-style-type: none"> <li>• “We are aiming to maintain a defense force adequate to protect Japan, strengthen it as necessary, and develop laws, including constitutional amendments, to achieve this.”</li> <li>• “Amendment to Article 9 of the Constitution (partial deletion of its paragraph 2)”</li> </ul>
The Social Democratic Party (SDP)	<ul style="list-style-type: none"> <li>• “We absolutely oppose the revision for the worse of Article 9 of the Constitution. We will realize a politics that fully utilizes the Pacifist Constitution in people’s lives.”</li> <li>• “There is no need to change the current Constitution now. The various impasses in society are not caused by the Constitution, but by the government’s failure to utilize the ideals of the Constitution. [...omission...え SDP is committed to rebuilding the lives of the people by realizing the ideals of the Constitution to daily lives and politics.”</li> </ul>

(Legend) Text within [ ] is supplemented by the author. The political parties shown in the table are those that won seats in the 50th general election of members of the House of Representatives (held on October 27, 2024). The parties are listed in the order of the number of seats they won in the election (or in Japanese alphabetical order if they have the same number of seats).

(Sources) Prepared by the author based on 自由民主党「自民党 令和6年政権公約」p.18 (LDP, “LDP 2024 political party manifestoes,” p.18). 立憲民主党「立憲民主党 2024 政策パンフレット」p.23. (「これまでの選挙政策」立憲民主党ウェブサイトから閲覧) (CDP, “Constitutional Democratic Party of Japan 2024 Policies Pamphlet,” p.23. (Viewed on “Election Policies up to the Present Time.” CDP website)); 「第50回衆議院議員選挙 マニフェスト 8. 憲法・皇室制度」日本維新の会ウェブサイト (“The 50th Election of the Members of the House of Representatives Manifesto 8. the Constitution and the Imperial System.” JIP website); 国民民主党「国民民主党 政策パンフレット」p.34 (DPPF, “Democratic Party For the People’s Policies Pamphlet,” p.34); 公明党「衆院選政策集 Manifesto2024」pp.105–106 (Komeito, “Collection of House of Representatives Election Policies Manifesto 2024,” pp.105–106); れいわ新選組「れいわ新選組 2024 衆院選 マニフェスト」p.22 (REIWA SHINSENGUMI, “REIWA SHINSENGUMI 2024 House of Representatives Manifesto,” p.22); 「総選挙政策 73、憲法」2024.10. 日本共産党ウェブサイト (“General Election Policies 73, the Constitution,” 2024.10. JCP website); 「参政党 公約 2024」参政党ウェブサイト (“Sanseito Manifesto 2024.” Sanseito website); 「党規約と綱領」日本保守党ウェブサイト (“Party Statutes and Platform.” CPJ website); 「日本保守党の重点政策項目」同 (“CPJ’s Key Policy Items.” *ibid.*); 「2024 衆議院総選挙政策」社会民主党ウェブサイト (“2024 The House of Representatives General Election Policy.” SDP website); 社会民主党「重点政策 2024」p.13. (「第50回衆議院選挙 重点政策」社会民主党ウェブサイトから閲覧) (SDP “Key Policies 2024,” p.13. (Viewed on “the 50th Election of the House of Representatives Key Policies.” SDP website))

### III Developments in Public Opinion

#### 1 *Transition of the Approval and Disapproval for Constitutional Amendments*

SAKAIYA Shiro, a Professor at the Graduate School for Law and Politics, University of Tokyo, highlights the following points as a general trend of postwar transition.<sup>(51)</sup>

① In the period around the restoration of sovereignty (April 1952), many voters were in favor of a constitutional amendment.

② During the high-growth period, when the international environment was relatively stable and the society was economically growing, an increasing number of voters felt that the Constitution could be maintained.<sup>(52)</sup>

③ In the 1990s and early 2000s, after the end of the Cold War, amid the deployment of the SDF overseas during the Gulf War and the movement to reform government structures during the economic and social crises such as the bursting of the bubble economy, the number of voters in favor of constitutional amendments increased.

④ In the 2000s, when the issue of Article 9 of the Constitution became more important as a point of contention because of the SDF's deployment in Iraq etc., the argument for protecting the Constitution gained momentum.

⑤ In recent years, the number of voters who think that constitutional amendments are necessary in some form<sup>(53)</sup> is almost equal to those who think they are not necessary.

Figure 3 shows the changes in the approval or disapproval of the constitutional amendments since the 1950s, based on the results of public opinion polls in *The Asahi Shimbun* and *The Yomiuri Shimbun*.

When interpreting the results of such public opinion polls, the following points should be kept in mind.

① The survey methods and questions differ between different time periods; thus, they cannot be simply compared.<sup>(54)</sup>

② Public opinion polls on the approval or disapproval of constitutional amendments

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<sup>(51)</sup> 境家史郎『憲法と世論—戦後日本人は憲法とどう向き合ってきたのか—』（筑摩選書 0150）筑摩書房，2017，pp.290–294（SAKAIYA Shiro, *The Constitution and Public Opinion: How Have Postwar Japanese Viewed the Constitution?* Chikumashobo: Chikumashobo, 2017, pp.290–294).

<sup>(52)</sup> However, from the perspective of consistency with actual foreign and security policies and Article 9 of the Constitution, it is considered that opinions that a constitutional amendments to clarify the right to self-defense or the position of the SDF was acceptable, were not uncommon (*ibid.*, pp.115–122, 291).

<sup>(53)</sup> Individual discussion points include the stipulation of the right to self-defense and the SDF, introduction of “New human rights,” etc. (*ibid.*, p.292).

<sup>(54)</sup> 「改憲不要 48% 必要 43% 本社世論調査」『朝日新聞』2015.5.2 (“Constitutional amendment: Not necessary 48%; Necessary 43%; Our company’s public opinion polls,” *The Asahi Shimbun*, 2015.5.2); 「基礎からわかる世論調査」『読売新聞』2020.7.18 (“Public opinion polls understood from the base,” *The Yomiuri Shimbun*, 2020.7.18).

have been held since the early postwar period. However, initially the purpose of these polls was to ask the respondents how they evaluated the legitimacy of the entire Constitution enacted during the Occupation or whether they agreed with a total revision of the current Constitution; thus, their purpose can be considered to be different from that of today's polls.<sup>(55)</sup>

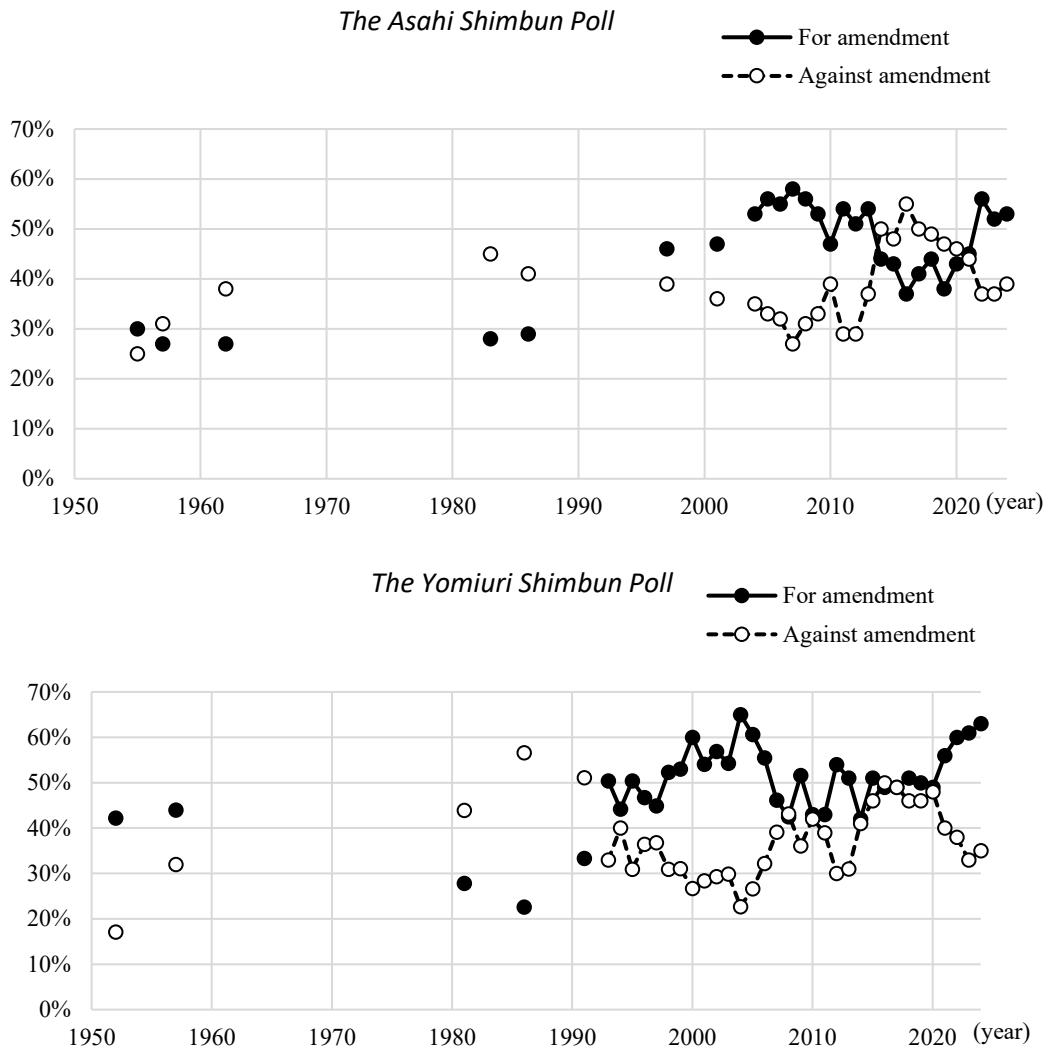
③ Today, when the question of “Do you agree with a constitutional amendment?” is interpreted as actually asking, “Do you think we should change any part of the Constitution?”,<sup>(56)</sup> the poll regarding this question is extremely difficult to interpret.

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<sup>(55)</sup> SAKAIYA, *op.cit.* (51), pp.86–87.

<sup>(56)</sup> *ibid.*, p.302.

**Figure 3. The transition of the approval and disapproval for constitutional amendments  
 (Results of public opinion polls in *The Asahi Shimbun* and *The Yomiuri Shimbun*)**



(Legend) The years in which contiguous data were collected are connected by a line. *The Asahi Shimbun's* question text read, “There are opinions that the Constitution of Japan at present needs to be amended and that it does not need to be amended. Which opinion do you agree with?” (1955, 1957, 1962), “Do you agree with the amendment of the Constitution as it is now? Or do you disagree with it?” (1983, 1986), “Looking at the Constitution as a whole, do you think it is necessary to amend the Constitution as it is now? Or do you think it is not necessary to amend it?” (1997, 2001, 2004–2012), “Do you think it is necessary to change the Constitution as it is now? Or do you think it is not necessary to change it?” (2013–2024). The question text of *The Yomiuri Shimbun* was as follows: “There are opinions that the Constitution should be amended and that it should not be amended; do you agree or disagree with its amendment?” (1952), “Do you think it is better to amend the Constitution, or do you think it is better to leave it as it is now?” (1957), “Do you think the current Constitution should be amended or not amended?” (1981, 1986, 1991, 1993–2024). Some of these questions have slight differences in wording (e.g., the presence or absence of a punctuation mark, the omission of words, etc.) depending on the year.

(Sources) Prepared by the author based on the results of public opinion polls conducted by *The Asahi Shimbun* and *The Yomiuri Shimbun* in each year. The databases of the two newspapers (“Asahi Shimbun Cross-Search” and “Yomidias”) were used to prepare this report.

## 2 Results of Recent Public Opinion Polls

Among the results of the main public opinion polls on the Constitution conducted in 2024, those related to the approval or disapproval of amendments, the encouragement of active discussions on amendments, the items to be considered and amended, and the policy issues that should be prioritized (the priority of a constitutional amendment among the various policy issues) are shown in Table 3. The comments on individual public opinion poll results, by newspapers who conducted each poll, are shown below.

① It appears that the changes in the security environment surrounding Japan influenced the increase in the number of those in favor of a constitutional amendment.<sup>(57)</sup>

② The people’s perceptions regarding a constitutional amendment are complex. When asked whether in general they are in favor of or against an amendment, a recent trend shows slightly more people to be in favor. However, a constitutional amendment is not considered a high-priority issue.<sup>(58)</sup>

③ A certain number of people do not feel confident that they can make a proper decision in a National Referendum on a constitutional amendment even while thinking that a constitutional amendment is necessary.<sup>(59)</sup>

**Table 3. Results of recent public opinion polls on the Constitution**

For or against amendments	
<i>The Asahi Shimbun</i> (2024.2.27 ~ 4.10)	“Do you think it is necessary to change the Constitution as it is now? Or do you think it is not necessary to change it?” “Necessary to change” 53% “Not necessary to change” 39%
	“Necessary to amend” 28% “If I had to say, necessary to amend” 47%
<i>Kyodo News</i> (2024.3.5~4.15)	“Do you think it is necessary or not necessary to amend the Constitution?” “If I had to say, not necessary to amend” 16% “Not necessary to amend” 7% “No answer” 2%

<sup>(57)</sup> 「憲法改正「賛成」63%」『読売新聞』2024.5.3 (“Poll: 63% favor revising Constitution over security concerns,” *The Yomiuri Shimbun*, 2024.5.3).

<sup>(58)</sup> 「社説 戦後80年 憲法のこれから 国民が議論を取り戻す時」『毎日新聞』2025.1.20 (“Editorial: Postwar 80 years: The Constitution in the future: The time when the people will return to the discussions,” *The Mainichi*, 2025.1.20).

<sup>(59)</sup> 「もし、憲法改正案の国民投票となったら 適切な判断ができる自信は？」『朝日新聞 デジタル』2024.5.8 (“If there was a referendum on a constitutional amendment, how confident are you that you would be able to make an appropriate decision?”, *Asahi Shimbun Digital*, 2024.5.8). In a poll conducted by *the Asahi Shimbun* (2024.2.27–4.10), respondents were asked, “Do you think it is necessary to change the Constitution as it is now? Or do you think it is not necessary to change it?” Among those who answered that “necessary to change,” when asked, “If a referendum was to be held on a proposed constitutional amendment, how confident are you that you would be able to make an appropriate decision?”, 39% of the respondents answered that they were “Not very confident” or “Not at all confident.”

<i>The Yomiuri Shimbun</i> (2024.3.12 ~ 4.18)	“Do you think the current Constitution should be amended or not amended?”	“It should be amended” 63% “It should not be amended” 35% “Will not answer” 2%
<i>The Mainichi</i> (2024.10.3)	“Do you agree or disagree with the constitutional amendment under Prime Minister ISHIBA?”	“Agree” 27% “Disagree” 28% “Don’t know” 44%
<b>Encouragement of active discussions (on an amendment)</b>		
<i>Kyodo News</i> (2024.3.5~4.15)	“Prime Minister KISHIDA Fumio has expressed his willingness to make constitutional amendments by September during his term as LDP president. Do you think that it is necessary to speed up the debate over the constitutional amendment in the Diet, or that it is not necessary to do so?”	“Necessary to speed it up” 33% “Not necessary to speed it up” 65% “No answer” 2%
<i>The Yomiuri Shimbun</i> (2024.3.12 ~ 4.18)	“Do you think that political parties should or should not increase their discussions on the Constitution?”	“Should increase their discussions” 72% “I don’t think they should” 25% “No answer” 2%
<i>The Asahi Shimbun</i> (2024.9.14~15)	“Do you think it is necessary to speed up the discussions on constitutional amendments under the next prime minister? Or do you think that it is not necessary to do so?”	“Should speed them up” 34% “Not necessary to speed them up” 55%
<b>Items to be considered and amended</b>		
<i>The Asahi Shimbun</i> (2024.2.27 ~ 4.10)	“Which of the following themes related to the Constitution would you like the Diet to discuss more? (Multiple answers possible)”	“The approach to a National Referendum for constitutional amendments” 50% “The approach to the protection of human rights in the digital age” 49% “The ability to strike enemy targets, or ‘counterattack capabilities’” 35% “The ‘vote-value disparity’ between urban and rural constituencies” 33% “Same-sex marriages” 18% (top 5 answers)
<i>Kyodo News</i> (2024.3.5~4.15)	“Regarding the Constitution, what themes would you like the Diet to particularly discuss? Please select up to three answers.”	“Article 9 of the Constitution and the SDF” 34% “Social security, such as welfare rights” 31% “Emergency situations, such as during a major disaster” 28% “Human rights in a digital society” 22% “Education” 20% (top 5 answers)

<i>The Yomiuri Shimbun</i> (2024.3.12 ~ 4.18)	“Please select any number of items that are of particular interest to you regarding the Constitution of Japan.”	“Renunciation of war, SDF issues” 51% “Education issues” 31% “Environmental issues” 30% “The issue of responding to emergency situations” 27% “Equality and discrimination issues” 26% (top 5 answers)
<i>The Yomiuri Shimbun</i> (2024.3.12 ~ 4.18)	“Please select any number of items relating to the articles of the Constitution of Japan that you think should be amended or new articles that should be added to it.”	“Retention of armed forces for self-defense” 45% “Maintain sound finances” 38% “Free education” 34% “Responding to emergency situations” 32% “The right to live in a pleasant environment” 31% (top 5 answers)
Policy issues that should be prioritized (priority of constitutional amendments in various policy issues)		
<i>The Yomiuri Shimbun</i> (2024.10.1~2)	“Please select any of the eight following policies or issues you would like ISHIBA Cabinet to prioritize.”	“Economy and employment” 88% “Education and childcare” 75% “Social security” 71% (top 3 answers) ∴ “Constitutional amendment” 30%
<i>Kyodo News</i> (2024.10.1~2)	“What issues do you think Prime Minister Shigeru ISHIBA should prioritize? Please select up to 2 answers.”	“Measures to address the economy, employment, and high prices” 55.9% “Pensions and social security” 29.4% “Childcare and the declining birthrate” 22.7% (top 3 answers) ∴ “Constitutional amendment” 4.4%
<i>The Mainichi</i> (2024.10.3)	“What policies would you like the new Cabinet to tackle? (multiple answers possible)”	“Price control policies” 72% “Economic policies” 68% “Social security” 51% (top 3 answers) ∴ “Constitutional amendment” 16%
<i>The Sankei Shimbun</i> • FNN (2024.12.14~15)	“What policies do you want ISHIBA Cabinet to work on in the future (choose two)?”	“Policies to address high prices and wage increases” 41.9% “Support for children and childcare” 33.2% “Economic policies and economic stimulus policies” 30.8% (top 3 answers) ∴ “Constitutional amendment” 3.3%

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<p><i>The Nikkei</i> (2024.12.20~22)</p>	<p>“What policy issues do you want Prime Minister ISHIBA to prioritize? Please select any of the answers from the following fourteen.”</p>	<p>“Price control policies” 38%                  “The economy in general” 36%                  “Childcare, education, and birthrate policies” 28%                  (top 3 answers)                  ∴                  “Constitutional amendment” 8%</p>
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(Legend) In each of the polls of *The Asahi Shimbun* (2024.2.27~4.10), *The Yomiuri Shimbun* (2024.3.12~4.18), and *Kyodo News* (2024.3.5~4.15), 3,000 voters were randomly selected from among the nationwide electorate and then sent a questionnaire by mail (the questionnaires were sent from the end of February to mid-March and then returned by mid-April. There were around 2,000 valid responses). The survey by *The Mainichi* (2024.10.3) was conducted by sending e-mails to the smartphones of people randomly selected from among the approximately 70 million members of the d-point club operated by NTT DOCOMO (2,061 valid responses). The other surveys were conducted by RDD or RDS (Random Digit Dialing (or Sampling), in which computer-generated random landline and cell phone numbers were called (or questions were sent) (around 1,000 valid responses). The *Kyodo News* poll was published in *The Tokyo Shimbun*.

(Sources) Prepared by the author based on 「「憲法」世論調査の詳報」『東京新聞』2024.5.2 (“The detailed report on public opinion polls on the Constitution,” *The Tokyo Shimbun*, 2024.5.2); 「質問と回答」『朝日新聞』2024.5.3 (“Questions and Answers,” *The Asahi Shimbun*, 2024.5.3); 「質問と回答」『読売新聞』2024.5.3 (“Questions and Answers,” *The Yomiuri Shimbun*, 2024.5.3); 「本社世論調査 質問と回答」『朝日新聞』2024.9.17 (“Our company’s public opinion polls: Questions and Answers,” *The Asahi Shimbun*, 2024.9.17); 「本社全国世論調査結果」『読売新聞』2024.10.3 (“The results of our company’s nationwide public opinion polls,” *The Yomiuri Shimbun*, 2024.10.3); 「石破内閣 世論調査詳報」『東京新聞』2024.10.3 (“The detailed report on the public opinion polls on the ISHIBA Cabinet,” *The Tokyo Shimbun*, 2024.10.3); 「本社世論調査 質問と回答」『毎日新聞』2024.10.4 (“Our company’s public opinion polls: Questions and Answers,” *The Mainichi*, 2024.10.4); 「合同世論調査 質問と回答」『産経新聞』2024.12.17 (“Combined public opinion polls: Questions and Answers,” *The Sankei Shimbun*, 2024.12.17); 「内閣支持率を追う 日経世論調査全データ」 (“Tracing the Cabinet’s approval rating, All Nikkei public opinion poll data”).

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