

Should the Japanese Constitution be Amended?

Attitudes of the secular and Christian press toward Article 9

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ON MAY 3, 1947, OUT OF the ashes of war-torn Japan was born a new constitution that was to become the bedrock of Japan's pacifism in the subsequent 46 years. Its preamble resolves that "never again shall we be visited with the horrors of war through the action of government," affirms that "the authority of (the government) is derived from the people," and makes clear its fundamental presupposition that this consent of the governed is "a universal principle of mankind." The basic tenet of the Constitution is clearly expressed as follows: "We shall secure for ourselves and our posterity the fruits of peaceful cooperation with all nations and the blessings of liberty throughout this land." The most radical and breathtaking part of the Constitution, however, is found in Article 9. It deserves to be quoted in full.

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.

Should this so-called peace clause be stricken from the Constitution as too idealistic, even sentimental, to meet the challenges of today's world situation? Or should

it be preserved at all costs as axiomatic to the nation that once terrorized its neighbor nations under the banner of *Daitōwa kyōeiken*, the Greater East Asia Coprosperity Sphere? Is Article 9 a prerequisite for Japan to seek "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 from the earth" (Preamble)? That question has been the object of heated debate in Japan especially in the aftermath of the Gulf War.

IMMEDIATE BACKGROUND OF THE DEBATE

At the request of the Bush Administration, the Japanese government paid one hundred thirty billion dollars in support of the American-led multinational effort to contain the aggressive power of Saddam Hussein. Influential members of the ruling Liberal Democratic Party insisted in an increasingly strident tone that financial cooperation alone was not enough; Japan must find ways to contribute its "sweat and blood" to global peacekeeping activities. Regrettably for them, however, the Japanese Constitution specifically prohibited any use of military power for solving international conflicts. Such a pacifist position, they declared, was nothing but a sentimental anachronism. The Japanese Constitution must be amended so that Japan would be enabled to send its military troops abroad under the strict supervision of the United Nations. Article 9 must be stricken from the Constitution if

Japan was to seek full-fledged membership in the international community. For other Liberal Democrats, however, such a measure was too drastic and harmful to national unity. They sought some way to leave room for military cooperation while, at the same time, keeping Article 9 intact.

The revisionists gained power and the tone of the debate became even more intense when Japan decided to send its Self-Defense Forces to Cambodia as part of the UN's peacekeeping activities. Once again, the familiar question became the major topic of national debate: Is the peace clause of Japan's Constitution a hindrance or boon to Japan's contribution to global peace? This article surveys some major and substantial opinions which have appeared in both secular and Christian monthly magazines this past year. It seeks to compare the Christian press and the secular press with regard to Article 9 and other related issues on Japan's global responsibility for world peace.

REVISIONIST VIEWS IN THE SECULAR PRESS

One of the most forthright opinion leaders among the current revisionists is a political scientist named Takubo Tadae. His article "The Right Way for Amending the Constitution" (*Kenpō kaisei no ōdō*) appeared in the March 1993 issue of *Shokun*. He points out that the Gulf War was sanctioned by the UN for the purpose of punishing Saddam Hussein for his blatant violation of international law. The PKO (Peacekeeping Operation) is an important part of the peacekeeping activities of the United Nations. The fact that it was the 1988 Nobel Peace recipient amply indicates its honorable place in today's world. For Takubo it is a deep shame that Japan did not cooperate militarily with the UN at the time of the Gulf War. Contrary to general opinion, Takubo believes that Japan's constitution allows her to participate in the peacekeeping activities of

the UN, because its preamble clearly states that Japan strives for "the preservation of peace and the punishment of tyranny and slavery, oppression and intolerance from the earth." These words, insists Takubo, certainly make it mandatory for Japan to send armed forces overseas under a UN flag.

It is Takubo's opinion, therefore, that Japan can and, indeed, ought to send troops of its Self-Defense Force (SDF) to Cambodia in support of the UN's peacekeeping activities. But for the purpose of avoiding unnecessary but inevitable debate that will split the nation, he definitely opts for the abolishment of the second paragraph of Article 9 (see above). In so doing, Japan's SDF will be deemed fully constitutional. He believes that the first paragraph of Article 9 is enough to assure the world of the genuineness of Japan's intention to be a truly peace-loving nation. Any doubts cast on the honorable intention of the Japanese people are unfair and certainly illegitimate.

Ushiba Akihiko, a free-lance journalist, concurs fully with Takubo on the assertion that Japan must not hesitate to cooperate militarily with the peacekeeping activities of the UN. His article, "Cambodia Suffers Because of Article 9" (*Dai kyūjō ni naku Cambojia*) in the same issue of *Shokun* attempts to prove his point by reporting concrete examples of the various contributions that Japan's SDF is actually making in Cambodia. Fallen bridges have been rebuilt, roads widened and paved, and mines excavated and defused. Ushiba insists that Japanese troops are making an inestimable contribution to peace in Cambodia and that there are no reasons to fear a resurgence of the old, militaristic Japan of the prewar years. He praises the sacrificial spirit of the SDF personnel currently in Cambodia and gives a high mark for their camaraderie with indigenous people.

Ushiba, however, does not specifically discuss Article 9. His criticism is directed, first of all, at *Asahi Shimbun*, the largest lib-

eral newspaper in Japan, for its failure to report positive contributions that the SDF is making in Cambodia and, secondly, at the Japanese government for its failure to state forthrightly its position on the nature of the SDF's relation to the UN's peacekeeping activities. And yet, the implications of Ushiba's article for the peace clause of the Constitution seem clear: it needs to be amended so that the constitutionality of the SDF is affirmed without reservations. Japan must render money, sweat, and blood for the preservation of peace in the world.

THE LIBERAL SECULAR PRESS

For others, however, erasing the peace clause from the Constitution is to shirk the unique responsibility that Japan alone bears in the post-Cold War era. Kunihiro Masao of the Japan Social Democratic Party clearly takes that position in his "Some Doubts about the Bill on PKO Cooperation," (*PKO kyōryoku hōan eno gimon*), in *Sekai* (July, 1992). Kunihiro insists that the Constitution is not so much to be interpreted as to be faithfully executed. As far as he is concerned, the Constitution is absolutely clear on one thing: it prohibits Japan from sending SDF troops abroad for whatever reason. One simply cannot get around this fact as long as the Constitution remains as it is. Kunihiro's criticism is directed at those who, like Takubo, think that there is room for maneuvering within the present Constitution. But the main point of Kunihiro's article does not lie here. He lifts up the Constitution as a document that is not only idealistic but also quite realistic.

According to Kunihiro, Japan could not have gained its economic prosperity and stability without Article 9. After all, Japan's survival as a nation depended largely upon the implicit trust that the international community placed on Japan's determination to be a peace-loving nation. Without Article 9, this would have been impossible,

because the spirit of tolerance for the defeated Japan among Asian nations in the postwar period would have been unthinkable had Japan retained military power. The sad fact is that today the Japanese people do not seem to be fully cognizant of the cruelties and injustices perpetrated by Japan's imperialism less than fifty years ago, despite the fact that the scars are still deep in the international community. This gap of perception will further create an atmosphere of doubt and suspicion among the victims of Japan's imperialism, particularly those in Asia, if Japan reasserts its military power even under a UN flag.

Kunihiro insists that world opinion does not want Japan to contribute militarily to international community, the general opinion of recent revisionists in Japan notwithstanding. He cites the April 20, 1992, editorial of *The New York Times* and the February 25, 1993 editorial of *The Mesa Tribune* in Arizona. Both papers make it clear that Japan's contribution to global community must be found in areas that are strictly nonmilitary. As a global civilian power, concludes Kunihiro, Japan must concentrate on such things as discovering a cure for AIDS, putting solar energy to practical use, finding ways to overcome famine, and developing a Japanese version of the Marshall Plan. Only by keeping Article 9 intact, will Japan be able to fulfill its own unique responsibilities as a peace-loving nation.

Higuchi Yōichi, professor at Tokyo University, approaches this question from an angle different from Kunihiro, although he reaches remarkably similar conclusions as Kunihiro. In his article, "Hidden Points of Dispute between Revisionism and Protectionism" (*Kaiken goken no kakureta sōten*) in the March 1993 issue of *Sekai*, Higuchi points out the glaring fact that Japan as a nation has yet to admit full responsibility for its atrocities and cruelties committed during its militaristic days. Its

unwillingness to face up to what its imperialism did to the world in the name of the Greater East Asian Coprosperity Sphere is obvious. The Japanese government today is forcing authors of school textbooks to use "extension" for "aggression." Then, too, Japan is still refusing to delve into the issue of "comfort women" with the excuse that no official documents are available to prove the forced prostitution of Korean, Chinese and other Asian women by the Imperial Army. The author's point is clear: the resurrection of the old imperialistic Japan is a genuine possibility once Article 9 is stricken from the Constitution.

Those who want to keep the peace clause intact have another thing in common, namely the conviction that it is a mistake to think that the Constitution encourages isolationism. For them it simply means that Japan must not participate in anything that requires military power. Like Kunihiro, they insist that there are areas where Japan can and should contribute greatly.

In this context, Sakamoto Yoshikazu, professor of political science at Meiji Gakuin University, a Christian school with a Reformed background, stands out, because he believes that Japan can send personnel to the UN's police force. In his "Transforming the United Nations for the Sake of Citizenry" (*Shimin no tameno kokuren kaihaku*), in the January 1993 issue of *Sekai*, Sakamoto makes a careful distinction between the UN's police force and the UN armed forces. The former is composed of people recruited globally under the auspices of the UN; therefore their loyalty is strictly to the UN, whereas the latter is inevitably controlled by the big powers and therefore can easily become a weapon for their national interests. The so-called multinational army quickly assembled to defeat Saddam Hussein in the Gulf War is a good example of the latter. Contrary to that sort of army whose main objective is the destruction of its enemies, the main purpose of the

police force is to keep order among citizens in accordance with international laws and regulations. For the UN police force, therefore, it is unthinkable to exterminate the lives of thousands of civilians in the name of international justice as we saw in the recent Gulf War. Sakamoto concludes that Japan can train and provide personnel for the UN police force without violating the spirit of the Constitution in general and Article 9 in particular.

THE CHRISTIAN PRESS: PROTESTANT AND ROMAN CATHOLIC

All of the writers who appeared in the Christian press that I was able to read expressed definite pacifist tendencies. Most characteristically, they share in common certain theological perspectives that enable them to see Japan as an important instrument of God's providence in today's world. Thus, they talk about God's judgment, human repentance, and divine forgiveness that makes it possible to discern the will of God in the complexities of international politics and, at the same time, to work diligently for new possibilities.

For Takasaki Sōji of Tsuda Women's University, Christians in Japan should make the issue of Japan's war responsibility their utmost social concern. In his "The Meaning of Bearing War Responsibility in the Post-World War II Era" (*Sengo sekinin'o ninukoto no imi*) in the May 1992 issue of *Fukuin to sekai*, a Protestant monthly magazine, this Christian historian recounts the reactions of various Asian nations in the immediate aftermath of the passage of the PKO cooperation bill. The *Dong A Ilbo*, South Korea's leading daily newspaper, advocated a special conference among other Asian nations in order to deal collectively with the new move by Japan. A Thai scholar pointed to the uneasy feelings prevailing among member nations of ASEAN (Association of Southeast Asian Nations) about

Japan's military strength. The head of the Indonesian Center for International Affairs reminded Japan of the fact that the country has yet to apologize to those nations affected for the atrocities committed during the days of its military dictatorship. Having cited those various comments made by Asian opinion leaders, Takasaki wonders whether the Japanese people remember the history of Japan's military aggression as vividly as people in those nations do. His position is clear: Japan must renounce any possibilities that may encourage the resurrection of the old Japan. Japanese Christians are to work together with other citizens of conscience in such efforts. In short, they are to become catalysts for repentance of Japan's past sins. The Constitution with Article 9 intact provides a firm foothold for this kind of creative activity to encourage international peace and good will.

It is clear then that Takasaki believes that amending the peace clause must be opposed, because Article 9 expresses his Christian conviction best in a nontheological and nonsectarian language that can be shared by other Japanese, regardless of their religious background. Sasagawa Norikatsu, a constitutional scholar teaching at International Christian University, concurs. His "Article 9 and Japan's Contribution" (*Kenpō dai kyūjō to Nippon no kōken*) in the May 1992 issue of *Fukuin to sekai* staunchly defends the peace clause as the pointer to the most realistic and desirable direction which Japan should continue in the future. According to Sasagawa, the Constitution is most unique on two scores. One is its explicit disavowal of war: "We...resolve that never again shall we be visited with the horrors of war through the action of government...." (Preamble). The other is its emphasis on the protection and enhancement of human rights on a global scale. "We recognize that all peoples of the world have the right to live in peace, free from fear and want" (*Ibid.*). Therefore, insists Sasagawa,

Japan's participation in and cooperation with the UN peacekeeping activities must be focused exclusively upon nonmilitary activities.

There are numerous nonmilitary activities that Japan can and should actively take part in. How should Japan go about choosing specific activities from so many options? What is the most adequate principle of selection on which Japanese Christians can all agree? Inagaki Ryōsuke, who teaches philosophy at Kyushu University, deals with that question in his "Role, Mission and Providence" (*Yakuwari shimei soshite setsuri*), which appeared in the March 1992 issue of *Seiki*, a Roman Catholic magazine. Drawing heavily from *Pacem in Terris*, Pope John XXIII's well-known encyclical, he finds the answer in the promotion of the universal common good that can be discerned by human conscience in the divinely established order of creation. Therefore, all human beings, Christian and non-Christian, cry out for mutual trust and the cessation of suspicion and ill will. The universal common good entails the recognition, respect, and promotion of the rights of the human person in both individual states and the international community. Inagaki believes that by incorporating the concept of the universal common good in the preamble of its Constitution, Japan is in a rare position to be a unique instrument of God's intentions for the world.

Yamada Keizō's article, "For Whom Is Official Development Aid Intended?" (*Dareno tame no kaihatsu enjo ka*) appearing in the same issue of *Seiki*, applies the concept of the common good that Inagaki elaborates to the specific issue of Japan's ODA (Overseas Development Aid). The thrust of Yamada's argument is this: Japan's ODA can become the tool for the economic invasion of Japanese corporations under the pretense of alleviating the economic plight of developing nations. Although Yamada does not touch on Japan's Constitution directly,

the implications for it are obvious: economic invasion is just as unconstitutional as military invasion in that both violate the vision of postwar Japan as a peace-loving nation that "desires to occupy an honored place" in the international community.

Yamada, a Jesuit priest teaching economics at Sophia University, states at the outset that his article is deeply indebted to John Paul II's encyclical, *Sollicitudo rei socialis*. The encyclical identifies one of the world crises as the widening gap between the so-called developed North and the developing South. This unhealthy situation manifests itself most glaringly in the fact that the debtor nations of the South, in order to service their debt, find themselves obliged to export the capital needed for improving their standard of living on behalf of the developed nations. The all-consuming desire for profit and the thirst for power on the part of the North, according to the encyclical, create "structural sin." This sort of avarice for profit and power must be challenged. For that the solidarity of people of good will and conscience between the developed and developing nations is absolutely essential. That challenge must, first of all, translate itself into concrete political and economic reform within the developed nations themselves. Equally important is reform on a global scale which includes international trade, the financial market, technological transfer, and international organizations.

The characteristic principle of Christian social doctrine, says Yamada, is that the goods of this world are meant for all. Therefore, ODA must be a genuine instrument of solidarity and mutuality; it must aim at the empowerment of the people it aids, and not at forcing them into the position of subservience and dependence. Unless the poor are encouraged to participate in identifying specific problems and determining ways for overcoming them, con-

cludes Yamada, ODA will not be an instrument for true empowerment.

The December 1992, issue of *Fukuin to sekai* features a discussion by three Japanese lay Christians who are working with the poor and oppressed in the so-called Third World. They are Akiyama Naoe of the Negros Campaign, Yamaoka Mikiro of the Campaign for Palestinian Children, and Ushijima Yasuo of the Committee for Solidarity with Africa. Having lived and worked in those countries, they are in complete agreement with each other on the assertion that if we are really serious about solidarity with Third World people, we must renounce the consumerism that is prevailing in the developed nations and engage in self-criticism of our own moral pretension and complacency. Those three lay Christian workers affirm solidarity with the oppressed, advocated by Yamada without using his theological terminology. The reader gets the clear impression that they are adamantly opposed to striking Article 9 from Japan's Constitution. Nor would they accept any kind of Japanese military involvement in international strife as the way for Japan to contribute to peace in the international community.

THE SECULAR PRESS AND THE CHRISTIAN PRESS COMPARED

From the preceding overview of the secular and Christian press in Japan in the past twelve months, it is possible to conclude that the Christian press agrees with and gives support to the liberal wing of the secular press on the issue of Japan's contribution to global peace. More concretely, such Christian magazines as *Fukuin to sekai* and *Seiki* strongly side with *Sekai*, arguably the most influential liberal secular magazine in Japan today, and oppose the overall stance taken by the more conservative *Shokun*. The points of their agreement are clear. They may be summarized as follows:

1. The importance of idealism in politics

Both the Christian press and the liberal secular press base their arguments on the presupposition that the extent of the destructiveness of modern weaponry is such that any war anywhere in the world has the potential to endanger the entire earth. War must cease, if human kind is to survive. Japan's Constitution is the first in the world to make this position the basis of nationhood. The preamble and the peace clause of the Constitution clarify the universal principle of the nation and government. Therefore, they insist that the Constitution with the peace clause intact does serve as a vision which every nation should strive toward to promote authentic global peace. The quality of any nation is determined not by its possessions and the power it yields, but by its ideals and vision. Ideals should not be compromised by reality. Instead, reality must be transformed by ideals. Japan, they conclude, must not change its Constitution to adjust to the reality of power politics. Rather, it should encourage other nations to emulate it.

2. The meaning of Japan's contribution to international community

Today the international community is facing several important issues whose solutions are most urgently needed for the future of humankind. Those issues include environment destruction, population explosion, the increasing gap between the developed North and the developing South in terms of economic and political power, and ethnic conflicts in Asia, Africa, East Europe and CIS. None of these issues can be solved by military power. They require peaceful solutions. Japan's contribution lies precisely

here. Today Japan contributes the second largest amount of money to the UN budget and ranks first in donating overseas development aid. This, at least, is the right first step. Those who insist that Japan cannot do its fair share in shouldering the burden of UN enforcement until it provides soldiers must be encouraged to look at the fact that world security requires permanent reduction of military activity in international relations.

3. Checking the old nostalgia

Certain politicians and political analysts who openly advocate Japan's rearmament insist that rearmament is essential for Japan's self-identity in the future. But it is safe to say that those who argue for the abolition of the peace clause are closely connected to the groups who want to see the old Japan resurrected. A Constitutional amendment would be the first step to move Japan in that direction. The Japanese people who seek world peace should continue to uphold Japan's constitution and its refusal to employ military power overseas, in view of the fact that Japan's military aggression against its neighbors is still vividly remembered by more than a billion people in Asia and throughout the world.

In sum, both the Christian press and the liberal wing of the secular press do share some fundamental presuppositions with regard to the peace clause of Japan's Constitution and Japan's unique position in the world. What remains to be seen is whether they together can revitalize in the Japanese people a sense of responsibility, a critical spirit, and, most of all, a passion for peace since their nation is feeling heavy pressure from within to become a greater military power in the world.