

Resolution for NLG Endorsement of the Global Campaign to Defend Article 9 of Japan's "Peace Constitution"

Whereas, the National Lawyers Guild has long-supported the peaceful resolution of conflict between nations and the United Nations Charter, which prohibits the use of force by member states outside the UN framework;

Whereas, the NLG has played an active role in the international people's movements to oppose wars of aggression and the use of nuclear weapons and weapons of mass destruction by all nations;

Whereas, Article 9 of Japan's Peace Constitution is the only constitution of any industrialized nation that specifically renounces "war . . . and the threat or use of force as means of settling international disputes" as well as the "right of belligerency;"

Whereas, Japan's Peace Constitution stems from people's movements to ban every kind of war, as set out by the Pact of Paris in 1928, and was adopted in Japan as a response to the defeat of Japan's militarist and imperialist policies in 1945, which brought untold suffering to the people of Asia;

Whereas, the vast majority of ordinary Japanese people, who also suffered greatly from the militarist policies of their own government before 1945, have embraced Article 9 and pacifism as national policy;

Whereas, Japan has been mainly ruled at a national level as a single-party state by the conservative LDP [Liberal Democratic Party] that has provided nearly unquestioned support of U.S. foreign and military policy for more than 50 years;

Whereas, the worldwide threat of "pre-emptive" aggression by the United States and U.S. rejection of basic principles of International Law and the Rule of Law, more generally, are the greatest danger facing the people of the world;

Whereas, the United States military and foreign policy increasingly uses the military capabilities of its allies to support its own policy interests worldwide and to support the military aggression of its allies in regional conflicts;

Whereas, Japan possesses the second largest economy in the world and has the capacity to become a major military power in Asia that equals or exceeds the capacity of other U.S. allies, such as the United Kingdom;

Whereas, the use of Japan's industrial capacity to re-arm or to supply arms is a threat to the peace and stability of Asia and the world;

Whereas, the openly stated United States policy is to pressure the LDP government to remove Article 9 from the Japanese Constitution and to permit the re-arming of Japan to further U.S. military policy in Asia and elsewhere;

Whereas, despite the opposition of the majority of the people of Japan, the LDP government and ruling parties have openly called for abolishing Article 9 and re-instating "war . . . and the threat of force" as elements of Japan's foreign policy by forcing a National Referendum Bill in May 2007 to establish procedures to amend Japan's Constitution;

Whereas, Article 9 of the Japanese Peace Constitution is a model of the domestic application of principles of the UN Charter, to which all nations should aspire;

Whereas, the people of Japan have begun a global campaign to defend and expand the historic achievement of the peace-loving people of the world which Article 9 of the Peace Constitution represents;

Whereas, the Global Article 9 Campaign has called for a Global Article 9 Conference in Tokyo in May 2008;

Be it resolved that the National Lawyers Guild, extending its solidarity to the Japanese movement for peace: (a) formally endorse and join the Global Article 9 Campaign; (b) publicize both the Campaign and 2008 Conference through its publications and chapters; (c) organize delegates from the United States to attend the Spring 2008 Article 9 Conference in Tokyo; (d) encourage US peace activists to join the Campaign and attend the 2008 Conference.

Implementation: NLG International Committee

Submitted by: Peter Erlinder, peter.erlinder@wmitchell.edu

Proposed Resolution Endorsed by the International Committee, October 19, 2006