

25 January, 2019 Tokyo, JAPAN

The Norwegian Nobel Committee
Norwegian Nobel Institute, Oslo

Dear members of the Norwegian Nobel Committee,

PREFACE:

Seeking to achieve disarmament and a just and orderly peace, the U.N. Charter in 1945 envisaged a system of Collective Security, but today, under the pretext of Collective Self-Defense, nations are trapped in a vicious circle of continuous preparations for war. In a world with nuclear weapons this puts human survival at extreme risk. The U.N. Charter foresaw a transitional period, from the present state of armed, negative peace to active, unarmed peace and an obligation for the 5 Permanent Members of the Security Council to ensure a peaceful transition. A peace prize for 2019 should honor Collective Security as an idea promoting the peace and disarmament aspect of Nobel's will, and do so by shining light on Article 9 of the 1947 Constitution of Japan.

This constitutional provision was and continues to be an innovative tool for bringing about the abolition of war. By Article 9, Japan committed to forever renounce war as a sovereign right of the Japanese people, and it further declared that nations do not have a right of aggression. The text of Article 9 reads :

Paragraph (1) 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.

Paragraph (2) 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.

NOMINATION

We would like to nominate for this year's peace prize:

1) Kyujo-no-Kai (Article 9 Association = A9A):

The organization in Japan, which, for 15 years, has been in the forefront to promoting great cause: defending Article 9 ,

and

2) Dr. Klaus Schlichtmann:

A Germany historian of Japan, who, for more than 30 years, has kept earnest advocacy for Article 9.

1) Article 9 Association = A9A:

'Kyujo-no-Kai', A9A, was founded by 9 Japanese intellectuals, including Kenzo OE, 1994 Nobel Literature Laureate, and has developed to 7,000+ branches nation-wide.

Since its foundation in 2004, A9A has been appealing to the world the pacifist idea of Article 9 of the Constitution of Japan, which advocates absolute abandonment of the war, emphasizing significance of peace for existence of humanity in the future.

Thus, the unique activities done by the A9A contributes to spread the universal idea of effective peace-creation for all human beings in the world. Its universal idea is the very core of Article 9 of the Constitution of Japan, which accords exactly with the will of late Alfred Nobel: Lay Down The Arms.

In view of the recent world political situation, including the expansion of risk of war and conflict, the only way of avoiding disaster is to 'lay down the arms.'

The only and effective solutions should be the Article 9 idea to be enhanced unto world/global chapter.

In fact, your award to A9A should be the great encouragement, like the one to ICAN, in 2017, that is the great lever for the abolishment of Nuclear weapons.

Also, your award of 2018 to Denis Mukwege and Nadia Murad was forthright for their efforts to end the use of sexual violence as a weapon of war and armed conflict.

Seven of 9 original members of the founder of A9A have already passed away. However, in September 2016, 12 eminent intellectuals have organized a 'Board of Facilitators,' to further their assertion of war renouncement.

And, thence, the activities of A9A have been much more vigorous, to cope with our perilous world situation.

http://www.9-jo.jp/en/news_index_en.html

2) Dr. Klaus Schlichtmann:

One of the most vocal proponents of article 9 and abolishing war as an institution. Well known in Japan and abroad for his advocacy, he has published widely on article 9 and related issues in German, English, and Japanese.

From 1980 to 1992, as the chair of the West German branch of the World Federalist Movement, he actively pursued a dialogue with politicians, political parties and academics, to realize the aims and

ideals of article 9 and the United Nations Charter. Schlichtmann, fascinated by Article 9, enrolled at Kiel University in 1985, and made Shidehara Kijuro* the subject of his master's thesis in 1990.

*Shidehara Kijuro is then-Prime Minister of Japan, who raised the idea of

Article 9 to put in the Constitution.

With a scholarship, Schlichtmann in 1992 went to Japan to continue his studies and research on article 9 and Shidehara. Passing with magna cum laude, his doctoral dissertation was again on Shidehara and article 9. It was published in German in 1996, and in 2009 in English ("Japan in the World, Shidehara Kijuro, Pacifism and the Abolition of War," in two volumes).

His academic research, relevant to the realization of Article 9, revealed a vital link connecting peace constitutions and the international law of the United Nations Charter. It showed that, underpinning the Organization's basic security concept, the UN Charter stipulates a transition period. UN Member states have an obligation under their constitutions as well as the UN Charter to embark on a transition toward genuine collective security and disarmament, by taking legislative action to limit or transfer sovereign powers in favor of the international organization of peace.

Peace constitutions, including Japans Article 9, Italy's Article 11, Germany's Article 24, India's Article 51 and Denmark's Article 20, from what Schlichtmann has designated as a 'Normative Current' that is meant to initiate the transition toward genuine collective security and disarmament.

Continuing his research and publications on Article 9 and related issues such as the transitional security concept in the UN Charter, Schlichtmann has engaged extensively with Japanese pacifists aiming to preserve article 9 and achieve its objectives, i.e. an "international peace based on justice and order," as stated in the article.

In late 2017, at the instigation of local Article 9 activists, he launched a movement, the "SA9 CAMPAIGN" (SA9=Second Article 9), which aims to use article 9 to put the issue of the abolition of war (and creating a brotherhood of disarmed nations) before the United Nations General Assembly, to be debated and put to a vote.

Sincerely yours,

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POSTSCRIPT

The failure of the collective security of the League of Nations led to the realization that a universal system of security could only be effective if nations agreed to some limitation of their national sovereignty with regard to their right of belligerency. So, in the U.N. Charter the Security Council, which had been a "closed shop" during League of Nations times, would open itself up to UN Members who would cede constitutional powers in favor of Collective Security. For such a transition the Japanese Article 9 denying the State the right to resolve conflicts by the threat and use of military force would serve as a precedent and form an important legal basis. Though a precedent, Article 9 has not legally been followed up. Instead, since genuine Collective Security is no longer regarded as a viable option, pressure is growing on Japan to participate in military, so-called Peace Keeping Operations.

U.N. Member states have committed themselves to abstain from the use or threat of force. However, with the questionable nature of loyalty to U.N. obligations, the time is ripe to follow up on article 9, abolish the tools to wage war and create the brotherhood of

nations that Nobel specified in his will of 1895. The Norwegian Nobel Committee should use the 2019 prize as a salient option to start the process of ending war by drawing renewed attention to this avenue and move Nobel's global peace agenda forward.

Article 9 came about as a brainchild of the great Japanese diplomat Kijuro Shidehara (1872-1951), called to be the Japanese Prime Minister after WWII. On 24 January 1946 he visited General Douglas MacArthur to suggest the clause on renunciation of war as a sovereign right of the nation. Shidehara had a long history of peace diplomacy and disarmament negotiations since his first posting to Europe during the first great peace conference in The Hague in 1899. One of his slogans was that "Where justice reigns, the armaments are superfluous."

A Nobel Prize should help Article 9 of the Constitution of Japan be recognized as the ethical world heritage it actually is and help it realize its potential as a key to world peace, and a great tool for creating the brotherhood of nations that Alfred Nobel asked for in his will.