

Introducing the Concept of Sustainability into Japanese Constitution

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May 3rd is the Constitution Day, a national holiday in Japan. As you may know, the Japanese Constitution was drawn up almost sixty years ago when World War II ended, and since then, not a single word of the constitution has changed despite drastic changes in various aspects of the country as well as other parts of the world including socio-economic aspects, politics, culture, and the environment. It has been a “taboo” even to argue in favor of any amendments to the Constitution. However, some courageous people and organizations have begun to claim the necessity to amend the constitution, and the non-profit organization, “Japan Association of the Environment and Society for the 21st Century (JAES21),” of which I am a representative, is among them.

JAES21 has engaged in activities including research on the relationship between environment and society, publication of a monthly bulletin and booklets, conducting workshops and seminars on environment and society, and dissemination of the results of such activities to all interested people and organizations based on the understanding that the world’s major environmental problems are closely associated with human society’s socio-economic activities, culture and lifestyle.

As one of our activities to restore the sustainability of Japanese society, we proposed a constitutional amendment to include an environmental principle in January of this year. It was supposedly unnecessary to include the environment in the Constitution at the time when it was drafted. However, immediate environmental issues such as rapid increase and qualitative change in wastes, as well as global environmental issues such as global warming, have reached a level that threatens our present and future daily life. I believe that now is the time to stipulate environmental conservation, the most fundamental matter for the sustainability of our business activities and daily life, in the Constitution taking the gravity and urgency of environmental issues into account. Creation of a sustainable society therefore must be the fourth principle in addition to popular sovereignty, democracy and respect for basic human rights in order to articulate the direction of the country. I assume that we will create the possibility of sewing the seeds of future calamities if we fail it now.

The time is demanding more than pacifism stipulated in Article 9 to assure peace and stability of the country and the world, although the

article is certainly of extreme importance, since humanity is at stake exemplified as the extreme difference between the rich and the poor that harbors terrorism and breakdown of social order, and destabilization of food and water supply, degradation of ecosystem and threat to human health caused by climate change. Securing sustainability is increasingly important as well.

To stipulate environmental principle in our Constitution will clarify the direction of the country towards a sustainable society, and position the importance of environmental issues in politics. As a result, the present socio-economic system that focuses exclusively on economy will be transformed into one well-balanced between the environment and economy. Specific examples of this transformation would be the progress of tax reform that creates balances between the environment and economy, exercising environmental leadership in diplomacy, facilitating legal proceedings concerning environmental conservation, and enhancement of the conventional concept of national security.

Our proposal of the constitutional amendment consists of two parts. One of them corresponds to the Preamble. We will add 1) responsibility for the environment, 2) concern for future generations, 3) rights to live in a sustainable society, to the second paragraph of the Preamble (no revisions for other parts).

The other is the addition of a chapter. The new Chapter “Environment” consists of four articles, whose main points are:

- 1) All people shall have the right to enjoy our life base, the environment, and the responsibility to protect it and pass it on to next generations,
- 2) The government must prioritize environmental conservation whenever they plan and implement a project or a measure, and guarantee the participation of private organizations,
- 3) All people must stand on the precautionary principle that any event that includes the possibility to greatly affect human health and ecosystems must be forestalled even though it lacks absolute scientific evidence,
- 4) International cooperation must be actively promoted.

Above is the outline of our proposal of the amendment of the Japanese Constitution. I earnestly hope that the Diet will deliberate on the environmental principle in view of the gravity and urgency of environmental issues prior to other matters concerning the constitutional amendment.

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