



The United Nations and the Constitution of Japan: How Will Japan Support International Peace Cooperation?



Akashi Yasushi, former Under-Secretary-General of the United Nations



Hosoya Yuichi, Professor, Keio University

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Akashi entered the field of power politics after studying at an American university

Hosoya Yuichi: I would like to ask Akashi-san [Mr. Akashi], who served as Special Representative of the UN Secretary-General to the former Yugoslavia and SRSG of the United Nations Transitional Authority in Cambodia (UNTAC), about the UN and the Constitution of Japan. I think that you've made only a few definite remarks about the Constitution in the past, and I suppose that you've avoided making such remarks because of your previous positions in public service.

Akashi Yasushi: You may be right. I think that when it comes to the preamble of the Constitution and Article 9, up to now, many Japanese have treated them as if they were something that must not be touched or have spoken about them with irritating reserve. But that does not serve Japan well. I think that I have to speak at some point. I would like to speak about the issue and listen to your opinions.

Hosoya: In Japan, the debate about the Constitution has tended to be emotional and ideologically divided. But I believe that a rational argument is possible from the viewpoint of international cooperation and internationalism. Now let me give a brief introduction of Akashi-san's personal history. When World War II ended, you were a 14-year-old third-year student of the former Akita Middle School (currently renamed as Akita Senior High School).

Akashi: That's right. World War II was over in 1945 and I'd like to call it a defeat of Japan. Japan's unreasonable actions starting in the Meiji period (1868–1912) became even worse in the 1930s, and our country plunged into a war that it should not have waged. Japan suffered massive damage and also caused massive suffering to many countries. Japan's decision to fight against the United States and align itself with Germany and Italy, the Axis powers, was a mere consequence of the lack of intelligence and analytical capabilities. I remember feeling vague anxiety and a sense of relief that the war was over when I heard the Emperor's announcement of Japan's surrender in Akita on August 15, 1945. I also remember some bright hope that Japan might become a peaceful country and that democracy might be something good begin to grow within me about a month after that.

Hosoya: The Constitution of Japan was promulgated in 1946 when you were enrolled in the old Yamagata High School (currently Yamagata University) and it came into force in 1947. At that time, the government actively propagated new thoughts of democracy, nationalism, and pacifism, as well as the new Constitution. How did students of the old-education-system high school take them?

Akashi: Of course, we knew that the new constitution had been established. At that time, many students devoured books about every social thought and Western philosophy with great curiosity. Old communists became heroes overnight and gave speeches in our high school. Lecture meetings by liberalists like Hani Goro were also held. Our high school philosophy teacher was a Marxist, and students packed the classroom to attend his classes. I had the impression that many thoughts poured like floodwater, which made it hardly possible for me to feel the government's campaign.

Hosoya: You subsequently entered the University of Tokyo and graduated from the Department of American Studies, College of Arts and Sciences of the University of Tokyo. You wrote your graduation thesis on Thomas Jefferson's political thought. I speculate that your actions, based on pragmatism, in your UN years was partly influenced by your boyhood experiences, and your time at school.

Akashi: I was the youngest of five brothers and had a free hand, which I guess worked well for me [laughs]. Immediately after entering university, I had many classes where teachers explained what they had themselves written in textbooks. They were so boring that I borrowed books from the library and read them in my long-unmade dormitory bed. But I had small classes starting from the latter half of my second year, which turned out to be very interesting. The College had many practical instruction classes. For example, I was taught constitutional studies by Ukai Nobushige, who later became the President of International Christian University, and Saito Makoto, an expert

in American political history. These classes were not orthodox like the law department. For the American Constitution, I read *The Case Of Sacco and Vanzetti* by Felix Frankfurter, Associate Justice of the Supreme Court of the United States, and studied how the Constitution was actually applied in legal judgments.

I also studied cultural anthropology under Gordon T. Bowles, an American anthropologist. Although, in the beginning, I could understand only 5% of his English class [laughs], I learned that there were a wide variety of cultures around the world. In those days, Marxism was a major trend. But I learned that the world did not progress by the development stages theory and that there was no discriminating between good and bad cultures, or between advanced and less advanced ones, which I believe served me very well in my UN years.

Hosoya: Then, you were admitted to the University of Virginia, which was founded by Thomas Jefferson, as a Fulbright scholar.

Akashi: When I went to the United States to study, my interest in Jefferson had faded and I actually wanted to study under Hans J. Morgenthau, a scholar in international politics, at the University of Chicago. Morgenthau, an authority on power politics, argued that the UN was the field of power politics. In a sense, I did not think hard about what I had studied and simply understood that the UN was something like that. This overly simplified understanding I gained at the University of Virginia may have been good for my UN years in retrospect.

Meanwhile, the UN is actually the field of power politics. In fact, 75% of the UN is about each country fighting to promote its interest and 25% of the UN is about member states aiming to realize the ideal of international peace and international coordination. Many Japanese wanted to become UN officials after me, but they seem to have been disillusioned by the UN being the field of power politics. Since I had studied the politics of Morgenthau and Frederick L. Schuman, I already knew that the UN was like that.

I think that Dag Hammarskjöld, the second UN Secretary-General, was the best Secretary-General of the UN. In 1960 a crisis broke out in Congo, which had gained independence from Belgium, and the UN received a request for intervention.

Hammarskjöld and Nikita Khrushchev of the Soviet Union had a fierce clash over policy. Hammarskjöld pondered how to avoid the crisis and acted on ideals and philosophy and principles. This was also the case with the 1956 Suez Crisis. But too much emphasis on philosophy leads to deviation from the real situation of the UN. I think that the UN is the field for this duality.

Akashi wanted to realize the Constitution and a system that Cambodians would hope for

Hosoya: I understood how your rational, pragmatic point of view and your esteem for individual cultures were cultivated. I feel that your attitude could be seen clearly in the Cambodian peace

process that you worked on in 1992. That is, you considered how to regard His Majesty Norodom Sihanouk, who once was the head of state of Cambodia, and worked hard to establish democracy while setting great value on the history and culture of the country.

I believe that the UNPKO in the 1990s was based on a strong sense of mission toward creating a UN-centered world and rooting out conflicts around the world in the post-Cold War era. In addition, the United States was quite eager to establish democracy around the world, exemplified by US interventions in Afghanistan and Iraq in particular. The United States forced its justice on these countries without considering local cultures and traditions. This strategy failed. Probably because that way of thinking was strong within the UN as well, I speculate that you were left in some solitude at the time of the Cambodian peace process.

Akashi: After World War II, Japan went through the GHQ occupation led by Douglas MacArthur and accepted the Constitution. Although the GHQ policies included many good ones, they actually met with considerable opposition from the Japanese public. In 1992 I was appointed as Special Representative of the Secretary-General for United Nations Transitional Authority in Cambodia (UNTAC) and had to play a role in Cambodia similar to MacArthur's in Japan. That is why I hoped that a constitution and a democratic system that Cambodians hoped for would be instituted even as the UN promoted democracy under its provisional rule. The 1991 Paris Peace Agreements accorded the UN representative the right to impose an election law unilaterally. But I did not want to do that. Although I could not persuade the Pol Pot group no matter how hard I tried, I worked hard to persuade FUNCINPEC led by H.M. Sihanouk, the Buddhist Liberal Democratic Party led by Son Sann and the Cambodian People's Party led by Prime Minister Hun Sen in order to enact an election law based on agreements from the three parties.

The UN headquarters Department of Legal Affairs strongly opposed amending the Peace Agreement. But Secretary-General Boutros Boutros-Ghali agreed with my proposed amendment and it was adopted by the Supreme National Council of Cambodia. To tell the truth, there were disagreements within UNTAC, with the Legal Council and the head of electoral department disagreeing, and the Director of Political Affairs and the Director of Economic Affairs agreeing with me. But I had been considering that although GHQ policies included many good ones, they actually met with considerable opposition from the Japanese public, and I didn't for the life of me want to act like the GHQ.

Hosoya: You were also stationed in Phnom Penh, the Cambodian capital, in 1966 when you were assigned to the UN de Ribbing Mission. On that occasion, you built connections with HM Sihanouk and other Cambodian leaders. Of course, you well understood the geography and history of that country. You truly got an anthropological understanding. I'm guessing that it was a significant experience for you.

Akashi: Correct. I was dispatched to Phnom Penh to mediate the Cambodian-Thai border dispute for about a year and a half until 1968. Certainly, the experiences I had and the connections I built at that time may have worked.

Is Japan hiding in its shell of one-country pacifism?

Hosoya: When the war was over in 1945, Japan was greatly displeased with the GHQ for its handling of things. But Japan accepted the Constitution. Meanwhile, the then Shidehara Administration had three former diplomats—PM Shidehara Kijuro, Foreign Minister Yoshida Shigeru and Health and Welfare Minister Ashida Hitoshi. They had a very good internationalist way of thinking. My view is that with the presence of these three former diplomats Japan was deeply conscious of internationalism, reflecting on how Japan had damaged international order before the war from the adoption of the new Constitution to the San Francisco Peace Treaty.

But when the Constitution was subsequently spoken about in Japan, people just emphasized the pacifism underlying Article 9 without respecting the importance of internationalism. It seems that this attitude shows a Japanese focus on globally promoting its pacifist ideal, kind of like a Trotskyist. On the other hand, another feature of the Constitution of Japan is internationalism. The preamble declares with a sophisticated spirit of internationalism, “We desire to occupy an honored place in an international society” and “We believe that no nation is responsible to itself alone.”

I feel that it is a serious problem that constitutional law scholars in Japan have mostly focused on pacifism, not internationalism, in recent years. Considering how the Constitution was established, I truly think that Yoshida, Ashida and Shidehara infused a spirit of internationalism into the Constitution. This spirit of internationalism remained until the 1950s and 1960s. But it was gone before people knew it and Japan retreated into the shell of one-country pacifism.

Critically focused on this question, I described modern Japanese history in my books, *Rekishin ninshiki towa nanika* (Japanese Understanding of History: From the Japanese-Russo War to the Asia-Pacific War) and *Jishu-dokuritsu towa nanika* (Japanese understanding of independence and autonomy: From the defeat in WWII to the establishment of the Constitution of Japan). That is to say, Japan got caught up in militarism before the war and one-country pacifism after the war. Internationalism was gone before people knew it. In my view, this negative legacy is associated with the whole story of the PKO cooperation bill in the 1990s.

Akashi: Well, you may be right. On December 18, 1956 when Japan joined the UN, Foreign Minister Shigemitsu Mamoru made a speech. I was there, on a trip to observe the UN as a student of the Fletcher School of Law and Diplomacy, and happened to be able to listen to the speech. It was a dignified speech which expressed concern about excessive nationalism facing Asia at that time. That is, the speech showed an understanding of the feelings of young countries that had gotten free of colonial rule and had become UN members with a spirit of independence, and at the same time warned them against falling into nationalism.

Hosoya: Even immediately after joining the UN, Japan aimed for international contribution with a strong passion. The Ministry of Foreign Affairs of Japan (MOFA) tried to actively engage in the Lebanon peace process as well.

Akashi: You got it. Japan joined the UN in December 1956, ran for the Security Council in 1957 and became a non-permanent member of the Security Council in 1958. In addition, Japan joined all ten specialized UN organizations. I think that it was the initial stage of a brilliant UN-centered diplomacy. At the time of the 1958 Lebanon crisis, Hammarskjöld's plan for the Lebanon peace process had been vetoed by the Soviet Union. But Japan proposed this Hammarskjöld plan again as its own plan. There was another dispute over the Laotian civil war due to opposition from the Soviet Union. But Shibusawa Shinichi, Chairman of the UN Fact-Finding Mission on Laos, drew up a fair plan to prevent the dispute from becoming a field for the Cold War rivalry.

Hosoya: Japan was originally a permanent member of the Council in the prewar League of Nations. Nitobe Inazo was Under-Secretary General of the League and Japanese diplomats did well in Geneva. That is, many bureau chief-class MOFA officials had experience working in Geneva immediately after World War II.

Akashi: In his autobiography, Sato Naotake, who was Foreign Minister in later years and was the chief of the Japan Office of the League of Nations in the 1920s, wrote that the Kwantung Army behaved selfishly and lowered Japan's international reputation. He understood international politics.

Hosoya: In 1932, the Japanese Army removed international law from a list of compulsory subjects at the Military Academy. That is, the army shifted to education with a thorough focus on military operations, regarding international law as unnecessary subject of study. This was a serious change for the worse. Let me move ahead to the present time. In fact, the current MOFA made international law an optional subject after a shift in the exam for National Public Service and removed diplomatic history from a list of compulsory subjects. However, I speculate that MOFA teaches newcomers diplomatic history anyway, through training after they join the ministry. But I don't think that they have enough time to study to understand the significance of international law and diplomatic history, for example, how Japan destroyed international coordination with the Manchurian Incident.

Akashi: That's a problem.

Hosoya: When Japan joined the UN in 1956, it was with the spirit of contributing to international

peace, and not just being a "free rider". In fact, during the above-mentioned Lebanon Crisis and the Congo Crisis in 1960, the Sato Eisaku Administration made an approach to the Cabinet Legislation Bureau (CLB) about participating in PKO. The CLB green lit this request. The truth is that the definition of the use of military force was vague in Japan until the mid-1960s. The CLB reasoned, "As long as the United Nations has the right to command a budget, it does not mean the use of military force is the national policy of Japan. In that case, Japan can participate in a UN force or a multinational force as a part of PKO. Japan can also use weapons."

But after 1972, under the Tanaka Kakuei Administration, the interpretation that Japan could not participate in PKO because it might be regarded as a use of military force became standard. I think that this was nothing less than a bureaucratic judgment that Japan should not do anything unintelligible and dangerous. This deadlock culminated in the Gulf War in 1991. The Japanese government even declined a request from the UK government for the dispatching of the medical unit of the Self-Defense Forces (SDF) on the grounds that it was impossible due to the Constitution. This was clearly different from the CLB's interpretation in the mid-1960s. I feel that Japan had held a lofty ideal of making a contribution to international society in the 1950s and 1960s, when the country had come back to it.

Akashi: My view is that the pacifism stated in Article 9 of the Constitution and the preamble left no room for argument, and became a sacred cause to Japan, which went through the very tough end of the war and difficult lives after the defeat in the war. The state of international affairs showed that the situation was debatable. But pacifism was such an important sacred cause that even sensible people found it difficult to voice objections.

Complicated situation shackled by Article 9 of the Constitution

Hosoya: My perception is that you regard the postwar Constitution as basically right. On the other hand, however, in your book, you wrote that it was high time to reconsider the non-resistance pacifism expressed in the second paragraph of Article 9 of the Constitution that got too ahead of our time. I totally agree with you.

Placing importance on pacifist philosophy, you pragmatically engaged in your work at the UN. The settlement of the Cambodian peace process and the Yugoslav War in the 1990s is a typical example of your efforts. Meanwhile, Japan had difficulty contributing internationally in the early 1990s. Even if Japan had tried to participate in peace-building, it could not contribute because it had shackled itself with Article 9 of the Constitution. I speculate that you worked with such conflicting emotions in your heart. Is it correct?

Akashi: I think that you understand how I felt. The Cold War, where the world was divided into two blocs by the United States and the Soviet Union, was over around 1989 and we saw the arrival of the post-Cold War era. Amid that situation, the UN was expected to play a larger role. But it was

not conflicts between nations, but conflicts between different racial, religious and language groups within particular countries which became the largest factor plaguing an international community after 1990. Although they were domestic issues, these clashes intensified as time went on, impacted neighboring countries, and became a hindrance to international peace.

In fact, the UN Charter does not mention domestic conflicts at all. But the UN can't overlook such conflicts today. The UN was flooded with one large problem after another in the 1990s.

The First Arab-Israeli War broke out in 1948. It was because of the establishment of the UN Truce Supervision Organization (UNTSO) that the UN was able to cope with the situation. This enabled officer-class servicemen and servicewomen from member states to engage in truce monitoring without carrying weapons. This diplomatic use of servicemen and servicewomen was a major discovery. Based on this model, UN truce monitors were also dispatched to the Indo-Pakistani dispute over Kashmir and are stationed there even today. But, disappointingly, this model has not led to resolving conflicts after all. Regarding this situation, Hammarskjöld stated that although many people thought of the UN as powerful, it was wrong; because the UN was an international organization where individual member states were the main players, all the UN could do was to save humankind from the misery of hell, not to bring humankind to heaven.

Hosoya: His words are truly profound.

Akashi: Japan expects too much from the UN. If the UN became a World Union, it might be able to meet that expectation. But currently, some authority is just derived from independent nation states. Hammarskjöld knew that well and tried to use the UN to its limits. In addition, precisely because of that, he squarely confronted the Soviet Union. We must use the UN with conviction but must also know its limits of it well.

The right of collective self-defense is an inherent right

Hosoya: I am now researching on how the UN was established and noted that British diplomat Gladwyn Jebb was deeply involved in the establishment of the UN and also engaged in drafting the UN Charter. Interestingly enough, while he participated in drafting the UN Charter, he created the Brussels Treaty, a security treaty for five European countries, and also was involved in the North Atlantic Treaty establishing the North Atlantic Treaty Organization (NATO). That is, Jebb assumed that collective security and the right of collective self-defense should be reciprocal. As a Briton who thinks pragmatically, he made a rational sharp distinction between what universal international organizations and regional organizations could do and what they could not. My recognition is that individual member states strived to maintain peace in accordance with regional agreements until before the UN force was established and recognized the right of individual or collective self-defense as a transitional measure by the UN Charter.

But many people in Japan think that the UN Charter and the Japan-US Security Treaty, that is,

collective security and the right of collective self-defense are mutually exclusive. Maruyama Masao, a leading political scientist in Japan, also wrote that collective security was the way things should be and that the right of individual or collective self-defense would destroy the UN. But I think that Maruyama's way of thinking is wrong. This is because a UN force is difficult to realize and while the UN force is nonexistent, individual member states must help themselves to protect peace.

Akashi: Exactly. I think that Japan has two challenges to realize peace through the UN. The first challenge regards the collective self-defense (Article 51) of Chapter 7 of the UN Charter, which stipulates that UN member states should join hands to maintain international peace and security.

Collective security was attempted by the League of Nations. But the League of Nations could not realize collective security in the Mukden Incident or the Italo-Ethiopian War, for example, and the best it could do was an economic blockade. The UN was subsequently established, and Chapter 7 of the UN Charter was laid down. It was decided that the UN should use an armed force as a last resort after attempting the severance of economic relations and of rail, sea, air, postal, telegraphic, and other means of communication, and the severance of diplomatic relations, and should also establish the Military Staff Committee, consisting of the Chiefs of Staff of the five permanent members of the Security Council or their representatives. But while the United States hoped for a considerably large military force, the Soviet Union believed that a small armed force would be enough for the UN. The UN force the United States argued for was larger than the military forces of other Permanent Members, such as the United Kingdom and France, about triple the number of aircraft of these two countries.

But the UN realized a change of government by the use of economic and diplomatic blockade over the apartheid issue in Southern Rhodesia and helped Zimbabwe gain independence. In the Korean War, however, while the Soviet Union was boycotting the Security Council, the United States succeeded in passing a resolution to establish a so-called UN force and decided to send the US-led force to the Korean Peninsula. I subsequently worked receiving reports from the UN force at the UN Department of Political Affairs. But the UN force, as it was, was headquartered in the United States Department of Defense and was virtually a multinational force under US control.

Then, what can Japan do within the framework of Chapter 7 of the UN Charter? There are many things that Japan can't do militarily. But I think that Japan can do many things through economic and diplomatic sanctions, as seen in the current North Korea issue.

Hosoya: Gladwyn Jebb also stated that the UN must be established but that it would be difficult for it to work perfectly. That is, security is about the sovereignty and existence of member states, which makes it difficult to build a consensus. The United Kingdom thought of the UN as, so to speak, "insurance." If the UN works well, it will be the best. But the largest crisis is a clash between major powers. If any of the five permanent members of the Security Council exercises their veto, the UN will not work. That is why the British Foreign Office began to consider forming a regional

organization named the "Western Bloc" in 1944. The UK and France thought that in the event that collective security did not work, they must secure their own regional organization.

Akashi: The second challenge for Japan is Chapter 51 of the UN Charter. If a UN member state comes under military attack, it can exercise the right of individual self-defense before the Security Council takes action. It is stipulated as an inherent right by the UN Charter. It is an inherent right and a natural right. Every country has the right of both individual and collective self-defense. But in 1972 under the Tanaka Kakuei Administration, the CLB created the sophism that Japan had the right of individual self-defense but did not have the right of collective self-defense.

Hosoya: The biggest question in this context is the fact that the term *inherent right of individual or collective self-defense* is specified in the Japan-US Security Treaty. But the turning point dates back to 1966 under the Sato Eisaku Administration. At that time, amid the Vietnam War that had turned into a quagmire and concerns that a second Korean War would again become a shooting war, it was highly likely that Japan would be requested by the United States to send troops. To avoid dispatching military troops overseas, the Japanese government used the logic that although it had the right of collective self-defense, it could not exercise it. Up until the early 1960s, the CLB had a dualistic way of thinking that Japan had both things that it could exercise and that it could not exercise regarding the right of collective self-defense.

Another reason for the policy shift was that the Sato Administration behind closed doors promised the Japan Socialist Party (JSP) that it would never dispatch the SDF overseas through behind-the-scenes negotiations between the ruling and opposition parties to get a budget bill passed. As mentioned above, Japan also considered sending the SDF to Congo when it joined the UN. But amid concerns about dispatching military troops to the Vietnam War, Japan changed its interpretation.

I think that the policy decision to not dispatch the SDF overseas was conceivable under such circumstances in those days. But in my view, the problem is that the discussion dragged on until the Gulf War in 1991 and the false assumption that the right of individual self-defense was correct but the right of collective self-defense was wrong had spread.

Akashi: A rough draft of the UN Charter was drawn up in the Dumbarton Oaks Conference in 1944 and the Charter was adopted at the San Francisco Conference [the United Nations Conference on International Organization] in June 1945. Meanwhile, in March 1945 the United States concluded the Act of Chapultepec so that its regional measures with Latin American countries would not be held back by the UN. As this act was signed and conservatives like US Senator Arthur H. Vandenberg claimed, it was decided that Chapter 51 concerning the right of collective self-defense, which had not existed at the time of the Dumbarton Oaks Conference, would be inserted at the San Francisco Conference. As an internationalist, I understand that this style was an

important compromise with reality. When I was put in a position to take responsibility for PKO in the Yugoslav Wars, as the representative of the UN, I had great difficulty coping with the fierce civil war fought between the Muslim Bosnian government, a force made of Orthodox Christian Serbs and a force made of Catholic Croats. Although I did all I could, we were heavily dependent on the NATO force with its strong force in exercising its air power. During the Cold War, the Soviet Union formed the Warsaw Treaty Organization in rivalry with the Organization of American States and NATO, which led to the gradual eclipsing of the UN. As an official serving in the UN, I felt that the issue of the right of collective self-defense contained contradictions between such real necessities and philosophy.

The exercise of military force after repeated deliberations

Hosoya: Gladwyn Jebb, UK PM Winston Churchill, and John F. Dulles of the United States, who created the UN Charter and the Japan-US Security Treaty, also thought of creating regional organizations to complement the UN. Essentially, the UN and regional organizations were to work together, but people may have leaned toward choosing between the two options before they knew it. I also feel that there was a stronger tendency to put emphasis on alliances and take the UN lightly.

Akashi: Churchill was a regionalist for quite a while and thought a world organization like the UN would be difficult to realize. He argued that all that could be done was for each region to mobilize a military force for security. His view was that security should be approached regionally, by three separate regions: the United Kingdom and France should maintain the security of Europe, the United States the security of the Americas, and China the security of Asia.

In the Yugoslav War, which broke out in 1991, NATO's aerial bombing capability was important to the UN. The UN and NATO both held keys to conduct air strikes. Only when these two keys were both used could aerial bombing be conducted. Secretary General Boutros-Ghali entrusted me with the UN key. American Commander in Chief of the Allied Forces Southern Europe (CINCSOUTH), Admiral Jeremy M. Boorda, held the NATO key. Boorda was all wisdom. Although he was not a graduate of the United States Naval Academy, he rose to the top of the US Navy from his beginnings as an enlisted seaman. Despite his successes, he had many opponents and ended up committing suicide. I respected him as a human and put my trust in him. Only servicemen know the horrors of weaponry; civilians, indeed, do not. Based on our common recognition that human lives must be taken seriously, Admiral Boorda and I worked out a strategy together.

Sarajevo was put under siege by Serbian forces and 68 citizens were killed or injured in an open-air market in February 1994. The Bosnian government was furious. I negotiated with Radovan Karadžić and Ratko Mladić of the Serbian forces, and convinced them to remove their heavy artillery just before the deadline and succeeded in avoiding an air strike. What counts is the

following of proper procedure in the exercise of military force, going through the correct processes and reaching an agreement. This sometimes enables you to do without NATO's air power. You have to use it in some other cases.

I disagree with the exercise of NATO's military force in some cases. On the other hand, I agreed with the limited exercise of air power 15 times, in the case was close air support targeting the weapons attacking UNPKO personnel. Because this was limited use of air power in self-defense, I agreed. In June 1995, however, the Serbian forces' attacks were so outrageous and massive that all of Sarajevo was endangered. During that event, I gave permission for full-scale bombing. It is difficult to confront a military organization like NATO, but I believe that repeated serious deliberation will enable you to minimize mistakes.

Hosoya: Many political leaders want to solve problems as quickly as possible. Looking back on previous events, you can see many cases in which leaders became frustrated because diplomatic negotiations took too much time or leaders moved rapidly toward the exercise of military force due to their overconfidence in their military might. In such cases, the exercise of military force often made the situation deteriorate, and led to more casualties. I don't think that the exercise of military force is totally wrong. But I think that it is important for good political and military leaders to search patiently for a peaceful solution.

Akashi: I agree with you. The UN can approve of the exercise of military force as long as it is exercised within the minimum necessary range to prevent more casualties and more evil.

For the Constitution of Japan to coexist in cooperation with an international society

Hosoya: Now I'd like to ask you about a recent debate on the amendment of the Constitution and the Act for the Development of the Legislation for Peace and Security. I think that only a few people have thought of amending the first paragraph of Article 9 of the Constitution, and it is the second paragraph of Article 9 that matters. PM Abe Shinzo proposes that the second paragraph be left as it is and that a new Article 9-2 be added. On the other hand, some argue that the second paragraph should be reworded. As mentioned above, the second paragraph has been used as a pretext for Japan's declining military requests from an international society. I speculate that you had a lot of difficulty explaining Japan's stance when you mediated the Cambodian peace process and the Yugoslav Wars in the 1990s. What do you think of Article 9 of the Constitution and the Act for the Development of the Legislation for Peace and Security?

Akashi: In 2002 when former PM Fukuda Yasuo was Chief Cabinet Secretary, I chaired the Advisory Group on international coordination for Peace. I thought that Japan must conduct active and more concrete international peace activities, not abstract and passive ones. I think that the second paragraph of Article 9 should be basically maintained but that it should be modified to

permit participation in UNPKO and should also mention the SDF. Although Japan is an Asian island nation, it should not be trapped in an inward-looking Galapagos phenomenon. Japan must not continue its own monologue, alone with its distinctive logic. I think it essential for Japan to have a wide dialogue and cooperate with countries around the globe on concrete matters more actively.

Hosoya: It is a very important message. This April we saw the change of the era name from Heisei to Reiwa. How can you summarize Japan's international peace cooperation in the Heisei period? In my opinion, Japan's PKO in the last 30 years amounted to an "age of broken dreams." Although some voiced opposition to the Cambodia peace process, I think that a strong will for Japan to fulfill greater duties was at work. But Japan was inactive when it had opportunities to cooperate in subsequent PKO. Two command personnel of the multinational peacekeeping force's truce monitors were dispatched to the Sinai Peninsula only recently. But there had been no task force before that. From time to time I wonder whether the last 30 years were a step forward or a step backward.

Japan's collective security and right of collective self-defense were comparatively flexible during the 1940s, 50s, and 60s, in the postwar era. But they became less flexible after that. Regarding PKO as well, Japan sent the SDF to Cambodia. But as one project after another proceeded, they met with stronger opposition, which caused politicians to shrink away and set more restrictions. Of course, I understand that the Japanese government has made a variety of efforts in the last 30 years, such as revising laws and engaging in international cooperation. But to sum up Heisei, I saw a mixture of pessimism and optimism. How do you look back on the last 30 years?

Akashi: That's a difficult question. Looking back on the past, I often feel disappointed. But actually, I think that humankind has no other choice but to move forward on the basis of beliefs, wisdom, and cooperation in quest for a better world.

And I'd like to remind you that Japan's cooperation in PKO is highly evaluated internationally for sending the SDF to Cambodia, the Golan Heights and East Timor, among other places, making good use of Japan's special skills as required.

The Berlin Wall fell in 1989, which marked the end of the Cold War. In 1992 Egyptian Boutros-Ghali was appointed as UN Secretary General and the Security Council held a top-level special meeting in late January. I still remember the face of then PM Miyazawa Kiichi, who looked sleepy due to the time difference. In February, the Security Council decided to establish UNTAC in Cambodia. A total of 22,000 personnel, including members of Japan's SDF, were stationed in Cambodia for a year and a half and achieved an initial goal of restoring peace and establishing democracy. PKO in Mozambique and El Salvador also subsequently achieved good results. Namibia which had been under the trusteeship of the United Nations, became an independent

nation following the UN's provisional rule.

But the situation began to change around 1994, when Secretary General Boutros Ghali put emphasis on Chapter 7 PKO, on maintaining or restoring international peace and security in third-generation PKO in Somalia under the UN's direct control. But the operation met with strong opposition from Aidid's faction, in a civil war, and failed, leading to a considerable number of casualties and the withdrawal of PKO. At around the same, nearly one million Tutsis were brutally murdered by the Hutus in Rwanda. A small number of UN troops just sat and watched the situation. After I completed the Cambodian peace process, I was put in charge of a total of about 30,000 PKO personnel in the former Yugoslavia in 1994. But the Bosnian conflict, fought among three major ethnicities, could not be brought to an end, even after a number of ceasefires. Eventually, it was more than the UN could handle and the United States had to intervene.

Following this failure, a very candid Brahimi Report was released in 2000. Lakhdar Brahimi confessed that "The UN's power has its limits. There are cases in which PKO personnel should be dispatched and others in which PKO personnel should not be dispatched and called for a more realistic approach by the Security Council. He also stated, "The UN must not just maintain neutrality in a violent conflict but take positive actions based on impartiality." After this report was released, the UN began to take a more realistic but robust approach to PKO.

Currently, there are 14 PKO activities around the world. Of these, four are conventional PKO activities continuing since the Cold War era and another four are large and "robust" PKO activities carried out mostly in Africa, in vulnerable countries. PKO are said to be classified into two types, one is the pacific settlement of disputes under Chapter 6 of the Charter, and the other under Chapter 7, based on the collective pressure of the international community. Let me add that Chapter 7 is not just "military" sanctions but "economic and diplomatic" sanctions.

Certainly, the UN Charter has stipulations about the UN force, but the UN force has substantially been a US-led multinational force in the Korean War and the Gulf War. Although the Security Council has the authority to make decisions about military force, it is believed that the UN General Assembly can also make non-binding recommendations in this regard. But this wide range of activities were made possible not by revising the UN Charter; but were made possible by resolutions adopted, as required.

Hosoya: The UN has also changed according to the times and the environment, hasn't it?

Akashi: That's absolutely right. International community has faced real issues, and the UN has taken flexible actions, without mentioning the need for revision of the UN Charter. The Millennium Declaration was adopted at the UN General Assembly in 2000 and the Sustainable Development Goals (SDGs) were adopted by the General Assembly in 2015. The SDGs are a grand design in which private companies, NGOs, citizens, and governments participate in a broad range of activities, including political, economic, social and environmental activities around the globe,

with a goal of carrying out these reforms within 15 years. Japan is expected to show and mobilize its ability in this activity.

The UN has tackled global crises and challenges for more than 70 years. In fact, the UN has many limits and restrictions. But I think that humankind actually has no other choice but to move forward on the basis of belief, wisdom and cooperation.

Hosoya: Thank you very much for your very valuable story.

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