

**An appeal from Japan, as a victim of nuclear war,
to save humanity from nuclear destruction:
Using the Japanese Constitution to build a world free from war**

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The atomic bombing resulted in the complete desecration and destruction of human dignity

On 26 June 1945, the United Nations Charter was signed, beginning with the words, "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind," and confirms that "the threat of or use of force shall not be used in international relations." This was very important as the first time in human history for war to be declared illegal. Before the ink dried, however, just 42 days after signing the UN Charter, the US dropped the atomic bomb on Hiroshima on 6 August, even though Japan had already lost its war capacity. In 10 seconds, Hiroshima's buildings were razed by the destructive force of one bomb's massive shock wave emanating from atomic fission. A heat wave of 3,000 degrees Centigrade burned everything in the city, including the devastated buildings, and the people who had been living there suffered severe burns and died a fiery death. By the end of the year, 200,000 people had died. In addition, many continued to die from exposure to the initial radiation from nuclear fission, and as radioactive materials entered people's bodies, residual radiation brought about various aftereffects. The injury has continued with people falling ill to this day. Use of the atomic bomb created a hell on earth that defies description.

One *hibakusha* who experienced this apocalyptic hell could only express his anger towards "the cruel atomic bomb that robbed us of all human dignity" with his cry, "Give me back my humanity!"

The *hibakusha* deplore those who dropped the atomic bomb, and declare that, "dropping a cruel bomb like this is not something a human would do. It is the work of the devil."

The *hibakusha* who lost everything to the atomic bomb established the Japan Confederation of A- and H-Bomb Sufferers Organizations. They demand that the Japanese government that began the war allow "no more *hibakusha*," eliminate all nuclear weapons, and compensate victims of the atomic bombing. Toward the US, they demand an apology to the victims of the atomic bomb and to promise never to use atomic weapons again. They continue this struggle today, more than half a century later.

The legal judgment that atomic bomb use violates international humanitarian law is valid

It is clear that atomic bomb use violates international humanitarian law. This is articulated in no ambiguous terms in the Tokyo District Court's decision on the Atomic Bomb Case (Shimoda Case) of 7 Dec 1963 that states, "America's dropping of the atomic bomb violated international humanitarian law," and in the International Court of Justice's advisory opinion on 8 July 1996 on the illegality of nuclear weapon use. Nuclear-weapon states, however, ignore the legal judgments citing violation of international humanitarian law and continue to possess nuclear arms. The majority of UN member states-excluding those possessing nuclear weapons and the few non-nuclear weapon states that support them-agree with the legal judgment that use of nuclear weapons violates international humanitarian law and approve of a treaty to abolish nuclear arms.

Even states allowed to possess nuclear arms under the Non-Proliferation Treaty are required by the treaty to pursue negotiations in good faith on effective measures relating to nuclear disarmament, and the International Court of Justice's advisory opinion also states that "there exists an obligation to...bring to a conclusion negotiations leading to disarmament." In regard to this point, all nuclear-weapon states are extremely lacking in good faith. This lack of good faith is sustained by an enormous conglomeration working in the shadows that makes enormous profits from the manufacture, possession, upgrading and storage of nuclear weapons. If nuclear weapons are completely prohibited, both large and small companies in the US that are related to the nuclear industry would see their stock prices crash, and the US economy will face a crisis. So they are working hard to sustain the nuclear industry.

Bringing the enormous conglomeration that obstructs elimination of nuclear weapons to a natural end

It is difficult to make nuclear-weapon states take initiative or use their own capacity to renounce nuclear weapons. So there are two ways we can bring about the natural extinction of this conglomeration that profits from nuclear arms.

The first way is to expand the non-nuclear areas under Nuclear Free Zone Treaties, reducing the area where nuclear weapons can be used. In fact, the southern hemisphere is becoming non-nuclear by states becoming party to Nuclear Free Zone Treaties. This should be expanded to the northern hemisphere to cover the whole world.

The second way is to create a structure in every region of the world that makes war impossible (a small-scale united nations in each region). Typical examples are

the UN, EU, and the community towards which the Treaty of Amity and Cooperation in Southeast Asia aims to create. In Northeast Asia, there are the Six-Party Talks among Russia, China, North Korea, South Korea, Japan and the US. If the original purpose of the Six-Party Talks is realized, namely denuclearization of the Korean Peninsula, the continuation of this structure could lead to a six-party community in the future. If diplomatic negotiations were held to establish structures in Europe, South America, Africa, the Middle East, Southeast Asia, Northeast Asia, and every region of the world, armies and nuclear weapons would become white elephants, and in this way, nuclear arms and wars would disappear.

If the non-militaristic ideals of the Japanese constitution became the world's model, war would disappear

If every country adopted the non-militaristic model of the Japanese constitution, it would be a powerful force in building a system in each region of the world that made war impossible, as explained above.

The *hibakusha* experienced the horrors of nuclear war, which are the ultimate horrors of war. The ideals in the Japanese constitution are the embodiment of their cry of desire to live with human dignity. The ideals are also fundamental cautionary principles to prevent humanity from nuclear self-destruction.

Let us look at the Japanese constitution through the eyes of hibakusha. First, the preamble states that the Japanese people "resolved that never again shall we be visited with the horrors of war through the action of government," "recognize that all peoples of the world have the right to live in peace." In addition, Article 9 forever renounces war and the threat or use of force, and rejects maintenance of war potential and the right of belligerency of the state. These together make the Japanese Constitution a peace constitution through and through, stating that the Japanese people will not depend on military force for national security. We are "trusting in the justice and faith of the peace-loving peoples of the world" and "desire to occupy an honored place in an international society." It is indeed an embodiment of the hibakusha's prayer that war absolutely never be waged in this nuclear age.

Considering that the Constitution's principles are in the interest of all people living in this nuclear age, these principles can be universally shared.

We participated in the May 1999 Hague Appeal for Peace (attended by 10,000 people from 100 countries), and there we distributed 1,000 copies of our booklet entitled "Making the Japanese Constitution's non-militaristic philosophy a model for the world." As a result, the "Ten Fundamental Principles for a Just World Order" action plan was announced at the closing assembly. Its first principle

states: "Every Parliament should adopt a resolution prohibiting their government from going to war, like the Japanese article number nine." This was handed to then UN Secretary General Kofi Annan who had been invited to the general assembly.

We strongly felt that the world had entered an age in which the principles of the Japanese Constitution, embodying the cry of the hibakusha, would be internationally accepted.

The need for a movement to reform the Japanese government's neglect of the peace constitution

In spite of having an incredible peace constitution, Japan's successive governments have consistently ignored and ravaged the principles in it, and the public has not been able to stop this trend. The main reason for this is that the US government, which effectively controls Japan, has enforced political demands on the Japanese government to neglect the constitution for US interests. After surrender, together with the US-Japan Peace Treaty, Japan was forced to sign the Japan-US Security Treaty, obligating Japan to indefinitely allow US bases in locations around the country. In return, the US did not question the Japanese emperor's war responsibility and provided support for economic recovery. And even half a century later, Japan's subordinate position to the US has been maintained. In particular, the Japanese government has depended on the US nuclear deterrent for national security. The hibakusha have been continuously and deeply disturbed by this contradiction in which the evil weapon that causes them immense suffering is now being used to protect Japan. Even more, the ruling elite in Japan gained enormous economic profits as a result of trade with the US and the huge demand for military goods created by the large-scale wars that the US fought in Korea and Vietnam. This made Japan an economic power, and deepened the friendship between Japan and the US.

To realize a world free from war and nuclear arms where the principles of the peace constitution are the norm, those of us in the peace movement with the hibakusha must move to change the Japanese government's nuclear policy of dependence on the US nuclear deterrent for national security, and the policy of neglecting our own constitution for US interests. We also believe that the achievements of the international movement to eliminate nuclear arms has the power to change Japan's policies of subordination to the US, so we believe these two movements have a very close relationship.

A nuclear free world can be secured by sharing the hibakusha's memory and legacy

"No more *Hibakusha*: Association to inherit the memories and legacy of the *hibakusha*" was officially established in May 2012 in order to pass on to eternity the memory and legacy of the a-bomb survivors. The average age of hibakusha is now 78. They are decreasing in number, and their activities are beginning to weaken. This Association will at some point take up where the hibakusha leave off, and will take up the important challenge of how, as non-hibakusha, to carry on the legacy of the hibakusha. It is a challenge we must overcome. We can also look at this as a sign of reform and development.

The voices of hibakusha are essential for the realization of a nuclear-free world.

In order to create a nuclear-free world, respect for rule of law is an important way of thinking. However, even if countries agree with and sign a convention to eliminate nuclear arms, all it would take is for one country to violate the law, and that would be it. If it comes to war, it is likely that the law will be broken and nuclear weapons will be manufactured in order to win.

The most certain guarantee to ensure respect for the rule of law that agrees on elimination of nuclear weapons is for all of humanity to continue sharing the memory and legacy of the hibakusha's cry, "no more hibakusha!" Nothing else can guarantee nuclear arms elimination. This is our appeal from Japan, the country that suffered the ravages of nuclear war.