

**Proposal
for a Global Charter for Peace
Modeled on the Idea of Article 9 of the Japanese Constitution
Renouncing War and Armed Force**

Article 9 Society for a Global Peace Charter



This photograph shows the planet Earth about to sink below the horizon of the moon in a shot taken in 2007 by the Japanese moon probe Selene. The Earth, one of the eight planets in the solar system, is but a speck of stardust in the vastness of the universe. How beautiful it is! And to think of all the people and animals that live on it! It is a photograph that evokes the vastness of the universe and the continuum of life from its origins into the future.

Looking at the Earth this way, we wonder: how long will human beings go on fighting and killing each other? Such an image impresses upon us the fact that an agreement is needed among all the countries of the world about how to protect and treasure this Earth, a charter that realizes the ideals of perpetual peace articulated by Immanuel Kant and builds on the renunciation of war as a means of settling disputes set

forth in Article 9 of the Japanese Constitution. A global charter is needed that is worthy of the age when human beings are traveling and exploring outer space.

Seventy years ago, in 1947, a Constitution was adopted in Japan stating that the country renounces war as a means of settling disputes and aspires to peace based on the experience of ruin brought about by its utter defeat. Not only Article 9 but also the Preamble expresses the commitment to maintaining peace as follows.

Preamble

We, the Japanese people, desire peace for all time and are deeply conscious of the high ideals controlling human relationship, and we have determined to preserve our security and existence, trusting in the justice and faith of the peace-loving peoples of the world. We desire to occupy an honored place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth. We recognize that all peoples of the world have the right to live in peace, free from fear and want.

Article 9

Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.

In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

We the undersigned take the position that the renunciation of war and the rejection of belligerency of the state was not forced on Japan by the Allied Occupation Forces, as asserted by some, but reflects the genuine sentiments of the Japanese people.

Two important speeches of key persons following the presentation of the Japanese government's draft of the Constitution on 8 March 1946 indicate that Japan was determined to take the lead in world disarmament and permanent peace in the age of nuclear weapons.

The first speech was by Prime Minister Kijuro Shidehara at the Board of Inquiry of

the War on 27 March. “This kind of article has never been included in any constitution in the world . . . and renunciation of war sounds like a dream, but in an era when new kinds of weapons even stronger than the atomic bomb are likely to be developed, maintaining military power will be useless.” “Today we may raise the banner of renunciation of war and carry it alone in the wasteland of international politics, but in the near future, when people of other countries realize the atrocity of war, they are sure to raise the same flag as ours and find themselves following from much further behind.”

The second speech is the opening address by Douglas MacArthur, Commander of the Allied Occupation of Japan, on 5 April at the first meeting of Allied Council for Japan.

The proposal of the Japanese government—a government over people who now have reason to know the complete failure of war as an instrument of national policy—in effect but recognizes one further step in the evolution of mankind, under which nations would develop, for mutual protection against war, a yet higher law of international social and political morality. . . . I therefore commend Japan’s proposal for the renunciation of war to the thoughtful consideration of all of the peoples of the world. It points the way—the only way. The United Nations Organization, admirable as its purpose, great and noble as are its aims, can only survive to achieve that purpose and those aims if it accomplishes as to all nations just what Japan proposes unilaterally to accomplish through this constitution—abolish war as a sovereign right. Such a renunciation must be simultaneous and universal. (from the original¹)

In 1958, about ten years later, MacArthur stated in a letter responding to Kenzo Takayanagi, Chairman of the Commission on the Constitution organized by the Shinsuke Kishi Cabinet as follows: “It [Article 9] will stand everlastingly as a monument of the foresight, the statesmanship and the wisdom of Prime Minister Shidehara.” (original English letter of 5 December 1958)

The Preamble to the Japanese Constitution concludes as follows: “We, the Japanese

¹ Verbatim minutes of the First Meeting, Allied Council for Japan, Tokyo, Friday, 5 April 1946, at 10:00 A.M. Document No. 0-072. (copied from microfilm 6-25-17)

people, pledge our national honor to accomplish these high ideals and purposes with all our resources.”

Over the seventy years that have passed since 1947, Japan has achieved economic development based on industries of peace and promoted education for peace rooted in the foresighted spirit of its Constitution. Today, however, amendments to the Constitution have been repeatedly made by those who regard it as having been forcefully imposed upon Japan by the post-World War II Occupation administration. Such advocates criticize the democracy established under the 1947 Constitution as excessive and have tried to modify it. Under the security treaty concluded between the United States and Japan, the U.S. military bases centering on Okinawa have been maintained since the end of World War II and the strength of the Japanese Self-Defense Forces has been expanded. These policies have been explained as “self-defense-oriented” and therefore compatible with Article 9. But today Japan has even come to be involved in producing and exporting military munitions.

In 2015, enactment of the security bills changed the government interpretation of Article 9. They removed the constitutional restriction on collective self-defense and overseas operations of the Self-Defense Forces. But such trends violate the aspiration of the Japanese people themselves as reflected in the Constitution, and suits have been filed citing the unconstitutionality of the bills. The greater the resistance the government encounters to its reinterpretations of the Constitution the more it will increase its attempts to attain the revision of the nation’s charter and especially to change Article 9. The threat to Japan’s 70-year devotion to peace and the renunciation of war is now at a critical stage.

When World War II ended in 1945, there was an upsurge of sentiment condemning war leading to adoption of the Charter of the United Nations and the Universal Declaration of Human Rights, and UNESCO began to its activities. The world made great strides towards international understanding and peace. The realities of international politics, however, remained in the grip of tensions between the United States and the U.S.S.R, now Russia. Since the downfall of the Berlin Wall and the collapse of the Soviet Union, globalization centering on the United States advanced, but the contradictions of Pax Americana were exposed in the 9/11 terrorist attacks, the invasion of Iraq, the war in Afghanistan, and the continuing unrest and war in the

Middle East. In East Asia, the struggle for hegemony between China and the United States, the adventurism of North Korea, and growing nationalism in Japan are the source of steadily intensifying tensions.

During this period, however, many movements have been launched to realize the postwar ideal of world peace. These include the non-aligned and neutrality movements in Asia, Africa, and Latin America (such as the Asian-African Conference in Bandung of 1955) and the Pugwash Conferences on Science and World Affairs. The United Nations has held numerous conferences on disarmament. UNESCO has continued its efforts, including organization of the World Congress on Disarmament Education (1972), establishment of the International Year of Peace (1986) and International Year for the Culture of Peace (2000), issuing of the Seville Statement on Violence (1986) and the UNESCO Universal Declaration on Cultural Diversity (2001), the Declaration of the Right to Learn (1985), the Convention on the Rights of the Child (1989), and the Declaration on the Responsibility of Present Generations for Future Generations (1997). Many international campaigns opposing destruction of the environment and championing a sustainable society have provided a perspective to further bolster the importance of peace by linking up with environmental issues and rights of future generations. Regional non-military alliances and solidarity in the Third World have been actively developed. International discussion on denuclearization has a long history.

We suggest that the new ideals for the world order to which these movements have aspired be expressed as “Peace and Coexistence <Kyosei>” that is to say peace and coexistence as the pillars of the protection of human rights and the environment. What underpins these ideals is repugnance of war and the recognition that war is evil. War represents poverty, oppression, violence and the intensive destruction of nature.

Looking back over Japan’s modern era, the seventy years guided by Article 9 of its Constitution between 1945 and today have been a historically rare time during which Japanese have not killed or been killed in battle with foreign armies.

Devoted to continuing this tradition, the movements to protect and firmly implant the Constitution have been calling for the abolition of atomic and hydrogen bombs, opposed the U.S.-Japan Security Treaty, protested the Vietnam War, and demonstrated against the dispatch of Japanese troops to Iraq. And “Article 9 Associations” were

organized all over the country. Such pressures have protected Article 9 and thwarted the advocates of revising the Constitution over and over, forcing the government to make do with reinterpretations of its terms.

They have also been active internationally, appealing for the importance of Article 9 by participating in The Hague Peace Conference (1999) and the World Social Forum (2001-), and organizing the World Conference Article 9 (2008). The movements to protect Article 9 have been encouraged by the nomination for the Nobel Peace Prize in 2015 and 2016 and by the adoption of “the declaration of the right to peace.” in the United Nations (2016).

For seventy years, Article 9 has been acclaimed by leading figures of the world who earnestly wish for peace: historian Arnold Joseph Toynbee, former president of the University of Chicago Robert Maynard Hutchins, biochemist and Nobel laureate Nagyrápolti Szent-Györgyi Albert, a former President of Costa Rica Óscar Arias Sánchez, American Article 9 Society founder Charles Overby, renowned linguist and philosopher Noam Chomsky, and producer of the film *Japan's Peace Constitution* John Junkerman. At the very top of The Hague Agenda for Peace and Justice for the 21st Century adopted by The Hague Appeal for Peace Conference in 1999 is the item calling on every parliament to adopt a resolution for renunciation of war, like Japan's Article 9.

Good relationships between Japan and other countries have been built precisely because of Japan's renunciation of war as a means of settling disputes instituted by Article 9, as testified by many Japanese who work abroad. A trading company employee who worked in the Middle East said that people of the Arab world feel more open to friendship with Japanese because Japan has not participated in any war after World War II. Dr. Tetsu Nakamura, a head of the NGO Peshawar-kai and founder of and advisor to the Mawarid Canal project, also described this experience in Peshawar and Afghanistan when he testified in the Japanese Diet about his projects there.

Furthermore, we must not forget the voices of people in Asia who think of Article 9 as Japan's international pledge for the sake of the twenty million people who died in the war in Asia and the Pacific. It is a commitment from which Japan cannot be easily released. If the tensions in East Asia are to be eased, deterrent force is not the answer; this is precisely the time to exercise peaceful diplomacy pivoting on the spirit of Article 9.

Moreover, we wish to enrich the pursuit of global peace through renunciation of

war (Article 9) with the ideas of sustainability, ecology, and symbiosis<kyosei>. The spirit behind Article 9 seek is not peace of one country alone but of the whole world. Self-evident as it is that no one can live in peace without world peace, the ideals of Article 9 call for a positive and active pacifism. Our pacifism will never be attained if we do not try to spread and share these ideals throughout the world.

And now we must appeal to the world to see that Article 9 is under threat and to recognize that Japan must be rescued from this crisis in order to pave the way for world peace.

In 2003, after American and European leaders declared war on Iraq, in violation of the sentiments of their peoples, Jürgen Habermas and Jacques Derrida were co-signatories to a statement inspired by Kant's declaration that perpetual peace "is no mere empty idea . . . but a problem which gradually works out its own solution." Article 9 of Japan's Constitution was developed by applying Kant's ideas on perpetual peace as the basic principles of its articles of Constitution. Kant's idea of perpetual peace is not an "empty ideal" but a task to be realized through "practical politics." In this sense, the aspiration endowed in Article 9 has the potential to change world politics. The Preamble of Japan's Constitution ends with the following words. "We, the Japanese people, pledge our national honor to accomplish these high ideals and purposes with all our resources." Therefore, a Global Charter with the spirit of Article 9 is not a dream but a mission we must accomplish.

To that end, we must

- 1) *Strengthen* the movement for defending and firmly instituting Article 9 within Japan.
- 2) *Call upon* like-minded persons in Japan and overseas to give their signatures and messages of support for this movement.
- 3) *Build upon* the groundswell of determination to establish peace in the global age, launching the cooperative endeavor to establish a Global Charter for Peace grounded in the spirit of Article 9.
- 4) *Make* the results of our efforts heard in the activities and resolutions of the United Nations.
- 5) *Call upon* all people on the earth and all governments in the world to execute

foreign policy and domestic government for the protection of humankind and preservation of the earth in accordance with such a Global Charter, reflecting the ideal of renunciation of war and the maintenance of arms enshrined in the Japanese Constitution.

This appeal is addressed to all individuals and groups who share the idea of establishing a global charter for peace. We hope that this statement of purpose might be useful to people in other countries and regions of their activities and efforts to raise their voices in support of such a global charter

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