Alfred Rodman Hussey papers, (1945-1948) Asia Library, University of Michigan Library

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Editorial & design assistance by Cecilia Caride, UM Library Asia Library

Alfred Rodman Hussey



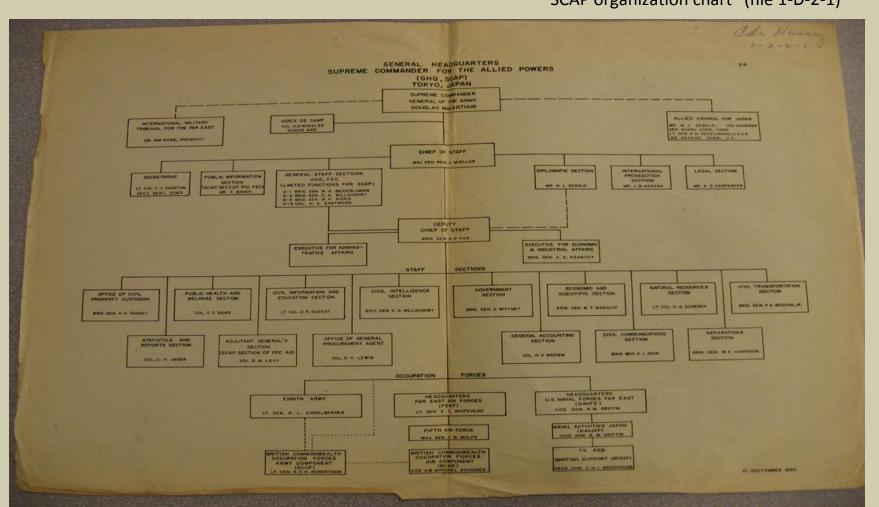
- Lawyer
- stationed with the Government Section, Supreme Commander for the Allied Powers, during the Allied occupation of Japan following World War II
- member of the Planning Unit, and then successively:
 - o chief, Internal Affairs Unit
 - chief, Governmental Powers Branch of the Governmental Powers Division
 - special assistant to the chief, Government Section
- principal contributor to Douglas MacArthur's 1947 draft of the Japanese constitution
- significant role in the establishment of the new Labor Ministry
- left Japan and returned to the United States in July 1948

Taken from the Biographical Note in "Alfred Rodman Hussey Papers: A Finding aid to the Collection at the Library of Congress," <u>http://rs5.loc.gov/service/mss/eadxmlmss/eadpdfmss/2010/ms010105.pdf</u> Photo from the documentary "Nihonkoku kenpō tanjō (日本国憲法誕生)", NHK, 2007.

Alfred Rodman Hussey papers (1945-1948)

3650 document titles (per index)

Collected by Alfred Rodman Hussey (1902-1964) during his work with the Government Section, Supreme Commander for the Allied Powers (SCAP), in the period of the Allied occupation of Japan following World War II, and later in the Central Intelligence Agency. "SCAP organization chart" (file 1-D-2-1)



"Mine is going to Michigan"

--letter from Hussey to Milo E. Rowell, July 25, 1963

- Hussey collected documents with future use in mind
- Donated to the University of Michigan after his death in 1964 by his own request
- The Collection: Text documents, maps, illustrations, photo album and slides

Collection Scope (University of Michigan Library catalog)

"Collection contains: correspondence, memoranda, orders, reports, official and unofficial policy papers, draft legislation, drafts of writings, clippings, and printed matter relating to Hussey's work with the Government Section, Supreme Commander for the Allied Powers, during the Allied occupation of Japan following World War II and to the efforts of the Allies to reorganize Japanese government and society; personal papers and correspondence of Hussey relating to his interests in civil rights and in the Central Intelligence Agency, as well as his various writings; oversize maps and charts; and audiocassette and magnetic tapes."

Preservation and Access

- 1977
 - Microfilm, Document Checklist
- 2014
 - Special Collections Library

Ms. Ikumi Crocol, School of Information student

- Finding aid online request digital copies from the Special Collections Library
- 2015
 - Document Checklist in <u>Hathi Trust</u>
 - Worldwide public domain fulltext search
 - Full-text list download available

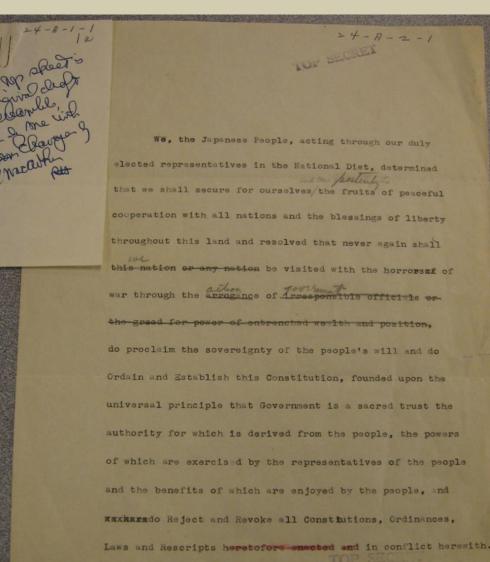




Collection highlights 1. Constitution file

MacArthur himself helped draft the Preamble of the New Constitution

Hussey's note: "preamble written by me with correction changes by General MacArthur" "...proclaim the sovereignty of the people's will..." (24-A-2-1)

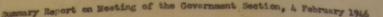


MacArthur Note

3 principles for "New Japan" (document 23-B-3-1)

- 1. Maintain imperial system
- 2. Disarmament of the Japanese Armed forces
- 3. Abolishment of the feudal system of Japan

T. D. State Balling and State State State



General Whitney opened the meeting with the statement that in the next week the Government Section will sit as a Constitutional Convention. General MacArthur has entrasted the Government Section with the historically significant task of drafting a new Constitution for the Japanese people. Three principles, outlined by General MacArthur must be basic in the Government Section's draft. They are:

The Emperor is at the head of the state and his succession is dynastic. But his powers will be exercised in accordance with the Constitution and responsive to the will of the people as provided therein.

п

War as a sovereign right of the nation is abolished. As an instrumentality it can no longer be exercised neither for the settlement of disputes nor for the preservation of Japanese security. No armed forces will ever be authorized and no rights of belligerency will ever be conferred upon any Japanese force. Japan must rely upon the higher ideals now abroad in the world for its defense.

III

Feudalism is ended in Japan. No rights of peerage except those of the Imperial Family will extend beyond the lines of those now existent. No patent of nobility henceforth will embody within itself any National or Civic power of government.

General Whitney wishes to have the Government Section's draft of the new Constitution completed, and approved by General MacArthur, by February 12. On that day General Whitney will meet with the Foreign Winister and Japanese Government officials for an off-the-record discussion of their constitutional draft. General Whitney expects this draft to be strongly rightist in tone. He intends to convince the Foreign Minister and his group, however, that the only possibility of retaining the Emperor and the remnants of their own power is by their acceptance and approval of a Constitution that will force a decisive swing to the left. General Whitney hopes to reach this decision by persuasive argument; if this is not possible, General' HacArthur has empowered him to use not merely the threat of force, but force itself.

It is intended that the Foreign Minister and his group will reorient and change their own constitutional proposals to fit our demand for a liberal Constitution. When this has been done, the finished document will be submitted by the Japanese to General MacArthur for

13-B-\$3-1

Steering Committee for drafting the Constitution

February 4, 1946 22 members

- General Whitney, Chair
- Commodore Hussey, Special assistant for the Government Section

TOP SECRET

TOP SECRET

MEMORANDUM:

1. The statement: "Ladies and Centlemen, this is an important occasion. You are gathered today as a constitutional convention" etc., is approximately that made by General Whitney on 4 February 1946 at a meeting of the Covernment Section. Those present were:

Col H. E. Robison Col C. L. Kades Lt Col Milo E. Rowell Lt Col F. E. Hays Lt Col P. K. Roest Comdr A. R. Hussey, Jr. Comdr G. J. Swope Maj C. G. Tilton Maj Frank Rizzo Lt Comdr Roy L. Malcdm, USNR Capt G. A. Nelson, Jr. Lt O. I. Hauge, USNR Lt M. J. Esman Lt (jg) R. A. Poole, USNR Lt Joseph Gordon Lt I. Herskowitz Mr. C. H. Peake Miss Gertrude Norman Miss Ruth Ellerman Miss Margaret Stone Miss Beate Sirota Mr. Jacob Miller

23 - B-1-1

2. On 13 February General Whitney, accompanied by Colonel Kades, Lt Col Rowell and Comdr Hussey made the visit to the Foreign Minister's residence (referred to in article as Premier's residence). After the meeting the latter three officers prepared a memorandum from memory for General Whitney recording the events that transpired at the meeting. This memorandum was read for orientation purposes at a meeting of the Government Section on 13 February. The memorandum made reference to a statement made by General Whitney to the three officers mentioned above and to Mr. Jiro Shirasu, Vice-President of the Central Liaison Office, during a period in which they had withdrawn from the meeting. According to the memorandum, General Whitney quietly observed to the three officers and Mr. Shirasu that "We are out here enjoying the warmth of atomic energy". Those present in the Government Section conference room on 14 February to hear the statement read were the same as at the 4 February meeting.

3. On the day and night of 4-5 March, Government Section representatives conferred continuously for about 30 hours in the Dai Ichi Building with representatives of the Japanese government on the provisions of the proposed Japanese constitution.

a. The Japanese present were:

Dr. G. Matsumoto Mr. Sambe (Secretary to Dr. Matsumoto) Mr. Sato Mr. Obata Mr. Hasegawa Mr. Jiro Shirasu

TOP SECRET

Drafting the Constitution

9 days in a sealed, Top Secret room February 4th, 1946 – February 12th, 1946

ASE ALGARY 24-B-1-(<u>DE EXPERCI AND MERCENNE</u> Article I. Sovereignty over Sapan shall be in the Sapanese People, and shall be exercised by the State, which is their instrument. Article II. The Sapanese metice shall be reigned over by a line of Emperors, where exercised by the Multip of the People, and the Emperors, where exercised of the Unity of the People, and the Emperor shall be the symbolic personification thereof, deriving his position from the sovereign will of the People, and from no other source. Article III. The Imperial Throne shall be succeeded to in accordance with such Imperial House Law as the Diet my enert.

let draft

Article IV. All official Acts and utterances of the Emperer shall be subject to bhe advice and consent of the Cabinet. The Emperer shall have such duties as are provided for by this Constitution, but shall have no governmental powers, nor shall be assume or be granted such powers. The Emperor may delegate his duties in such manner as may be provided by Law.

When a regency is instituted in conformity with the provisions of such Imperial Hone Law as the Dist may enact, the outlies of the Imperor shell be performed by the Regent in the name of the Emperor; and the limitations on the functions of the Emperor contained herein shall apply with equal force to the Regent.

IOP SECREI

16. Freedom of novement's choice of domicile, and choice of accupation is guaranteed to every person, provided they do not infringe upon the rights of others.
All persons shall be free to emigrate if they so desire and if the laws of the country of their choice permit their entrance and residence; but no Japanese citizen ean be banished from Japanese territory.
17. Freedom of academic teaching, study, and lawful research are

24-6-2-6

guaranteed to all adults. Any teacher who misuses his academic freedom and authority shall be subject to discipline or dismissal only upon the recommendation of the national professional organization to which he belongs or in which he has a right to membership.

18. It please be the buty of gavernment to pretest the proper in three Jurdoms.

13-B-2-1

24- A- 2-2

TOP SECRET

active

War as a sovereign right of the nation is abolished. The threat or use of force is forever renounced as a means for settling disputes with any other nation. No Army, Navy, Air Force, or other war potential will ever be authorized and no rights of belligerency will ever be conferred upon the state.

The people of Japan, desiring peace for all time and fully conscious of the high ideals controlling human relationship now stirring mankind, have determined to rely for their security and survival upon the justice and good faith of the peace-loving peoples of the world. Japan desires to occupy an honored place in an international society designed and dedicated to the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance, for all time from the earth.

To these high principles, Japan pledges its national honor, determined will and full resources.

"War as a sovereign right of the nation is abolished." (24-A-2-2)

TOP SECRET

GENERAL HEADQUARTNES SUPERME CONANDER FOR THE ALLIED POWERS Government Section Public Administration Division

12 February 1946

MEMORANDUM FOR: Chief, Government Section.

Herewith is draft Constitution for Japan prepared by the undereigned with your counsel and leadership.

Steering Committe 5 a. Elemen

Lociolative Constitues Frank E. House, It Col Cars: Nong J.S. whope londs user. Ochonne Hauge, 18(4) Wink Gentrade User man

Executive Committee Lyno H. Peake

Civil Bights Conmittee Lieter K. Roest, Lt. Col Harry Ensure M. Jack

Cecil Go Tiltor, Major, Spec. . Rog L. Makolm, M. Cond. 265

Finance Committee auk Rizas Cept, CMP

Judiciary Consistee

speror. Treaties and Enchling Consittee Fichard d. Porce, Sur. 6 George A. Nelson, Fr. 13

February 13th, 1946: The draft submitted to the Japanese government. (Colonel Kades, Lt. Colonel Rowell, Commodore Hussey)

Historical Background

Far Eastern Commission (FEC): 12 countries

- United States (chair)
- United Kingdom
- China under the Nationalist (Chiang Kai-shek) Government
- Soviet Union
- France
- India
- Netherlands
- Canada
- Australia
- New Zealand
- Philippines

Red = insisted on prosecuting Emperor Hirohito for war responsibility

SCAP (USA)

USA needed to MacArthur, Supreme Commander General of the Army

Objectives

- hold onto control of Japan
- reform Japan from a militaristic imperial power to a democratic power allied with the United States, acting as a check against expanding communist powers in the Pacific.
- maintain the imperial system to secure the integrity of the society and the unity of people in Japan

SCAP aimed to establish de-facto continuation of the imperial system by drafting new Constitution before FEC formed in February 1946 NEW:

- "Emperor as the Symbol of the State"
- "The people of Japan as sovereign power" (主権在民)

2. Hussey's Work:

Promoting new concepts of the new Constitution Society for the Popularization of the Constitution (Kenpo fukyu iinkai, 憲法普及委員会)

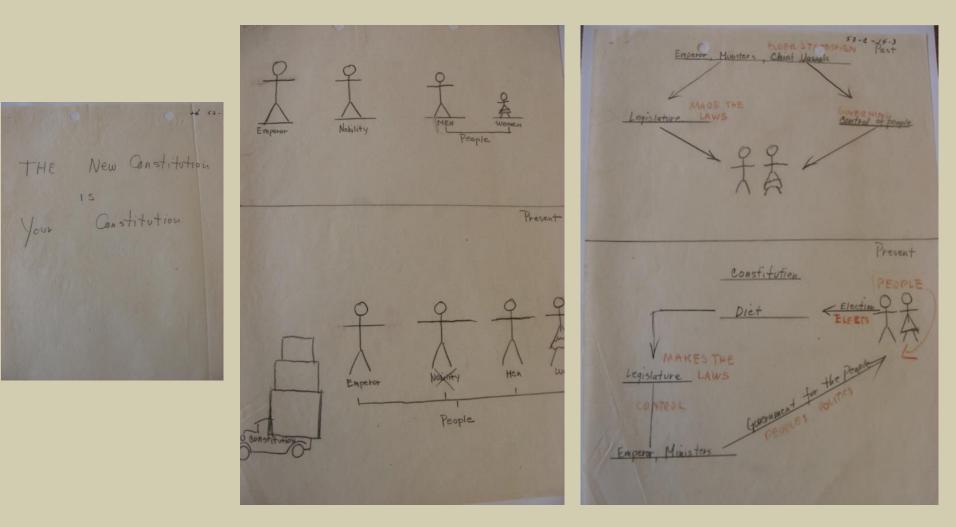
- Emperor as the Symbol of the State –a sensitive issue
- People of Japan as sovereign power (主権在民)

Memorandum on February 5, 1947, (53-D-6-1)

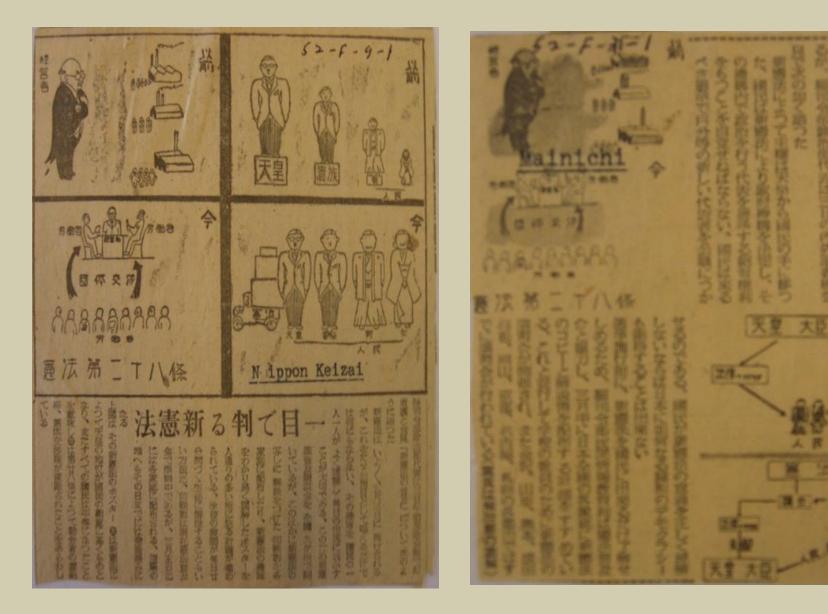
"No mention will be made of the change position of the Emperor since it is deemed wise not to emphasize that question."

"Constant emphasis upon the theme that the new Constitution is but the vehicle whereby the people of Japan can and must determine their future destiny".

Statement by Hussey during the Press conference on March 3, 1947 (53-E-2-1) He introduced the basic points of the new Constitution, including Article 1: *"the Emperor shall be the symbol of the State and of the unity of the people, deriving his position from the will of the people with whom resides sovereign power."* **Constantly emphasized** *"the source of all political power in Japan is the people."*



Draft illustrations for posters used at the press conference held on March 3, 1947



The illustrations as they appeared in newspapers

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3. Unique materials in the Hussey papers collection:

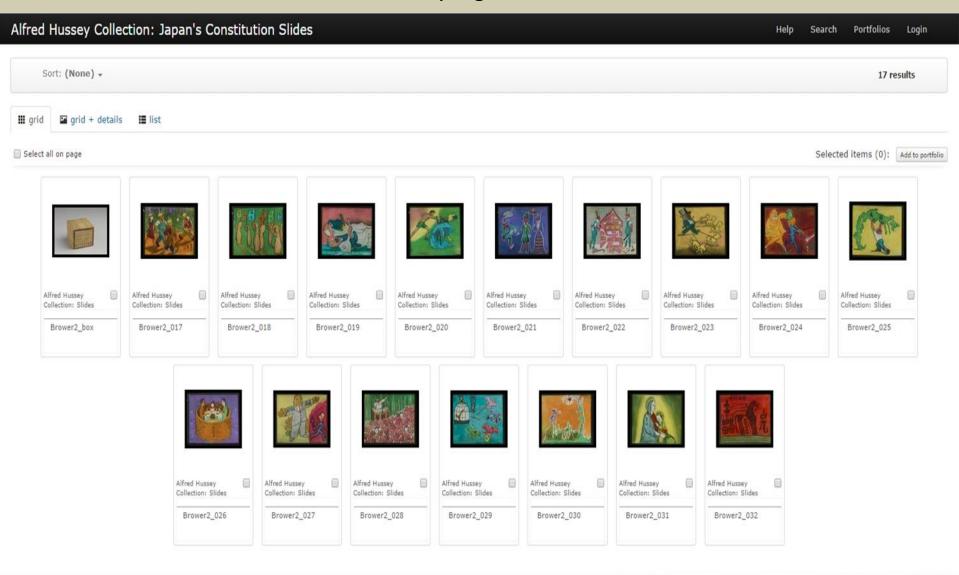
Slides promoting the new Constitution

Slides (Gento, 幻燈) were a popular means of information dissemination in Japan

Only Michigan holds this Constitutional Slide Set (only Box 2/2 found)



Preservation and Digitization project, 2012 (Mari Suzuki) UM Library Digital Collection



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3. Unique materials in the Hussey papers collection:

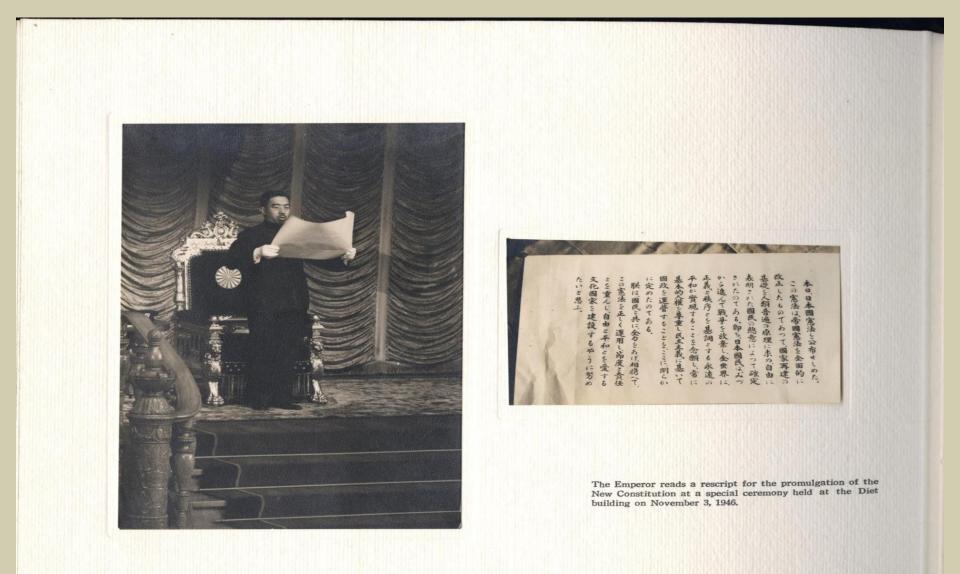
Photo album of the promulgation (Nov.3, 1946) and the Enforcement Ceremony (May 3, 1947) of the new Constitution by the Society for the Popularization of the Constitution



ction: Japan's C	onstitution Phot	o Album					Help Searc	:h Portfolios Login
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ages with record cap	ptions only							
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Alfred Hussey Collection: Photo Album Brower3_002	Alfred Hussey Collection: Photo Album Brower3_003	Alfred Hussey Collection: Photo Album Brower3_004	Alfred Hussey Collection: Photo Album Brower3_005	Alfred Hussey Collection: Photo Album Brower3_006	Alfred Hussey Collection: Photo Album Brower3_007	Alfred Hussey Collection: Photo Album Brower3_008	Alfred Hussey Collection: Photo Album Brower3_009	Alfred Hussey Collection: Photo Album Brower3_010
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Promulgation of the New Constitution Nov. 3, 1946



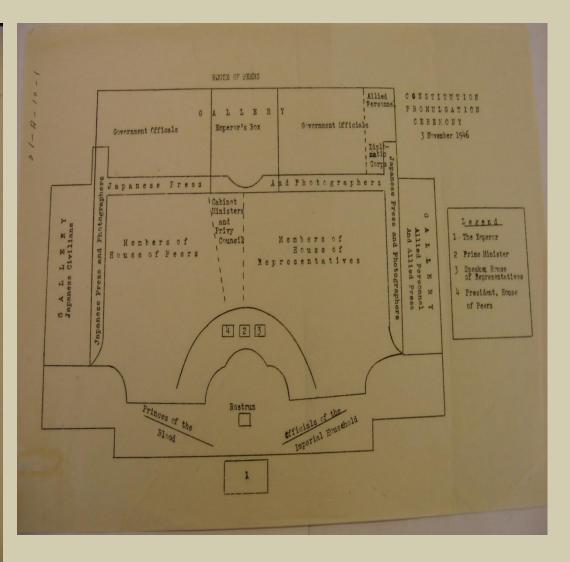
Schedule of the Promulgation Ceremony of the New Constitution.

> House of Peers. 3 November 1945.

31-1-9-

31-A-H-11-12 31-A-H-1

10.00 a.m.	All attendants assemble at the House
	of Peers.
10.25 a.m.	Imperial Princes arrive at the House
	of Peers.
10.45 a.m.	The Emperor arrives at the House of
	Peers.
10.50 a.m.	All attendants enter the assembly-hall.
11.00 a.m.	The Emperor attends the ceremony and
	reads the Imperial rescript.
next	The Prime-Minister, the President of
	the House of Peers, and then the Speake
	of the House of Representatives reply
	to the Emperor.
next	The Emperor leaves the Hall.
next	Imperial Princes leave the Hall
11.27 a.m.	The Emperor leaves the House of the
	Peers.



Planned Schedule of the Promulgation Ceremony (file 31-A-6-1, 31-A-10-1)

- I. Coremony Commemorating the Enforcement of the New Constitution.
 - 1. Date: May 3 (Saturday) 10:30 a.m.
 - 2. Place: Plaze in front of the Palace.
 - 3. Sponsor: The Society for the Popularization of the Constitution.

53- 1-13-1

astride Committee

- 4. Program:
 - The Emperor will attend the ceremony.
 - (a) Opening Address by Dr. H. Ashida, President of the Society.
 - (b) Congratulatory Addresses
 - 1. Representative of the Diet
 - 2. Prime Minister
 - 3. President of the Supreme Court
 - 4. Governor of Tokyo Prefecture
 - (c) Chorus of the Commemoration Song
 - (d) Closing Address: Dr. T. Tanaport, Vice-President of the Society

Invitation will be extended to:

- 1. Members of the Dist.
- 2. Representatives of the Cabinet, various Ministries, the Supress Court and directors of the Society.
- Representatives of the press, schools and various private organizations.

General public is welcomed to attend the ceremony.

Specially invitation will not be extended to the personnel of the Allied Occupation Forces, but their attendance will be cordially velocmed.

The ceremony will be broadcast on a nation-wide hook-up by JOAX.

- 11. Farty Commemorating the Enforcement of the New Constitution.
 - 1. Date: Ney 3, 3 p.m. 5:30 p.m.
 - 2. Place: The Imperial Theatre
 - 3. Sponsor: The Society for the Popularization of the Constitution.

- 4. Program:
 - (a) Opening Greeting Dr. H. Ashida, Fresident of the Society
 - (b) Performances of orchestry and choir especially composed for the occasion.
 - (c) Classical dance by Kikugoro and others.
- 5. Gueste:

Representatives of the Allied Occupation Forces (Approximately 400 seats are available)

Representatives of the Dict, the Government, private bodies and directors of the Society.

It is not decided yet as to the attendance of the Emperor and Empress at this party.

The theatre will be specially decorated and light refreshment will be served.

III. Fire Norka:

Display of special firs works will be made at the plaza in front of the palace from late afternoon to night.

- IV. Commamoration Lecture and Movie Meeting.
 - 1. Date: Nay 3, 1 p.m.
 - 2. Place: Hibiya Auditorium
 - 3. Sponsor: The Society for the Popularization of the Constitution.
 - 4. Locturers:

Dr. T. Kannmori, Vice-President of the Society Dr. T. Abe, former Education Minister

5. Hotion Picture:

One of three motion pictures being prepared by the Shochiku, Toho and Daiel will be shown. (first runner)

- V. Recreation Programs and Exhibits.
 - 1. Athletic meet at Korakuen Stadium (May 3)
 - 2. Band Parade (May 3)
 - Musical performances, anateur drama performances, exhibits at department stores.

53-4-13-3

Schedule for the Ceremony celebrating the Enforcement of the New Constitution Speech, Performance, Parade, Fireworks, etc. (53-A-13-1, 53-A-12-2, 53-A-13-2)

WI. Broadcast:

Lesturers, radio drama, music and other programs will be broadcast from JOAK on a mation-wide hook-up during the commemoration work (Hay 3-9). Despite a drizdling rain, crowds gather at the Imperial Palace Plaza to artend the New Constitution Enforcement Ceremony on May 8, 1947.





The scene of ceremonial grounds for the enforcement of the New Constitution on May 3, 1947. Celebration of the enforcement of the new Constitution on May 3, 1947



Two thousand Japatosis and occupation motables, including GHQ officials, pricess and princement. Dist associates, representatives of the press and private organizations, invites to a special collectration parity hold at the lengurid Tasine on the atheracon of May 2, Bott,

Classical Kabaki dance "Maname Dajaji" by famous Kilangero and his troups, one of atizactions at the coldention party.





Twenty specially decorned street-cars an timugh Tokyo streets for three days beginning May 3 commencesting the birth of New Japan.



A grand fireworks display held in the Imperial Palace Plana on May 20, 1947, celebrating the convocation of the Pirut National Dist under the New Constitution.



Ruth A. Ellerman

Government Section Civilian Personnel Stenographer for the Steering Committee of Drafting Constitution

"Ellerman Notes" valuable source.

Arriving in Tokyo on January 22, 1946

Drafting the Constitution started on Feb. 4, 1946

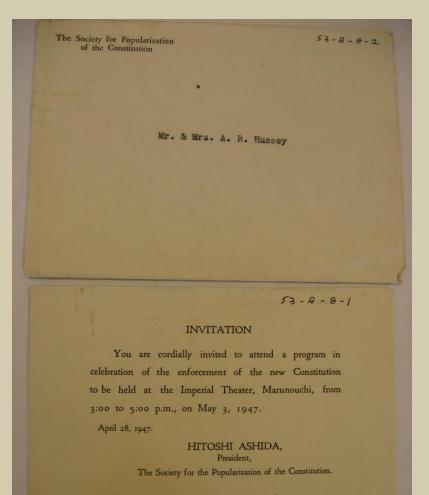
	GENERAL HEAD UNITERS 2 A-25-1 PREME COLLANDER FOR THE ALLIED POWERS GOVERNMENT Section INFORMATION SHEET CIVILIAN PERSONNEL
NAME:	ELLERMAN
WANDE: -	(Last New) A.
GRADE:	
DATE OF	ARRIVAL IN TOKYO: 22nd Jan. 1946
	PLACE OF BIATH: Cincinnati, Ohio - Oct 20, 1916
	12.05 of Binn Onlo = Oct 20, 1916
PERMANEN	T HOME ADDRESS: 1900 Lamont St. N. W. Randall Mansion, Washingto
D. C.	Hansion, Washingto
MARITAL S	STATUS: Unmarried CHILDREN:
PREVIOUS I	MPLOYMENT: Publishing Experience - Univ of Chicago Press. Editorial and Advertising Department, 1939-1942. 1942-Jan 1946. Board of Economic Warfare (later Foreign Economic Administration) Washington. Economic Intelligence work from May 1942 - May 1943. June 1943 - Nov 1944. Eco- nomic Objectives Unit of Economic Warfare Division, Americ Embassy, London, England. Worked on Targeting of German Industry. Dec 1944 - Jan 1946 - Economic Administration Division, Enemy Branch, FEA.
ANGUAGES:	German, slight knowledge of French.

Hussey and Ellerman attended the Society of Popularization of the Constitution meeting on January 17[,] 1457 (53-A-7-1)

They are Mr. & Mrs. A. R. Hussey for the Reception or
May 3, 1947 (53-A-8-1)

53-R-7-1
GUERRAL KRADQUARTERS SUPERIC CONTAINER FOR THE ALLIE POWERS Government Section
17 January 1947
KINGRANDUM FOR THE RECORD
SUBJECT: Japanese Constitution Popularization Society
On Friday, 17 January 1947 at 1400, the undersigned attended a meeting of the Japanese Constitution Popularization Society at the official residence of the Prime Minister. The meeting was devoted to a discussion of the plans for eix-day training lecture courses in twelve different centers of the country.
Miss Ellerman commented upon the fact that in the work of the Society the women of Japan posed a special problem, that the Society abound devois time and effort toward educating the women of Japan in their social and political responsibilities under the new Constitution.
Commander Hussey called the attention of the Society to the importance of telling the people of Japan not only what was in the Constitution but what it meant to them, how they could and should use it and what their responsibilities were in developing a democratic Japan under it.
It was recommended that the Society make every effort to place a copy of the Constitution in the hands of every registered voter and that particular attention be devoted to getting every school in Japan to devote a short period each day to a study of the Constitution.
The advice and assistance of Government Section were offered in the furtherance of the work of the Society.
Note: It is recommended that an information dispatch concerning these training lectures be east to 8th Army for trans- mission to Military Government Units.
RUTH A. MILARMAN
ALFRED R. HUDSET, JR.

Hoted: CLE



(Kindly present this invitation at entrance.)

Other Steering Committee Members

Rowell, Kades, Rowell collected Constitutional and other documents from their work at the SCAP.

- <u>National Diet Library</u> Related to the Hussey Collection
- Alfred Rodman Hussey Papers at the University of Michigan
- Milo E. Rowell
 - Papers at Hoovers Institution, Stanford University
 - Tokyo University Library
- Charles L. Kades
 - Papers at Amherst College
 - Gordon W. Prange Collection at the University of Maryland
- Beate Sirota Gordon Papers at Mills College (coming soon)

Research using the Hussey Papers

Mostly legal and political science research on the Constitution or on the American occupation. Examples:

- Hideo Ishimaru, "'Hasshi bunsho'" to kenpo seitei katei soshireibu no Nihonkoku kenpo kankei bunsho"
 - Hogaku semina (318), p152-184, 1981-08
- Susan Farr, "Politics of women's rights" in *Democratizing Japan: Allied Occupation*, University of Hawaii Press, 1987
- Dale M. Hellegers, *We, the Japanese People: World War II and the Origins of the Japanese Constitution,* Stanford University Press, 2001
- Ryotaro Sasagawa, "Kenpo shiryoshitsu zo no 'Hussey bunsho' to 'Constitution File No. 1' (zen hen)", *Ishinomaki Senshu Daigaku Keieigak kenkyu*, 16(2), 2005, March.
- Asaji Hirayama, "Pacifism in the Constitution of Japan and the strategies of national security", *Journal of International and Advanced Japanese Studies*, vol. 7, March 2015, pp.1-25.

Recently, the Japanese government is attempting to reform the Constitution to strengthen military power amid changes in the international power balance. As this new research published in 2015 indicates, *The Hussey papers* remain important and valuable for examining the future of world politics.