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**The necessity of “submission right”  
toward polycentric health community-care  
~Innovative approaching before fighting**

**Topics1: Concept, Theory, and Policy**

**Topics4: Collaboration, Shared Awareness, and Decision Making**

**Topics11: Autonomy**

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## **The necessity of “submission right” toward polycentric health community-care**

**~Innovative soft-law approaching before fighting**

### **Abstract**

**It is a proposal for new conceptual study of “capitulated actions on legal right” which would formulae vernacular attitudes among peoples in everyday life. In the world of common sense, surrender or capitulation has recognition that it is an act which a cowardly human being does. Surrender and submission are accepted as the man's in the street privilege in wartime by the Geneva Convention. Moreover, also in the Constitution of Japan, the right of resistance which national power receives tyrannically is also specified. It is required to newly create "the national organic act" as soft law which specified concretely the fundamental human rights whose general people should recognize and utilize how it could avoid real fight with arms. In order to keep the peace of the polycentric community where it seems that it will increase in future and to maintain the organization, it is necessary to newly make the "International Constitutional Court." Before opening hostilities which each individual does not want to fight compulsorily specifically, they should claim vernacular organics rights that it would be making a petition by e-mail or a letter lawfully in the international constitutional court in order to vanish the war on the earth.**

### **Content**

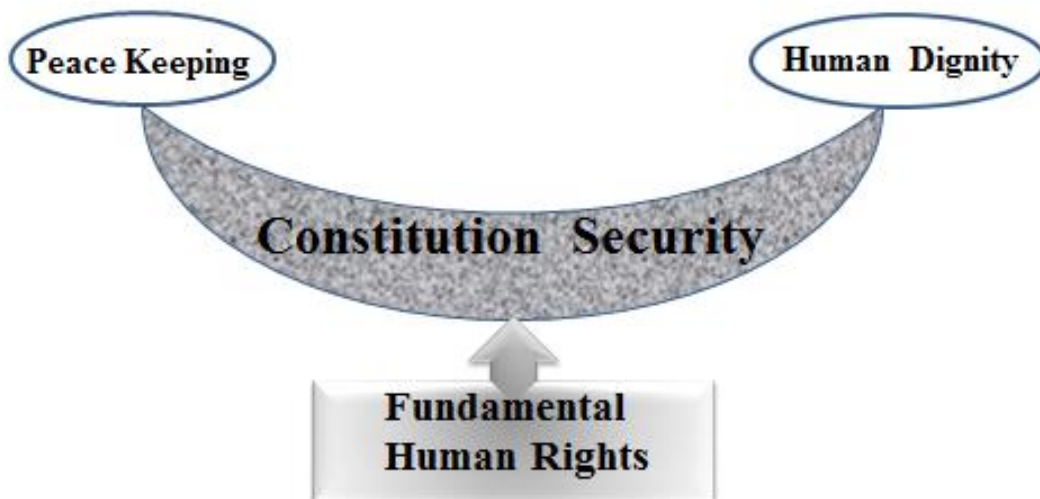
- (1) Introduction on “the constitution security”**
- (2) Trial review on the current Japanese Contusion**
- (3) “Submission right among fundamental human right” could solve discord by soft law**
- (4) Power to the Edge of Polycentric community**
- (5) Conclusion**

**(1) Introduction on “the constitution security”**

An existing "constitution" among industrialized countries should cover the legal concept on formation of constitution security which mean to protect its described each articles on the constitution obviously. In order to avoid the confusion in general understandings, it should mention clearly the role of the constitution which state greatest wisdom of the human necessary against the tyranny of the power of the state. And also, only nation in civilized countries can use the right for the revision of the constitution as far as it is doctrine of democratic sovereignty of their human right of change a constitution.< Burger, (2006)>

The definition of the constitution security still strives to discovering new conceptual thoughts to use of fundamental human rights. Through our research on constitution security, it would purpose a both for reconsider the way of thinking for fundamental human rights of the human universality in any environmental conditions, including degraded or chaotic groups or lawless circumstances in C2.

**Balance of constitution security**



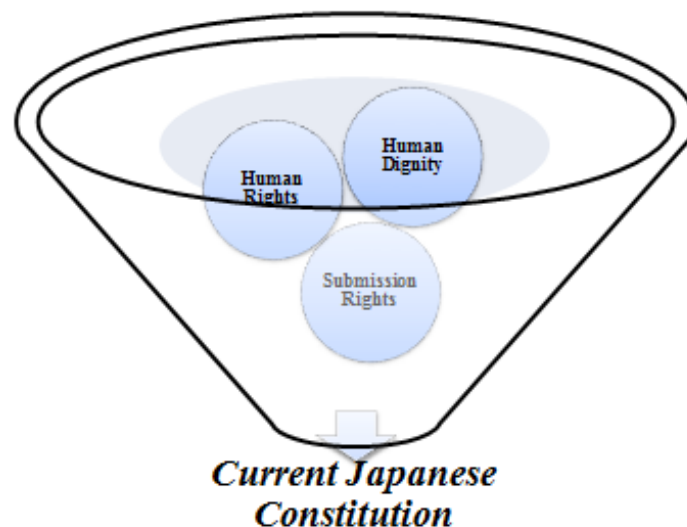
**(Figure-1-)**

The figure-1- shows that security of the Constitution itself is based on the wisdom to protect the peace and virtue of citizens at all times. In the global community after the 20<sup>th</sup> century, our intermediate research results would suggest a necessary precondition of “submission right” prior to being entitled to resorting to execution of the existing current constitution as related to fundamental human rights.<Nonet,(1980)> The purpose of our immediate research of “submission right among fundamental human rights” (SRHR) would challenge to discover the pure and essential prerequisite for true democracy or new innovative thoughts that might be considered a treasure in everyday life. Enough to assume the ideal form of SRHR, sages and even many laymen becomes clear the important of constitution security and constitutional form they need.<Carey,(2004)> The concept of “submission right” in this paper would not mean the right of objection nor rejection against the power of the state.

## **(2) Trial Review on the current Japanese Constitution**

To the surrender or act submissively with respect to the order of state or government, the conventional society accepted the ideas of the 20th century, that time would be cowardly. The act of the meaning ‘obeyed’ is for an order and conventional wisdom that another person obeyed blindly, and all virtue of their action was done not thinking about the real intention of the order. The main reason for this style of action as a reckless behavior is that there was an asymmetry of the information. However, the asymmetry should be considered carefully as related to the logical thinking of scenario: original asymmetry that originally caused the contradiction in the information available.\_<Prigogine (1984)>

## Japanese constitution including submission right



(Figure-2-)

Within current version of the constitution of Japan, the basis of human rights is the hypothesis that a human right is found and established through two facts which are also included: the combination of the right of resistance, along with the submission rights themselves.

It would help for non-Japanese peoples to get better understanding from the Preamble current Japanese constitution which states: "We, Japanese, shall secure for ourselves and our posterity the fruits of peaceful cooperation with all nations and the blessings of liberty throughout this land, and resolved that never again shall we be visited with the horrors of war through the action of government, do proclaim that sovereign power resides with the people and firmly establish this Constitution."

The stability of this intent for 60 years currently employed has demonstrated incomparable result to the world of research and after that demonstrated its enactment process through the Japanese people of the Constitution of Japan intent. <Engstrom (2008)>

The historical facts still remain to show us the facts that the command was an indirect command to soldiers not see, nor hear, the private opinions which was requested of soldiers to blindly, without thinking, obey their superior's orders unconditionally, without any kind of questions. Under the asymmetry of information, the Japanese soldier in the Second World War slaughtered the human being of the 20 million people of foreign countries by

"command of His Majesty the Emperor." Our research could reach the hypothesis that many Japanese, in general, could not share a sense of responsibility and demonstrated no feeling of guilt before, or since the outbreak of World-War II; and continue to share that hypothesis even now, because it might be a trick or condition of information asymmetry. <Gunter (2006)>

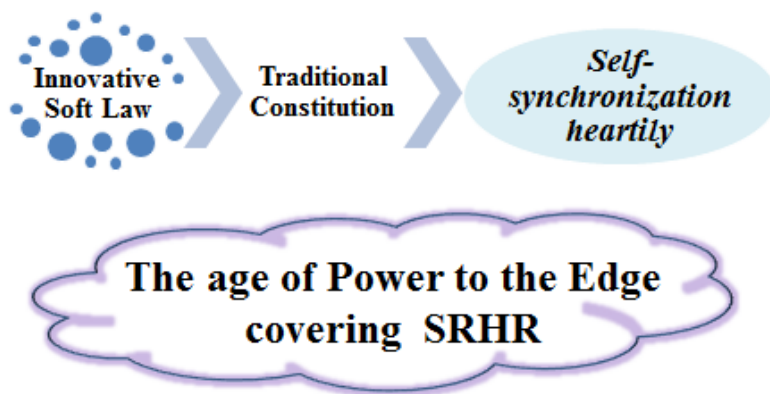
**(3) SRFHR could solve discord by soft law**

The clear statement describes that the Japanese constitution contains aspects of SRFHR are demonstration by following the articles:

“Article-9- <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 force as means of settling international dispute.

<2> In order to accomplish the aim of the preceding paragraph, land, sea, and air force, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.”

**SRHR could solve discord**



(Figure-3-)

It does not matter whether the condition of the state in the 21st century has changed suddenly, as even now,–Article-9-<1>&<2> of the Japanese constitution still has high relevance to the citizens of all countries. Regardless of the uncertainly, upheaval, and rapid change of the global society in 21<sup>st</sup> century, the Article-9-<1>&<2> is highly appreciated the truths of these articles provide a descriptions of respect toward almost all

the citizen of the world.

To understand the nature C2 in Underdeveloped, Degraded and Denied Operational Environments which is the theme of this study, "is to have the best tools of teaching materials with optimal understanding of the kernel of these chaotic situations." <Albert and Hayes (2003)> The proposed soft law operating system optimally applied the spiral computing and analysis of choices and alternative in the development, without bias of the innovative idea of SRHR, or the realization of useful visualizing an assisting mobile device the size and thickness of business card to assist in evaluation and understanding the consequences utilizing the concept of soft law can be quite useful.

Because as stated before, the current version of Constitution of Japan, the basic human rights have found the hypothesis of human right have found and discovery that two facts which and are also included not only right resistance but also the submission rights itself.

Through our research, the authors that recognize when the 2nd clause of the 9th article of the Constitution of Japan was interpreted to include the concept of SRHR, that interpretation would be positive and possible tentatively.< Hunt (1994)>

#### **(4)Power to the Edge of Polycentric healthy community-care**

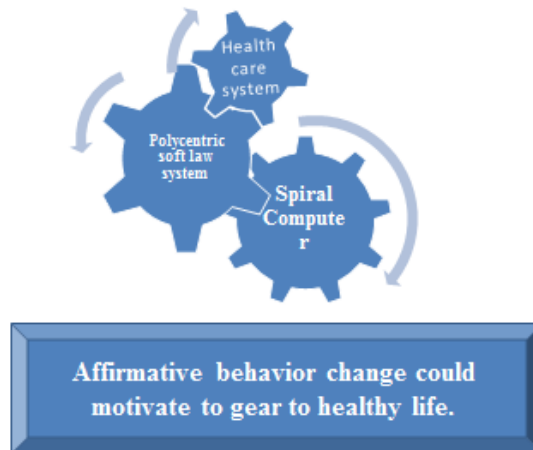
C2 is at any time related to the transmission of information, which as implied by the authorities must maintain an equilibrium and not be asymmetric. By the middle of the 21st century, many citizens will expect, and operate in their everyday life, in a relative alignment with the tools and concept of Power to the Edge. Tools and concept including behavior changes method which could also operate the soft law in visualized and comprehension display of the environment on an adaptive computer system. Even if the way of C2 is "a command matter at the time frame of 1946: under the direction of His Majesty the Emperor", owing to the population's collective wisdom, it will be certain to shift toward SRHR, as realized individually and collectively within the cognitive domain of many individuals thought reasoning processes. For better understanding the basic conceptual of SRHR in cognitive domain, we would consider a case to live well in polycentric healthy society how to take advantage of the actual submission rights would be simplified.

Grand mission of citizens with his own charter should be to protect the lives of others under their self-synchronized justice. When that would be interfering with action of the justice, each citizen can activate the "submission right". Kernel discussion in this paper is that when and how should be able trigger the SRFHR in accordance with personalized social healthy life.

The precise details of the SRFHR terms should be described in soft law as a manner of

shared situation awareness in order to understand in agile among all citizens.

### Creation of soft law by spiral computer



(Figure-4- )

Moreover, generalization or extensibility might be realized because those who live and operate originates in the lifecycle of each of the soft law areas of practice or regions to support the generation of the consensus to demonstrative capacity to be Agile. Future this concept can potentially also promote the universalization realization and application within the community of citizens of the world.<Wickham. (2000)>

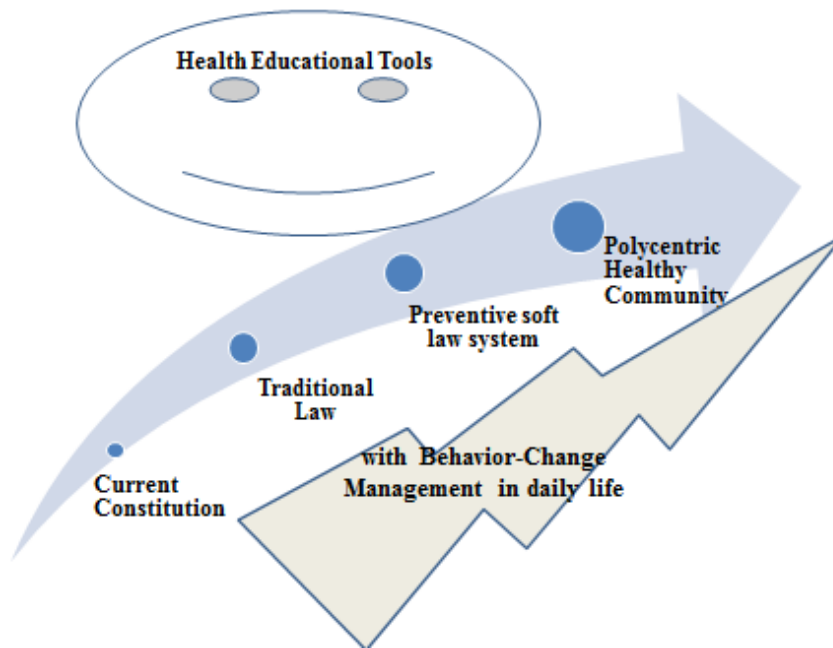
As shown the Figure-4-, The SRHR would be practical next generation mobile tool for realization of personalized activating justice for polycentric healthy community-care system in accordance with affirmative behavior change supporting system.

#### (5)Conclusion

The authors predict that in less than 50 years, the a citizen could use a handheld mobile computing and visualization aid mobile that it could focus the kernel propertied and conditions of agility for the near future of individual with a computations time of 5~10 minutes, or better than some of the current technologies in everyday life among healthy societies in the world.



## Target for reach Polycentric healthy community?



(Figure-5- )

As stated in this paper, the “submission rights” is not to abandon nor give up human rights against the huge and unseen power and it seeks to engage and empower well narrative communications to build personalized healthy life as shown the figure-5-. In addition, to promote health care, it is also that you can spend comfortably every day accompany with behavior change management system. There is a message similar to the following proverb of "A sound mind dwells in a healthy body". Finally, authors intensively propose that the polycentric healthy community in the world will start to discuss and consider even small steps in order to develop and implement further discussions in every aspect of “submission right” for new paradigm.

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