

# Reflections on an Article 9 Without Borders

by Chuck Overby

*An outspoken American critic of the U.S.-led “war on terrorism” offers his strongly felt views on the need to protect Japan’s postwar Constitution for the benefit of the entire globe.*

Please allow me to begin this paper with a confession. I have fallen deeply and profoundly in love with the beautiful wisdom that is Article 9 of Japan’s Constitution and the wonderfully related words in that Constitution’s preamble.

I would like to share with you a tiny bit of the story of how, as a veteran of two of America’s wars, World War II and the Korean War (B-29 combat pilot in Korea), and as a professor of engineering, I came to be captivated by the wonderful treasure that is Article 9. Drawing from the great poem “The Road Not Taken” by Robert Frost, one of my favorite American poets, I think of my path as “a road less traveled by.” Unfortunately, there is not enough space here to share my story, so I have placed it on my simple Web site ([www.article9society.org](http://www.article9society.org)), listed as “Dharma–Appendix–A–Road.” For the same reason, I have placed two additional Appendixes—B and C, listed as “Dharma–Appendix–B–Poems,” which contains three of my poems, and “Dharma–Appendix–C–Books,” which contains brief excerpts from three new U.S. books that significantly support my frustration with America’s addiction to war, which also stimulates the United States to urge Japan to kill Article 9.

Also, because of space constraints, I am using the Internet



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to amplify. Please see my Web site, where there is much more detail on almost everything I say here, including photos of me in a costume as Uncle Sam—a well-known iconic image of the United States—addicted to war. You should also find on this Web site my most recent 2007 paper presented in Japan, titled “Imagine the Magic of an Article 9 Without Borders.” Unfortunately, the Web site is only an English-language site. I also frequently refer to our bilingual (Japanese and English) book, *A Call for Peace: The Implications of Japan’s War-Renouncing Constitution*.<sup>1</sup> The best edition to see is the 2005 edition, which contains a 47-page preface update. Unfortunately, this new edition is not so easily available outside of Japan.

Recently, I found that the ideas and ideals expressed in two papers in DHARMA WORLD’s January-March 2007 issue most meaningfully relate to my concerns. I am speaking of the papers by David Loy, “The Three Institutional Poisons: Challenging Collective Greed, Ill Will, and Delusion,” and Masahiro Nemoto, “Rissho Kosei-kai’s Social Contribution: Bodhisattva Practice Today,” which relate to Buddhism and social responsibility.

Now allow me to share with you the Article 9 beauty by which I have been captured. It reads as follows:

“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.”

A few of the preamble’s relevant words are:

“We, the Japanese people, . . . proclaim that sovereign power resides with the people. . . .” and

“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.”

In the rest of this paper I will outline some of what I feel, see, and dream about Article 9. I will also comment on Article 9’s current predicament in Japan, with a focus on the larger problem of America’s addiction to war, which in turn endangers Article 9. Finally, even though Article 9’s current predicament is frightening—I end on a small note of hope—for without hope, life loses meaning.

### What I Feel, See, and Dream

I see Article 9 as not just Japan’s but as all humanity’s cry for an end to that brutal, dominantly masculine obscenity called war. I see Article 9, metaphorically, as having risen out of the radioactive ashes of Hiroshima and Nagasaki and out of the holocaust that was World War II. I see Article 9 as Japan’s apology to all the nations of East and Southeast Asia that suffered from its militarism before and during World War II. I see Article 9 as Japan’s promise to those nations that never again will this militarist scourge be unleashed on the world. I dream that all the former European and other colonialist powers of the world, including the United States, will also apologize for their past colonial arrogances and obscenities by themselves adopting Article 9-type clauses in their own constitutions and nation-founding documents. Thus I see Article 9 as a model to be emulated by all nations on Planet Earth before we eliminate all life on our beautiful jewel in space, (1) with our increasingly ominous application of engineering and scientific knowledge and talents to ever more lethal means to kill and destroy, and (2) by our unnecessarily profligate and inequitable consumptions of Earth’s resources, globally warming ourselves to death by turning these bountiful resource gifts into irretrievable high-entropy waste streams.

I see Japan, with Article 9 as its badge of honor, fulfilling the inherent promises in Article 9: demonstrating to Planet Earth, nonviolent and nonmilitary solutions to our inevitable human and ecospheric conflicts and problems—almost none of which have any kind of military solution whatsoever.

Since most people on Planet Earth have never heard of Article 9, and the United States and Japanese governments like to keep us in that state of ignorance, I see a world that needs to be shaken and awakened to Article 9’s wisdom. I see a world that needs to collectively organize itself so as to permit and massively encourage Japan to demonstrate nonviolent, nonmilitary means to prevent wars and violence and means for resolving our inevitable human conflicts under “rules of law” rather than under “rules of war.” I see Article 9 as one of Planet Earth’s most profound “rules of law.”

What is wrong with one of Earth’s most economically

powerful nations, Japan, being encouraged and protected by the world as it experiments with, and demonstrates alternatives to, that age-old-dominantly-masculine-stupidity called war? What is wrong with encouraging Japan to demonstrate how we, with appropriate use of our science and engineering talents, might keep our beautiful Planet Earth from becoming another lifeless Mars? I think that I speak for most of our species when I say that there is nothing wrong with our seeking for this to happen. We must allow and encourage this to happen, perhaps with help from a revitalized, democratized, and veto-free United Nations. In doing so we will be but responding to Japanese citizens’ sovereign wishes as expressed in the preamble of their Constitution:

“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.”

### The Current Situation

The current situation in Japan is not so healthy for Article 9, and a major external threat to Article 9 comes from the United States’ desire to be able to use Japanese Self-Defense Forces, rather than use U.S. soldiers, in wars of its choosing in East and Southeast Asia and elsewhere around the world. First, a brief comment on the current situation in Japan, then more on this larger picture—the present United States government’s addiction to war and its related lust for Article 9’s destruction.

Since Article 9 is in Japan’s Constitution, the job of keeping it alive and well is primarily Japan’s. We in America have the supreme challenge of reigning in the Bush administration’s neo-“con-men’s”<sup>22</sup> dream of a militarily driven worldwide global-warming U.S. empire. We in America are presently not doing very well in coping with this challenge. Money from the corporate structure and the rich has contaminated both the Republican and the Democratic political parties such that we no longer have a genuine two-party system—and thus basically no serious opposition party that might bring the corrective actions so necessary. Furthermore, we have giant corporatized and too often governmentally compliant media across much of the media spectrum, from newspapers to television—which fail to exercise their constitutional first amendment right of “freedom of speech and the press,” media that do not do the necessary sifting and winnowing in search for truth that would enable them to adequately inform the American people, so that the people might bring about the necessary corrective actions.

Japan’s recent prime minister Shinzo Abe, in his thankfully short tenure, unfortunately set the stage for making it easier for the U.S. and Japanese governments to destroy Article 9 and once again set Japan on a course toward another disaster like that experienced in World War II. I encourage the Japanese people to work hard to overturn the

December 2006 Fundamental Law of Education and the May 2007 National Referendum Law.

Our problem in the United States is that our government is addicted to war and violence and sees a military solution to almost every problem. Whereas the reality is that there are no military solutions for most problems that we in America face or that we as a species face on Planet Earth.

We in America have not yet found a way to cure our addiction to war. In 2007 with the help of a U.S. veterans' group of which I am a member, Veterans for Peace (VFP), I tried to get the U.S. government started on the long road toward a cure for its war-addiction. With the VFP's blessing, I mailed, on VFP letterhead stationery, to every one of the 535 members of Congress a proposed U.S. constitutional amendment modeled after Japan's Article 9. In this first modest attempt at an Article 9-type of constitutional amendment, we only asked that at least one member be courageous enough to read this proposed constitutional amendment into the *Congressional Record*, the document of record of Congressional business. In the months since these 535 letters were sent, VFP has not received a single response to our first-step request to begin the detoxification of the U.S. government's addiction to war.

There is no military solution to the 9/11 attack on the United States. Yet we launch a "war on terror" against Afghanistan, Iraq, and frighteningly now even threaten Iran. Rather than our unilateral military rampage after 9/11, we should have addressed the 9/11 tragedy with cooperative international police work to bring the perpetrators to justice. Rather than solve the 9/11 "terrorist" problem, our unilateral military rampage has hugely increased the numbers of people around the world who wish to harm us.

To read the official document that outlines and justifies this unilateral militarist behavior, type into your Web browser the following words: "National Security Strategy of the United States of America." You will find a 31-page document created by Bush-administration neo-"con-men," published on September 17, 2002, that nowhere asks the important question: "Why do so many people around the world hate the U.S. government and what might we do about this real problem?" Rather, you will find a clear-cut statement of military force and power—including the right to preemptively use any and all means of force necessary. We in the United States are not hated because of the great values in our founding documents. Our government is hated because of our nation's behavior as we pursue our greed-driven military-power-based globalized, privatized, corporatized, and inequitable empire around the world.

There is no military solution to the huge U.S. demand for illicit drugs. Yet we launch a "war on drugs," sending helicopters armed with machine guns and crop poisons to Central and South America, and now in Afghanistan, to destroy the cocaine and other drugs grown there by the small farmers who are simply responding to "free-market" forces—the humongous demand for illicit drugs in America. The U.S.

government has never seriously asked the most important question: "What is wrong with U.S. culture? Why do we have this immense need for illicit drugs?"

Our 2003 war on Iraq has a significant "oil-resource war" dimension. This preemptive war was based on Orwellian-like lies and intelligence information cooked up to suit neo-"con-men's" dangerously flawed ideological biases. It also reflects their ignorance about that region of the world. Our war on Iraq is also terribly more complicated by our huge lack of balance in favor of Israel in the Palestinian-Israeli conflict.

There is no military solution for the United States' and the world's addiction to oil. Yet the U.S. government prefers to use its military fist to keep other people's oil flowing into our wasteful and poorly designed technology systems—rather than seriously asking our creative engineers and scientists to give us orders of magnitude more energy and other resource-efficient technology systems, and new energy systems such as solar related ones—all of which also do not pollute the ecosphere and do not produce global warming. Most unfortunately, our consumption culture does not ask this of our technological people—and this is, sad to say, especially true in the United States. I call these kinds of technology, "Green Technology by Design" (GTBD). I have spent the last forty years of my professional engineering life promoting these GTBD ideas—thus far, without much success.<sup>3</sup> See my Web site, Dharma-Appendix-B, for a GTBD poem.

GTBD essentially means that when engineers and scientists create new technology systems, these designs must include, at the very beginning of the design process, two new design criteria: the design must (1) minimize the consumption of Earth's resources, and (2) it must not pollute or globally warm Planet Earth. This is not the way we presently do things, especially in America. Why are these two new "design criteria" so important? Because, by the time a product or system's preliminary design phase is completed, some 90 percent of all the "costs" and "benefits" have already been fixed. It is essential that these two criteria be addressed at the very beginning of the design process.

On my 2007 Japan trip, for the first time in all of my Article 9 support trips there, I had an opportunity to meet with a few Japanese engineers, scientists, and eco-economists at three universities about these GTBD ideas. I suggest that Japan might do GTBD as one of its nonmilitary, nonviolent contributions to world peace and justice so as (1) to prevent oil-resource wars, and (2) to prevent global warming.<sup>4</sup>

Please see our book *A Call for Peace* for additional discussion about nonmilitary, nonviolent contributions that Japan might make with Article 9 as its badge of honor.<sup>5</sup>

I have painted a somewhat dismal picture of the milieu, both in Japan and in the United States, in which Article 9 exists. Much needs to be done to assure that Article 9 survives and spreads across Planet Earth to truly become an "Article 9 Without Borders." I am not without some hope,

however. Let me now comment on a few positive dimensions of where we are.

### Some Hope

I see several things that help me to continue to have hope for Article 9's longevity and for ultimately becoming "Article 9 Without Borders."

(1) There is a healthy, growing interest in East and Southeast Asian countries in the wisdom of Japan's Article 9. The efforts of Japan's former prime minister Abe to make it easier to kill Article 9, with the National Referendum Bill—have frightened many people in East and Southeast Asian nations, resulting in a "surge" of interest in and commitment to Article 9. Many people outside of Japan have been stimulated to want to help Japan keep and strengthen Article 9. This is somewhat analogous to what has happened to the "terrorist" population of the world. Bush's preemptive war on Iraq, rather than reducing the numbers of these "terrorists," as the Bush administration said it would—has in fact significantly increased the numbers of people who wish to harm the United States.

(2) Hiroshima's mayor Tadatoshiki Akiba and Hiroshima Peace Culture Foundation's Steve Leeper, in their commitment to eliminate all nuclear weapons from Planet Earth, are seeking to help educate U.S. citizens about the nature of nuclear city vaporization by bringing Hiroshima and Nagasaki traveling exhibits to the United States in 2008. Their exhibit may be in the Minneapolis–St. Paul area in late August and early September for the 2008 Veterans for Peace convention, and for the 2008 Republican Party presidential convention—both of which meet there at about the same time.

(3) There seems to be a growing interest in Article 9 in Japan itself, also partially explained by the government's push for the National Referendum Bill. I understand that the Article 9 Association (A9A), founded in 2004, now has more than six thousand local groups working to save Article 9.

(4) Peaceboat and several other peace and justice groups are planning a "World Conference on Article 9" to be held in Tokyo in the spring of 2008. This conference should help to make the planet a bit more aware of Article 9 wisdom. Hopefully, the conference might also produce some strong nonviolent activities around the world in support of "Article 9 Without Borders."

### My Patriotic Hope for Article 9 and for America

I earnestly seek an "Article 9 Without Borders" for all of Planet Earth—so that we as a species, and all other species, and Earth itself—might continue to exist.

I am a nonviolent critic of my nation, for whom I have twice voluntarily placed my life on the line in two of its wars. It is my opinion that the United States of America has currently lost its way as a beacon of hope for many people. I am concerned that we are losing the essence of democracy in contemporary America. I love my country, and I, along

with millions of my fellow citizens, seek a United States of which we can once again be proud—an America that treats all people on Planet Earth with dignity and respect, rather than as "collateral damage," as "something to be manipulated," or as "consumption machines." I seek an America that maximizes equity, democracy, community, and non-military, nonviolent, ethical, ecological, caring, and loving relationships on Planet Earth. □

### Notes

1. Charles M. Overby, Masao Kunihiro (trans.), and Kazuma Momoi (photos), *A Call for Peace: The Implications of Japan's War-Renouncing Constitution* (Tokyo: Kodansha International, 1997, paperback 2001); new edition with 47-page update (Tokyo: Tachibana Publishing, Inc., 2005).

2. neo-"con-men"—I derive this term from the words "neocon," meaning neoconservative, and "men" to refer to those who have a neocon ideology and who "conned" the American public with their lies so that they could preemptively initiate the 2003 war on Iraq. "Con" is American slang meaning to swindle and dupe. People who do this are called "con-men."

3. To illustrate some of this problem from an engineering education perspective, I presented a paper on GTBD in 1991 at a Canadian university, where the American Society for Engineering Education annual meeting was held. I met our Ohio University dean of engineering and he asked me what I was doing there. I told him and he said: "Overby, I don't see why you are interested in this material because there is no interest in these matters and there is no money out there available to do anything about it." He was right. Then and even more so now—compared to the relatively large amounts of money available for engineering research and graduate education from the U.S. Department of Defense (DOD) and related private weapons production companies (also funded by DOD)—there are practically no funds for education and research in GTBD. Thus I conclude that our U.S. culture does not seriously ask its engineers and scientists to engage in education and research on GTBD—matters that would help to reduce our government's propensity and need to fight resource wars, and also to prevent global warming, etc.

4. It is interesting to note that in the late 1960s and the 1970s the Japanese automobile industry almost drove the American automobile industry into the ground. One significant reason was that Japanese engineers and scientists were encouraged by their companies to include at the very beginning of their engineering design process two important design criteria: (1) high quality and (2) high reliability. Japanese engineers and scientists were doing Quality & Reliability by Design [Q&RBD] for their auto industry, analogous to my ideas of GTBD. See the last page of Dharma-App.-A.

5. See pages 130–203 for an elaboration on a multitude of non-violent, nonmilitary contributions to world peace and justice by Japan: (1) experiment with and practice preventive diplomacy and other forms of war prevention; (2) work to reduce population growth; (3) assist social and economic development; (4) overcome world hunger and poverty; (5) cope with massive refugee problems; (6) reduce human-rights violations; (7) reduce nuclear arsenals to zero; (8) stop international trade in conventional weapons; (9) educate for nonviolent action and conflict resolution; (10) defend the nation with Civilian Based Defense as outlined by Gene Sharp; and (11) preserve and conserve natural resources, reduce environmental degradation, design, manufacture, and market "Green Technology by Design."