

## Chapter III: Rights and Duties of the People

---

### Article 10

The conditions necessary for being a Japanese national shall be determined by law.

### Article 11

The people shall not be prevented from enjoying any of the fundamental human rights. These fundamental human rights guaranteed to the people by this Constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights.

### Article 12

The freedoms and rights guaranteed to the people by this Constitution shall be maintained by the constant endeavor of the people, who shall refrain from any abuse of these freedoms and rights and shall always be responsible for utilizing them for the public welfare.

### Article 13

All of the people shall be respected as individuals. Their right to life, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare, be the supreme consideration in legislation and in other governmental affairs.

### Article 14

All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin.

Peers and peerage shall not be recognized.

No privilege shall accompany any award of honor, decoration or any distinction, nor shall any such award be valid beyond the lifetime of the individual who now holds or hereafter may receive it.

### Article 15

The people have the inalienable right to choose their public officials and to dismiss them.

All public officials are servants of the whole community and not of any group thereof.

Universal adult suffrage is guaranteed with regard to the election of public officials.

In all elections, secrecy of the ballot shall not be violated. A voter shall not be answerable, publicly or privately, for the choice he has made.

• Requirements for birthright citizenship

• Inalienable rights

• Duty to obey the constitution

• Right to life

• General guarantee of equality  
 • Equality regardless of gender  
 • Equality regardless of creed or belief  
 • Equality regardless of social status  
 • Equality regardless of origin  
 • Equality regardless of race

• Inalienable rights

• Claim of universal suffrage

• Secret ballot

## Article 16

Every person shall have the right of peaceful petition for the redress of damage, for the removal of public officials, for the enactment, repeal or amendment of laws, ordinances or regulations and for other matters; nor shall any person be in any way discriminated against for sponsoring such a petition.

## Article 17

Every person may sue for redress as provided by law from the State or a public entity, in case he has suffered damage through illegal act of any public official.

## Article 18

No person shall be held in bondage of any kind. Involuntary servitude, except as punishment for crime, is prohibited.

## Article 19

Freedom of thought and conscience shall not be violated.

## Article 20

Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the State, nor exercise any political authority.

No person shall be compelled to take part in any religious act, celebration, rite or practice.

The State and its organs shall refrain from religious education or any other religious activity.

## Article 21

Freedom of assembly and association as well as speech, press and all other forms of expression are guaranteed.

No censorship shall be maintained, nor shall the secrecy of any means of communication be violated.

## Article 22

Every person shall have freedom to choose and change his residence and to choose his occupation to the extent that it does not interfere with the public welfare.

Freedom of all persons to move to a foreign country and to divest themselves of their nationality shall be inviolate.

## Article 23

Academic freedom is guaranteed.

- Right of petition

- Prohibition of slavery

- Freedom of opinion/thought/conscience

- Freedom of religion

- Separation of church and state

- Freedom of press

- Freedom of assembly
- Freedom of association
- Freedom of expression

- Right to choose occupation

- Right to renounce citizenship
- Freedom of movement
- Inalienable rights

- Right to academic freedom

## Article 24

Marriage shall be based only on the mutual consent of both sexes and it shall be maintained through mutual cooperation with the equal rights of husband and wife as a basis.

With regard to choice of spouse, property rights, inheritance, choice of domicile, divorce and other matters pertaining to marriage and the family, laws shall be enacted from the standpoint of individual dignity and the essential equality of the sexes.

## Article 25

All people shall have the right to maintain the minimum standards of wholesome and cultured living.

In all spheres of life, the State shall use its endeavors for the promotion and extension of social welfare and security, and of public health.

## Article 26

All people shall have the right to receive an equal education correspondent to their ability, as provided by law.

All people shall be obligated to have all boys and girls under their protection receive ordinary education as provided for by law. Such compulsory education shall be free.

## Article 27

All people shall have the right and the obligation to work.

Standards for wages, hours, rest and other working conditions shall be fixed by law.

Children shall not be exploited.

## Article 28

The right of workers to organize and to bargain and act collectively is guaranteed.

## Article 29

The right to own or to hold property is inviolable.

Property rights shall be defined by law, in conformity with the public welfare.

Private property may be taken for public use upon just compensation therefor.

## Article 30

The people shall be liable to taxation as provided by law.

## Article 31

No person shall be deprived of life or liberty, nor shall any other criminal penalty be imposed, except according to procedure established by law.

• Provision for matrimonial equality

• Human dignity

• Right to reasonable standard of living

• Right to health care

• Compulsory education  
• Free education

• Right to work  
• Duty to work

• Right to reasonable standard of living

• Rights of children  
• Limits on employment of children

• Right to join trade unions

• Inalienable rights  
• Right to own property

• Protection from expropriation

• Duty to pay taxes

• Prohibition of capital punishment  
• Right to life

## Article 32

No person shall be denied the right of access to the courts.

## Article 33

No person shall be apprehended except upon warrant issued by a competent judicial officer which specifies the offense with which the person is charged, unless he is apprehended, the offense being committed.

## Article 34

No person shall be arrested or detained without being at once informed of the charges against him or without the immediate privilege of counsel; nor shall he be detained without adequate cause; and upon demand of any person such cause must be immediately shown in open court in his presence and the presence of his counsel.

## Article 35

The right of all persons to be secure in their homes, papers and effects against entries, searches and seizures shall not be impaired except upon warrant issued for adequate cause and particularly describing the place to be searched and things to be seized, or except as provided by Article 33.

Each search or seizure shall be made upon separate warrant issued by a competent judicial officer.

## Article 36

The infliction of torture by any public officer and cruel punishments are absolutely forbidden.

## Article 37

In all criminal cases the accused shall enjoy the right to a speedy and public trial by an impartial tribunal.

He shall be permitted full opportunity to examine all witnesses, and he shall have the right of compulsory process for obtaining witnesses on his behalf at public expense.

At all times the accused shall have the assistance of competent counsel who shall, if the accused is unable to secure the same by his own efforts, be assigned to his use by the State.

## Article 38

No person shall be compelled to testify against himself.

Confession made under compulsion, torture or threat, or after prolonged arrest or detention shall not be admitted in evidence.

No person shall be convicted or punished in cases where the only proof against him is his own confession.

- Protection from unjustified restraint

- Regulation of evidence collection

- Prohibition of cruel treatment
- Prohibition of torture

- Right to fair trial
- Right to public trial
- Right to speedy trial

- Right to examine evidence/ witnesses

- Right to counsel

- Protection from self-incrimination

## Article 39

No person shall be held criminally liable for an act which was lawful at the time it was committed, or of which he has been acquitted, nor shall he be placed in double jeopardy.

## Article 40

Any person, in case he is acquitted after he has been arrested or detained, may sue the State for redress as provided by law.

# Chapter IV: The Diet

---

## Article 41

The Diet shall be the highest organ of state power, and shall be the sole law-making organ of the State.

## Article 42

The Diet shall consist of two Houses, namely the House of Representatives and the House of Councillors.

## Article 43

Both Houses shall consist of elected members, representative of all the people.

The number of the members of each House shall be fixed by law.

## Article 44

The qualifications of members of both Houses and their electors shall be fixed by law. However, there shall be no discrimination because of race, creed, sex, social status, family origin, education, property or income.

## Article 45

The term of office of members of the House of Representatives shall be four years. However, the term shall be terminated before the full term is up in case the House of Representatives is dissolved.

## Article 46

The term of office of members of the House of Councillors shall be six years, and election for half the members shall take place every three years.

## Article 47

Electoral districts, method of voting and other matters pertaining to the method of election of members of both Houses shall be fixed by law.

- Prohibition of double jeopardy
- Protection from ex post facto laws
- Principle of no punishment without law

- Protection from false imprisonment

- Structure of legislative chamber(s)

- Size of first chamber
- Size of second chamber

- Eligibility for first chamber
- Eligibility for second chamber

- Term length for first chamber

- Term length of second chamber

- Electoral districts
- First chamber selection
- Second chamber selection