

Did the Emperor of Japan really fall from being a ruler to a symbol?

What the textbook editors tried to conceal

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The “devious equation” that says “imperial sovereignty changed to sovereignty of the people”

I was born in 1975, and I learned in school that the establishment of the Constitution of Japan resulted in the transformation of imperial sovereignty into sovereignty of the people. In other words, the Emperor was banished from his position as sovereign ruler after the end of World War II, and his position was taken up by the citizens. As a result of the Emperor being driven out from his seat of power, he became a powerless “symbol” that serves a merely formal, ceremonial function. I was told that he is described as having become “nothing more than a symbol.” That’s a rough description of what is inevitably written in social studies textbooks. Even most of the newest textbooks follow this pattern.

A majority of people are likely familiar with what is written in such textbooks and accept it as the natural state of things. There are very few citizens who question such commonplace views, and by no means does our modern society contain people who still believe that the Emperor of Japan is a sovereign ruler. And there is probably no one who thinks that the Emperor – who is a “symbol” under the modern Constitution – has any kind of significant political power. Anyone who did doubt what the textbooks say would be subjected to vehement criticism.

However, a great falsehood is concealed within the familiar phrase “sovereignty shifted from the Emperor to the people.” This lie is a massive one. It is so massive, in fact, that it is difficult to take notice of. This is not the result of a mistake on the part of the textbook editors. I think that it is more likely that it is an intentional falsehood aimed at hiding something.

The explanation that “sovereignty shifted from the Emperor to the people” and the claim that “the Emperor fell from being in the position of a ruler to a symbol” can be easily overturned through logic. In this paper, I would like to elucidate these points.

I first noticed this lie two years ago in 2007, when I was one of the instructors in charge of a class at the Keio University Graduate School of Law entitled “the Emperor and the Constitution.” I intended to start from the beginning and relearn everything there was to know about imperial rule. When I had finished reading all of the scholarly works I could find that discussed views of the Emperor in the Constitution, I suddenly took notice of this falsehood. Even now, I can’t forget how shocked I was. Yet it seems there are almost no essays or books that mention this lie.

Was the pre-war era an absolute monarchy?

Firstly, I would like to introduce some passages from the social studies textbooks that I actually used as a student in junior high and senior high school. Excepting those from companies such as Fusosha Publishing, current textbooks all contain similar statements.

Junior high school textbook: *Citizens*

"Through the establishment of the Constitution of Japan, supreme political power (sovereignty) switched from belonging to the Emperor to belonging to the people."

High school textbook: *Modern Society*

"The Constitution of Japan abolished imperial sovereignty, which was the basic principle of the Constitution of the Empire of Japan. The Constitution adopted the fundamental concept of sovereignty of the people, or that the final right to decide how national politics should be carried out belongs to the citizens." (1)

In other words, textbooks say that the establishment of the Constitution of Japan led to a shift from imperial sovereignty to sovereignty of the people; sovereignty was transferred from the Emperor to the citizens. In the classroom, there are many teachers who teach that "the Emperor has become nothing more than a symbol."

"Nothing more than a symbol" refers to the fact that the current Constitution says that the Emperor is a symbol of Japan and does not possess any political power (meaning that he doesn't have the practical power of decision that we refer to as the power of veto). The theory is that the Emperor fell from being the ruler (sovereign) provided for in the old Constitution of the Empire of Japan (Meiji Constitution), to a "mere symbol" with no power.

Certainly, under the terms of the current Constitution, the Emperor cannot participate in political decision making. Accordingly, if the extreme hypothesis that the Emperor of the Meiji Constitution was an absolute monarch in a position of being able to freely make political decisions is correct, then the phrase "fell from being a ruler to being a mere symbol" is probably true.

However, was the Emperor actually in a position of being able to make political determinations under the Meiji Constitution? No, people who are well informed in modern history must know that this was not the case. According to the customary practices established under the Meiji Constitution, the Emperor did not have the ability to overturn national policy decided upon by the government and supreme commanders.

From when the Meiji Constitution was promulgated in 1889 until the present time, the Emperor directly made a decision on national policy only once: the imperial decision to end the war in 1945 (2). All other decisions were made by institutions that possessed the corresponding authority, such as the Diet or the Cabinet, and then came into force through the Emperor's promulgation, ratification, or approval (3).

Article 1 of the Meiji Constitution reads, "The Empire of Japan shall be reigned over and governed by a line of Emperors unbroken for ages eternal." This does not mean that the Emperor makes political decisions as he pleases. Article 55 says that the respective Ministers of State shall give their advice to the Emperor and bear the political responsibility, and also states that all laws and imperial ordinances of any kind must be countersigned by a Minister of State. Article 5 clearly specifies that the Emperor exercises legislative power with the consent of the Imperial Diet. A custom was also established in which the head supreme commanders would assist the Emperor regarding military commands and bear the responsibility. In this way, under the Meiji Constitution, the Emperor did not have the practical ability to contribute to decisions of national policy, just the same as now (4).

The trick hidden within textbooks

Under the current Constitution, the Emperor's constitutional functions are performed according to the advice and approval of the Cabinet, and the Cabinet bears that responsibility. But the structure in which institutions other

than the Emperor make national policy decisions, and the same institution bears the responsibility for them, is no different in the old and new Constitutions. Furthermore, Article 3 of the Meiji Constitution states, “The Emperor is sacred and inviolable,” clearly showing that the Emperor had no political responsibility.

Because the Emperor did not have the practical power to participate in decisions of national policy under the Meiji Constitution, he was certainly not the ruler of an absolute monarchy. This casts suspicion on the statement “the Emperor fell from being a ruler to a symbol.”

National policy was decided upon by institutions other than the Emperor. According to the contents of these decisions, laws were officially promulgated in the Emperor’s name, the National Diet was convened, and the House of Representatives was at times dissolved. This was the power that the Emperor possessed under the Meiji Constitution.

Isn’t the form of this Emperor essentially the same as the one in the modern Constitution? Even if imperial power differs slightly according to the Meiji Constitution and the modern Constitution, and even if there are a few formal differences, things are practically and essentially the same.

So why is it that the true nature of the Emperor didn’t change, regardless of the fact that the text of the Constitution was significantly rewritten after the end of the war? It’s probably because GHQ (Supreme Commander of the Allied Powers General Headquarters) took the first article of the Constitution at face value, and misunderstood it as laying out the autocracy of the Emperor.

In other words, through destroying the system of imperial sovereignty and an autocratic Emperor, GHQ intended to restructure Japan into a country that could never turn a sword on the allied nations again. They forced the creation of a new Constitution stating that the Emperor had no political power, but in reality, even under the Meiji Constitution, the Emperor did not directly participate in political decisions – the same as the “symbol” provided for in the modern Constitution. Because of this, even after the promulgation of the new Constitution, the result was that there were no essential changes to imperial power.

So is the education that says sovereignty switched from the Emperor to the people, and that the Emperor fell from a ruler to a symbol, based on some sort of logic? A significant “trick” is hidden within this concept. From context, the textbooks that I employed as examples use the word “sovereignty” in the phrases “imperial sovereignty” and “sovereignty of the people” to mean the same thing. This is the key.

What I mean to say is that, as I will mention again later, “sovereignty” is used in the phrases “imperial sovereignty” and “sovereignty of the people” to mean two entirely different things. If the sovereignty that the Emperor supposedly had, and the sovereignty that the people are considered to hold, are in fact different things, then one cannot logically say that sovereignty changed from belonging to the Emperor to belonging to the people. This makes no more sense than saying something like “the *manju* [steamed bun] of the father became the cake of the son.” Even if the father’s *manju* comes into the son’s possession, that does not mean that it turns into cake.

Sovereignty is based on the bond between the Emperor and the people

So how do the meanings of the two types of sovereignty differ? In constitutional law, the word “sovereignty” is used ambiguously. But in the case of the phrase “sovereignty of the people,” sovereignty is usually understood to mean “the power to conclusively determine the state of national politics.” Arguing about definitions will only make things more difficult to understand, so the considerations of this paper will firstly be based upon this understanding.

However, even if you define sovereignty so simply, the process of making decisions of national politics and

carrying them out is not a simple thing. In actuality, the power to make decisions of national policy and the power and authority to actually carry those decisions out is not necessarily held in one place.

Under both the Meiji Constitution and the Constitution of Japan, the people make decisions about national politics, and the one who puts them into practice is the Emperor. Namely, the members of the National Diet, who are the representatives of the people, adopt bills at the Diet. Only when the Emperor – the symbol of Japan – promulgates laws do they come into effect. I would like to point out that citizens cannot exercise sovereignty on their own, and neither can the Emperor.

To make things easier to understand, I will provide an example regarding the revision of the Constitution. Constitutional reform is the most basic decision regarding the course of national politics. Prominent theories state that the power to conclusively decide the fate of national politics is namely the power to formulate the Constitution and amend the Constitution.

The Constitution of Japan contains clear specifications for constitutional amendment, and procedural law has also been created for public referendum. Because constitutional reform is decided upon by the National Diet and public referendum, it can be said that the people have the ability to decide upon amendments. And according to both the old and new Constitutions, the Emperor does not have the practical power to participate in the process of deciding upon constitutional amendments (5).

But the Constitution cannot be amended by the people alone. According to the terms of Article 7 of the Constitution, the Emperor must promulgate any amendments. Legal requirements for constitutional amendment are fulfilled through the Emperor's promulgation. It is then that they come into force. Although citizens possess the power to decide the contents of amendments, the Emperor is the one who holds the power to actually amend the Constitution in accord with what has been previously decided (6).

Incidentally, I suspect there are people who possess doubts regarding the idea of the Emperor having power or influence. But power and influence don't refer to being able to influence politics entirely as one wishes. Using the word "authority" as a replacement may provide for a nice fit.

The fact that constitutional amendments are determined by the people and then actually promulgated by the Emperor means that, although the Emperor's power may be limited to a formality, he certainly has the authority that is the basis for sovereignty. Putting aside a few exceptions, historically the Emperor's authority has been consistently formal and ceremonial. However, "formal" does not necessarily equal "worthless." Rather, wasn't the authority of the Emperor precious exactly because it was formal?

As I have indicated above, the Constitution is amended through a two-step process wherein the citizens determine the amendments and the Emperor promulgates them. Accordingly, the people cannot amend the Constitution independently, nor can the Emperor.

In this way, sovereignty involves both a practical side and a formal side. For example, in the case of constitutional amendment, the citizens are in charge of the practical side of sovereignty (deciding upon constitutional amendments) and the Emperor shoulders the formal side of sovereignty (promulgating constitutional amendments and making them come into force). Calling the former "power" and the latter "authority" makes things easier to understand. Sovereignty is put in motion when the two meet. Consequently, neither the people nor the Emperor can independently or ultimately decide matters of national politics.

The procedures to decide upon constitutional amendments vary in the old and new Constitutions, but they do not differ in that the Emperor and the citizens each bear either the formal or practical side of sovereignty.

In general, one can conclude that sovereignty exists based on the bond between the Emperor and the people in

both the old and new Constitutions. This is what is known in Japanese as “*kunmin ittai*” (oneness of the Emperor and his people).

Rulers drastically change according to the definition of “sovereignty”

Conventional wisdom tells us that the citizens are the rulers under the Constitution of Japan. This is the result of defining “sovereignty” from a practical standpoint – a look at the practical side of things certainly tells us that the ruler of Japan is, without question, its citizens. However, passages in textbooks that say that sovereignty changed from belonging to the Emperor to the people are based on the premise that the ruler of Japan under the Meiji Constitution was the Emperor. But is that really true?

If you define the ruler under the Meiji Constitution from the same practical standpoint, the ruler was not the Emperor. It’s evident that, even under the Meiji Constitution, the Emperor did not possess the practical ability to participate in decisions of national policy. This is the “hidden trick” of the textbooks. The “imperial sovereignty” that textbooks discuss is the formal side of sovereignty (authority), and is different from the “sovereignty of the people” that is defined in a practical way (power). If the textbooks focus on the practical side (power) and say that the ruler of Japan according to the Constitution of Japan is the people, then it should be required for them to define the ruler according to the Meiji Constitution from the same practical standpoint.

If the entity who was in charge of the practical side of sovereignty (power) and who made practical decisions regarding national policy under the Meiji Constitution was not the Emperor, then who was it? One need only look at the text of the Meiji Constitution and the way things were run to understand.

From that perspective, decisions regarding bills and draft budgets were made by the Diet, and affairs of state were determined by the various Ministers of State. As for military affairs, military administration was carried out by the Minister of the Army and Navy, while military command was the responsibility of the Chief of the Navy General Staff. The personnel affairs of the Prime Minister were carried out by a senior statesmen’s conference made up of former Prime Ministers. These were the entities that held the power to decide matters of national policy underneath the Meiji Constitution – a number of institutions and people were in charge of the practical side of sovereignty (power).

Of course, it’s a fact that there were people who saw sovereignty in the authority of the Emperor, who was referred to as a “living god.” However, since suffrage was restricted at first, we cannot discuss the time as if everything were the same as today. Nonetheless, a major part of the foundation of national policy was the importance of the Diet, which decided on bills and draft budgets. Therefore, it can generally be said that, in the system even under the Meiji Constitution, the principal ruler was the people (while the senior statesmen occupied important positions).

As I stated before, if focus is placed on the practical side of sovereignty (power), then the principal ruler of the Meiji Constitution was the people. And because the ruler of the Constitution of Japan is also the people, then saying “sovereignty shifted from the Emperor to the people” is incorrect.

What happens, however, if one focuses on the formal side of supremacy (authority) and defines the ruler as the Emperor under the Meiji Constitution, as the textbooks do? If the Emperor is also in charge of the important portions of the formal side of supremacy (authority) under the Constitution of Japan, then one could even say that imperial sovereignty is still in place.

In this way, while concealing the dual facets of sovereignty, textbooks purposefully mix the two definitions in

whatever way is convenient. They have created the misunderstanding that an autocracy in which the Emperor could influence politics as he chose shifted to a political system in which the citizens are in control of politics. The thinking that imperial sovereignty switched to sovereignty of the people is a devious theory that cleverly uses the definition of sovereignty in different ways, resulting in differing rulers (7).

Figure: How the ruler changes according to definitions of “sovereignty”

1. The “devious formula” with a confused definition of sovereignty

	<u>Meiji Constitution</u>			<u>Constitution of Japan</u>
Ruler =	Emperor (authority)	→		Citizens (power)

2. Sovereignty defined from a practical standpoint

	<u>Meiji Constitution</u>			<u>Constitution of Japan</u>
Ruler =	Principally citizens (power)	→		Citizens (power)
	<i>* A class of powerful people close to the Emperor occupied important positions.</i>			<i>* General public</i>

3. Sovereignty defined from a formal standpoint

	<u>Meiji Constitution</u>			<u>Constitution of Japan</u>
Ruler =	Emperor (authority)	→		Emperor (authority)
				<i>* The citizens are also partially in charge of authority.</i>

Is the Emperor no longer anything more than a symbol?

So what exactly is the “symbol” referred to in Article 1 of the Constitution? Is this “symbol” really a meaningless entity that should be affiliated with the phrase “no longer anything other than a symbol?” Common sense tells us that the first article of a Constitution outlines what is most important to a country. There’s no way that something unimportant would be written there.

Let’s begin by considering what a “symbol” is. For example, cherry blossoms are a symbol of spring, and acne is a symbol of adolescence. In this way, the symbol and what it symbolizes are of essentially different natures. This is in contrast to a representative, who shares qualities with his constituent group of people. For example, a “representative director” is one person who has been selected as the representative of a group of directors, and is in a position to represent the company. A representative of this sort is different from the concept of a symbol.

You can see and touch a symbol, but the thing that is symbolized has no form. When Japanese people see a specific type of organic matter known as a “cherry blossom,” they feel a sense of a specific concept – spring. Can one say that “the Emperor symbolizes Japan” when worshipping the Emperor evokes the idea of Japan, just as viewing cherry blossoms evokes the idea of spring?

Obviously, to many citizens, the Emperor exists as a symbol of Japan that includes everything about the country, such as its land, people, cultural, customs, and traditions. But while a flag or a national anthem symbolizing a country is something that exists even in other countries, having one person serve as a symbol of a country is not

such a simple thing. Perhaps Queen Elizabeth symbolizes the United Kingdom, but I don't feel that Chinese President Hu Jintao symbolizes China or American President Barack Obama symbolizes the United States of America. The only reason that the Emperor can symbolize Japan is because he has shared a long history with the people of Japan.

Therefore, even if the United States Constitution said "the president is a symbol of America," that doesn't mean that the president can become the symbol of America. In contrast, even if, as in the Meiji Constitution, it is not clearly stated that "the Emperor is the symbol of Japan," that doesn't mean that the Emperor isn't a symbol. If we consider the aforementioned meaning of "symbol," then the Emperor was certainly a symbol of Japan even under the Meiji Constitution. If so, then the Emperor was the symbol of our country from the time of the Meiji Constitution – or even the more distant past – and did not become a symbol through constitutional amendment after World War II.

And as I have already mentioned, the Emperor is traditionally in charge of the formal side of sovereignty (authority). Even in modern Japan, national politics would come to a halt without him. This is clear from the Emperor and Empress' visit to Canada in July 2009. Various newspapers expressed the point of view that it was difficult to dissolve the House of Representatives while the Emperor was visiting a foreign country. Although the cabinet makes the decision to dissolve the House of Representatives, the Emperor is the one who actually does so as provided for in Article 7 of the Constitution. Please recall the process in which the dissolution order issued by the Emperor is sent to the National Diet, and then the Chairperson of the Lower House reads it aloud to cries of "*banzai*."

Similarly, the promulgation of constitutional amendments, laws, cabinet orders, and treaties; convention of the National Diet; public announcement of the holding of general elections; and attestation of cabinet ministers are all the constitutional functions of the Emperor. The prime minister cannot carry out these functions.

As a result, is it really appropriate to call the Emperor, who performs such functions, as "no longer anything more than a symbol?" The fact that this phrase is inappropriate is made clear in the text of the Constitution of Japan. The Emperor serving as the symbol of Japan is a precious thing. Shouldn't Japanese people feel great pride in this fact?

Textbooks try to conceal the fact that national polity has been upheld

Although people say that sovereignty shifted from the Emperor to the citizens, there was no actual change to national polity through the switch from the Meiji Constitution to the Constitution of Japan. An examination of the text of the Meiji Constitution and its actual application reveal that the foundation of the Emperor's national governance also didn't change as an effect of the end of World War II. Rather, what had a great deal of historical significance was the change in the role of the citizens (general public).

Certainly, the Privy Council was abolished, the House of Lords and House of Councillors were changed, and the method of electing the prime minister changed as well. Such changes to the decision-making process did have great historical importance, but these various changes were modifications made to the system of government, not changes to national polity that actually altered what the Emperor did.

Perhaps the reason that textbooks use the "deceptive equation" to preach that the Emperor fell from being a ruler to a symbol is because they intend to conceal the truth: that national polity was upheld even after the end of the war. What the textbooks try to hide is that, in the Meiji Constitution and the Constitution of Japan, the supreme

authority of the Emperor's national governance has not changed. By twisting the definition of sovereignty, they create the illusion that the Emperor's rule ended and a new state was established in which the citizens carry out self-government. This is the equivalent of claiming that a revolution took place in Japan.

Japan's acceptance of the Potsdam Declaration protected the nation, but that doesn't mean they surrendered the country. There is great significance in the phrase "Having been able to save and maintain the structure of the Imperial State," which is part of the Imperial Rescript on the termination of the war. It is not true that, in Japan, the state was disassembled through the end of the war and the Emperor plummeted from his position as ruler. Therefore, statements like "the Emperor fell from a ruler to a symbol" are in conflict with reality. Rather, we must teach children the truth – that the fundamental role of the Emperor didn't change even in the post-war era.

In the absolute monarchies of early modern Europe, national politics were determined by the intentions of the monarch. Democracy rose in opposition to this. All over the world, battles were repeatedly fought to take sovereignty from the ruler and give it to the people. Everyone is aware that monarchism and democracy are opposing concepts.

Although the shogun and other influential persons were at times in opposition with the people, since ancient times, the Emperor and the people of Japan did not have an antagonistic relationship. Monarchism and sovereignty of the people are not opposing concepts. Thinking about this from a Western sensibility will likely lead to serious error. Instead, the Emperor was the Master of Ceremonies of Japan. He was an entity who, much like the Pope, transcended the shogun, kings, and other influential persons.

The Emperor is in charge of the formal side of sovereignty (authority), while the citizens bear the practical side (power). The structure of national polity established by sovereignty based on the relationship between monarch and subjects is a unique one that exists in no other country. The Japanese state existed long before Westerners formulated their Constitutions. It is not only in appearance that Japan has existed as a nation for over two thousand years.

Notes

- (1) The textbook also says "The Constitution of Japan is a democratic Constitution (a Constitution established by the citizens) that is based on the principle of a thoroughly democratic government and is completely different from the Constitution of the Empire of Japan."
- (2) The current Constitution does not permit the Emperor to directly make decisions of national policy, such as the imperial decision to end World War II. Under the Meiji Constitution, this was possible because the Emperor had formal power. This is one way in which imperial power in the new and old Constitutions is significantly different. However, it was common practice for the Emperor to not exercise the power he had under the Meiji Constitution, so there are few substantial differences.
- (3) The Emperor's ratification is still carried out as a practice under the Constitution of Japan. However, this is not the same as the practical power of ratification of the past, but is understood to mean "formal approval." Furthermore, the ratification currently carried out by the Emperor consists of the following five matters: appointment of the prime minister, appointment of the Chief Judge of the Supreme Court, awarding of honors, receiving foreign ambassadors and ministers, and performance of ceremonial functions.
- (4) Under the Meiji Constitution, influential persons (politicians and military personnel) decided on national policy, which was

legitimized through the Emperor's authority. Currently, it can be decided or rejected through the will of the citizens (general public). This differs greatly in the old and new Constitutions. We should probably focus less on how the power of the Emperor changed and more on how the role of the citizens (general public) differed significantly in the pre- and post-war eras.

- (5) According to the provisions of Article 73.1 of the Meiji Constitution, the Emperor held supreme authority for amendments to the Constitution. However, these matters required the advice of a Minister of State, based on the provisions of Article 55. In reality, the Cabinet drew up drafts of Constitutional amendments, they went through the inquiry of the Privy Council, then were submitted to the Imperial Diet by means of an imperial command. The Emperor could not participate directly in drawing up drafts.
- (6) However, it is interpreted under the Constitution of Japan that the Emperor has no right of veto. Incidentally, in light of the fact that the Emperor is also a natural person, the Emperor can physically refuse to promulgate constitutional amendments or laws, but theories are divided as to the legal ramifications of such a situation. For example, there is the theory that, even if the Emperor refused to promulgate a constitutional amendment or law, the Cabinet's advice and approval means that it can be considered as promulgated. There is also the theory that the Emperor's refusal of promulgation would mean that the constitutional amendment or law did not fulfill the requirements to be effective, and thus would not be passed.
- (7) It's inaccurate to say that imperial power has not changed at all from the old Constitution to the new one. Under the Meiji Constitution, as an official stance, the Emperor had practical power, which switched to the citizens after WWII. However, the Emperor's power under the Meiji Constitution was a strictly official stance, and the custom was that he did not use it. Therefore, there are no practical differences regarding imperial power in the old and new Constitutions.

Related Texts

大日本帝国憲法（抄）

告文（抜粋）○皇祖皇宗ノ遺訓ヲ明徴ニシ典憲ヲ成立シ条章ヲ昭示シ

第一条 大日本帝国ハ万世一系ノ天皇之ヲ統治ス

第二条 皇位ハ皇室典範ノ定ムル所ニ依リ皇男子孫之ヲ継承ス

第三条 天皇ハ神聖ニシテ侵スヘカラス

第四条 天皇ハ国ノ元首ニシテ統治權ヲ総攬シ此ノ憲法ノ条規ニ依リ之ヲ行フ

第五条 天皇ハ帝国議會ノ協賛ヲ以テ立法權ヲ行フ

第六条 天皇ハ法律ヲ裁可シ其ノ公布及執行ヲ命ス

第七条 天皇ハ帝国議會ヲ召集シ其ノ開会閉会停会及衆議院ノ解散ヲ命ス

第十一条 天皇ハ陸海軍ヲ統帥ス

第五十五条 國務各大臣ハ天皇ヲ輔弼シ其ノ責ニ任ス

二 凡テ法律勅令其ノ他國務ニ關ル詔勅ハ國務大臣ノ副署ヲ要ス

第五十七条 司法權ハ天皇ノ名ニ於テ法律ニ依リ裁判所之ヲ行フ

The Constitution of the Empire of Japan (Excerpt)

Imperial Oath Sworn in the Sanctuary in the Imperial Palace (Selection) * In consideration of the progressive tendency of the course of human affairs and in parallel with the advance of civilization, We deem it expedient, in order to give clearness and distinctness to the instructions bequeathed by the Imperial Founder of Our House and by Our other Imperial Ancestors, to establish fundamental laws formulated into express provisions of law...

Article 1. The Empire of Japan shall be reigned over and governed by a line of Emperors unbroken for ages eternal.

Article 2. The Imperial Throne shall be succeeded to by Imperial male descendants, according to the provisions of the Imperial House Law.

Article 3. The Emperor is sacred and inviolable.

Article 4. The Emperor is the head of the Empire, combining in Himself the rights of sovereignty, and exercises them, according to the provisions of the present Constitution.

Article 5. The Emperor exercises the legislative power with the consent of the Imperial Diet.

Article 6. The Emperor gives sanction to laws, and orders them to be promulgated and executed.

Article 7. The Emperor convokes the Imperial Diet, opens, closes, and prorogues it, and dissolves the House of Representatives.

Article 11. The Emperor has the supreme command of the Army and Navy.

Article 55. The respective Ministers of State shall give their advice to the Emperor, and be responsible for it.

(2) All Laws, Imperial Ordinances, and Imperial Rescripts of whatever kind, that relate to the affairs of the state, require the countersignature of a Minister of State.

Article 57. The Judicature shall be exercised by the Courts of Law according to law, in the name of the Emperor.

日本国憲法（抄）

前文（抜粋）○ここに主権が国民に存することを宣言し、この憲法を確定する。

○その権威は国民に由来し、その権力は国民の代表者がこれを行使し

○われらは、これに反する一切の憲法、法令及び詔勅を排除する。

第一条 天皇は、日本国の象徴であり日本国民統合の象徴であつて、この地位は、主権の存する日本国民の総意に基く。

第二条 皇位は、世襲のものであつて、国会の議決した皇室典範の定めるところにより、これを継承する。

第三条 天皇の国事に関するすべての行為には、内閣の助言と承認を必要とし、内閣が、その責任を負ふ。

第四条 天皇は、この憲法の定める国事に関する行為のみを行ひ、国政に関する権能を有しない。

第六条 天皇は、国会の指名に基いて、内閣総理大臣を任命する。

二 天皇は、内閣の指名に基いて、最高裁判所の長たる裁判官を任命する。

第七条 天皇は、内閣の助言と承認により、国民のために、左の国事に関する行為を行ふ。

一、憲法改正、法律、政令及び条約を公布すること。

二、国会を召集すること。

三、衆議院を解散すること。

四、国会議員の総選挙の施行を公示すること。

五、国务大臣及び法律の定めるその他の官吏の任免並びに全権委任状及び大使及び公使の信任状を認証すること。

六、大赦、特赦、減刑、刑の執行の免除及び復権を認証すること。

七、栄典を授与すること。

八、批准書及び法律の定めるその他の外交文書を認証すること。

九、外国の大使及び公使を接受すること。

十、儀式を行ふこと。

The Constitution of Japan (Excerpt)

Preface (Selection) * ...do proclaim that sovereign power resides with the people and do firmly establish this Constitution.

*...the authority for which is derived from the people, the powers of which are exercised by the representatives of the people...

* We reject and revoke all constitutions, laws, ordinances, and rescripts in conflict herewith.

Article 1. The Emperor shall be the symbol of the State and the unity of the people, deriving his position from the will of the people with whom resides sovereign power.

Article 2. The Imperial Throne shall be dynastic and succeeded to in accordance with the Imperial House Law passed by the Diet.

Article 3. The advice and approval of the Emperor in matters of state, and the Cabinet shall be responsible therefor.

Article 4. The Emperor shall perform only such acts in matters of state as are provided for in this Constitution and he shall not have powers related to government.

Article 6. The Emperor shall appoint the Prime Minister as designated by the Diet.

(2) The Emperor shall appoint the Chief Judge of the Supreme Court as designated by the Cabinet.

Article 7. The Emperor shall, with the advice and approval of the Cabinet, perform the following acts in matters of state on behalf of the people:

(1) Promulgation of amendments of the constitution, laws, cabinet orders and treaties.

(2) Convocation of the Diet.

(3) Dissolution of the House of Representatives.

(4) Proclamation of general election of members of the Diet.

(5) Attestation of the appointment and dismissal of Ministers of State and other officials as provided for by law, and of full powers and credentials of Ambassadors and Ministers.

(6) Attestation of general and special amnesty, commutation of punishment, reprieve, and restoration of rights.

(7) Awarding of honors.

(8) Attestation of instruments of ratification and other diplomatic documents as provided for by law.

(9) Receiving foreign ambassadors and ministers.

(10) Performance of ceremonial functions.