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Heliocracy:
A Comprehensive Reevaluation of Japanese Political History

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Abstract

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Who governs? This question has hounded scholars of Japan Studies of the modern era. Some have argued that it is the bureaucracy that governs. Others claim that it is a combination of corporations and the bureaucracy. However, one thing that remains a constant in the claims by scholars is that Japan is a democracy, and that while there are certain factions – be that the bureaucracy or the political system – that have more say than others, the actual regime-type is a “democracy.” This dissertation challenges the preexisting notion of Japan being a democracy, but furthermore, argues that there is an intrinsic necessity to reevaluate ideological labels that have lost their original meanings, and. These require a fresh effort to better explain the political history of Japan. This study tackles this challenge in two major ways. The first section will

examine concepts of democracy from a sociological and epistemological framework, and proposes for the creation of a new regime-type, which more accurately characterizes and explains who governs in Japan. The second section will then take the new theory extrapolated in the preceding section, and historically analyze Japanese governance from the pre-modern era to contemporary times, tying each and every facet of Japanese society. Both of these sections raise numerous questions for further research, foster opportunities to discuss and reevaluate narratives and challenge assumptions that have been seen as givens.

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LIST OF ABBREVIATIONS

ANR	Agency for Nuclear Regulation
ANRE	Agency for Natural Resources and Energy
CGP	Clean Government Party / Komeito
CLB	Cabinet Legislative Bureau
DPJ	Democratic Party of Japan
DSP	Democratic Socialist Party
EDRH	Emergency Disaster Response Headquarters
IAEA	International Atomic Energy Agency
ICRP	International Commission on Radiological Protection
IRRS	Integrated Regulatory Review Service of the IAEA
JAEA	Japan Atomic Energy Agency
JAEC	Japan Atomic Energy Commission
JAERI	Japan Atomic Energy Research Institute
JCP	Japanese Communist Party
JFBA	Japan Federation of Bar Associations
JIP	Japan Innovation Party
JNES	Japan Nuclear Energy Safety Organization
JRP	Japan Reformation Party
JSP	Japanese Socialist Party
Keishu	Saiko Saibansho Keiji Hanreishu (Supreme Court Decisions – Criminal Cases)
LDP	Liberal Democratic Party
METI	Ministry of Economy, Trade, and Industry
MEXT	Ministry of Education, Culture, Sports, Science, and Technology
Minshu	Saiko Saibansho Minji Hanreishu (Supreme Court Decisions – Civil Cases)
MITI	Ministry of International Trade and Industry
MLITT	Ministry of Land, Infrastructure, Transport, and Tourism
MOE	Ministry of Environment
MOF	Ministry of Finance

NERHQ	Nuclear Emergency Response Headquarters
NFP	New Frontier Party
NIRS	National Institute of Radiological Sciences
NISA	Nuclear and Industrial Safety Agency
NPS	Nuclear Power Station, New Party Sakigake
NPSERCNPS	NPS Emergency Response Center at the Nuclear Power Station
NRA	Nuclear Regulation Authority
NRC	Nuclear Regulatory Commission (US)
NSC	Nuclear Safety Commission
NUMO	Nuclear Waste Management Organization
PMO	Prime Minister's Office
SDP	Social Democratic Party
TEPCO	Tokyo Electric Power Company
TEPCOERC	Emergency Response Center at TEPCO
TMNT	Teenage Mutant Ninja Turtles

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DEDICATION

This dissertation is dedicated to Victor J. Miller, Hasegawa Rosui, and Rin.

PREFACE

Born in Tokyo, I have lived as a bicultural bilingual. Using this background, I have worked in public relations for the last 20 years, as well as translating Japanese/English, English/Japanese material ranging from automotive manuals, websites, to foreign exchange regulations, and political literature.

Growing up fully bilingual and bicultural often made me think about how certain words and concepts did not mean the same thing in Japanese and in English. While Japanese is a language full of loan translations and transliterations, the adaptation of foreign concepts into the linguistic codec inevitably meant that those words slowly lost their original meanings and gave birth to new meanings, relevant to the Japanese. It is from this perspective, that through my graduate studies, I began to examine Japanese politics and sociology as viewed through the western lens and realized that this very lens was obscuring blatant deviations apparent to one who embodied both cultures.

This dissertation builds upon my own agentive role as a bicultural bilingual bridging the Japanese and Anglophone worlds, and interjects that role into a traditional historical analysis. Methodologically, one could argue that this dissertation is merely a Skocpolian historical institutionalist analysis of Japanese politics and society, claiming that path dependence and institutional configurations along with exogenous factors cause a recurrence of patterns in

political and social events.¹ However, it is critical to note that the analysis included in this dissertation is far more than mere regurgitation of preexisting ideas and applying said ideas to ‘fit’ into cases.

Social scientists – especially in the political sciences – of the eighteenth, nineteenth, and twentieth centuries have appropriated, adapted, and refined centuries, if not millennia old explanations to real world problems. Eighteenth century scholars looking for a postmonarchic society looked back to the Ancient Greeks and appropriated the concept of democracy and polity, molding these concepts into things that were more politically palatable to those needing structural change. In the rise and fall of the cold war, political scientists strived to adapt and refine once again, looking to centuries old theory to explain current events. The blind faith that preexisting ideas are monolithic and infallible is one critical factor that may lead to the demise of the social sciences, as it discourages new thinkers to challenge, inspire, and innovate. It is in this backdrop that Nicholas Christakis argued, “social sciences have stagnated.”

This is not only boring but also counterproductive, constraining engagement with the scientific cutting edge and stifling the creation of new and useful knowledge. Such inertia reflects an unnecessary insecurity and conservatism, and helps explain why the social sciences [do not] enjoy the same prestige as the natural sciences.²

¹ Theda Skocpol, *Diminished Democracy: From Membership to Management in American Civic Life* (Norman: University of Oklahoma Press, 2003); Paul Pierson and Theda Skocpol, “Historical Institutionalism in Contemporary Political Science,” in *Political Science: The State of the Discipline*, ed. Ira Katznelson and Helen V. Milner (New York : Washington, D.C.: WWNorton ; American Political Science Assn, 2002); Orfeo Fioretos, “Historical Institutionalism in International Relations,” *International Organization* 65, no. 2 (April 2011): 367–99, <https://doi.org/10.1017/S0020818311000002>.

² Nicholas A. Christakis, “Let’s Shake Up The Social Sciences,” *New York Times*, July 21, 2013.

Indeed, aspiring scholars at seemingly progressive graduate programs in the United States are instructed to stay clear from “asking big questions” and instead, merely apply existing theories to real world case studies.³

On the contrary, I agree wholly with Foucault’s assessment of what curiosity is. He states that curiosity

evokes “care”; it evokes the care one takes of what exists and what might exist; ...a certain determination to throw off familiar ways of thought and to look at the same things in a different way; ...a lack of respect for the traditional hierarchies of what is important and fundamental.⁴

Political theories are malleable to a degree. If a case could be explained through a preexisting theory or rubric, then there is no reason not to do just that. However, if there comes a point where preexisting theory can no longer adequately explain phenomena, then it is time to rethink whether scholars before us had erred, and endeavor to come up with a new system of knowledge.

Autoethnography was born from just that, the curiosity and drive to examine “how the complex contingencies of race, class, sexuality, disability, and ethnicity are woven into the fabric of concrete, personal, lived experiences, championing the cause of reflexive, experimental,

³ Saadia M. Pekkanen, “Approaches to Social Science Inquiry” (JSIS595 Research Tutorial, University of Washington, October 13, 2015).

⁴ Michel Foucault, *Michel Foucault: Politics, Philosophy, Culture : Interviews and Other Writings 1977-1984*, trans. Alan Sheridan and Lawrence D Kritzman (New York: Routledge, 1988), 328.

autobiographical, and vulnerable texts.”⁵ In this sense, the role of the agent, myself, is “not just...an interpreter of social reality, but...someone who can understand [himself] through thinking about social institutions, practices, and phenomena.”⁶ I believe that acknowledging my own subjectivity and incorporating an analytic autoethnographic methodology into the historical and linguistic analysis will bolster the validity and legitimacy of the claims I am making.

It is an undeniable fact that western scholarly examinations of Japanese politics in the past three centuries have primarily been written and conducted by white males of European and American descent, who, more often than not, are reviewing the nature of Japanese society from the outside in. Issues such as positional objectivity come into view when an outsider tries to look inwards into a foreign culture/politics/society, and more often than not, could be criticized as orientalist.⁷ Two oft cited purposes for an autoethnographic research are that they “speak against, or provide alternatives to, dominant, taken-for-granted, and harmful cultural scripts,

⁵ Carolyn Ellis and Arthur P. Bochner, “Autoethnography, Personal Narrative, Reflexivity: Researcher as Subject,” in *Handbook of Qualitative Research*, ed. Norman K. Denzin and Yvonna S. Lincoln, 2 edition (Thousand Oaks, Calif: Sage Publications, Inc., 2000), 735.

⁶ Oded Löwenheim, “The ‘I’ in IR: An Autoethnographic Account,” *Review of International Studies* 36, no. 4 (2010): 1023–45.

⁷ Amartya Sen, “Positional Objectivity,” *Philosophy & Public Affairs* 22, no. 2 (1993): 126–45; Biray Kolluoglu-Kirli, “From Orientalism to Area Studies,” *CR: The New Centennial Review* 3, no. 3 (2003): 93–111, <https://doi.org/10.1353/ncr.2004.0007>; Georgette Wang, *De-Westernizing Communication Research: Altering Questions and Changing Frameworks* (Routledge, 2010); Gholam Khiabany, “De-Westernizing Media Theory, or Reverse Orientalism: ‘Islamic Communication’ as Theorized by Hamid Mowlana,” *Media, Culture & Society* 25, no. 3 (May 1, 2003): 415–22, <https://doi.org/10.1177/0163443703025003007>; A. K. Ramakrishnan, “The Gaze of Orientalism: Reflections on Linking Postcolonialism and International Relations,” *International Studies* 36, no. 2 (April 1, 1999): 129–63, <https://doi.org/10.1177/0020881799036002003>; Kolluoglu-Kirli, “From Orientalism to Area Studies.”

stories, and stereotypes,” and that such research “articulate insider knowledge of cultural experience.”⁸ I believe that I stand in a unique position regarding my role in academia. To the many, I may be seen as yet another white male scholar looking at Japan. However, it is precisely due to my biculturalism and bilingualism that I have been given a gift to analyze and *read the air* in both English and Japanese societies, and able to furthermore take a critically objective viewpoint in analyzing the political culture of Japan.⁹ Indeed, as linguist Patricia Clancy states:

Clearly, the Japanese style of communication can work only in a rather homogenous society in which people actually can anticipate each other’s needs, wants and reactions. Japanese society is, in fact, extremely homogenous [...] in Japan, where interpersonal communication relies so heavily upon intuition and empathy, conformity to group norms can be seen as an essential aspect of communicative style [...] one striking aspect of the language that is related to conformity is the existence of a great number of fixed verbal formulas [...] speakers need only indicate, by means of the right formula, that they are experiencing the right kind of reaction, without expressing any more personal, individualized response. An important goal of socialization in Japan is to promote the unanimity in feeling that will support the norms of verbal agreement and empathy.¹⁰

⁸ Tony E. Adams, Carolyn Ellis, and Stacy Holman Jones, “Autoethnography,” in *The International Encyclopedia of Communication Research Methods* (American Cancer Society, 2017), 1–11, <https://doi.org/10.1002/9781118901731.iecrm0011>.

⁹ *Kuuki wo yomu* (“read the air”) is a common Japanese phrase used to portray one’s ability to understand the situation without the situation being uttered. Cf. Takeshi Suzuki, “Japanese Argumentation: Vocabulary and Culture,” *Argumentation and Advocacy* 45, no. 1 (June 1, 2008): 49–53, <https://doi.org/10.1080/00028533.2008.11821695>; Youichi Itoh, “Socio-Cultural Backgrounds of Japanese Interpersonal Communication Style,” *Civilisations. Revue Internationale d’anthropologie et de Sciences Humaines*, no. 39 (October 30, 1991): 101–28, <https://doi.org/10.4000/civilisations.1652>; Akio Kamio, “The Theory of Territory of Information: The Case of Japanese,” *Journal of Pragmatics* 21, no. 1 (January 1, 1994): 67–100, [https://doi.org/10.1016/0378-2166\(94\)90047-7](https://doi.org/10.1016/0378-2166(94)90047-7).

¹⁰ Patricia M. Clancy, “The Acquisition of Communicative Style in Japanese,” in *Language Socialization across Cultures*, ed. Bambi B. Schieffelin and Elinor Ochs, Studies in the Social and Cultural Foundations of Language ; No. 3 (Cambridge [England]; New York: Cambridge University Press, 1986), 216.

Then how, one may ask, can such an analytical linguistic autoethnographic approach reconcile with a rigorous historical institutionalist methodology of analysis? This can be done simply by assessing the ontological centrality of regimes' political reality. Theoretically, states and regimes consist of people, and their *raison d'être* is to delineate and protect individual interests and rights.¹¹ Löwenheim argues, "people reify and reproduce what are otherwise abstract notions ('states', 'nations', 'the international system', etc). States' very existence or strength is much dependent on individuals' acceptance of them as legitimate organizations."¹² It is then justified epistemologically that using autoethnography to "analyze (graphy) personal experience (auto) in order to understand cultural experience (ethno)" in the theoretical formation of regime types is an adequate methodology under the circumstances that developed the author's understanding of linguistic and political institutions of Japan.¹³

¹¹ Löwenheim, "The 'I' in IR"; Christian Reus-Smit, *The Moral Purpose of the State: Culture, Social Identity, and Institutional Rationality in International Relations* (Princeton, NJ: Princeton University Press, 2009).

¹² Löwenheim, "The 'I' in IR," 1027.

¹³ Carolyn Ellis, Tony E. Adams, and Arthur P. Bochner, "Autoethnography: An Overview," *Historical Social Research / Historische Sozialforschung* 36, no. 4 (138) (2011): 273–90.

SECTION 1. INTRODUCTION

Chapter 1. Introduction

Harmony is to be valued, and an avoidance of wanton opposition to be honored. All men are influenced by class-feelings, and there are few who are intelligent. Hence there are some who disobey their lords and fathers, or who maintain feuds with the neighboring villages. But when those above are harmonious and those below are friendly, and there is concord in the discussion of business, right views of things spontaneously gain acceptance. Then what is there which cannot be accomplished!

—Prince Shotoku, 604 CE.¹⁴

Our history teachers in Tokyo instilled in us that the traditional version of the waxing of Japanese nationalism in the nineteenth century. In that version, Japan became increasingly nationalistic from the beginning of the Meiji era, building itself on a myth of divine lineage of the imperial family. Internally, the Meiji government systematically used the emperor as a flag for the Japanese to rally around, as a symbol of national unity and identity. Contemporary historical studies show that the intense urge for the Japanese to catch up economically, politically, and militarily, to the West stoked imperialist motivations, and eventually led Japan to project its power unto Russia, Korea, China, and then into Asia as a whole. When analyzing the political nature of the authoritarian state of Japan in the 1930s to the 1940s, a common categorization is that the Japanese had a fascist regime that asserted control over all functions of civilian life and drove Japan into war with the West. Is this an accurate characterization?

Was Japan actually fascist?

¹⁴ William George Aston, *Nihongi: Chronicles of Japan from the Earliest Times to A.D. 697* (K. Paul, Trench, Trübner, 1896); Wen-Chen Chang et al., *Constitutionalism in Asia: Cases and Materials* (Bloomsbury Publishing, 2014).

Furthermore, countless scholars have examined the postwar reindustrialization of Japan, some labeling her successes as evidence of a developmental state or Japan Inc.¹⁵ Others, have tackled the peculiar political history of Japan, using and building upon preexisting notions such as majoritarianism and democracy, and developing new, albeit hyphenated, labels to describe the nature of Japanese governance. Whereas the continuity of the Japanese bureaucracy in the immediate postwar era is a commonly argued proposition, it seems that it has been deemed too provocative to argue that the successes and failures of modern Japanese governance is derivative of this continuity that spans far beyond the modern era.

It is the purpose here to argue that the Japanese form of governance has changed very little since its inception in 1868, if not its roots in 1603—accordingly, Japan was not a fascist regime in the prewar years, and, more importantly, modern-day Japan is not a democracy. This dissertation examines two separate and yet intrinsically related hypotheses:

- H₁ Japan was never a democracy nor a fascist state.
- H₂ Japanese governance is better understood using a new theoretical framework, disengaged from established theories of political science based on Judeo-Christian norms and philosophies.

The notion that the Japanese form of governance is not a democracy echoes the statements

¹⁵ Chalmers Johnson, *Miti and the Japanese Miracle: The Growth of Industrial Policy : 1925-1975* (Stanford University Press, 1982); Jennifer Amyx and Peter Drysdale, *Japanese Governance: Beyond Japan Inc.* (Routledge, 2003).

made by the late Lee Kuan Yew. He once quipped, “Westerners value the freedoms and liberties of the individual. As an Asian of Chinese cultural background, my values are for a government which is honest, effective, and efficient.”¹⁶ This statement, also known as the Asian values argument, has historically been derided as justification for semi-authoritarian regimes to neglect democratization, most notably by Amartya Sen.¹⁷ While Sen’s concern may have a point when applied to certain semi-authoritarian regimes, concluding the Asian values argument to be utter hubris does not do it justice. On a purely deconstructed level, Lee has a point, but not necessarily the point he intended to make. That is, while theories of political science are malleable to a degree, there is a case to be made that not all nations are of the same cookie cutter shape, and thus concepts and theories based on Western epistemological thought may not apply.

This dissertation is structured in the following form: Section 2 consists of a thorough sociological and epistemological analysis of political concepts often applied to certain historical periods of Japan. *Chapter 2. Theoretical Characterizations of Japan* will examine the preexisting literature on what constitutes democracy and fascism, and explain why these terms are not applicable to the nature of governance in Japan. Based on the inadequacies assessed in Chapter 2, *Chapter 3. Heliocracy* proposes a new theoretical framework for understanding Japan. Section 3 will delve into a historical analysis of the aforementioned theoretical framework. *Chapter 4. 1603-1867: The Incubation of Modern Japan* examines the origins of

¹⁶ John Kampfner, *Freedom for Sale* (Basic Books, 2010), 32.

¹⁷ Cf. Kampfner, *Freedom for Sale*.

the heliocratic state, starting at the beginning of the Tokugawa shogunate, and ending with its demise. *Chapter 5. 1868-1945: The Renovation of Heliocratic Japan* investigates the developments of the Meiji government, a formal examination of the Taisho *demokurashii*, and rise of militarism leading to the end of World War Two. *Chapter 6. 1945-1989: Heliocracy and the Japanese Miracle* addresses the postwar reconstruction, contemporary views on the developmental state, culminating in the economic downturn. *Chapter 7. 1989-2010: A Period of Turbulence in Heliocracy* addresses the contemporary period, starting with the death of the Emperor, and the lost decades. *Chapter 8. March 11, 2011* examines the Great East Japan Earthquake, Tsunami, and Nuclear Disaster of 2011, and analyzes the nature of heliocracy in crisis, along with touching on a thorough linguistic analysis of the differentiation of the terms used to refer to nuclear energy in Japan. This differentiation, and the subsequent aestheticization of the concept is integral to understanding the seemingly contradictory perception towards nuclear energy in Japan, leading up to the accident. *Chapter 9. 2012-2020: Heliocracy in Contemporary Japan* brings the LDP back to power, but moreover, looks at two contemporary cases that have arisen in the last decade: the abdication of the Emperor, and the new scrutiny on the criminal justice system of Japan. Lastly, Section 4 will conclude in *Chapter 10: Who Governs?* with an examination of further research that may arise from the ideas that this dissertation posits.

SECTION 2. THE THEORETICAL FRAMEWORK

Chapter 2. Theoretical Characterizations of Japan

As used, the word ‘Fascism’ is almost entirely meaningless...By ‘Fascism’ they mean, roughly speaking, something cruel, unscrupulous, arrogant, obscurantist, anti-liberal and anti-working-class. Except for the relatively small number of Fascist sympathizers, almost any English person would accept ‘bully’ as a synonym for ‘Fascist’. That is about as near to a definition as this much-abused word has come.

—George Orwell, 1944.¹⁸

When one considers the trajectory of contemporary Japanese political history of the twentieth and twenty-first centuries, two regime types come to mind. Firstly, both western and Japanese scholars have argued that Japan in the 1930s thru the end of the Second World War was in fact a fascist regime. Secondly, that Japan in the postwar era to current day—including a brief stint in the prewar Taisho period—is a democracy. Fascism. Democracy. Two big political words that are so often thrown around to characterize a myriad of situations. In order to assess the validity of these terms as apt characterizations of Japan, there needs to be a thorough examination of what these terms actually mean.

2.1. Fascism and Fashizumu

The rise of Donald Trump in the United States has caused countless articles and pundits to

¹⁸ George Orwell, “George Orwell: What Is Fascism?” (Tribune, 1944), http://orwell.ru/library/articles/As_I_Please/english/efasc.

argue the connections between Trump and fascism.¹⁹ Fascism has reentered the layperson's lexicon as a word oft used. However, one needs to step back and but think whether this analysis is an apt one. That is, what is *fascism*, and is this an apt characterization of all things authoritarian?

Jean Baudrillard once enigmatically stated, "Democracy is the menopause of Western society...Fascism is its middle-aged lust."²⁰ What did Baudrillard mean by this? Is he alluding to the spectacle of fascism in the Debordian sense, or to the fetishized notion of power forbidden to modern democracies? As quoted by Stanley G. Payne in his introduction to *History of Fascism 1914-1945*, German Social Democrat Fritz Schotthöfer lamented, "Fascism has a name that tells us nothing about the spirit and goals of the movement. A *fascio* is a union, a league; Fascists are unionists and Fascism a league-type organization [Bündlertum.]"²¹ It is not a problem if one does not understand Baudrillard's cryptic statement, as even scholars have disagreed since the end of the war regarding the very nature of what fascism actually consists of.

¹⁹ Isaac Chotiner, "Is Donald Trump a Fascist?," *Slate*, February 10, 2016, http://www.slate.com/articles/news_and_politics/interrogation/2016/02/is_donald_trump_a_fascist_an_expert_on_fascism_weighs_in.html; Robert Kagan, "This Is How Fascism Comes to America," *The Washington Post*, May 17, 2016, https://www.washingtonpost.com/opinions/this-is-how-fascism-comes-to-america/2016/05/17/c4e32c58-1c47-11e6-8c7b-6931e66333e7_story.html; Peter Baker, "Rise of Donald Trump Tracks Growing Debate Over Global Fascism," *The New York Times*, May 28, 2016, <http://www.nytimes.com/2016/05/29/world/europe/rise-of-donald-trump-tracks-growing-debate-over-global-fascism.html>.

²⁰ Jean Baudrillard, *Cool Memories* (Verso, 1990), 14.

²¹ Stanley G. Payne, *A History of Fascism, 1914–1945* (University of Wisconsin Press, 1996), 3 footnote.

In 1995, to combat the increasingly exclusive definition of fascism connected to Nazism and Italian Fascism, the philosopher Umberto Eco published a treatise on a concept he called *Ur-Fascism*, where he put forth fourteen characteristics that comprise authoritarian regime-types that we call fascist.²² Eco clarifies that these are not mutually exclusive, and do contradict each other, but it “is enough that one of them be present to allow fascism to coagulate around it.”²³ These generalized concepts include: (1) a cult of tradition with syncretistic traits; (2) the rejection of modernism; (3) action for action’s sake; (4) disagreement is treason; (5) racism; (6) appealing to a frustrated middle-class; (7) obsession with an international plot against them; (8) humiliation by enemies; (9) principle of permanent war; (10) popular elitism; (11) heroism as the norm; (12) disdain for women and nontraditional sexuality; (13) selective populism; and (14) usage of newspeak.²⁴ While this extensive list offers a rubric of characteristics of Ur-Fascism, Eco’s list of nonexclusive characteristics is too broad for any useful purpose. For example, the apocalyptic nature of (8) and (9) seem to characterize any post-colonialist despotic regime, struggling to stay in power, but could accurately be applied to the United States of America since the attacks on the World Trade Center on September 11, 2001. Whereas the issues of the lack of consensus on the definition of fascism were primarily due to the exclusivity of the term to refer to the Italian and German developments, Umberto Eco’s is far too broad to be used accurately.

²² Umberto Eco, “Ur-Fascism,” *The New York Review of Books*, June 22, 1995, <http://www.nybooks.com/articles/archives/1995/jun/22/ur-fascism/>.

²³ Eco.

²⁴ Eco.

In contrast with Eco's broad definition, Emilio Gentile offers a more concrete rubric. His ten-point list consists of a central definition of fascism:

A mass movement with multiclass membership in which prevail, among the leaders and militants, the middle sectors, in large part new to political activity, organized as a party militia, that bases its identity not on social hierarchy or class origin but on the sense of comradeship, believes itself invested with a mission of national regeneration, considers itself in a state of war against political adversaries and aims at conquering a monopoly of political power by using terror, paramilitary tactics, and deals with leading groups, to create a new regime that destroys parliamentary democracy.²⁵

Stanley G. Payne builds on Gentile's rubric, and creates an expansive list of characteristics categorized into three distinct parts: Ideology and Goals, Negations, and Style and Organization.²⁶ Payne also incorporates Gentile's tenth point, where fascist regimes utilize a "foreign policy inspired by the myth of national power and greatness, with the goal of imperialist expansion," and adds that "all [states determined to be fascist] sought a new order in foreign affairs, a new relationship or set of alliances with respect to contemporary states and forces, and a new status for their nations in Europe and the world."²⁷

Whereas Gentile and Payne create a thorough rubric, others such as Roger Griffin and Manus Midlarsky have more concise definitions or criteria for fascism. Griffin defines fascism as "a revolutionary form of nationalism, one which sets out to be a political, social, and ethical

²⁵ Payne, *A History of Fascism, 1914–1945*, 5–6 footnote; Emilio Gentile, "Fascismo," in *Enciclopedia Italiana Di Scienze, Lettere Ed Arti* (Rome: Treccani, 1992), 192–96.

²⁶ Payne, *A History of Fascism, 1914–1945*, 7.

²⁷ Payne, 6, 11.

revolution, welding the ‘people’ into a dynamic national community under new elites infused with new heroic values,” and stresses that there is always a “synergy of palingenesis and destruction.”²⁸ Midlarsky summed up the above origins of fascism into a concise list of behavioral characteristics in his book, *Origins of Political Extremism*. Here, the author illustrates the five aspects that so-called fascist movements share: (1) the willingness to kill; (2) paramilitarism; (3) politics as theater; (4) the search for unity; and (5) confrontations with modernity.²⁹ Several scholars such as Walter Benjamin and Linda M. Brooks also have postulated the concept of the theatrical nature of fascist politics, or, in other words, the aestheticization of politics as a key aspect of totalitarianism.³⁰

Upon consideration of the above theoretical definitions of what constitutes fascism, these criteria can be filtered into three critical characteristics: (a) rise of a popular movement that challenges the preexisting elite class, (b) a charismatic leader, and, (c) a sense of supremacy. Unfortunately, this rubric does not fit the case of Japan, contrary to what preexisting literature may tell us.

Considerable amount of literature, in both English and Japanese, have been published since the

²⁸ Roger Griffin, *The Nature of Fascism* (Psychology Press, 1991), ix, 100.

²⁹ Manus I. Midlarsky, *Origins of Political Extremism: Mass Violence in the Twentieth Century and Beyond* (Cambridge University Press, 2011), 87.)

³⁰ Linda M. Brooks, “Portrait of the Artist as Hero: Anselm Kiefer and the Modernist Semiotics of Fascism,” in *Mimesis in Contemporary Theory: The Literary and the Philosophical Debate*, by Mihai Spariosu (John Benjamins Publishing, 1984), 99; Walter Benjamin, “The Work of Art in the Age of Mechanical Reproduction,” 1936, <http://www.marxists.org/reference/subject/philosophy/works/ge/benjamin.htm>.)

end of the war arguing that the Japanese government during the war was indeed fascist.³¹ However, it is too easy for one to use the term *fascist* in the colloquial, pejorative sense, without taking into consideration the theoretical underpinnings of fascism as a regime-type. From both a theoretical and sociolinguistic perspective, the idea of *nihongata fashizumu* (“Japanese-style Fascism”), as used in Japanese scholarly literature, raise issues regarding its conception.³² While Maruyama Masao’s assertion that wartime Japan was indeed fascist from the top down may be one of the more famous arguments for *nihongata fashizumu*, he was not alone.³³ Indeed, Ogasawara Naganari, a privy councilor, stated in 1932 “Each nation will need to adapt fascism to their own national situations. Therefore, in our nation, a Japanized fascism

³¹ Cf. Hilary Conroy, “Concerning Japanese Fascism,” *The Journal of Asian Studies* 40, no. 2 (1981): 327–28; E. Bruce Reynolds, *Japan in the Fascist Era* (Palgrave Macmillan, 2004), 10; Janis Mimura, *Planning for Empire: Reform Bureaucrats and the Japanese Wartime State* (Cornell University Press, 2011), 42; Alan Tansman, *The Culture of Japanese Fascism* (Duke University Press, 2010); Bernd Martin, *Japan and Germany in the Modern World* (Berghahn Books, 2005), 165; Tatsuya Akae, “Teiko toshite no Fashizumu—Senjiki Nihon ni okeru Mukyokaishugi to ‘Nihon Fashizumu’ Ron,” *Shakaigaku Hyoron* 53, no. 3 (2002): 396–412; Yasoji Kazehaya, “Senzen no Nihon-gata Fashizumu to Hogaku oyobi Hogakusha,” *Hoshakaigaku / Nihon Hoshakaigakkai*, 1975, p110-137.

³² Toshio Komo, “20 seiki demokurashii no shisouteki isou -- Tarukotto - Pasunzu no fashizumuron wo tegakari toshite [Ideological Mapping of 20th Century Democracies: An Examination of Talcott and Parsons’ Theories of Fascism],” ed. Political Science Association of Japan, *Journal of Political Science*, 1974, 198–236; Akae, “Teiko toshite no Fashizumu—Senjiki Nihon ni okeru Mukyokaishugi to ‘Nihon Fashizumu’ Ron”; Takahiro Fukuie, “1930nendai shoki nihon ni okeru kokka shakaishugi undo - sono Nachitoron to ‘fashizumu’ron ni shouten wo atete [National Socialist Movements of the Early 1930s in Japan - Focusing on Theories of Nazism and Fascism],” *Journal of History* 118, no. 8 (2009): 1485–1508; Sadamu Yamaguchi, “Fashizumu - ‘kindaika’ - ‘zentaishugi’ - Seijishi kenkyu ni okeru riron to jisshou no kousaku [Fascism - ‘Modernization’ and ‘Totalitarianism’ - The crossing of theory and empiricism in Political Science Research],” ed. Political Science Association of Japan, *Journal of Political Science*, 1980, 167–96.

³³ Maruyama Masao, *Gendai Seiji no Shisou to Koudou [Thought and Behavior in Modern Japanese Politics]* (Mirai-sha, 1964).

shall emerge... Our fascism shall come from Japanese bushido.”³⁴ Others have argued that the wartime educational policies aimed at incorporating the otherwise ostracized burakumin communities into the regime, along with the increased powers of the domestic security apparatus sufficed the factors for Japan to be legitimately fascist—that is, in the Japanese-style.³⁵ However, there is significant domestic scholarly opposition to the notion that Japan was indeed fascist, Japanese-style or not as well. While scholars argue that Japan was, instead of being *fashizumu*, anything ranging from a conservative dictatorship to a feudalistic imperial regime, there is one person of note that stated his concern regarding the above assertions of Japanese-style fascism.³⁶ Upon pressed by *genro* Saionji Kinmochi to select a successor to the assassinated prime minister, Inukai Takeshi, Emperor Hirohito stated sternly that any successor “shall not be anyone associated with fascists.”³⁷ Historian Ito Takashi concludes that the rise of the ex post facto conceptualization of wartime Japan as being *fashizumu* was largely affected by the Tokyo Tribunals. This view reflects the postwar influence of Marxian philosophies in Japanese higher education, which characterized the preceding war as a battle between

³⁴ Kubota Tetsuzo and Nagamatsu Asazo, *Showa Dai-Ansatsu Hisshi: Hamamatsu Jiken yori 5-15 Jiken madeno Shinsou [History of Assassinations in Showa: The Truth between the Hamamatsu Incident to the 5-15 Incident]* (Hozanbo, 1932).

³⁵ Minowa Yasufumi, *Nihon Fashizumu to Roudou Undou [Japanese Fascism and the Labor Movement]* (Kousou Shobou, 1988); Tsutomu Matsuura, “Nihon Fashizumu No Senso-Kyouiku Taisei to Yuuwa Kyouiku [The War-Time Education Policy and Yuuwa Education under Japanese Fascism],” in *Conference Proceedings of the Japan Educational Research Association* (Japan Educational Research Association, 1991); Suzaki Shinichi, *Nihon Fashizumu to sono Jidai: Tennou-sei, Gunbu, Sensou, Minshuu [The Era of Japanese Fascism: the Emperor, Military, War, and the Masses]* (Otsuki Shoten, 1998).

³⁶ Tansman, *The Culture of Japanese Fascism*; Takahisa Furukawa, *Showa Senchuki no Gikai to Gyousei [The Diet and Government during Wartime Showa]* (Tokyo: Yoshikawa Koubunkan, 2005); “Constitution of the Japanese Communist Party,” 2004, <http://www.jcp.or.jp/jcp/Koryo/index.html>.

³⁷ Masuda Tomoko, *Tennou-sei to Kokka: Kindai Nihon no Rikken Kunshusei [The Emperor and the State: Constitutional Monarchy in Contemporary Japan]* (Aoki Shoten, 1999), 309.

democracies and fascism.³⁸

In Japanese, foreign ideas, norms, and terms often are applied to intrinsically Japanese concepts, often accelerating its desemanticization.³⁹ The problem of the applicability of the term *fascism* to pre-war Japan can be circumvented when one considers the nature of *fashizumu* to differ from traditional western understanding of fascism, as asserted by Gentile, Payne, Griffin, or Midlarsky. Indeed, this differentiation seems apt when considering statements such as those by Anthony James Joes that state “Japan was fascist before the word was invented.”⁴⁰ Alternatives to calling Japan a fascist state include ultranationalism, imperial absolutism, or emperor-centric statism, but as long as we use terminologies that are accepted in the English lexicon, it is impossible to avoid academic scrutiny regarding the potential reinterpretation of said terms.⁴¹ Thus, the rechristening of the nature of Japanese governance of this period is of critical importance.

³⁸ Ohtsuka Takehiro, *Ookawa Shuumei: Aru Fukkokakushin-shugisha no Shisou [Ookawa Shuumei: The Thoughts of a certain Progressive Conservative]* (Kodansha, 2009).

³⁹ Linguistically, “apparent resemblances to Western concepts can ... be misleading. For instance, the *chokuyaku/iyaku* dichotomy in Japan does not map directly onto the ostensible ‘equivalents’ of literal and free translation, which carry different valances.” Judy Wakabayashi, “Secular Translation,” *The Oxford Handbook of Translation Studies*, March 17, 2011, <https://doi.org/10.1093/oxfordhb/9780199239306.013.0003>.

⁴⁰ Reynolds, *Japan in the Fascist Era*, 25.

⁴¹ “Constitution of the Japanese Communist Party,” 2004, <http://www.jcp.or.jp/jcp/Koryo/index.html>; Yoshimitsu Khan, *Japanese Moral Education Past and Present* (Fairleigh Dickinson Univ Press, 1997), 93.

2.2. Democracy

What then, of *democracy*? As opposed to the pejoration of the term *fascism*, the term *democracy* has followed a different path, one initially of amelioration, but more contemporaneously, that has bleached its original meaning.⁴² Lamenting such bleaching, George Orwell famously quipped, “In the case of a word like democracy, not only is there no agreed definition, but the attempt to make one is resisted from all sides. It is almost universally felt that when we call a country democratic we are praising it: consequently the defenders of every kind of regime claim that it is a democracy, and fear that they might have to stop using the word if it were tied down to any one meaning.”⁴³ The fundamental claim of Aristotelian constitutional theory states, “constitutions which aim at the common advantage are correct and just without qualification, whereas those which aim only at the advantage of the rulers are deviant and unjust, because they involve despotic rule which is inappropriate for a community of free persons.”⁴⁴ In *Politics*, Aristotle lays out his ideas of a just society, and argues that there are six constitutional forms of governance, where a just government ruled by many was in fact a *polity*, whereas the unjust form was a democracy (See Table 1.).⁴⁵

⁴² Pejoration is when a meaning shifts from a positive to a negative meaning. In contrast, amelioration signifies the transition of a negative word shifting its meaning to a more positive note.

⁴³ George Orwell, “Politics and the English Language: An Essay,” *Horizon: A Review of Literature and Art*, 1946.

⁴⁴ Aristotle, *Politics. Book III*, trans. Richard Robinson, Clarendon Aristotle Series (Oxford, New York: Oxford University Press, 1996), 1279a17-21.

⁴⁵ Aristotle, 7; “Aristotle’s Political Theory (Stanford Encyclopedia of Philosophy),” accessed October 3, 2012, <http://plato.stanford.edu/entries/aristotle-politics/index.html#ConCit>.

Table 1. Aristotelian Forms of Government

	Just	Unjust
One Ruler	Kingship	Tyranny
Few Rulers	Aristocracy	Oligarchy
Many Rulers	Polity	Democracy

The six Aristotelian forms of government can be misleading when one sees democracy as being unjust and aristocracy as just. This is because Aristotle viewed just forms of governance to be ruled by those “with virtue as well as property and freedom...literally, the rule of the *aristoi*, i.e. best persons” fit for the position.⁴⁶ Thus, democracy, in his views, is akin to mob rule, whereas a polity consists of virtuous citizens.

Another two millennia passes before democracy as a political theory is formally examined by John Locke in the seventeenth century in his *Second Treatise of Civil Government*. Here, democracy meets its first semantic shift, from an unjust form of government in the eyes of Aristotle, to an ideal post-monarchic regime type. Locke affixed two new concepts to his definition of democracy: consent of the governed and majority rule.⁴⁷ Contemporaries to the American Revolution, Montesquieu and David Hume further developed the concept, arguing that a democracy needed to be representative, thus republican. Moreover, both theorists raised

⁴⁶ Aristotle, *Politics. Book III*, 1281a4–8; Fred Miller, “Aristotle’s Political Theory,” in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, Winter 2017 (Metaphysics Research Lab, Stanford University, 2017), <https://plato.stanford.edu/archives/win2017/entries/aristotle-politics/>.

⁴⁷ John Locke, *Two Treatises of Government: In the Former, the False Principles and Foundation of Sir R. Filmer, and His Followers, Are Detected and Overthrown: The Latter Is an Essay Concerning the True Original, Extent and End of Civil-Government* (London, 1698).

alarms regarding political associations, large and small, and factionalism as potential risks attached to democracies.⁴⁸

Table 2. A Summary of Classical Definitions of Democracy

	Civic Participation	Voting Equality	Education	Agenda Setting	Inclusiveness Liberty	Rule of Law Justice
Aristotle	x	x		x		x
John Locke	x			x	x	x
Montesquieu	x			x		
David Hume	x			x		
Jean-Jacques Rousseau	x	x		x	x	x
Joseph Schumpeter	x					
Valerie Bunce	x				x	x
Karl Popper	x			x		x
Robert Dahl	x	x	x	x	x	

Contemporary political scientists have expanded the definition of democracy since the advent of post-monarchic nation building of the eighteenth century, to include notions such as agenda setting capabilities of the ordinary citizenry, adequate education to make enlightened decisions, and societal inclusiveness for all minorities.⁴⁹

⁴⁸ Montesquieu and David W. Carrithers, *The Spirit of Laws: A Compendium of the First English Edition* (University of California Press, 1977); David Hume, *Essays, Moral, Political, and Literary Volume 1.*, ed. Thomas Hill Green and Thomas Hodge Grose (London; New York: Longmans, Green, 1889); James Conniff, “Hume on Political Parties: The Case for Hume as a Whig,” *Eighteenth-Century Studies* 12, no. 2 (1978): 150–73, <https://doi.org/10.2307/2738042>.

⁴⁹ Anne Phillips, *The Politics of Presence: The Political Representation of Gender, Ethnicity, and Race* (Oxford [u.a.: Oxford Univ. Press, 1998); Anne Phillips, *Feminism and Politics* (Oxford: Oxford Univ. Press, 2009); Melissa S Williams, *Voice, Trust, and Memory: Marginalized Groups and the Failings of Liberal Representation* (Princeton, NJ: Princeton Univ. Press, 2000); Jürgen Habermas, “The ‘Good Life’—A ‘Detestable Phrase’: The Significance of the Young Rawls’s Religious Ethics for His Political Theory,” trans. Ciaran Cronin, *European*

Why not then characterize Japan as a ‘hyphenated democracy’? There are plenty of these that abound in academic literature:

Adversarial, aggregative, associative, capitalist, Christian, classical, communicative, communitarian, consensual, consociational, constitutional, contestatory, corporatist, cosmopolitan, delegative, deliberative, developmental, difference, direct, discursive, ecological, economic, electoral, elitist, epistemic, feminist, global, grassroots, green, juridical, industrial, legal, liberal, local, majoritarian, minimalist, parliamentary, participatory, peoples’, pluralist, populist, presidential, procedural, property-owning, protective, push-button, radical, reflective, representative, social, strong, thin, transnational, and unitary are all adjectives that can be, and have been, attached to democracy.⁵⁰

The list does not stop there. Other forms include: Anticipatory, bourgeois, cellular, conservative, consolidating, controlled, demarchy, emerging, empowered, ethnic, guided, Herrenvolk, illiberal, inclusive, interactive, Islamic, Jacksonian, Jeffersonian, liquid, messianic, network, new, nonpartisan, polyarchic, proletarian, pseudo-, pure, religious, sectarian, substantive, sovereign, semi-, third wave, and the list goes on.⁵¹

The problem with hyphenated democracies is that unless one were to deconstruct the concept of a democratic political regime to its most rudimentary component—an electoral

Journal of Philosophy 18, no. 3 (2010): 443–54; Iris Marion Young, *Inclusion and Democracy* (Oxford: Oxford Univ. Press, 2004), <http://www.oxfordscholarship.com/oso/public/content/politicalscience/0198297556/toc.html>; Suzanne L. Dovi, “Preferable Descriptive Representatives: Will Just Any Woman, Black, or Latino Do?,” *American Political Science Review* 96, no. 4 (December 2002): 729–43.

⁵⁰ John S. Dryzek, “Democratic Political Theory,” in *Handbook of Political Theory*, ed. Gerald F. Gaus and Chandran Kukathas (SAGE, 2004), 143.

⁵¹ Michael Haas, *Why Democracies Flounder and Fail: Remediating Mass Society Politics* (Springer, 2018), 317–66.

democracy—none of the regimes that are characterized by these hyphenations are really democracies. “Describing the political systems of Belarus, Peru, Egypt, or Kazakhstan, for example, as types of democracy is quite misleading,” Thomas Carothers states, “without taking into account whether the government substantially respects the basic civil and political liberties necessary to permit broad citizen participation in political life.”⁵² Hence, for a more lucid analysis of certain regimes such as Japan, there is a need to disengage from the trend of hyphenation, and to either relabel, or create a new, better term to signify these regimes.⁵³

2.3. Soritical Matryoshka Doll

A more formalistic way of explaining the problem of vagueness of expansive definitions or overly malleable concepts is through Sorites Paradox.⁵⁴ In short, the Paradox shows issues that arise when predicates are vague, as vague predicates lack the sharp boundaries necessary for accurate categorization. The sorities arguments can flow in both positive and negative directions, and follow as these:

Positive sorites argument

- (1) A collection of one thousand grains of wheat is a heap.
- (2) If a collection of n grains of wheat is a heap, then so is a collection of $n - 1$ grains.

⁵² Thomas Carothers, “Struggling with Semi-Authoritarians,” in *Democracy Assistance: International Co-Operation for Democratization*, ed. Peter Burnell (Routledge, 2013), 211.)

⁵³ There is contention regarding the proliferation of hyphenated democracies, and the merits of analytical differentiations. Cf. David Collier and Steven Levitsky, “Democracy with Adjectives: Conceptual Innovation in Comparative Research,” *World Politics* 49, no. 3 (1997): 430–51. Collier and Levitsky, “Democracy with Adjectives.”

⁵⁴ The name “Sorites Paradox” comes from the Greek word *soros*, meaning “heap.” This paradox is credited to the Megarian philosopher Eubulides. Dominic Hyde and Diana Raffman, “Sorites Paradox,” in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, Summer 2018 (Metaphysics Research Lab, Stanford University, 2018), <https://plato.stanford.edu/archives/sum2018/entries/sorites-paradox/>.

(3) A collection of one grain of wheat is a heap.

Negative sorites argument

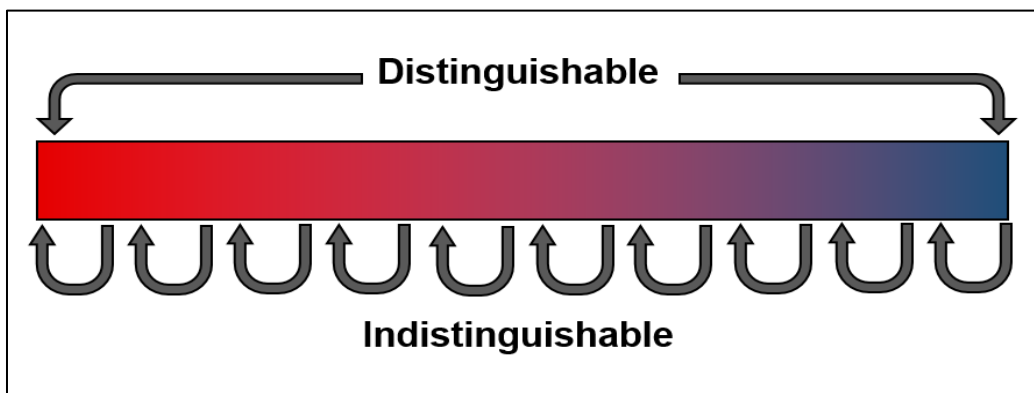
(1) A collection of one grain of wheat is not a heap.

(2) If a collection of n grains of wheat is not a heap, then neither is a collection of $n + 1$ grains.

(3) A collection of one thousand grains of wheat is not a heap.⁵⁵

This paradox can also be explained by looking at a gradient of colors as seen in the figure below. On one end of the spectrum is red, and on the other, blue. The colors red and blue are reasonably distinguishable. However, the colors become increasingly indistinguishable as one moves away from the edges of the spectrum.

Figure 1. Sorites Paradox and the Problem of Vagueness



This can be shown by the following logical statements. Consider a series

⁵⁵ Jaekwon Kim, Ernest Sosa, and Gary S. Rosenkrantz, *A Companion to Metaphysics* (John Wiley & Sons, 2009), 565.

$$a_1 \sim a_2 \sim a_3 \sim \dots \sim a_k \sim a_{k+1} \sim \dots \sim a_{n-1} \sim a_n \quad (1)$$

where a_1 is the red end of the spectrum, and a_n is the blue end of the spectrum. Thus following from the modus ponens of inference of classical logic, then the conditionals

$$\begin{aligned} Red(a_1) &\supset Red(a_2) \\ &\vdots \\ Red(a_2) &\supset Red(a_3) \\ &\vdots \\ Red(a_k) &\supset Red(a_{k+1}) \\ &\vdots \\ Red(a_{n-1}) &\supset Red(a_n) \end{aligned} \quad (2)$$

must also be valid. The paradox arises, however, when one follows the conditional relationships from $Red(a_1)$. If $Red(a_1)$ is red, and $Red(a_2)$ is indistinguishably red as well, then it follows that $Red(a_k)$ is also indistinguishably red, and therefore $Red(a_n)$ is red. Nevertheless, we have established that a_n is blue, and thus the argument that $Red(a_n)$ is red is inconsistent with the initial observation. The paradox is that, under classical logic, if the conditional inference of the modus ponens is valid, and a_1 and a_n are both red, then there must be a false conditional somewhere in (2).

The relevance of the Sorites Paradox to democracy, fascism, and other expansive and malleable concepts of political science becomes evident when one looks at the growing specificity of definitions to “fit” specific regimes that were otherwise not considered to fall under such

umbrellas.⁵⁶ Take, for example, the myriad of hyphenated democracies examined earlier below.

Table 3. List of Hyphenated Democracies (in alphabetical order)

Adversarial	Aggregative	Anticipatory
Associative	Bourgeois	Capitalist
Cellular	Christian	Classical
Communicative	Communitarian	Consensual
Conservative	Consociational	Consolidating
Constitutional	Contestatory	Controlled
Corporatist	Cosmopolitan	Delegative
Deliberative	Demarchy	Developmental
Difference	Direct	Discursive
Ecological	Economic	Electoral
Elitist	Emerging	Empowered
Epistemic	Ethnic	Feminist
Global	Grassroots	Green
Guided	Herrenvolk	Illiberal
Inclusive	Industrial	Interactive
Islamic	Jacksonian	Jeffersonian
Juridical	Legal	Liberal
Liquid	Local	Majoritarian
Messianic	Minimalist	Network
New	Nonpartisan	Parliamentary
Participatory	People's	Pluralist
Polyarchic	Populist	Presidential
Procedural	Proletarian	Property-owning
Protective	Pseudo-	Pure
Push-button	Radical	Reflective
Religious	Representative	Sectarian
Semi-	Social	Sovereign
Strong	Substantive	Thin
Third wave	Transnational	

⁵⁶ For other case studies of examining the Sorites Paradox in the social sciences, Cf. John Hoffman and Paul Graham, *An Introduction to Political Theory* (Routledge, 2013), 54; Udo Schüklenk et al., “End-of-Life Decision-Making in Canada: The Report by the Royal Society of Canada Expert Panel on End-of-Life Decision-Making,” *Bioethics* 25, no. Suppl 1 (November 2011): 1–4, <https://doi.org/10.1111/j.1467-8519.2011.01939.x>; András Sajó and Lorri Rutt Bentch, *Militant Democracy* (Eleven International Publishing, 2004), 57; Mark Satta, “Philosophy in the Contemporary World: Sorites Authoritarianism,” *Blog of the APA* (blog), December 6, 2019, <https://blog.apaonline.org/2019/12/06/philosophy-in-the-contemporary-world-sorites-authoritarianism/>; Melissa Schwartzberg, “The Arbitrariness of Supermajority Rules,” *Social Science Information* 49, no. 1 (March 1, 2010): 61–82, <https://doi.org/10.1177/0539018409354474>; Gareth Van Onselen, “The Erosion of Democracy in South Africa,” *PoliticsWeb*, August 31, 2008, <https://www.politicsweb.co.za/news-and-analysis/the-erosion-of-democracy-in-south-africa>; Timothy A. O. Endicott, “Vagueness and Legal Theory,” *Legal Theory* 3, no. 1 (March 1997): 37–63, <https://doi.org/10.1017/S135232520000063X>; Kees Van Deemter, *Not Exactly: In Praise of Vagueness* (Oxford: Oxford University Press, 2012), 182–84.

The list is not exhaustive by any means, but lists eighty-six kinds of hyphenated democracies. That is eighty-six shades of democracy, as per the aforementioned color gradient. If we were to substitute colors for qualities – or shades, in this instance – of democracy, then it follows that

$$a_{dem} \sim a_{dem_x} \sim a_{dem_y} \sim \dots \sim a_{dem_k} \sim a_{dem_{k+1}} \sim \dots \sim a_{nondem-1} \sim a_{nondem} \quad (3)$$

where a_{dem} is a consolidated democracy, $a_{dem_x} \sim a_{dem_{k+1}}$ are the shades of democracy, $a_{nondem-1}$ is slightly more democratic than a nondemocratic state, and a_{nondem} is not a democracy.

The problem that becomes evident is following the example of (2), and the positive and negative forms of the sorites paradox, that

$$\begin{aligned} & Democracy(a_{dem}) \supset Democracy(a_{dem_x}) \\ & \quad \vdots \\ & Democracy(a_{dem_x}) \supset Democracy(a_{dem_y}) \\ & \quad \vdots \\ & Democracy(a_{dem_y}) \supset Democracy(a_{dem_{k+1}}) \\ & \quad \vdots \\ & Democracy(a_{nondem-1}) \supset Democracy(a_{nondem}) \end{aligned} \quad (4)$$

and thus, the prevalence of vague shades of democracy inevitably lead to the conclusion that either (a) a state is a democracy regardless of what quality/shade of democracy it is said to

contain, including $Democracy(a_{dem})$ and $Democracy(a_{nondem})$, or (b) a state is not a democracy regardless of what qualities it may have, whether it is a $Democracy(a_{nondem})$, or $Democracy(a_{nondem-1})$ or even a $Democracy(a_{dem})$.

The problem at hand persists even when using mathematic induction to formulate the above information, in lieu of using the conditional form of the sorites paradox. Induction is used to prove that a statement involving a natural number n holds for all possible values of n .⁵⁷ Let ND represent the soritical predicate “is not a democracy,” and let a_n represent the n -th element in the soritical series, i.e. “ n democratic qualities.” It follows, thus:

$$\begin{aligned} (NDa_1 \wedge \forall n(NDa_n \rightarrow NDa_{n+1})) \rightarrow \forall nNDa_n \\ \exists \omega(\neg NDa_\omega) \end{aligned} \tag{5}$$

Henceforth, if one admits that:

- (a) A state with only one quality of democracy is not a democracy.
- (b) If a collection of n amount of democratic qualities does not make the state a democracy, then a collection of $n + 1$ amount of democratic qualities does not make the state a democracy.

It follows from the above, using induction, that, no state will suffice to be labeled a democracy, based on the vague definitions and lack of boundary sharpness of the predicates.

⁵⁷ Editorial Board, “Axiom of Induction,” in *Concise Dictionary of Mathematics* (New Delhi, India: V&S Publishers, 2015), 136.

There are several approaches⁵⁸ philosophers and logicians take to tackle the Paradox, with the most pertinent one to this topic being the contextualist approach introduced by Hans Kamp in 1981.⁵⁹ Put simply, Kamp’s argument for contextualist logic is that to every logical utterance, there is a background consisting of a set of sentences. A background, in this sense, is “the information that is taken for granted by the participants in the discourse of which the utterance is part.”⁶⁰ Burns extrapolates on the idea of the background further:

We may rely upon the commonsense argument that an observer who sees that the end members of a series look different from one another in some respect and judges the first few members to be indiscernible from the initial member cannot go on judging all the succeeding members to be indiscernible from that initial member. They must start noticing a difference from an end member somewhere.⁶¹

However, while such contextualist logic may offer a potential solution to the Paradox, it raises the very issue that one sees in the nature of hyphenated democracies – or any political categorization at that. This is that the context that one bases their understanding of political concepts is relative to the observers’ sociopolitical background, and thus compounded with a theory abound in a lack of sharpness introduces further incoherence in the application of the theory at hand. Political concepts are ambiguous, as seen in the application of the sorites

⁵⁸ Cf. Hyde and Raffman, “Sorites Paradox.”

⁵⁹ Hans Kamp, “The Paradox of the Heap,” in *Aspects of Philosophical Logic: Some Logical Forays into Central Notions of Linguistics and Philosophy*, ed. Uwe Mönnich, Synthese Library (Dordrecht: Springer Netherlands, 1981), 225–77, https://doi.org/10.1007/978-94-009-8384-7_8.

⁶⁰ Hans Kamp, *Meaning and the Dynamics of Interpretation: Selected Papers of Hans Kamp* (BRILL, 2013), 281.

⁶¹ Linda C. Burns, *Vagueness: An Investigation into Natural Languages and the Sorites Paradox* (Dordrecht/Boston/London: Kluwer Academic Publishers, 1991), 132.

paradox to the most rudimentary of formulae – democracy or not a democracy. Consider the ambiguity of each quality of democracy. The potential of having a multi-level paradox⁶² akin to a “soritical matryoshka doll” is real, when one uses ambiguous qualifiers to make vague claims based on socioculturally constrained ideas such as hyphenated democracies. Therefore, for a political concept to be capable of accurately characterizing any given event or category – such as a regime type – it is of utmost importance to have a theory that has the least ambiguous qualifiers and criteria to it, which can be adequately understood and observed by participants. Selecting unambiguous terms is just one facet of the equation. There is yet another issue pertaining to the assumed perception of terms.

2.4. Desemanticization of Theory

Words lose and gain new meanings over time. Languages evolve. Grammatical evolutions are oft thought to occur over millennia, such as the transformation of Proto-Germanic to Middle English, to the English we speak to this day. However, in actuality, language evolves around us every day, where words shed their original meanings, and take on new meanings.⁶³

⁶² Such as a sorites paradox within a sorites paradox within another paradox, due to the compounding vague predicates. A matryoshka doll is a Russian doll that has several versions of itself within another layer of the doll. Also known as “nesting dolls.”

⁶³ Holger Diessel, “Grammaticalization and Language Acquisition,” *The Oxford Handbook of Grammaticalization*, October 1, 2011, <https://doi.org/10.1093/oxfordhb/9780199586783.013.0011>; Regine Eckardt, *Meaning Change in Grammaticalization: An Enquiry into Semantic Reanalysis* (Oxford University Press, 2006), <https://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199262601.001.0001/acprof-9780199262601>; Heiko Narrog and Toshio Ohori, “Grammaticalization in Japanese,” *The Oxford Handbook of Grammaticalization*, October 1, 2011, <https://doi.org/10.1093/oxfordhb/9780199586783.013.0064>; Andrew D. M. Smith, “Grammaticalization and Language Evolution,” *The Oxford Handbook of Grammaticalization*, October 1, 2011, <https://doi.org/10.1093/oxfordhb/9780199586783.013.0012>; Elizabeth Closs Traugott, “Grammaticalization and Mechanisms of Change,” *The Oxford Handbook of Grammaticalization*, October 1, 2011, <https://doi.org/10.1093/oxfordhb/9780199586783.013.0002>.

Desemanticization refers to the loss of semantic content which “occurs as a morpheme loses its intention: From describing a narrow set of ideas, it comes to describe an ever broader range of them, and eventually may lose its meaning all together.”⁶⁴ The loss of specificity occurs when certain words are appropriated to signify other meanings. For example, the word *terrible* originally defined “Causing or fit to cause terror; inspiring great fear or dread.”⁶⁵ An uncontrollable train barreling towards you would be a terrible sight. A cold sweat inducing nightmare is indeed terrible. However, the term *terrible* has become desemanticized over centuries and now is used as a superlative adjective for all matters unfortunate. Nowadays, an overcooked Philly cheesesteak sandwich could be terrible, as can a poorly written dissertation. Linguistically, the loss or shift in semantic consistency is commonplace, as seen from the above example. The causality of why semantic shift or desemanticization occurs is a matter of contention. That being said put bluntly at that, “In everyday speech and casual writing we choose the more general meaning because most of us have no particular talent for words.”⁶⁶

Just as words can lose meanings, phrases can go through semantic shift as well. An often characterization of this shift can be seen from an originally literal phrase into a more

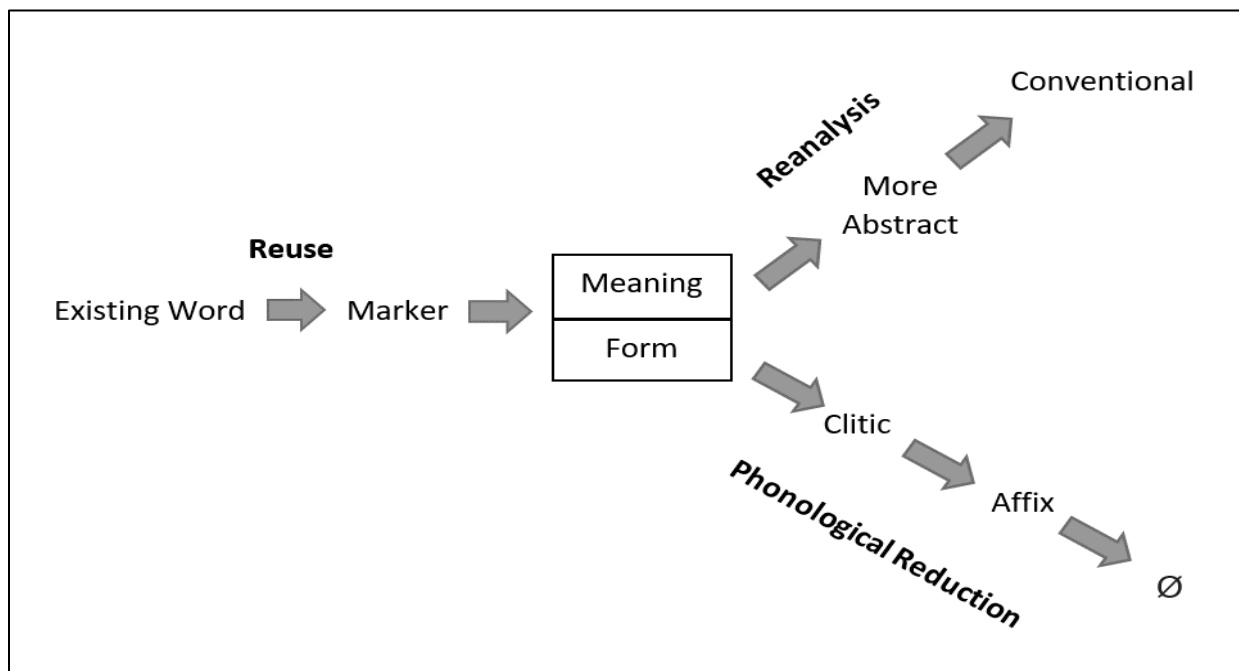
⁶⁴ John Haiman, “From V/2 to Subject Critics: Evidence from Northern Italian,” in *Approaches to Grammaticalization: Focus on Theoretical and Methodological Issues*, ed. Elizabeth Closs Traugott and Bernd Heine (John Benjamins Publishing, 1991), 154.

⁶⁵ “Terrible, Adj., Adv., and n.,” in *Oxford English Dictionary* (Oxford University Press, 2011), <http://www.oed.com/view/Entry/199563>.

⁶⁶ Donka Minkova and Robert Stockwell, *English Words: History and Structure* (Cambridge University Press, 2009), 175.

conventional idiomatic one.⁶⁷ Indeed, as Stathi, Gehweiler, and König state in the introduction of their recent study on grammaticalization, “Studies on grammaticalization have often focused on isolated linguistic forms. It has frequently been emphasized, however, that grammaticalization not only affects single words or morphemes, but often also larger structures or constructions.”⁶⁸ Hence, not only do meanings of terms undergo semantic shift over the course of usage, but full phrases do as well, viz. democracy and theories of democracy.

Figure 2. Steps in Desemanticization⁶⁹



⁶⁷ Keith Allan, Alessandro Capone, and Istvan Kecskes, *Pragmemes and Theories of Language Use* (Springer, 2017).

⁶⁸ Katerina Stathi, Elke Gehweiler, and Ekkehard König, *Grammaticalization: Current Views and Issues* (John Benjamins Publishing, 2010), 3.

⁶⁹ *Clitic* refers to a term that retains its syntactic characteristic, but differs phonologically from the original term. The *affix* is the final phonological stage of desemanticization when the term reduces itself into an inflection affixation, i.e. components such as prefixes, suffixes, infixes, circumfixes, and transfixes, which all modify the

Apart from a few select examples,⁷⁰ semantic shift does not occur suddenly, but rather, occurs “through a series of small transitions, transitions that tend to be similar in type across languages,” where the overlapping transitions are referred to as clines.⁷¹ The gradual desemanticization and subsequent clines are as shown in the figure below.

term to which it affixes to, in regards to tense and other inflections. Cf. Laurel J. Brinton, *The Structure of Modern English: A Linguistic Introduction* (John Benjamins Publishing, 2000), 103.

⁷⁰ Vivek Kulkarni et al., “Statistically Significant Detection of Linguistic Change,” *ArXiv:1411.3315 [Cs]*, November 12, 2014, <http://arxiv.org/abs/1411.3315>.

⁷¹ Paul J. Hopper and Elizabeth Closs Traugott, *Grammaticalization* (Cambridge University Press, 2003), 6.

Figure 3. Transition and Clines of Democracy⁷²

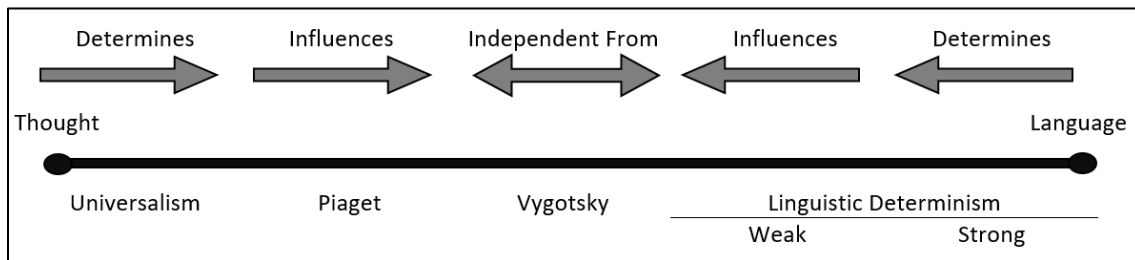
Origin	Term	Meaning
Ancient Greek	δῆμος + κράτος	People + Power
Ancient Greek (ca. 470 BCE)	δημοκρατί	The sovereign hand of the demos.
Post-classical Latin (ca. 400 CE)	democratia	[Unchanged from above]
Middle French (ca. 1370 CE)	démocratie	Government by the people (1370 CE); State or polity with a democratic system of government (1374 CE).
Middle English (ca. 1500 CE)	democracie democrasie democratie democracy democracy democrity democrasy	Republicanism, republican states of early modern Europe.
English (ca. 1600 - 1800 CE)	democracy	Post-revolutionary republics in France and United States, has negative connotations of disorder or anarchy.
English (ca. 1800 CE)	democracy	Positive connotations of egalitarianism, freedom, and the rule of law.
English (ca. 1900 CE - Present)	democracy	Used in contrast with regimes seen as lacking in or inimical to those qualities, describing both republics and constitutional monarchies.

When considering the use of language and the perception of how certain words are communicated, one needs to take into account the relationship of thought and language. This is yet another highly debated topic of contention, as there are varying perspectives on the directionality of this relationship.

⁷² “Democracy, n.,” in *OED Online* (Oxford University Press), accessed December 25, 2019, <http://www.oed.com/view/Entry/49755>; Joint Association of Classical Teachers, *The World of Athens: An Introduction to Classical Athenian Culture* (Cambridge University Press, 2008).

The figure below characterizes the issue of directionality. On one end of the spectrum, there are those who believe that language does not affect thought and contrarily, that thought is what determines language cognition. Universalists argue that there is an underlying intrinsic commonality amongst all languages. The most famous case made for the universalist position was popularized by Noam Chomsky in the late twentieth century.⁷³ Jean Piaget’s studies on cognitive development of children saw that there was an influencing factor of thought on language acquisition, but was not as deterministic as the Chomskian model.⁷⁴ Lev Vygotsky, on the other hand, claimed in his social development theory that social learning precedes human development, and therefore concluded that this was independent of the relationship of thought and language.

Figure 4. Directionality of Language Cognition



⁷³ Noam Chomsky, *Rules and Representations* (Columbia University Press, 1980).

⁷⁴ JeongChul Heo et al., “Piaget’s Egocentrism and Language Learning: Language Egocentrism (LE) and Language Differentiation (LD),” *Journal of Language Teaching and Research* 2, no. 4 (July 1, 2011): 733–39, <https://doi.org/10.4304/jltr.2.4.733-739>.

On the language end of the spectrum lays linguistic relativism and linguistic determinism.⁷⁵

These concepts, especially the latter, are known as derivatives of the Sapir-Whorf Hypothesis.

The Hypothesis claims “language does not reflect ‘reality,’ but rather creates it according to the limits permitted by the language of a given culture.”⁷⁶ Indeed, in the words of Edward Sapir:

Human beings do not live in the objective world alone, nor alone in the world of social activity as ordinarily understood, but are very much at the mercy of the particular language which has become the medium of expression for their society. It is quite an illusion to imagine that one adjusts to reality essentially without the use of language and that language is merely an incidental means of solving specific problems of communication or reflection. The fact of the matter is that the “real world” is to a large extent unconsciously built up on the language habits of the group... We see and hear and otherwise experience very largely as we do because the language habits of our community predispose certain choices of interpretation.⁷⁷

This extreme form of linguistic determinism has been contested by the greater linguistic community as being wrongly based on erroneous data.⁷⁸ Furthermore, if we were to take the Sapir-Whorf Hypothesis at face value, accurate translation of different languages become increasingly difficult, if not impossible, as the deviation of meaning becomes too great

⁷⁵ The former can be considered a weak form of the latter. For the purposes of this dissertation, we will view linguistic relativism as weak Whorfianism, while the stronger determinism to refer to the Sapir-Whorf Hypothesis, otherwise known as strong Whorfianism.

⁷⁶ A. P. Foulkes, *Literature and Propaganda* (Routledge, 2013).

⁷⁷ Benjamin Lee Whorf, *Language, Thought, and Reality: Selected Writings of Benjamin Lee Whorf* (MIT Press, 1964), 134.

⁷⁸ R. W. Brown and E. H. Lenneberg, “A Study in Language and Cognition,” *Journal of Abnormal Psychology* 49, no. 3 (1954): 454–62; Mikhail Masharov and Martin H. Fischer, “Linguistic Relativity: Does Language Help or Hinder Perception?,” *Current Biology* 16, no. 8 (April 18, 2006): R289–91, <https://doi.org/10.1016/j.cub.2006.03.039>; Steven Pinker, *The Language Instinct: How The Mind Creates Language* (Harper Collins, 2010).

compared with the original text.⁷⁹ However, the weak Whorfianism, or more accurately, the argument for linguistic relativity has seen more proponents in recent years, especially in research studies that look at the Japanese language.⁸⁰

Orwell accurately sums up grammaticalization and linguistic relativity to his audience:

The words *democracy, socialism, freedom, patriotic, realistic, justice*, have each of them several different meanings which cannot be reconciled with one another. In the case of a word like *democracy*, not only is there no agreed definition, but the attempt to make one is resisted from all sides. It is almost universally felt that when we call a country democratic we are praising it: consequently the defenders of every kind of regime claim that it is a democracy, and fear that they might have to stop using the word if it were tied down to any one meaning. Words of this kind are often used in a consciously dishonest way. That is, the person who uses them has his own private definition, but allows his hearer to think he means something quite different.⁸¹

What is pertinent here for the purposes of this dissertation is that linguistic relativity exists as a phenomenon, and that this affects all factors in linguistic cognition, including how one perceives what a political concept is supposed to mean, or assumed to be meant by the utterer.

⁷⁹ The author of this dissertation has a slightly biased viewpoint on this point due to his profession as a translator. However, this point too is contested amongst translators. Cf. Elisa Gabbert, “Can Ideas Withstand Shifts in Language?,” *Guernica*, March 11, 2016, <https://www.guernicamag.com/elisa-gabbert-the-sapir-whorf-hypothesis-for-translation-emoji-and-pop-culture/>; G. M. Hyde, “The Whorf-Sapir Hypothesis and the Translation Muddle,” *Translation and Literature* 2 (1993): 3–16.

⁸⁰ Mutsumi Imai, “Rethinking the Sapir-Whorf Hypothesis: Role of Language in Shaping Thought,” *The Japanese Journal of Psychology* 71, no. 5 (2000): 415–33; Jane M. Bachnik and Charles J. Quinn Jr, *Situated Meaning: Inside and Outside in Japanese Self, Society, and Language* (Princeton University Press, 2019), 252; Yayoi Tajima and Nigel Duffield, “Linguistic versus Cultural Relativity: On Japanese-Chinese Differences in Picture Description and Recall,” *Cogl* 23, no. 4 (2012): 675–709, <https://doi.org/10.1515/cog-2012-0021>.

⁸¹ Orwell, “Politics and the English Language: An Essay”; George Orwell, “Politics and the English Language,” in *Princeton Readings in Political Thought: Essential Texts since Plato - Revised and Expanded Edition*, ed. Mitchell Cohen (Princeton University Press, 2018), 586.

For example, Dalton et al.'s research on defining democracy across different states show that there is indeed a difference of perception when it comes to what democracy means.⁸² Their study looked at three specific qualities of democracy: liberty/freedom, institutions/process, and social benefits, and sought to see what the survey responses were in regards to what participants thought were the most important. Their research shows that there is indeed a difference in perception based on surveying data from 49 countries, spanning the following geopolitically and linguistically distinct locations: Established Democracies, Eastern Europe, Asia, Latin America, and Africa.⁸³

2.5. La mort du théoricien⁸⁴

When we delve into theoretical considerations of how the aforementioned linguistic and theoretical discrepancies have negatively affected the accurate analyses of political concepts, we must take a brief foray into the philosophy of theories, or the death thereof. The twentieth century was the century of grand or high theories, as seen through the eyes of theorists such as Gilles Deleuze, Jacques Derrida, Michel Foucault, and Jacques Lacan. These grand theories sought to explain large swaths of the human experience, not limited to disciplinary constraints. However, with the advent of postmodernist criticism of grand narratives in the mid to late twentieth century, structuralist and poststructuralist theory building made way for an increasing

⁸² Russell J Dalton, Doh C Shin, and Willy Jou, "Understanding Democracy: Data from Unlikely Places," *Journal of Democracy* 18, no. 4 (October 2007).

⁸³ Dalton, Shin, and Jou, fig. 1.

⁸⁴ An obligatory homage to Roland Barthes' *The Death of the Author*, or "La mort du l'auteur" in original French. Roland Barthes, *Le bruissement de la langue* (Seuil, 1984).

trend of a more sectarian practice: studies.⁸⁵

Grand theories of the twentieth century such as Marxism, psychoanalysis, postcolonial theory, and queer theory explained a myriad of ideas and experiences, not constrained to disciplinary realities. The rise of “studies” is a direct affront to grand theory, and instead, seeks to develop ideas that explain highly specific human experiences. Such fields explicitly ending in “studies” include: academic labor, age, animal, archive, area, body, border, canonization, celebrity, composition, cyborg, debt, diaspora, disability, ethnic, fashion, film, food, gaming, gender, holocaust, indigenous, leisure, literacy, masculinity, memory, narrative, new American, new Southern U.S., object, patronage, performance, periodical, postcolonial, professionalization, queer, reception, resistance, security, sexuality, sounds, sport, subaltern, surveillance, technoscience, trauma, TV, visual culture, whiteness, women’s, and working-class, just to name a few.⁸⁶ Compounded with the issues of active discouragement in the social sciences in regards to asking the bigger questions, this academic shift away from the production and proposition of grand theories inevitably leads aspiring scholars to merely repurposing preexisting theories and molding them to “fit” into whatever case studies they may be pursuing.

⁸⁵ Jeffrey R. Di Leo, ed., *Dead Theory: Derrida, Death, and the Afterlife of Theory* (Bloomsbury Publishing, 2016); Vincent B. Leitch, *Literary Criticism in the 21st Century: Theory Renaissance* (A&C Black, 2014); Vincent B. Leitch, *Living with Theory* (Blackwell Pub., 2008); Andreas Huyssen, *After the Great Divide: Modernism, Mass Culture, Postmodernism*, *Theories of Representation and Difference* (Bloomington: Indiana University Press, 1986), 188.

⁸⁶ Leitch, *Literary Criticism in the 21st Century*, fig. 1.

This postmodernist urge to reject metanarratives comes from their view that a “multiplicity of theoretical standpoints” exist.⁸⁷ This is evident in contemporary political theory as well, with the seemingly limitless invention of hyphenated democracies and incorporation – or, melding – of unrelated theories to explain locality specific phenomena.⁸⁸ Plato spoke of inspiration as “the greatest blessings [that] come to us through madness, when it is sent as a gift of the gods.”⁸⁹ Indeed, the notion that this “quasi-drunken, divinely endowed, creative state is God-given. To the contrary, sobriety is mundane, or implicitly inferior; ‘madness comes from God.’”⁹⁰ Modernism questioned this nature of inspiration, only for postmodernism to deny it wholly. Ag Apolloni extrapolates further, stating that postmodernism denies inspiration “because the postmodern author takes the subject from various books and documents to structure the new text as a network of countless references and quotations. The author’s learnedness rejects inspiration by muses. The postmodern work is controlled by reason, not emotions.”⁹¹ Thus, postmodernist epistemology ushered in the end of inspiration.

⁸⁷ Michael Michael A. Peters, *Poststructuralism, Marxism, and Neoliberalism: Between Theory and Politics* (Lanham, [Maryland]: Rowman & Littlefield Publishers, Inc, 2001), 7.

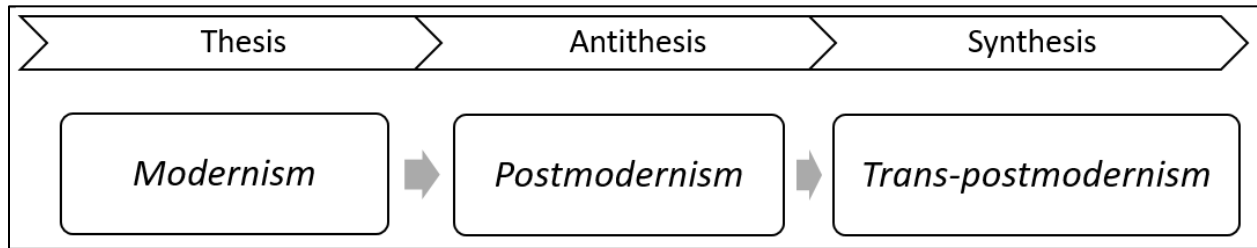
⁸⁸ Collier and Levitsky, “Democracy with Adjectives”; Haas, *Why Democracies Flounder and Fail*.

⁸⁹ Plato, “Phaedrus,” in *Plato: Complete Works*, ed. John M. Cooper (Indianapolis/Cambridge: Hackett Publishing Company, 1997), sec. 244a.

⁹⁰ John F. Moffitt, *Caravaggio in Context: Learned Naturalism and Renaissance Humanism* (McFarland, 2015), 119.

⁹¹ Ag Apolloni, “The End of the Era of Endings,” *Symbol*, no. 10 (June 26, 2017), <https://www.eurozine.com/the-end-of-the-era-of-endings/>.

Figure 5. Hegel-Fichte Epistemological Development



Instead of appropriating preexisting theories to explain such phenomena, this dissertation proposes a return to examining the efficacy of metanarratives, without outright throwing them out like postmodernist scholars of yore.⁹² The aforementioned postmodernist urge arose in direct contempt of what they viewed as modernist narratives being totalitarian. While some leniency needs to be provided for their sake, the pendulum shift from modernism to postmodernism needs to be corrected, for such polarized critique do not adequately produce holistic theories accurately analyzing phenomena in the real world. Thus, this dissertation proposes a trans-postmodernist epistemology – as Fichte’s synthesis⁹³ of the former two eras –

⁹² Richard K. Ashley and R. B. J. Walker, “Introduction: Speaking the Language of Exile: Dissident Thought in International Studies,” *International Studies Quarterly* 34, no. 3 (1990): 259–68, <https://doi.org/10.2307/2600569>.

⁹³ The idea of a pendulum shifting from modernism to postmodernism, and the need for a new era of epistemological analysis as a synthesis of the aforementioned two ideas, and follows directly from G.W. Hegel’s *Dialectics*, as well as Johann Fichte’s. The dialectical triad that is most often associated to Hegel, thesis-antithesis-synthesis, in fact, originates with Fichte. Regardless of which triad terminology we use, the Hegelian Dialectic refers to the rise of a reactionary idea against a preexisting norm (the antithesis to the thesis), and the inevitable birth of a new idea to counterbalance the aforementioned antithesis and thesis (i.e. the synthesis). Johann Gottlieb Fichte, *Fichte, Early Philosophical Writings*, trans. Daniel Breazeale (Cornell University Press, 1988), 63; Violetta L. Waibel, J. Daniel Breazeale, and Tom Rockmore, eds., *Fichte and the Phenomenological Tradition* (Walter de Gruyter, 2010), 157; Julie E. Maybee, “Hegel’s Dialectics,” in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, Winter 2019 (Metaphysics Research Lab, Stanford University, 2019), <https://plato.stanford.edu/archives/win2019/entries/hegel-dialectics/>.

in reviewing metanarratives such as democracy and fascism in Japan.⁹⁴

2.6. Conclusion

This chapter consisted of mainly a theoretical overview of preexisting regime types – democracy and fascism – and examined how they do not necessarily fit when analyzing Japan. Furthermore, our review of the theories using logical arguments showed that overly ambiguous theories such as those of hyphenated democracies cause logical paradoxes, and thus any potential theory-building needs to be conducted with concrete terms, for it to be accurate representations of the subject. Thirdly, we looked into the concept of a grand narrative, how recent historical events formed philosophical thought in the twentieth century, and how the aforementioned developments necessitated revisiting the metanarrative in lieu of highly specialized theories that only apply to a small handful of cases.

⁹⁴ There is no consensus on what to call this critique of postmodernism. Various scholars have coined new names for their critiques, including, metamodernism, post-millennialism, pseudo-modernism, and post-postmodernism. These new-fangled nomenclature notwithstanding, perhaps Mikhail Epstein's coinage is most apt: trans-postmodernism. He writes,

In considering the names that might possibly be used to designate the new era following "postmodernism," one finds that the prefix "trans" stands out in a special way. The last third of the 20th century developed under the sign of "post," which signalled [sic] the demise of such concepts of modernity as "truth" and "objectivity," "soul" and "subjectivity," "utopia" and "ideality," "primary origin" and "originality," "sincerity" and "sentimentality." All of these concepts are now being reborn in the form of "trans-subjectivity," "trans-idealism," "trans-utopianism," "trans-originality," "trans-lyricism," "trans-sentimentality" etc.

Mikhail Epstein, "The Place of Postmodernism in Postmodernity" (After Post-Modernism Conference, The Focusing Institute, 1997).

This linguistic and epistemological survey of this chapter is intrinsic and integral in understanding how Japan has come to be misunderstood and misrepresented in western academic literature. A common thread, which will be evaluated at lengths throughout the following chapters, is the linguistic misrepresentation of various key factors of Japanese political history. It is of utmost importance to establish that, to understand Japan, one needs to come to terms with the importance of the Japanese language in its political system. Through thorough linguistic analyses, the following chapters will show the divergence of the Japanese political system from traditional western political philosophy. This is not to say that the Japanese are backwards, or pathologically inept at democratic consolidation. Japan is merely different from its western counterparts.

Chapter 3. Heliocracy

Even when you huckster to another country, you do not only think about yourself but also care about every person in the country, and do not act out of your own interest. If one does so, one's heart becomes peaceful and it is good for one's health. It is important not to forget about gods and Buddha.

—Jihei Sogan, 18th century.⁹⁵

What, then, does one call this particular form of governance, which governs Japan? Political economist Christopher Lingle once quipped that Asian nations practiced a form of “Confucian corporatism,” discussing the intermingling of filial piety and business practices.⁹⁶ The nature of filial piety is derivative of a strong central power emanating directives deemed worthy of piety, with the subjects reciprocating with awe towards the central mass, which enlightens them. The relationship between the governing body and its corporate and civil subjects eerily echoes that of lesser astral bodies being bound to, and yet being nurtured by a greater star—the Sun. This form of governance is not in any way rule by the *demos*, but rather, a rule by the *helios*, hence, a heliocracy.

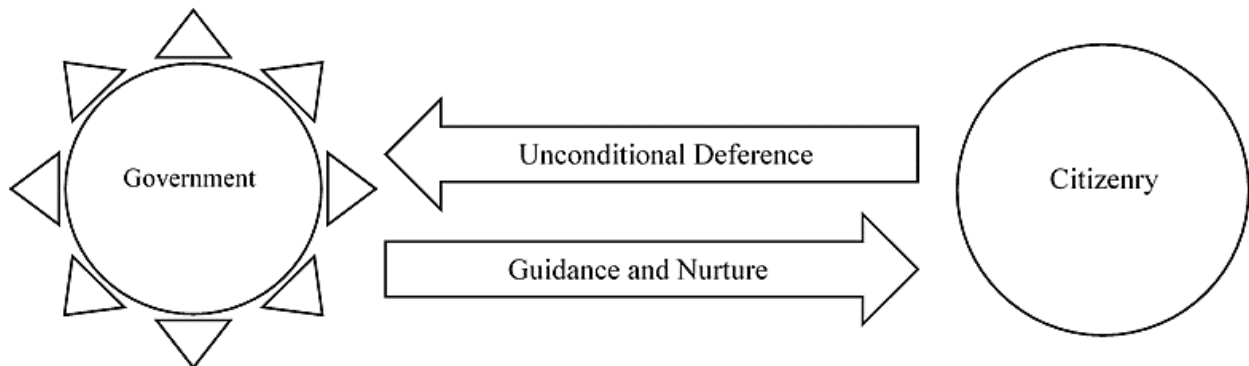
Two principles that are integral to Newtonian physics of planetary motion are the centripetal and centrifugal forces. Whereas the more commonly known centrifugal force is the outward

⁹⁵ Malcolm McIntosh, *The Necessary Transition: The Journey Towards the Sustainable Enterprise Economy* (Sheffield, United Kingdom: Routledge, 2013), 90, <http://ebookcentral.proquest.com/lib/washington/detail.action?docID=1741763>.

⁹⁶ Christopher Lingle, *The Rise and Decline of the Asian Century: False Starts on the Path to the Global Millennium* (Asia 2000 Limited, 1998), 243.)

force that a orbital object feels as it spins about an object of greater mass, the latter, centripetal force, is, the gravitational pull a central object exerts on to orbital objects, thereby keeping the planet in orbit. These two forces are what keeps the Earth spinning around the Sun, through a coordinated dance of the centripetal and centrifugal forces. The relationship of the governing structure and the citizenry in heliocratic societies follow a similar path. That is, the central governing authority provides guidance to and nurtures the development of the citizenry, which it oversees, and the citizenry reciprocates through unconditional deference to said authority.

Figure 6. Heliocracy and Newtonian Mechanics



3.1. A New Rubric

There are two symbiotic criteria for a regime to be heliocratic:

- (a) A centralized government that heavily intervenes in social and economic matters, otherwise left to civil society and the market in more democratic regimes, respectively.
- (b) A culturally docile populace, typically following the Neo-Confucian tradition of filial piety, which willfully subjugates itself to the central organs of governance.

This proposition is congruous with Karel Van Wolferen's analysis of Japanese polity. Van Wolferen argues that contemporary Japanese society operates in the way it does due to "the result of political arrangements consciously inserted into society by a ruling elite over three centuries ago, and the Japanese are today given little or no choice in accepting arrangements that are still essentially political."⁹⁷ Indeed, the relationship between Confucianism (and subsequently Neo-Confucianism) and the concept of ideology has been well documented. Confucianism is often referred to as a proto-ideology, specifically due to the fact that Confucius was not interested in metaphysical Truths, but rather, "a harmonious social order within which individuals could lead happy and ethical lives...He was the first to outline clearly what one is tempted to call the elementary scene of ideology, its zero-level, which consists in asserting the (nameless) authority of some substantial Tradition."⁹⁸

In concurrence with Van Wolferen, it is, in a sense, arguable that, the adherence to Neo-Confucian traditional norms strengthen the ideological bond between the populace and the central governing authority. Slavoj Žižek quipped in his film *The Pervert's Guide to Ideology* that he is "eating from the trash can all the time. The name of this trashcan is ideology. The material force of ideology makes [him] not see what [he is] effectively eating."⁹⁹ The 'trash can' in this sense is the heliocratic regime, and its policies — domestic or international — that

⁹⁷ Karel Van Wolferen, *The Enigma of Japanese Power: People and Politics in a Stateless Nation*, Reprint (New York: Vintage, 1990), 3.

⁹⁸ Slavoj Žižek, *Living in the End Times* (Verso, 2011), 11–12.

⁹⁹ Sophie Fiennes, *The Pervert's Guide to Ideology* (Zeitgeist Films, 2012).

may or may not be favorable to the populace.¹⁰⁰ Henceforth, the symbiotic nature of heliocracy can be seen through the lens of an ideology, which is “not a dreamlike illusion that we build to escape insupportable reality; in its basic dimension, it is a fantasy-construction which serves as a support for our ‘reality’ itself...The function of ideology is not to offer us a point of escape from our reality, but to offer us the social reality itself as an escape.”¹⁰¹

3.2. Neo-Confucian Proto-ideology

There are some scholars and celebrity writers on the fringes that raise issues pertaining to how much of an effect Neo-Confucian norms still have on Japanese society today, especially in the study of civil society. Moon, who conducted an ethnographic study of gender norms in Japanese and Korean agricultural communities in the 1980s, came to the conclusion that “the

¹⁰⁰ Žižek further extrapolates this notion of the effect an ideology has on a population:

This is probably the fundamental dimension of ‘ideology’: ideology is not simply a ‘false consciousness’, an illusory representation of reality, it is rather this reality itself which is already to be conceived as ‘ideological’ – *‘ideological’ is a social reality whose very existence implies the non-knowledge of its participants as to its essence* – that is, the social effectivity, the very reproduction of which implies that the individuals ‘do not know what they are doing.’ *‘Ideological’ is not the ‘false consciousness’ of a (social) being but this being itself in so far as it is supported by ‘false consciousness.’* Thus we have finally reached the dimension of the symptom, because one of its possible definitions would also be ‘a formation whose very consistency implies a certain non-knowledge on the part of the subject’: the subject can ‘enjoy his symptom’ only in so far as its logic escapes him - the measure of the success of its interpretation is precisely its dissolution.

Slavoj Žižek, *The Sublime Object of Ideology* (Verso, 1989), 21.

¹⁰¹ Žižek, 45.

Confucian character of Japanese society has been overemphasized in the past.”¹⁰² Gilbert, an American celebrity-lawyer-turned-Japanologist in Japan also wrote recently that Japanese society was different from its Korean and Chinese neighbors, as it has not been tainted by Confucianism.¹⁰³ This study strongly suggests otherwise—that Japan has, and is affected by Confucian and Neo-Confucian proto-ideology. It is interesting to see that Moon qualifies her conclusion based on the fact that “those who have written about Japan in English have been mostly of Western background,” and that it is:

Only natural for any ethnographer to notice the aspects which are most strikingly different from his or her own cultural practices, and this fact has tended to obscure subtle comparative differences between East Asian cultures with regard to the nature of Confucian influence.¹⁰⁴

While her assertion regarding the difficulty of comparative ethnographic research is not contested, it is intriguing that her justification for concluding that Japan is not affected by Confucianism as much as previously thought is leading this dissertation to argue otherwise.

Confucian and Neo-Confucian proto-ideology permeates Japanese society in a myriad of ways, many of which are extrapolated on in the subsequent chapters. Confucianism is not monolithic, and the studies conducted by the aforementioned authors leave its readers confused whether

¹⁰² Okpyo Moon, “Confucianism and Gender Segregation in Japan and Korea,” in *Ideology and Practice in Modern Japan*, ed. Roger Goodman and Kirsten Refsing (London: Routledge, 1992), 206, <http://ebookcentral.proquest.com/lib/washington/detail.action?docID=168918>.

¹⁰³ Kent Gilbert, *Jukyo Ni Shihai Sareta Chugokujin to Kankokujin No Higeiki [The Tragedy of the Chinese and Koreans Controlled by Confucianism]* (Tokyo: Kodansha, 2017).

¹⁰⁴ Moon, “Confucianism and Gender Segregation in Japan and Korea,” 206.

they are analyzing the teachings of Confucius (551-479 BCE), Zhu Xi (1130-1200 CE), or Wang Yangmin (1472-1529 CE), three of whom affected the development of what we consider to be Confucian and Neo-Confucian proto-ideology today.

Some of the ways that this proto-ideology shows up in Japanese society include the development of Japanese capitalism following the Meiji Renovation as well as corporate social responsibility initiatives by Japanese companies.

In the advent of Japanese modernization in the late nineteenth century, Shibusawa Eiichi argued for a Confucian capitalism, and incorporated said ideals in the development of a business ecosystem in Japan's efforts of catching up to the West. His fixation with Confucianism did not come unexpectedly, as Confucianism and Neo-Confucianism has been rooted in Japan for centuries by the Meiji period. His quote on the relationship between righteousness, humanity, and wealth is a recurring theme in the nature of Japan's growth, economically and politically within the international system:

Why must you speak of profit? You should speak simply of humaneness and righteousness... If those above and below fight each other over profits, then the state will be endangered... If righteousness is made secondary while profit is made primary, thieves will never be satisfied in taking what they can.¹⁰⁵

Shibusawa's yen towards incorporating Confucian teachings and ideals into the development of Japanese capitalism comes from a long tradition of merchants searching for moral

¹⁰⁵ John Allen Tucker, "Confucianism, Capitalism, and Shibusawa Eiichi's 'The Analects and the Abacus,'" in *A Concise Companion to Confucius*, ed. Paul R. Goldin (John Wiley & Sons, 2017), 321.

justification for their own activities. Eighteenth century philosopher Ishida Baigan was one of the chief proponents of the concept of *shonindo*—the way of the merchant—that sought to counterbalance the better known *bushido*, by accentuating the necessity of the merchant being virtuous and honest in his business dealings.¹⁰⁶ Just as business in the West base their mécénat activities on philanthropic norms derivative of Judeo-Christian traditions, Japanese businesses base their corporate social responsibility activities on Neo-Confucian ideals such as *shonindo* and *sanpo yoshi*.¹⁰⁷

3.3. Conclusion

This dissertation will address these issues in latter chapters in greater detail. Specific cases of the effect of Neo-Confucian proto-ideology on Japan are discussed in Chapter 4, 5, and 6, where we examine the legal building blocks of the Tokugawa Shogunate in the seventeenth century, the dogmatic effects of the Five Relationships in the militarization of Japan in the late nineteenth and early twentieth centuries, and the continuation of said effects into the twentieth century in regard to its effects on Japanese civil society in the postwar reconstruction period. What is of utmost importance at this point is that Neo-Confucianism exists as a coexisting and symbiotic part of heliocracy as a proto-ideology, thereby bolstering the bond between the governing and governed.

¹⁰⁶ Cf. Ichiro Horide, *The Mercantile Ethical Tradition in Edo Period Japan: A Comparative Analysis with Bushido* (Springer, 2019).

¹⁰⁷ *Sanpo yoshi* roughly translates to “good for all three sides,” where the three sides it refers to is the buyer, the seller, and society.

Based on the theoretical argument set forth in the preceding chapter, this chapter proposes a new rubric for a more accurate theoretical regime-type for analyzing how the Japanese regime works: Heliocracy. A summary of the theories is summarized in Table 4.

Table 4. Comparison of Democracy, Fascism, and Heliocracy

Regime-Type	Linguistic Determinant	Culture	Political
Democracy	None	Western Liberalism	Government accountable via electoral process
Fascism	Some (See Culture)	Culture invented by ruling class to promote cohesion within the state, the development of a common foe, top-down nationalism.	No accountability
Heliocracy	Language as part of a continual culture that permeates society, used as tool for ruling class to guide citizenry.	Neo-Confucian. Culture fostered across centuries. Familial and social hierarchies, filial piety, and emphasis on fostering culture through regimented education curricula.	Some accountability, but overshadowed by cultural deference to authority.

A point that cannot be stressed enough is the nature of the importance of language when analyzing heliocracies. While Orwell has written exasperatingly about the semantic loss of political terminology in the postwar West, along with his work on thoughtcrimes, language does not necessarily hold the same weight in the western ideologies as they do in Asia. For the purposes of this dissertation, I am limiting my analysis to Japanese heliocracy, and the nature of the Japanese language. However, similar cases may be said for Korean and Chinese heliocracies, both of which should be revisited in future research.

SECTION 3. THE CASE OF JAPAN

Chapter 4. 1603-1867: The Incubation of Modern Japan

忠誠尊皇室 With loyalty and sincerity, he reveres the imperial family;
孝敬事天神 With filial piety and respect, he serves the heavenly gods.
修文兼奮武 He cultivates learning while also rallying the troops;
誓欲清胡塵 Vowing to purify the realm of the foreign filth.

—Fujita Toko, ca.1840.¹⁰⁸

The legacies of the Tokugawa shogunate have been examined in countless literature since the very times of Tokugawa rule. While some scholars such as Marius B. Jansen have done extensive research on the general historical legacies of early modern Japan, Thomas C. Smith and others have taken this task from a socioeconomic perspective.¹⁰⁹ However, when considering various aspects of how the Tokugawa shogunate affected the making of modern Japan, one cannot ignore the underlying socio-legal legacies that allowed for the political and economic changes Japan endured after the fall of the Tokugawa regime. As Jean-Pierre Lehmann illustrated in *The Roots of Modern Japan*, this was the “incubation” period when “the

¹⁰⁸ Matthew Fraleigh, “Songs of the Righteous Spirit: ‘Men of High Purpose’ and Their Chinese Poetry in Modern Japan,” *Harvard Journal of Asiatic Studies* 69, no. 1 (2009): 154; H. D. Harootunian, *Toward Restoration: The Growth of Political Consciousness in Tokugawa, Japan* (University of California Press, 1970), xxx.

¹⁰⁹ Thomas C Smith and American Council of Learned Societies, *Native Sources of Japanese Industrialization, 1750-1920* (Berkeley, Calif.: University of California Press, 1988), <http://hdl.handle.net/2027/heb.01963>; “Historical Heritage - Legacy of the Tokugawa Economy, 1600-1867,” *The Japanese Economy*. 30, no. 4 (2002): 47; Marius B. Jansen, *The Making of Modern Japan* (Harvard University Press, 2002).

foundations for the transformation to modernity were being laid.”¹¹⁰ Thus, the examination of the sociopolitical evolution that occurred with the establishment of the Tokugawa shogunate is essential for furthering one’s understanding of how modern Japanese principles of governance arose.

4.1. Waiting for the Bird to Sing¹¹¹

Tokugawa Ieyasu was not the first to attempt to unify Japan under a single regime, but it was he, who waited for the bird to sing, who succeeded in creating a regime that successfully reigned for more than two hundred and fifty years. With the warring states period coming to a close under a stabilized central administrative organ, Japan was unified under the Tokugawa regime in 1603. Scholars have not been able to come to a consensus of what to call the political structure of the Tokugawa regime. The regime had a centralized administrative organ in Edo, and yet, consisted of a “curious blend of centralization and local feudal autonomy,” argues Stephen R. Turnbull.¹¹² Furthermore, this “curious blend” veers from the predominant definition of feudalism, and hence calling the regime a refeudalized state is thus rendered

¹¹⁰ Dean, *Japanese Legal System* (Cavendish Publishing, 2002), 260; Jean-Pierre Lehmann, *The Roots of Modern Japan* (New York: Palgrave Macmillan, 1983).

¹¹¹ From a famous Japanese story regarding the three unifiers of Japan during the warring-states period. Oda Nobunaga, Toyotomi Hideyoshi, and Tokugawa Ieyasu. “Nobunaga, Hideyoshi and [Ieyasu] were watching a cuckoo bird waiting for it to sing, but the bird wouldn’t sing. Nobunaga says ‘Little bird, if you don’t sing, I will kill you.’ Hideyoshi says ‘Little bird, if you don’t sing I will make you sing.’ Then [Ieyasu] says to the bird ‘Little bird, if you don’t sing I will wait for you to sing.’ This story characterized the three different personalities of these warlords, notably the patience of Ieyasu. Cf. Yury Lobo, *In the Wake of Basho: Bestiary in the Rock Garden* (Xlibris Corporation, 2016).

¹¹² Stephen R. Turnbull, *The Samurai Tradition* (Psychology Press, 2000), 43.

inaccurate.¹¹³ The Tokugawa hegemony is thus categorized by scholars as a centralized feudalism, and may be the most accurate term to call the regime.¹¹⁴

The Tokugawa regime reorganized Japan into what is now called the *bakuhau taisei*, or a hybrid state between the Edo *bakufu*¹¹⁵ and the *han* domains. This dual structure allowed for the vassal domains to have considerable autonomy regarding affairs within their borders, and the centralized *bakufu* mandated various guidelines for the domains to follow. Jansen argues that this dualism “represented a significant limitation on centralization and Japan’s development as a nation state” because the autonomy of the domains and the insufficient oversight by the central government allowed for each domain to utilize its own “armies, administrative and law codes, tax systems, and tax codes.”¹¹⁶ While it may be the case that each domain did indeed have local autonomy, this does not negate, but rather strengthens the argument that the governing relationship between the central government and the domains, as well as the authoritative relationship between the *han* authorities and their subjects created a foundation for future state building in Japan through its legal and social reforms.

¹¹³ Turnbull, 42.

¹¹⁴ Turnbull, 43; Edwin Oldfather Reischauer and Marius B. Jansen, *The Japanese Today: Change and Continuity* (Harvard University Press, 1977), 64. Turnbull, 43; Edwin O. Reischauer and Marius B. Jansen, *The Japanese Today: Change and Continuity* (Harvard University Press, 1977), 64.

¹¹⁵ *Bakufu* (幕府) is another name for a shogunate, a feudal warlord-led central government.

¹¹⁶ Jansen, *The Making of Modern Japan*, 53.

4.2. Customary Law

Turan Kayaoglu, in *Legal Imperialism: Sovereignty and Extraterritoriality in Japan, the Ottoman Empire, and China*, argues that the Tokugawa legal system consisted of five distinct qualities that impeded the creation of a modern legal system in the Meiji administration: “the prevalence of customary law, the existence of few written rules, the absence of public accessible written codes, and the lack of a court system as a body distinct from other administrative structures of government.” Kayaoglu’s assessment that the customary law based Tokugawa legislation was a difficult starting point for the Meiji administration to create a westernized statutory legal framework is accurate. However, the legacies of the customary law framework are evident in the legal code of the Meiji government, and even in the modern legal code of Japan.¹¹⁷ While Jansen argued that the autonomous nature of the domains was a “significant limitation” on the centralization of the Tokugawa regime, John Henry Wigmore adds, “supreme power belonged to the shogunate, and in legislation the general principle that the laws of the daimiates must be based on the central laws was rigidly enforced.”¹¹⁸ That said, the central government did not try to rule every part of life in the local domains, but rather, relied on local customs for the maintenance of order in everyday life. Dan Fenno Henderson explains that the law “was an art of power maintenance for the expert manipulation of self-interested rulers in a society which was in the private relations of the subjects largely self-

¹¹⁷ John O. Haley, “Sheathing the Sword of Justice in Japan: An Essay on Law without Sanctions,” *Journal of Japanese Studies* 8, no. 2 (1982): 265, <https://doi.org/10.2307/132340>.

¹¹⁸ John Henry Wigmore, *Law and Justice in Tokugawa Japan: Materials for the History of Japanese Law and Justice under the Tokugawa Shogunate 1603-1867* (University of Tokyo Press, 1969), 3.

regulated.”¹¹⁹ It was the preference of the central government to let localities take care of their own judicial business, “letting village headmen settle most civil and even many criminal cases through informal measures (“conciliation”).”¹²⁰ Furthermore, Haley argues that it was necessary for the shogunate to allow for domains to have autonomous juridical powers over their subjects in the fragile beginnings of the shogunate.¹²¹ He continues that this lack of authoritative legal control gave rise to customary mechanisms for justice that includes social control mechanisms such as *murahachibu* group ostracism,¹²² which continue to dictate Japanese social life to this day.¹²³ The decentralization of justice achieved by the Tokugawa regime allowed for communal justice to fill the vacuum. Haley describes these phenomena aptly: “community autonomy and weak government remained hidden behind a veil of ritualized deference to authority.”¹²⁴

Another key aspect of criminal procedure in modern Japan could also be argued to have its

¹¹⁹ Dan F. Henderson, “The Evolution of Tokugawa Law,” in *Studies in the Institutional History of Early Modern Japan*, ed. John Whitney Hall and Marius B. Jansen (Princeton University Press, 1968), 208.

¹²⁰ Brian M. Downing, *The Military Revolution and Political Change: Origins of Democracy and Autocracy in Early Modern Europe* (Princeton University Press, 1993), 47.

¹²¹ Haley, “Sheathing the Sword of Justice in Japan,” 277.

¹²² “‘Murahachibu,’ or ‘eight parts village,’ signifies that out of ten aspects of life, the community is the basis for eight. Effectively, ‘murahachibu,’ as the expression of village ostracism, means that the victim is cut off from those eight parts of life.” Peter Howard Corne, “The Influence of Traditional Normative Mechanisms of Behaviour on the Japanese Legal System,” *Sydney Law Review* 12, no. 2/3 (1990 1989): 357.

¹²³ Haley, “Sheathing the Sword of Justice in Japan,” 277. One contemporary usage of this term is documented in a study on bullying (*ijime*) in Japanese schools. Naoto Kawabata, “Adolescent Trauma in Japanese Schools: Two Case Studies of Ijime (Bullying) and School Refusal,” *Journal of the American Academy of Psychoanalysis* 29, no. 1 (March 1, 2001): 85–103, <https://doi.org/10.1521/jaap.29.1.85.17188>.

¹²⁴ Haley, “Sheathing the Sword of Justice in Japan,” 277.

origins in this era, when the government exerted limited oversight on the individuals' legal status, and instead allowed for consensual settlement in lieu of formalized legal sanctions. The confession, repentance and absolution of modern criminal procedure, arguably have its origins in extralegal settlements or conciliations, where one repents of one's actions and asks for mercy.¹²⁵

4.3. Heavenly Mandates

The adaptation of Neo-Confucian ideals by the ruling elite of the Tokugawa regime also shaped its conceptualization of society and legislative authority. Henderson writes, "Nothing was of more constitutional import to the Tokugawa law than the rigid, heritable hierarchy of statuses established to classify the entire Tokugawa populace. The barriers were maintained between these statuses by Edo decrees and the Confucian thought patterns."¹²⁶ One of the most important results of the importation of Neo-Confucianism to Edo was the implementation of filial piety as a justification of social structure stratification, with the samurai class at the top, then the peasantry, the artisans, and the merchant class at the lowest.¹²⁷ Reischauer explains that the samurai class, or in his words, the "warrior-administrators" were "to a large degree an artificial creation in imitation of the true warrior class of early feudalism" in Japan.¹²⁸ On the

¹²⁵ Haley, 269.

¹²⁶ Dan F. Henderson, *Conciliation and Japanese Law: Tokugawa and Modern* (Univ of Washington Pr, 1965), 25.

¹²⁷ Takatoshi Itō, *The Japanese Economy* (MIT Press, 1992), 8–9.)

¹²⁸ Edwin O. Reischauer, *Japan: The Story of a Nation* (Tuttle, 1981), 90.

other hand, “the merchants, in complete disregard of their relatively high economic and cultural position, were placed last in the social order because, according to Confucian theory and the natural prejudice of a political regime of agrarian, feudal origin, they were judged unproductive.”¹²⁹

Neo-Confucianism offered several other convenient doctrines to the new regime, including the concept of the “Heavenly Mandate.” This implies “that a ruler, however illegal in theory, must be obeyed, as long as he rules well.”¹³⁰ A legal axiom coined by Ise Sadatake, *hirihoukenten*,¹³¹ illustrates this doctrine aptly, where the axiom states that the rulers ruling under divine guidance create laws, and thus the subjects shall obey as commanded.¹³² The Tokugawa shogunate appropriated Confucian and Neo-Confucian ideals where convenient, and promulgated shogunal decrees for the *daimyos* to follow.

The *buke shohatto*, or the *Codes for the Military Houses*, were a collection of edicts promulgated by the Tokugawa shogunate setting the responsibilities and guidelines for the *daimyo* to follow under the new regime.¹³³ These edicts were promulgated initially in 1615 by

¹²⁹ Reischauer, 90.

¹³⁰ Carl Steenstrup, *A History of Law in Japan Until 1868* (Brill, 1996), 111.

¹³¹ *Hirihoukenten* (非理法権天): Impossibility cannot overcome reason; reason cannot overcome the laws; the laws cannot overcome rulers; and the rulers can never overcome the power of divine guidance. Takigawa Seijiro, *Hirihoukenten: Hogen no kenkyu [Hirihoukenten: a study of Legal Idioms]* (Seikeibo, 1964).

¹³² Asako Hiroshi, Ito Takao, and Ueda Nobuhiro, *Nihon Hoseishi [History of Japanese Law]* (Seirin Shoin, 2010), 135; Takigawa, *Hirihoukenten: Hogen no kenkyu [Hirihoukenten: a study of Legal Idioms]*.

¹³³ Jansen, *The Making of Modern Japan*, 56.

Ieyasu himself to the *daimyo*, but then by his successors with revisions. The second revision of 1622, institutionalized by Iemitsu in 1636, codified the *sankin kotai* system, which required *daimyo* to come to Edo in alternate years to pay their respects to the reigning shogun.¹³⁴ “From 1622 to 1655, [this] hostage system [was] intensified,” adds Jansen, “[and] *daimyo* and their chief retainers were expected to have their immediate family—wives, children, and sometimes even mothers—in permanent residence in Edo.”¹³⁵ This system allowed for the shogunate to keep a close eye on the *daimyos*, as the hostages kept in Edo created an incentive for the *daimyos* to defer to authority.

The Tokugawa shogunate, in order to control the imperial courts, also issued the *Kinchu narabini kuge shohatto* or the *Regulations for the Court and the Nobility* in 1615. The edict decreed that “the emperor’s concerns were to be cultural, concentrated in the arts of peace,” and instructed the court and the nobility various procedures that they needed to follow.¹³⁶ Par Cassel adds in *Grounds of Judgment: Extraterritoriality and Imperial Power in Nineteenth-Century China and Japan* (2012) that “although no single body of law governed Japan as a whole, Tokugawa laws exercised a normative influence over the laws in the territorial domains, and the evolution of Tokugawa law culminated in the promulgation of the ‘Written Decisions for Lawsuits’ (*Kujikata osadamegaki*) in 1742.”¹³⁷

¹³⁴ Jansen, 57.

¹³⁵ Jansen, 128–29.

¹³⁶ Jansen, 36.

¹³⁷ Par Kristoffer Cassel, *Grounds of Judgment: Extraterritoriality and Imperial Power in Nineteenth-Century China and Japan* (Oxford; New York: Oxford University Press, 2012), 30.

A key element of Confucianism is the concept of the Five Relationships— sovereign to subject, parent to child, elder to younger, husband to wife, friend to friend—called the *Wulun*. “Each component in the relationships assumes ritual obligations and responsibility to the others at the same time he or she enjoys privileges and due consideration accorded by the other components.”¹³⁸ The heavenly mandates justified by Confucian principles such as the *Wulun* established an environment where edicts decreed by the central government were to be followed not simply because of the legitimacy of the regime, but rather, because the edicts were “from above,” and were considered to be just (at least, by those decreeing the rules). This Confucian hierarchical structure of governance, together with the decentralized exercise of justice among the domains created a seemingly contradictory, yet functional scheme of governance in Tokugawa Japan. Furthermore, at the local level, as the teachings of Confucius permeated the citizenry, the notion of the *okami*¹³⁹ also transitioned from the etymological

¹³⁸ Henry C K Liu, “Rule of Law vs Confucianism,” Asia Times Online, July 24, 2003, <http://www.atimes.com/atimes/China/EG24Ad01.html>.

¹³⁹ The term *okami* (お上) here refers to a conceptualization of authority in Japan. The Japanese language has had various homophonic iterations of logoglyphs that signify similar concepts as this, such as 守/上/神 all announced as *kami*. The *o* in *okami* is an honorific for the subject, the *kami* in the word. When denoted as お上, the 上 logoglyph signifies “things above” and therefore the term pertains to whatever the greatest authority was at the period. In medieval times, that may have been local daimyo. However, in more modern times, the same term has been used to signify the central government, or the police, which, follows from the explanation that it refers to “one of superior authority.” When denoted as 守, the *kami* in this instance is an honorific title given to a local warlord authorized by the central government (whether feudal or imperial), to take care of his region. The logoglyph itself signifies “protect” and thus follows. 神 is the logoglyph signifying “gods, deities, higher beings” and has been used extensively throughout Japanese history, from ancient lore regarding the creation of Japan, all the way to modern times when the Japanese language needed a logoglyph to signify foreign concepts of godliness. It is important to note, that the term for “emperor” in Japanese, *tenno* (天皇) literally signifies a “heavenly prince” and thus is related with the etymological underpinnings of the concept of the *okami*. Cf. Solveig Thronardottir, *Name Construction in Mediaeval Japan* (Gakumon, 2017).

origins signifying the pre-modern warlords, to a general term signifying the *kogi*¹⁴⁰ or that of the *bakufu*. The conceptualization of the shogunal edicts as ethical and moral guidance from above could be argued as one of earliest cases of administrative guidance in Japan. While the edicts to the *daimyos* and to the courts were enforced unlike administrative guidance exercised in post-war Japan, the conceptual similarities are striking. Both the Tokugawa shogunal edicts and the post-war administrative guidance are expected to be followed not simply under the fear of retribution, but rather, followed because the decrees and guidance were issued by those of greater sociopolitical hierarchy and thus calls upon its subjects to act ethically and morally justly, in concordance to social—Confucian—norms.¹⁴¹ This analysis follows from the “normative influence” the Tokugawa laws had, in the words of Cassel.¹⁴²

The treatment of the imperial courts by the Tokugawa regime with the *Kinju narabini kuge shohatto* seems eerily progressive. Jansen’s characterization that the “the emperor’s concerns were to be cultural, concentrated in the arts of peace” sounds very familiar to the treatment of the imperial court in the current Constitution of Japan, as well as that of the Imperial Constitution, where the emperor is treated as the *kokutai*—as a symbol for peace in the former,

¹⁴⁰ There is no consensus on what an exact translation of the term *kogi* (公儀) is in English. However, the term is generally understood to mean either “public authority” or “public interest.” A commonality between the two definitions is that *kogi* pertains to the public good. Delmer M. Brown et al., *The Cambridge History of Japan*, ed. John Whitney Hall (Cambridge University Press, 1988), 78–95.

¹⁴¹ Dean, *Japanese Legal System*, 139; Carl F. Goodman, *The Rule of Law in Japan: A Comparative Analysis* (Kluwer Law International, 2008), 476.

¹⁴² Cassel, *Grounds of Judgment*, 30.

and as a cultural and extra-judicial.¹⁴³

As with the categorization of the Tokugawa regime, scholars have not been able to agree on whether the fall of the Tokugawa shogunate and the subsequent transition to the Meiji government is a restoration, a revolution, or a renovation.¹⁴⁴ Regardless of what the transition may be called, the transition did not shed the Meiji government of its Tokugawa roots, in terms of how the new regime was to govern its subjects, and how its subjects were to be governed. Furthermore, the customary laws have lived on, through several radical changes to the laws of the land. As Haley analyzed persuasively, the decentralized exercise of justice allowed local communities to implement their own communal norms to preserve order. Confucian reverence of the *okami* as well as the deeply rooted mechanisms of group ostracism have greatly affected how Japanese civil society react to laws and bureaucratic oversight by the national and local governments since Ieyasu first succeeded in creating the centralized feudal state in 1603.

4.4. Conclusion

The Tokugawa shogunate that reigned from 1603 through 1867 was the incubation of heliocratic Japan. It built and solidified the legal and social structures of Japanese society and

¹⁴³ “The Constitution of the Empire of Japan” (1890); “The Constitution of Japan” (1946); Josefa Valderrama López, “Beyond Words: The ‘kokutai’ and Its Background,” *Revista HMiC: Història Moderna I Contemporània*, no. 4 (2006): 125–36.

¹⁴⁴ Richard L. Sims, *Japanese Political History Since the Meiji Renovation, 1868-2000* (C. Hurst, 2001); Marius B. Jansen, “Chapter 11: Meiji Revolution,” in *The Making of Modern Japan* (Harvard University Press, 2002), 333; Albert M. Craig, *Choshu in the Meiji Restoration* (Lexington Books, 2000).

the regime, thereby becoming the foundation of all subsequent governments. This chapter examined how legal institutions were instated, along with social hierarchy, both primarily based on Neo-Confucian ideals. This is not to say that there were no specific cases of deviance from such ideals. Indeed, contemporary Confucian scholars such as Ogyu Sorai argued, “the ruler of the people must carry out all measures, *even if they conflict with just principles and become the object of ridicule, so long as this brings peace to the people.* A ruler who maintains such an attitude is truly the father of his people.”¹⁴⁵ However, while such statements may appear to be controversial, ironically, the concept of the ruler being the “father of the people” is a recurring theme in the relationship between the governed and the governing, the symbiotic relationship integral to the nature of heliocracy, as we will see in the development of the Meiji state, lasting through to contemporary times.

¹⁴⁵ Masao Maruyama, *Studies in Intellectual History of Tokugawa Japan* (Princeton University Press, 2014), 82; Seiichi Takimoto, ed., *Nihon Keizai Taiten [Encyclopedia of Japanese Economics]*, vol. 9 (Keimeisha, 1929), 214.

Chapter 5. 1868-1945: The Renovation of Heliocratic Japan

“Because I have shut myself in, I thought that Takama-no-hara would be dark, and that the Central Land of the Reed Plains would be completely dark. But why is it that Ame-no-uzumi sings and dances, and all the eight-hundred myriad deities laugh?” Then Ame-no-uzumi said: “We rejoice and dance because there is here a deity superior to you.” While she was saying this, Ame-no-ko-yane-no-mikoto and Futo-tama-no-mikoto brought out the mirror and showed it to Ama-terasu-oo-mi-kami. Then Ama-terasu-oo-mi-kami, thinking this more and more strange, gradually came out of the door and approached the mirror.... When Ama-terasu-oo-mi-kami came forth, Takama-no-hara and the Central Land of the Reed Plains of themselves became light.

—*Kojiki*, 712.¹⁴⁶

With the Tokugawa shogunate coming to an abrupt close with the intervention of the black ships of Commodore Perry, the period from 1868 up to 1945 brought forth a period of transitions—government structure changes, as well as growth of a civil society. Contrary to western scholarly opinion, the perceived systemic changes that occurred were not changes in the regime, but rather, merely the continuation of the heliocratic system in Japan, albeit with some structural improvements. In this chapter, we will examine the transitions that occurred in the government and civilian life through the Meiji Renovation, a brief detour into the Taisho Demokurashii, culminating in militarization, leading to the end of the Second World War. Throughout these transitions, the specter of heliocracy looms over Japan, showing that the systems set in stone during the Incubation of Modern Japan continue on to later periods.

¹⁴⁶ O-no-Yasumaro, *Kojiki*, trans. Donald L. Philippi (Princeton Univ. Press, 1969), <https://press.princeton.edu/books/hardcover/9780691648903/kojiki>.

5.1. Fiat Lux: 1868-1930

To examine the nature of heliocracy, one needs to return to the origins of the contemporary Japanese government: The Meiji Renovation. It is key to understand that this rapid modernization, incorporating a new codec, branches of government, and modern statehood was primarily done to gain legitimacy from foreign powers. Such legitimacy as an imperial power was needed, following the unequal treaties forced upon Japan by the Americans, which reflected the Western powers' dominant position in the international system. That is, the transformation of Japan from a feudal backwater to a modern nation necessitated initial foreign intervention in the form of the Black Ships that came knocking on Japan's doors. Royama Masamichi illustrates that the demise of the Tokugawa shogunate and the construction of the Meiji administration transformed Japan from a "feudal police state" to a "centralized bureaucratic state."¹⁴⁷

5.1.1. Renovation, Restoration, or Revolution?

Thomas Smith argues that the revolutionary transformation that was the Meiji Renovation was not a bottom-up revolution, but rather, a top-down, "aristocratic revolution."¹⁴⁸ The terminology regarding the transformation that occurred in 1868 ranges from the commonly

¹⁴⁷ Royama Masamichi, *Gyoseigaku Ronbunshu [Essays on Public Administration]* (Keiso Shobou, 1965), 229.

¹⁴⁸ Smith and American Council of Learned Societies, *Native Sources of Japanese Industrialization, 1750-1920*, 135.

used term *restoration*, to others such as a *revolution*,¹⁴⁹ and a *renovation*.¹⁵⁰ While the differences of these terms may sound trivial, in order to fully grasp the political transformation that occurred in this period, there is a necessity to accurately characterize what exactly this transformation was. Did it *restore* power to the imperial throne? Alternatively, was there systemic changes so great to satisfy it being a *revolution*? Or, was the political system *renewed*?

There are two key terms in Japanese that were used at the period in relation to the transformation that occurred: *Ishin* (維新) and *Fukko* (復古).

Ishin can be separated into the two logographs, *i* (維) and *shin* (新). According to the Cambridge Japanese-English Dictionary, *Shin* refers to “Fresh, another; different; not already used, begun, worn, heard etc. New, having only just happened, been built, made, bought, etc.” Meanwhile, *i* refers to “This,” when used in classical Chinese, specifically used to stress what it is referring to. Thus, *ishin* means, “to make anew.” This definition of *ishin* follows from the earliest known usage of the term, from the *Shijing* Classic of Poetry written between the 11th to

¹⁴⁹ Cf. E. Herbert Norman, *Japan's Emergence as a Modern State: Political and Economic Problems of the Meiji Period* (UBC Press, 2000); Paul Akamatsu, *Meiji 1868: Revolution and Counter-Revolution in Japan* (Routledge, 2010), <https://doi.org/10.4324/9780203845585>; Hiroshi Mitani, “Japan's Meiji Revolution: An Alternative Model of Revolution?,” in *The Routledge Companion to the French Revolution in World History*, ed. Alan Forrest and Matthias Middell (Routledge, 2015).

¹⁵⁰ Cf. Sims, *Japanese Political History Since the Meiji Renovation, 1868-2000*; Naoshi Yamawaki, “The Idea of Trans-National Public Philosophy as a Comprehensive Trans-Discipline for the 21st Century,” *Diogenes* 57, no. 3 (August 1, 2010): 135–49, <https://doi.org/10.1177/0392192111419737>; Sidney Devere Brown, “Ōkubo Toshimichi: His Political and Economic Policies in Early Meiji Japan,” *The Journal of Asian Studies* 21, no. 2 (February 1962): 183–97, <https://doi.org/10.2307/2050521>; Sumiko Sekiguchi, “Gender in the Meiji Renovation: Confucian ‘Lessons for Women’ and the Making of Modern Japan,” *Social Science Japan Journal* 11, no. 2 (December 1, 2008): 201–21, <https://doi.org/10.1093/ssjj/jyn057>.

7th centuries BCE. In the *Shijing*, the term comes up as part of an ode to King Wan:

文王在上 于昭于天。
周虽旧邦 其命维新。
有周不显 帝命不时。
文王陟降 在帝左右。

James Legge wrote the first known English translation of the *Shijing* in 1871, and he translates the above ode as:

King Wan is on high;
Oh! bright is he in heaven.
Although Chow was an old country,
The [favouring] appointment lighted on it recently.
Illustrious was the House of Chow,
And the appointment of God came at the proper season.
King Wan ascends and descends,
On the left and the right of God.¹⁵¹

The relevance of the *Shijing* to the contemporary usage of the term *ishin* is because this term was used for the first known time in Japanese in the *Nihon-shoki*, in the same manner, referring to the new policies set forth by the Emperor in the Taika Reforms:

天人合応厥政惟新

which translates to “the heavens and men all agree to renew these policies.”¹⁵² The first

¹⁵¹ James Legge, *The Chinese Classics: With a Translation, Critical and Exegetical Notes, Prolegomena, And ...* (Trubner, 1871), 427–28, <http://archive.org/details/chineseclassics05legggooq>.

¹⁵² Prince Toneri, ed., “Koutoku-Ki,” in *Nihon-Shoki*, vol. 25, 30 vols., 646.

instance where this term – which was used to refer to “renewing” – was used in a political context was when Fujita Toko started to use the term in 1830 referring to his revitalized motivation towards renewing the local governance of the Mito domain.¹⁵³ *Ishin* became formally entangled with the concept of political transformation when the *bakufu* ended and the new Meiji government issued the *Seitai-sho* in 1868, opening the statute with the statement:

去冬 皇政維新

referring to the recent “renewal of imperial rule.”¹⁵⁴ Moreover, the Imperial Rescript for the Propagation of the Great Doctrine in February 1870 also used the term again, in the sense of renewing:

今也天運循環百度維新宜明治教以宣揚惟神之大道也
因新命宣教使布教天下汝群臣衆庶其体斯旨¹⁵⁵

which connects 維新 and 惟神 which are homophones in Japanese. The logoglyphs 維 and 惟 are homonyms, both meaning “this,” and hence in the latter case, it refers to “this God,” which in turn is referring to the speaker himself, the Emperor. The excerpt of the Rescript above proclaims a holistic renewal of policies to a godly degree – a renovation.

However, the concept of *ishin* as renovation was eventually appropriated in the 1930s by

¹⁵³ Kojima Takeshi, *Yasukuni Shikan: Nihon shisou wo yominaosu [Perspectives on Yasukuni: Reevaluating Japanese Ideologies]* (Tokyo: Chikuma Shobou, 2014).

¹⁵⁴ “Seitai-sho [Constitution of 1868],” 331 *Dajoukantatsu* § (1868).

¹⁵⁵ *Dajou Ruiten [Code of the Grand Council of State]*, 911 vols., 1867, <https://www.digital.archives.go.jp/dajou/>.

rightist terrorists and ultranationalists as the *Showa Ishin*, a movement centering on Kita Ikki and other likeminded ultranationalists which attempted to consolidate further power in the imperial throne through coups d'état.¹⁵⁶

Fukko (復古) can be separated into the *fuku* (復) and *ko* (古) logoglyphs, where *fuku* means “to repeat” and *ko*, “old.” Thus, *fukko* means to “return to old.” The term *fukko* is often used in conjunction with *ousei* (王政) meaning “imperial rule,” as *ousei-fukko* (王政復古), or “return to imperial/monarchic rule.” This term has been used to refer to two primary situations. Firstly, the return to imperial/monarchic rule by a preexisting aristocracy who had their powers severely limited by another regime. These cases include, but are not limited to, the Emperor ridding of the Kamakura shogunate in 1333, the end of the Tokugawa shogunate in 1867, the return of the Nepali monarchy in 1951 and 2005. The second use of the term is to refer to the return to imperial/monarchic rule from a previously republican state. This usage includes cases such as The Restoration of the Stuarts in England in 1660, the return of the Spanish monarchy in 1975, and others. As seen from these cases, *fukko* seems to match with its Anglophone translation, “restoration,” well. The *fukko* of 1333 is referred to as the Kemmu Restoration, and more pertinently, the transformation of the government in Japan, from the end of the shogunate to the creation of the Meiji government is often referred to as the Meiji Restoration, in the same strain.

However, the connection between *fukko* and “restoration” was not the original translation of choice. When the Emperor made a formal declaration regarding the return of power to the

¹⁵⁶ James L. McClain, *Japan, a Modern History* (W. W. Norton & Company, 2002), 415.

imperial throne, he promulgated the following on January 3, 1868:

徳川内府、従前御委任ノ大政返上、將軍職辞退ノ両条、今般断然聞シメサレ候。抑癸丑以来未曾有ノ国難、先帝頻年宸襟ヲ悩マセラレ御次第、衆庶ノ知ル所ニ候。之ニ依リ叡慮ヲ決セラレ、王政復古、国威挽回ノ御基立テサセラレ候間、自今、摂関・幕府等廢絶、即今先仮ニ総裁・議定・参与ノ三職ヲ置レ、万機行ハセラルベシ。諸事神武創業ノ始ニ原キ、縉紳・武弁・堂上・地下ノ別無ク、至当ノ公議ヲ竭シ、天下ト休戚ヲ同ク遊バサルベキ叡慮ニ付、各勉勵、旧来驕懦ノ汚習ヲ洗ヒ、尽忠報国ノ誠ヲ以テ奉公致スベク候事。¹⁵⁷

Ernest Satow translated this declaration into English contemporaneously as the following:

The Emperor of Japan announces to the sovereigns of all foreign countries and to their subjects that permission has been granted to the Shōgun Tokugawa Yoshinobu to return the governing power in accordance with his own request. We shall henceforward exercise supreme authority in all the internal and external affairs of the country. Consequently the title of Emperor must be substituted for that of Tycoon, in which the treaties have been made. Officers are being appointed by us to the conduct of foreign affairs. It is desirable that the representatives of the treaty powers recognize this announcement.¹⁵⁸

“...To return the governing power...” Satow writes, which is congruent with the intended usage of the term *ousei-fukko* in the declaration itself. Thus, etymologically, this is far sounder as an apt translation of “restoration” than *ishin*, as the former has historically been used with the intent of “restoring” a previous form of government, as opposed to the latter, which is

¹⁵⁷ Grand Council of State, ed., “Fukko-Ki [Annals of the Boshin Wars],” January 3, 1868, <http://dl.ndl.go.jp/info:ndljp/pid/1148133>.

¹⁵⁸ Ernest Mason Satow, *A Diplomat in Japan: The Inner History of the Critical Years in the Evolution of Japan When the Ports Were Opened and the Monarchy Restored, Recorded by a Diplomatist Who Took an Active Part in the Events of the Time, with an Account of His Personal Experiences during That Period* (London: Seeley, Service, 1921), 324.

intended to be a “renewal” of sorts.¹⁵⁹

A critical etymological reason why the Meiji Renovation should not be referred to as a revolution is due to the origins of the Japanese term *kakumei* (革命). The Japanese concept of *kakumei* comes from the Chinese term *Yì xìng gé mìng* (易姓革命), which refers to “dynastic change entailing in a change of surname.”¹⁶⁰ Furthermore, Ogura and Ku argue that it is necessary to disengage the Japanese term *kakumei* from its translation in English, “revolution,” as these concepts are starkly different.¹⁶¹ Whereas the Anglophone “revolution” refers to the “Overthrow of an established government or social order by those previously subject to it; forcible substitution of a new form of government,” the Sino-Japanese *kakumei* refers merely to a dynastic change, and not the systemic change of government that the English term necessitates.¹⁶²

In the field of political science, the topic of revolution is yet another issue of contention, especially regarding how one defines and qualifies as a revolution. The advent of the cold war and the studies into international conflict gave rise to Skocpol’s seminal definition of revolution such that they are “rapid, basic transformations of a society’s state and class

¹⁵⁹ See Appendix 1 and 2 for further congruence of the term *fukko* as “restoration” or a “return,” based on the manifesto of resignation by Tokugawa Yoshinobu, and subsequent reasoning.

¹⁶⁰ “Ekisei Kakumei,” in *Digital Daijirin* (Shogakukan Inc., 2019), <https://kotobank.jp/word/%E6%98%93%E5%A7%93%E9%9D%A9%E5%91%BD-36187>.

¹⁶¹ Ku Chieh-kang, *Chugoku Kodai no Gakujutsu to Seiji [Academics and Politics of Ancient China]*, trans. Ogura Yasuhiko (Daishukan Shoten, 1978).

¹⁶² “Revolution, n.,” in *OED Online* (Oxford University Press), accessed December 25, 2019, <http://www.oed.com/view/Entry/164970>.

structures...accompanied and in part carried through by class-based revolts from below.”¹⁶³

The “class-based” school of revolutionary theory “rooted in Marxist historical perspectives in which the action of capitalist competition on class and state structures produced class-based conflicts that transformed society” permeated the late twentieth century.¹⁶⁴ More recent studies on revolutions found the Skocpolian definition to be too constraining, and thus began to expand on this to include revolutionary change in regime led by social movements, including anticolonial, antidictatorial, religious, new class-based movements such as women’s and labor movements.¹⁶⁵ However a commonality between the myriad of positions on what constitutes a “revolution” is summed up aptly by Goldstone: “(a) efforts to change the political regime that draw on a competing vision...of a just order, (b) a notable degree of informal or formal mass mobilization, and (c) efforts to force change through noninstitutionalized actions such as mass

¹⁶³ Theda Skocpol, *States and Social Revolutions: A Comparative Analysis of France, Russia and China* (Cambridge University Press, 1979), 4.

¹⁶⁴ Jack A Goldstone, “Toward a Fourth Generation of Revolutionary Theory,” *Annual Review of Political Science*, 2001, 140; Cf. Jack A. Goldstone, “Theories of Revolution: The Third Generation,” *World Politics* 32, no. 3 (1980): 425–53, <https://doi.org/10.2307/2010111>.

¹⁶⁵ Jeffrey C. Goldfarb, *After The Fall: The Pursuit Of Democracy In Central Europe*, 1st edition (New York, N.Y: Basic Books, 1992); Charles Tilly, *The Contentious French* (Belknap Press, 1986); Charles Tilly, *Regimes and Repertoires* (University of Chicago Press, 2010); Charles Tilly, *From Mobilization to Revolution* (McGraw-Hill, 1978); Charles Tilly, *European Revolutions, 1492-1992, Making of Europe* (Oxford, UK ; Cambridge, Mass., USA: Blackwell, 1993); Jeff Goodwin, *No Other Way Out: States and Revolutionary Movements, 1945-1991*, 1 edition (Cambridge ; New York: Cambridge University Press, 2001); Jeff Goodwin and Theda Skocpol, “Explaining Revolutions in the Contemporary Third World,” *Politics & Society* 17, no. 4 (1989): 489–509, <https://doi.org/10.1177/003232928901700403>; Terry Boswell and Immanuel Maurice Wallerstein, *Revolution in the World-System*, Studies in the Political Economy of the World-System (New York: Greenwood Press, 1989); Valerie Bunce, *Subversive Institutions: The Design and the Destruction of Socialism and the State*, Cambridge Studies in Comparative Politics (Cambridge, UK ; New York: Cambridge University Press, 1999); John Foran, *The Future of Revolutions: Rethinking Radical Change in the Age of Globalization* (Zed Books, 2003); John Foran, *Theorizing Revolutions* (London ; New York: Routledge, 1997); Robert H. Dix, “The Varieties of Revolution,” *Comparative Politics* 15, no. 3 (1983): 281–294, <https://doi.org/10.2307/421683>.

demonstrations, protests, strikes, or violence.”¹⁶⁶ Looking at the Meiji Renovation and these three criteria for revolutions that Goldstone posits, it becomes evident that the circumstances surrounding the Meiji Renovation do not qualify even in the latter, more expansive definition of revolution.

The political transformation from Keio to Meiji was not a revolution, nor did it restore power. As seen in the *Kinchu narabini Kuge Shohatto*, the role of the imperial household was to be a cultural figurehead of the Japanese nation. The “restoration” did not restore power to the imperial courts, as they did not have the power to be restored in the first place. The “revolutionary change” was not a revolution, as there was no dynastic change – the imperial household remains in the same lineage – and there was no noninstitutionalized mass mobilization that pressed for a coup. The transformation of the governing structure of Japan merely was “renewed” or “renovated” as the ruling elite largely remained the same class of citizens, and the imperial household continued to persist as largely a figurehead or advisory role in the new Meiji government.

5.1.2. Civil Society

The Tokugawa shogunate that ruled Japan from 1603 to the Meiji Renovation of 1868 took form of a common law system, quite similar with other European feudal kingdoms. Indeed, as *hirihoukenten* illustrates, the rulers ruling under divine guidance created laws, and thus the

¹⁶⁶ Goldstone, “Toward a Fourth Generation of Revolutionary Theory,” 142.

citizens shall obey as commanded.¹⁶⁷ Political unrest was brutally suppressed, as seen with the Amakusa rebellion of 1687 in southwestern Japan. However, such brutality did not mean that all forms of civil society had to be expunged from the castle towns. Indeed, civil society did exist in feudal Japan, but was limited to academic organizations and any overt political protest against the reigning power was suppressed, often brutally.¹⁶⁸ In urban but more so in rural areas, academic organizations sprang up, discussing new agricultural techniques, and other nonpolitical gatherings as well.¹⁶⁹ These gatherings had to be apolitical to survive under the daimyos, but they did not necessarily have to consist of those of the same classes. Anne Walthall has done research on poetry in Osaka during the middle Edo period, and has found evidence of poetry readings at institutions within the city that gathered both commoners and nobility alike.¹⁷⁰

There may have been instances where the agricultural gatherings promoted a change in farming policy in their rural enclaves, and that the poetry read in Osaka included some political satire of the reigning shogun. However, neither can be categorized as being full civil societies in the sense that community organizations can get together and represent a common goal against a government. Any movement of this sort would have been quashed. As the feudal state system

¹⁶⁷ Asako, Ito, and Ueda, *Nihon Hoseishi [History of Japanese Law]*, 135.

¹⁶⁸ Frank J. Schwartz and Susan J. Pharr, *The State of Civil Society in Japan* (Cambridge University Press, 2003), 45.

¹⁶⁹ Tetsuo Najita, *Visions of Virtue in Tokugawa Japan the Kaitokudō Merchant Academy of Osaka* (Honolulu: University of Hawai'i Press, 1997).

¹⁷⁰ Anne Walthall, *The Weak Body of a Useless Woman: Matsuo Taseko and the Meiji Restoration* (University of Chicago Press, 1998), 25.

had no codified laws that enshrined rights unto its citizens, any form of right-based movements could not rise to power. That is not to say that the enshrinement of civil rights within the new Meiji Constitution had any lasting positive effect on the prospects of a democratic society in Japan.

The Meiji Renovation and the subsequent incorporation of norms of the occident brought forth new legal concepts into Japan. Rights, as well as concepts such as the rule of law, natural law, and the republican system, were introduced as vital ideas within international law during the years preparing for the renovation, in the form of a 1866 Chinese translation of Henry Wheaton's *Elements of International Law*, the *Wangguo Gongfa* (万国公法). Evidence shows that leading figures of the time had eagerly incorporated the text into their policies: Sakamoto Ryoma, for example, used concepts such as international maritime law to seek compensation from the Kishu domain after a maritime accident.¹⁷¹ The incorporation of concepts such as codified rights into the formerly common law based feudal society made grand changes into everyday life, at least theoretically.

These concepts introduced by the *Wangguo Gongfa* made its way into the Meiji Constitution of 1890 in various manners. It allowed the drafters to take into account the Prussian model of a constitutional monarchy, and yet at the same time has codified the separation of the three branches of government, a pseudo-republican system with a diet consisting of the House of

¹⁷¹ Hirao Michio, *Shinpan Ryoma no Subete [All about Ryoma]* (Kochi Shinbumsha, 1985), 283.

Peers and the House of Representatives, and the termination of the caste system.¹⁷² With the advent of the new era, the newly christened citizens of Japan were rid of their official classed society, and were allowed to take part in politics regardless of their heritage as a samurai, peasant, artisan, or merchant. This made it possible for groups to organize a freedom and people's rights movement to vouch for a new representative system such as the diet, as well as a codified constitution for the new government.¹⁷³ Henceforth, civil society organizations had effectively organized the masses to press for progress under the new regime. However, was this necessarily beneficial to the civil rights movement as a whole?

A civil society movement was able to initiate the procedure for drafting and enacting a constitution. This alone may seem that the new Meiji government was allowing for a newly minted democratic system of governance to the nation. Nevertheless, this was not to be. The conservative government did not see a citizens' movement to be favorable and enacted various laws to control civil society, such as the *Zanboritsu* Defamation Law and the extensive Press Regulation laws of 1875. Ultimately, the conservative factions were victorious in formulating the constitution, especially so when considering that they adopted the Prussian model of an absolutist constitutional monarchy, rejecting the US model "as being too liberal."¹⁷⁴

Furthermore, Section 2 of the Meiji Constitution was structured as an imperial edict, making

¹⁷² *The Constitution of the Empire of Japan.*

¹⁷³ Ian Buruma, *Inventing Japan, 1853-1964*, vol. 12., Modern Library Chronicles (Modern Library, 2003); Kiichi Matsuoka, "Jiyuminken Undo No Taido [Quickening of the People's Rights Movement]," *Atomi Women's University Review* 28 (March 1995): 123-44.

¹⁷⁴ Miranda A Schreurs, "Chapter Six: Japan," in *Comparative Politics: Interests, Identities, and Institutions in a Changing Global Order*, ed. Jeffrey Kopstein and Mark Lichbach (Cambridge University Press, 2008), 185.

them conditional, subject to *vorbehalt des Gesetzes* legislative authorization.¹⁷⁵ This meant that the rights enshrined in the Constitution from Article 22 through 30 are subject to restriction by legislation, and in many cases was deemed nonexistent.¹⁷⁶

The treatment of the ignoble classes by the Meiji government is a good example of how policy was not to be taken at face value. In 1871, the Meiji Government passed the *Edict Abolishing Ignoble Classes*, thereby taking away the legal justification for discriminatory policies against *Eta* and *Hinin* classes.¹⁷⁷ However, scholars of Japanese law such as Uesugi argue that the *Edict* was passed only under duress by the western powers and not out of a change of heart by the Meiji government.¹⁷⁸ Speculating from the lack of enforcement of the said *Edict*, scholars

¹⁷⁵ “The requirement of legislative authorization” is the closest English translation found to describe *vorbehalt des Gesetzes* Yasuo Hasebe et al., “The Reception of the Rechtsstaat Concept in Japan: Its Contraction in Administrative Law and Expansion in Constitutional Law,” *National Taiwan University Law Review* 4, no. 1 (2009): 218. The Japanese term is *horitsu no ryuho* (法律の留保). The Japanese base their translation on the German term.

¹⁷⁶ The rights enumerated are freedom of abode and of changing the same (Article 22); freedom from arrest, detainment, prosecution or punishment, without due process of law (23); freedom from search and seizure (25); freedom from censorship (26); freedom from appropriation (27); freedom of religious belief (28); freedom of speech, writing, publication, public meetings and associations (29); freedom of presenting petitions (29) Hirobumi Ito, “The Constitution of the Empire of Japan,” in *Commentaries on the Constitution of the Empire of Japan*, trans. Miyoji Ito (Tokyo: Igrisu School of Law, 1889); *The Constitution of the Empire of Japan*.

¹⁷⁷ The *Eta* and *Hinin* classes were precursors to what we refer to as the Burakumin today. The *Eta* (穢多) were those who commonly worked in tanning, slaughterhouses, and other professions that routinely dealt with blood and death. The word *Eta* literally means “copious impurities.” People were labeled as *Hinin* (非人) if they were convicted for crimes delineated under the Tokugawa legal code, and those who refused to pay their taxes due to homelessness. Cf. Kenichi Hino, “Discrimination as a Social Consciousness : On the Problems of the ‘Buraku’ Discrimination,” *Kwansei Gakuin University Research on Human Rights* 6 (March 2002): 17–33; Kiyoteru Tsutsui, “Burakumin: From a Japanese Minority Group to an International Human Rights Organization,” in *Rights Make Might: Global Human Rights and Minority Social Movements in Japan* (Oxford University Press, 2018); “*Eta Hinin No Waku Wo Haishi Mibun Shokugyo Tomo Heimin Doyo to Su* [Edict Abolishing Ignoble Classes],” Pub. L. No. 448 (1871).

¹⁷⁸ Uesugi Satoshi, *Meiji ishin to senmin haishi rei* [*The Meiji Restoration and the Edict Abolishing Ignoble Classes*] (Kaiho Shuppansha, 1990), 108. Uesugi Satoshi, *Meiji ishin to senmin haishi rei* [*The Meiji Restoration*

argue that the *Edict* was only in anticipation of the future taxation reform of 1873, and not due to an enlightened transformation into a more humane governance by the Meiji government.¹⁷⁹

The sheer power vested unto the emperor, and the oligarchs acting on behalf of the crown, by the Meiji Constitution illustrates what the drafters of the Constitution had in mind when preparing Japan's newborn constitutionalism. The top down revolution of 1868 and the drafting of the Constitution did not start as a transformation of society yearned by the masses but rather by oligarchs that wished to strengthen their reign. This is a crucial point when discerning the lack of de facto rights of citizens during that time. Whereas the Tokugawa shogunate brutally repressed all forms of dissent, the Meiji government controlled such dissent through legalized methods of repression. With a new tool such as a codified legal system and a strong centralized government, civil society in the Meiji era faced more problems, especially in the following decades to come.

Along with the influences that the Meiji oligarchs had absorbed from the Prussians in creating their new Constitution, they also borrowed heavily from the Prussians in the creation of the new bureaucracy, where an elite cadre were selected through national examinations to lead the country through rapid modernization.¹⁸⁰ The new Constitution also strengthened this

and the Edict Abolishing Ignoble Classes] (Kaiho Shuppansha, 1990), 108. Uesugi, *Meiji ishin to senmin haishi rei* [*The Meiji Restoration and the Edict Abolishing Ignoble Classes*], 108.

¹⁷⁹ Hino, "Discrimination as a Social Consciousness: On the Problems of the 'Buraku' Discrimination."

¹⁸⁰ Robert Miller Spaulding and University of Michigan Center for Japanese Studies, *Imperial Japan's Higher Civil Service Examinations* (Princeton University Press, 1967), 46–50.

bureaucracy, where Article 10 stipulated, “The Emperor determines the organization of the different branches of the administration...of all civil and military officers, and appoints and dismisses the same.”¹⁸¹ This meant that the bureaucracy was in fact only accountable to the crown, and not to its people that they governed.¹⁸² Johnson agrees with the power the prewar bureaucracy had, in that the bureaucracy was “the most important route to political power... [as their] high social status linked them back in time to the samurai...in their possession of intrinsic authority rather than extrinsic, or legal-rational, office.”¹⁸³

While the prewar emperor-centric statist regime we call heliocracy was the collaboration between the military, the political actors, and the bureaucracy, the last exerted considerably more control than one would assume. Muramatsu Michio illustrates how the bureaucracy played an integral role:

The bureaucracy assisted military rule, and participated in the management and government of Japan’s colonies, including Manchuria, as well as of Japan itself, and...[assumed] wide responsibility for Japan’s internal affairs. The Cabinet Planning Board (Kikakuin) was established during the war in order to develop plans at the macro level, which combined internal affairs and economic policy, and to coordinate the policies of the ministries concerned.¹⁸⁴

Whereas the military bureaucracy controlled the planning of the war efforts, the domestic

¹⁸¹ *The Constitution of the Empire of Japan.*

¹⁸² Spaulding and Studies, *Imperial Japan’s Higher Civil Service Examinations*, 83.

¹⁸³ Johnson, *Miti and the Japanese Miracle*, 38.

¹⁸⁴ Michio Muramatsu and Frieder Naschold, *State and Administration in Japan and Germany: A Comparative Perspective on Continuity and Change* (Walter de Gruyter, 1997), 25.

bureaucracy effectively asserted control within its borders, and thus was a key actor in the prewar heliocratic regime.

5.1.3. *Taisho Demokurashii, not Democracy*

In the brief period following the spectacular modernization that occurred with the advent of the Meiji Renovation was the Taisho period (1912-1926), often characterized as the birth of democracy in Japan. The period saw the first prime minister from the commoner classes, and the phasing out of Meiji oligarchic rule. Culturally, this was the jazz-age, when popular culture and political progressivism flourished. This period, also known as, the Taisho *demokurashii* is misquoted in English as the Taisho Democracy, and this mistranslation causes scholars and students alike to have misconceptions about the democratic nature of the period.¹⁸⁵

¹⁸⁵ Cf. Robert Pekkanen, *Japan's Dual Civil Society: Members Without Advocates* (Stanford University Press, 2006), 105; Iwao Hoshii, *Japan's Pseudo-Democracy* (Psychology Press, 1993), 10; Jeffrey Kopstein and Mark Lichbach, *Comparative Politics: Interests, Identities, and Institutions in a Changing Global Order* (Cambridge University Press, 2005), 173.

Figure 7. Classification of Concepts of *Demokurashii*

Demokurashii (Expansive)	
Spiritual Demokurashii	- The spirit of respecting freedom, equality, fraternity, and personality.
Social Demokurashii	- Demokurashii in politics, economics, education, art and literature, religions, etc.
Demokurashii (Narrow)	
International and Domestic Demokurashii	- Political aims.
Factual Demokurashii	- Politics and government.
Formal and Legal Demokurashii	- National polity.

Japanese historian, Shinobu Seizaburo first used the term “Taisho *demokurashii*” in 1951, published after the Second World War.¹⁸⁶ Etymologically, *Demokurashii* is a loan word from the English *democracy* and is written in the katakana syllabary, and thus one would expect that this loan word would retain its original definition, just as *chokoreto*, a loan word from the English *chocolate* refers to the same sweet delicacy. However, this term “*demokurashii*” should not be conflated with the English *democracy* due to the following reasons. *Demokurashii*, when referring to the Taisho period, is referring specifically to a collection of ideas.¹⁸⁷

¹⁸⁶ Kiichi Tachibana, “Chapter Three: Is Taisho Demokurashii the Same as Taisho Democracy?,” in *Japan’s Multilayered Democracy*, ed. Sigal Ben-Rafael Galanti, Nissim Otmazgin, and Alon Levkowitz (Lexington Books, 2014), 38–39; Seizaburo Shinobu, *Taisho Seiji-Shi [A Political History of the Taisho Era]* (Tokyo, Japan: Kawade-shobou, 1951).

¹⁸⁷ Vide infra.

Furthermore, Tachibana Kiichi argues, “It is evident to English speakers that democracy is a form of government, whereas in Japan, *minshu-shugi*, as a loan translation¹⁸⁸ of democracy, is usually regarded as a thought (principle, doctrine, or position)” and it is not particularly tied to the original connotation of it being a regime-type.¹⁸⁹ *Minshu-shugi* comprises of *minshu* (democratic) and *shugi* (doctrine, or the English “-ism”), and thus democracy in Japanese could be denoted as either *minshu-shugi* (as a collection of thoughts) or as *minshu-sei* (“-sei” denoting regime-type, and thus democratic regime-type). Hence, the reverse translation of Taisho *Demokurashii* as Taisho Democracy overlooks this critical difference and thus is inaccurate to say the least.

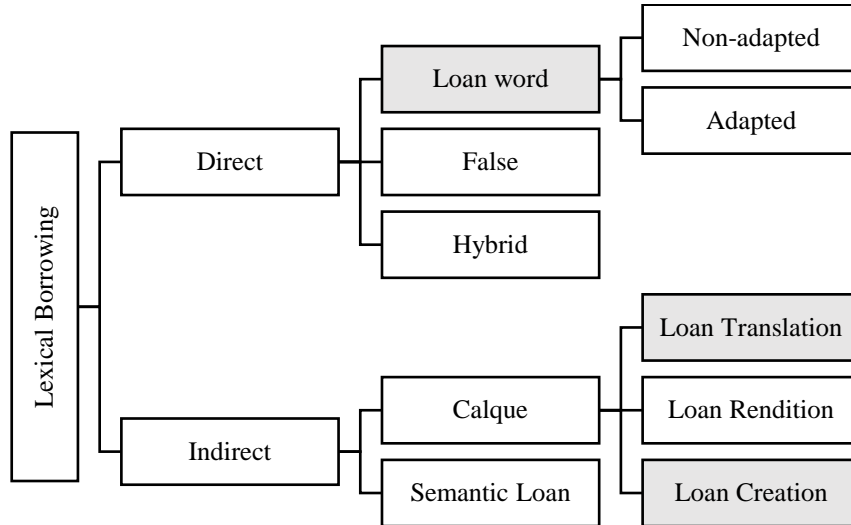
Another term that is often raised when discussing the Taisho *Demokurashii* is *minpon-shugi*. This concept was first popularized by Yoshino Sakuzo in 1916. Yoshino, a scholar of politics at the University of Tokyo, had sought to find a term that conceptualized democracy in Japan without using the term *minshu-shugi*, which connoted popular sovereignty, something that the imperial government was going to perceive as a threat. Upon realizing that under the imperial rule, sovereignty would never be with the people, he concocted the idea of *minpon-shugi*, which did not necessitate popular sovereignty, but rather, argued that the sovereign “should

¹⁸⁸ Whether *minshu-shugi* is a loan translation or loan rendition of ‘democracy’ is a difficult question. The author of this dissertation would argue that it was originally a loan translation that underwent subsequent semantic shift. However, such examination is beyond the scope of this dissertation, and thus will need to be conducted as part of potential future research.

¹⁸⁹ Tachibana, “Chapter Three: Is Taisho *Demokurashii* the Same as Taisho Democracy?,” 41.

take into account and strive for pursuing the will of the people.”¹⁹⁰

Figure 8. Types of Lexical Borrowings¹⁹¹



One of the critical factors in this analysis is to understand the difference between the various forms of linguistic borrowing that has occurred in Japanese. Over centuries, the Japanese language has incorporated a myriad of foreign words into its own lexicon. This was done primarily through borrowing the term from Chinese, but also from European languages such as

¹⁹⁰ Yoshino Sakuzo, “Kensei no hongii wo toite sono yushu no bi wo nasu no michi wo ronzu [Essay regarding how to promote constitutionalism],” *Chuo Koron*, January 1916; Brett McCormick, “When the Medium Is the Message: The Ideological Role of Yoshino Sakuzō’s Minponshugi in Mobilising the Japanese Public,” *European Journal of East Asian Studies* 6, no. 2 (2007): 185–215, <https://doi.org/10.1163/156805807X256863>; Kiyoko Takeda, “Taisho demokurashii ni okeru ‘ningen’: Yoshino Sakuzo no shisou wo megutte [“Man” in the Taisho Democracy: Focusing on Sakuzo Yoshino’s Thought],” *Journal I-A of the International Christian University of Japan* 8 (December 1961): 34–71.

¹⁹¹ Adapted from Virginia Pulcini, Cristiano Furiassi, and Félix Rodríguez González, “The Lexical Influence of English on European Languages: From Words to Phraseology,” in *Anglicization of European Lexis* (Amsterdam: John Benjamins Publishing Company, 2012), 6, <http://ebookcentral.proquest.com/lib/washington/detail.action?docID=988852>.

Dutch, Portuguese, and more recently, English. When a foreign concept is borrowed, it is assimilated into Japanese primarily through *loan translations*, *loan words*, and *loan creations* (shaded gray in the figure below).¹⁹² A loan translation—or calque—is formed through translating elements of the foreign word. Loan words are foreign words that are incorporated into the Japanese language by transliteration.¹⁹³ More commonly, these words are referred to as *gairaigo* in Japanese—however, the boundaries of the latter term are not as clear cut as the English it signifies. Lastly, loan creations are words that are created in Japanese independent of the original concept term, but are created to replace the concept it intends to replace.

Based on the linguistic differences of the terms at hand, we gain a better understanding of what Prime Minister Yoshida Shigeru stated on June 25, 1946 in the Imperial Diet during deliberations on revising the Constitution:

The Constitution of Japan can be said to have originated from the Charter Oath. However, the Charter is merely a codification of the history and nature of Japan, and thus, the spirit of the Charter is in fact, the fundamental character of Japan. It was, in fact, Japan itself. Upon examination of the Charter, we can conclude that Japan is a democracy [*minshu-shugi*], as well as being in itself a democracy [*demokurashii*], and thus it is clear to us that it was not a despotic or authoritarian polity.¹⁹⁴

Yoshida deliberately used both *minshu-shugi* and *demokurashii* in his statement, differentiating

¹⁹² Cf. Einar Haugen, “The Analysis of Linguistic Borrowing,” *Language* 26, no. 2 (1950): 210–31, <https://doi.org/10.2307/410058>.

¹⁹³ Transliteration is the process of importing a foreign word into the indigenous lexicon, i.e. ‘democracy’ was transliterated as デモクラシー, using the katakana syllabary.

¹⁹⁴ Author translation. Original Japanese quote in Masao Ota, “Sengo Ni Okeru Tennou-Sei No Mondai [Issues Regarding the Imperial System in the Postwar Era],” *Doshisha University Law Journal* 12, no. 6 (March 1961): 104–19, <https://doi.org/info:doi/10.14988/pa.2017.0000009381>.

between the two concepts when referring to what he supposed the Charter Oath espoused. This differentiation further exemplifies the linguistic difference of the two concepts, and the necessity to cease translating the Taisho *demokurashii* as Taisho Democracy.

A contemporaneous account from Bertrand Russell regarding the Japanese regime during the late Meiji, and later, the Taisho period states:

Foreigners unacquainted with Japan, knowing that there is a Diet in which the lower house is elected, imagine that Japan is at least as democratic as pre-war Germany. This is a delusion. It is true that Marquis Ito, who framed the constitution, which was promulgated in 1889, took Germany for his model, as the Japanese have always done in all their Westernizing efforts, except as regards the navy, in which Great Britain was copied... Through the Constitution of Japan the Japanese Emperor exercises the legislative power, the executive power, and the judiciary power. The Emperor convokes the Imperial Diet, opens, closes, prorogues, and dissolves it. When the Imperial Diet is not sitting, Imperial ordinances may be issued in place of laws. The Emperor has supreme control of the Army and Navy, declares war, makes peace, and concludes treaties; orders amnesty, pardon and commutation of punishments.¹⁹⁵

The state of the Taisho period is self-evident. It was not a democracy. The sovereignty did not lay in the people, nor was it based in it. On a related note, when analyzing the nature of regimes, Karl Popper deconstructs political regimes to the most rudimentary qualities:

There are in fact only two forms of state: those in which it is possible to get rid of a government without bloodshed, and those in which this is not possible. This is what matters—no what the form of state is called. Usually, the first form is called ‘democracy’ and the second ‘dictatorship’ or ‘tyranny.’ But it is not worth arguing over words (such as the German ‘Democratic’ Republic). All that counts is whether the government can be removed without bloodshed.¹⁹⁶

¹⁹⁵ Bertrand Russell, *The Problem of China* (Century, 1922), 112, 114.

¹⁹⁶ Karl Popper, *All Life Is Problem Solving* (Routledge, 2013), 94.

In the Popperian sense, as well as in the sense described in Chapter 2, we can conclude responsibly that the brief period known to us as the Taisho *Demokurashii* was in fact not a democracy. This conclusion is reached because any political revolution would not have been possible without any bloodshed due to the following laws: Lese Majesty (1880), the Security Police Law (1900), and the Peace Preservation Law (1925).¹⁹⁷

5.2. Militarization: 1930-1945

When analyzing the nature of Japanese governance during the 1930s, a common theme that arises is that many categorize the Japanese had a ‘peculiar form of fascism,’ and how different but similar they were to the Europeans.¹⁹⁸ The most famous of scholars of this peculiar form of fascism in Japan is Maruyama Masao. Maruyama discussed at lengths, the nature of Japanese politics during the 1930s in his book, *Thought and Behaviour in Modern Japanese Politics*.¹⁹⁹ Maruyama begins his chapter on fascism by warning its readers that there is a need to discern the nature of Japanese fascism as the fall of “Japanese fascism, especially as a State structure...on 15 August 1945 [by no means] precludes the possibility that a fascist movement may arise in Japan in the future.”²⁰⁰ Maruyama creates three distinct periods of analysis for the development of Japanese fascism: the *preparatory period* from 1919 to the Manchurian

¹⁹⁷ Tachibana, “Chapter Three: Is Taisho Demokurashii the Same as Taisho Democracy?,” 46.

¹⁹⁸ Peter Duus and Daniel I. Okimoto, “Comment: Fascism and the History of Pre-War Japan: The Failure of a Concept,” *The Journal of Asian Studies* 39, no. 1 (November 1979): 66, <https://doi.org/10.2307/2053504>.

¹⁹⁹ Masao Maruyama, *Thought and Behavior in Modern Japanese Politics* (New York: Oxford University Press, 1963).

²⁰⁰ Maruyama, 26.

Incident—the rise of civilian rightist movements; the *period of maturity* from the Manchurian Incident to the February 26 incident of 1936—fascism from below, civilian movements wane, and the military rises to prominence; and lastly, the *consummation period* of Japanese fascism which continued on until the end of the war in 1945—fascism from above, where leaders propagate ideology to promote the war in China.²⁰¹

In order to define the characteristics of this peculiar Japanese fascism, Maruyama raises two key points. Firstly, the family-system tendency, where “the Japanese State structure is...always considered an extension of the family...as a nation of families composed of the Imperial House as the main family and of the people as the branch family.”²⁰² While accepting that notions of a state-wide family system is not a new concept, and derives from neo-Confucian ideas on filial piety, Maruyama stresses the sheer fact that the fascist movement promoted this idea “consistently and conspicuously” is one of the critical distinctions between Germany and Italy. Secondly, while traditional fascist movements have a tendency to strengthen or control over all aspects of society, economy, and culture, “it is an important feature of Japanese fascist ideology that this...was checked by a counter-movement that demanded autonomy for villages in an attempt to put a stop to the expansion of the industrial productive power of the cities.”²⁰³ This second key point is an interesting one, as it means that the Japanese fascist movement had agrarian tendencies. While over and over in his essay, Maruyama repeatedly asserts that while

²⁰¹ Maruyama, 26–27.

²⁰² Maruyama, 36.

²⁰³ Maruyama, 38.

the nature of governance and social structure of Japan in the 1930s was distinct from those in Germany and Italy, he retains the word *fascism* throughout his arguments.

Maruyama's *nihon fashizumu ron*, however, when examined under the accepted English translation as Japanese fascism, ignores several critical differences with the European models. Firstly, Kevin Doak clarifies that contrary to the European fascist regimes who amended the existent laws of the land to suit their bidding, the Japanese regime steadfastly protected the Meiji Constitution, and utilized the Special Higher Police to protect the regime against enemies even further to the right, including "extreme rightists, fascists, and practically anyone deemed to pose a threat to the Meiji constitutional order."²⁰⁴ Furthermore, the top-down transformation into *fashizumu* "was imposed by rulers in the absence of a single mass party or popular movement, and indeed in disregard of, or even in opposition to, the Japanese intellectuals who were influenced by European fascism."²⁰⁵ Duus and Okimoto criticize Maruyama's analysis, saying "the Japanese case is so dissimilar that it is meaningless to speak of Japan in the 1930s as a 'fascist' political system. Sometimes incidental differences add up to an essential difference."²⁰⁶ Furthermore, if we were to recall Ebenstein's definition of fascism as a "totalitarian organization of government and society by a single party dictatorship," the lack of a single party dictatorship in Japan fails to meet this criterion as well.²⁰⁷

²⁰⁴ Tansman, *The Culture of Japanese Fascism*, 44.

²⁰⁵ Payne, *A History of Fascism, 1914–1945*, 336.

²⁰⁶ Duus and Okimoto, "Comment," 66.

²⁰⁷ William Ebenstein and Edwin Fogelman, *Today's Isms: Communism, Fascism, Capitalism, Socialism* (Prentice Hall Incorporated, 1980), 105.

Considering that scholars cannot agree on whether Japan in the 1930s was fascist, or even the theoretical definition of fascism, one can but go back to the origins of fascism as a political concept: Benito Mussolini, the leader of the Italian Fascist party published the *Doctrine of Fascism* in 1932, in which, Mussolini explains the various principles of fascism. He states, “The Fascist conception of the State is all-embracing; outside of it no human or spiritual values can exist, much less have value. Thus understood, Fascism is totalitarian, and the Fascist State—a synthesis and a unit inclusive of all values—interprets, develops, and potentiates the whole life of a people.”²⁰⁸ Mussolini continues, “The Fascist state lays claim to rule in the economic field no less than in others; it makes its action felt throughout the length and breadth of the country by means of its corporate, social, and educational institutions, and all the political, economic, and spiritual forces of the nation, organized in their respective associations, circulate within the State.”²⁰⁹ The nature of the Japanese state in the 1930s, while having similarities with what Mussolini postulates, still had its differences, as Yoshimitsu Khan explains.²¹⁰

5.3. Conclusion

In a message to Congress on April 29, 1938, Franklin D. Roosevelt laid out his principles

²⁰⁸ Benito Mussolini, *The Political and Social Doctrine of Fascism*, trans. Joan Soames (London: Hogarth Press, 1933), 14.

²⁰⁹ Mussolini, 41.

²¹⁰ Khan, *Japanese Moral Education Past and Present*, 93.

regarding the nature of economic monopolies, and the dangers they cause to democratic development. During this message, Roosevelt intriguingly defined his sentiment on what fascism consisted of, in his eyes: “The liberty of a democracy is not safe if the people tolerate the growth of private power to a point where it becomes stronger than their democratic state itself. That, in its essence, is Fascism—ownership of Government by an individual, by a group, or by any other controlling private power.”²¹¹

As we have seen from the analysis of the Japanese heliocracy of the 1930s to the 1940s, there is no clear definition or rubric for what fascism consists of. Furthermore, the hermeneutical nature of the term *fascism* has evolved since the end of the war, and has further diluted any significant meaning from it. Roosevelt’s definition of fascism, as an “ownership of Government by an individual, by a group, or by any other controlling private power” is yet another definition inapplicable to the nature of Japanese governance of the period.

A book on pedagogy published in 1891, *Kokkashugi: Shinpen Kyoikugaku*, argues that the purpose of education is to instill “loyalty and patriotism as derived from the teachings of the Imperial ancestors,” and that this was to be achieved by “showing respect for the customs of the past and by exploring their unique virtues.”²¹² The concepts of loyalty and patriotism are a

²¹¹ Franklin D. Roosevelt, “Message to Congress on Curbing Monopolies.” (April 29, 1938), <http://www.presidency.ucsb.edu/ws/?pid=15637>. Franklin D. Roosevelt, “Message to Congress on Curbing Monopolies.” (United States Congress, Washington, D.C, April 29, 1938), <http://www.presidency.ucsb.edu/ws/?pid=15637>.

²¹² Shiro Hiranuma, *Kokkashugi: Shinpen Kyoikugaku [Nationalism: New Pedagogy]* (Tokyo: Uchida Rokakuho, 1891), <https://dl.ndl.go.jp/info:ndljp/pid/808925>; Khan, *Japanese Moral Education Past and Present*, 90.

recurring theme in the period from the Meiji Renovation thru the end of the Second World War. In 1937, the Ministry of Education printed a pamphlet titled *Kokutai no Hongi* (“Cardinal Principles of National Polity”), which explains these concepts, elaborating,

Loyalty means to reverence the emperor as [our] pivot and to follow him implicitly. By implicit obedience is meant casting ourselves aside and serving the emperor intently. To walk this Way of loyalty is the sole Way in which we subjects may ‘live,’ and the fountainhead of all energy.²¹³

The pamphlet continues, extrapolating on the relationship between the Emperor and its subjects:

The relationship between the emperor and the subjects is not an artificial relationship [which means] bowing down to authority, nor a relationship such as [exists] between master and servant...Our relationship between sovereign and subject is by no means a shallow, horizontal relationship such as implies a shallow, horizontal relationship such as implies a correlation between ruler and citizen, but is a relationship springing from a basis transcending this correlation...This is a thing that can never be understood from an individualistic way of thinking.²¹⁴

“A thing that can never be understood from an individualistic way of thinking” is a recurring theme of this study on Japanese political history. The problem we see once and over again regarding the examination of Japanese politics is that the majority of analyses are conducted using Western-centric theories and perspectives. Furthermore, these are based on the assumption that the Judeo-Christian norms that became the foundation of Western political

²¹³ Ministry of Education, *Kokutai No Hongi [Cardinal Principles of National Polity]* (Tokyo: Cabinet Office Printing Bureau, 1937), 80–82, <https://dl.ndl.go.jp/info:ndljp/pid/1156186>; Ryusaku Tsunoda, *Sources of Japanese Tradition* (Columbia University Press, 1964), 280.

²¹⁴ Ministry of Education, *Kokutai No Hongi [Cardinal Principles of National Polity]*, 80–82; Tsunoda, *Sources of Japanese Tradition*, 281.

thought are wholly applicable to all nation-states, regardless of their cultural founding, which, for the lack of a better word, is a preposterous assumption.

Compounded by this erroneous assumption is the nature of misinterpreted linguistic borrowing and reborrowing as seen in the case of the Taisho *Demokurashii* and Japanese *Fashizumu*.

What scholars needed to do, when examining the Taisho *Demokurashii* was, in lieu of translating *demokurashii* back into English, it should have been reborrowed back into the English lexicon as a distinct word separate from ‘democracy.’ The same could have been said for the relationship between *fashizumu* and ‘fascism.’ Reborrowing occurs when a word is borrowed from language A by language B, and after a certain period of time when the borrowed term develops its own definition, for language A to borrow the term back from language B. An example of this is the term *cosplay*. *Cosplay* originated as a borrowing and then creation of a portmanteau of ‘costume’ and ‘play’ in Japanese, to refer to dressing up as a fictional character. Once the term developed into a phenomenon, the term was reborrowed back into the English lexicon as ‘cosplay,’ without causing a semantic shift of the original terms, ‘costume’ and ‘play,’ and kept its ‘original’ meaning as used in Japanese. The term *anime* is another example of the same phenomenon. The English term ‘animation’ was borrowed into Japanese as *animeshon*, which then was contracted to the form *anime* to signify animated cartoons in Japan. With the growing consumption of Japanese cartoons in the United States and elsewhere, the term was reborrowed into the English lexicon as ‘anime’ to signify specifically Japanese animated cartoons. If *demokurashii* was reborrowed into English, without superimposing itself onto the original term ‘democracy,’ but rather existed as a distinct term,

perhaps the confusion regarding Taisho *Demokurashii* could have been averted.

Chapter 6. 1945-1989: Heliocracy and the Japanese Miracle

宜シク擧國一家子孫相傳へ確ク神州ノ不滅ヲ信シ任重クシテ道遠キヲ念
ヒ總力ヲ將來ノ建設ニ傾ケ道義ヲ篤クシ志操ヲ鞏クシ誓テ國體ノ精華ヲ
發揚シ世界ノ進運ニ後レサラムコトヲ期スヘシ
爾臣民其レ克ク朕カ意ヲ體セヨ

Let the entire nation continue as one family from generation to generation, ever firm in its faith of the imperishableness of its divine land and mindful of its heavy burden of responsibilities, and the long road before it. Unite your total strength to be devoted to the construction for the future. Cultivate the ways of rectitude; foster nobility of spirit; and work with resolution so as ye may enhance the innate glory of the Imperial State and keep place which the progress of the world.

—Emperor Showa, August 15, 1945.²¹⁵

A popular conservative pundit once wrote a book titled *Killing the Rising Sun: How America vanquished World War II Japan*.²¹⁶ While the title of the book may be considered catchy for a select audience, unfortunately for O'Reilly, the 'rising sun' never was 'vanquished' by the United States forces. Surely, one could argue that wartime—and prewar—Japan was indeed 'vanquished,' as the end of the war brought forth a new era, one which the United States instilled 'democracy' in Japan. Indeed, that is what may be understood by a myriad of historians of Japan; that the war ended, and a

²¹⁵ "Text of Hirohito's Radio Rescript," *New York Times*, August 15, 1945.

²¹⁶ Bill O'Reilly and Martin Dugard, *Killing the Rising Sun: How America Vanquished World War II Japan* (Henry Holt and Company, 2016).

systemic change occurred with the revision of the constitution, and the humanization of the Emperor. However, that is not the case. There was no system change that occurred in 1945 or 1952. The heliocratic regime that developed during the Incubation, bolstered during and after the Meiji Renovation and Taisho *Demokurashii*, was still intact. In fact, the changes that occurred in the aftermath of the Second World War strengthened the heliocratic regime, continuing steadfast, leading Japan through its miraculous reconstruction.

In this chapter, we will examine how the heliocratic regime persevered the occupation via domestic and international developments, leading Japan through the tumultuous time through the latter half of the twentieth century. This chapter is limiting its historical scope as the postwar reconstruction and economic revitalization of Japan, from the end of the war in 1945, through 1989 with the burst of the economic bubble and the death of Emperor Showa. Key aspects of the heliocratic regime of this period are: the US occupation and forced imposition of a new Constitution by the occupying power, the strategic cooptation of the democratic process in Japan by the US during the Cold War, the aristocratic nature of intermarriages between bureaucrats and political actors, and the peculiar nature of top-down civil society.

This section will attempt to illustrate three distinct factors—Japan's place in the international system, domestic institutional, and cultural—where postwar Japan during its rapid reconstruction, as well as in the current form, is in fact, a heliocratic regime; not as dissimilar with the regime in the prewar years as one would expect.

6.1. The American Revolution: 1945

The war ended, August 15, 1945, with Japan's unconditional surrender to the Allied forces. Both Germany and Italy had already surrendered, and Japan's surrender concluded the Second World War. The concept of an unconditional surrender is crucial when understanding the nature of how the War ended. Franklin D. Roosevelt was adamant that Japan needed to surrender unconditionally, as the ghost of Woodrow Wilson's failure in the aftermath of World War I haunted him, in regards to how the previous war ended with the Germans.²¹⁷ This simplistic fixation towards applying the same rubric—or, more accurately, the rubric that was not applied properly to the Germans in the previous war—led Roosevelt to the conclusion that “Practically all Germans deny the fact they surrendered in the last war, but this time they are going to know it. And so are the Japs.”²¹⁸ Unbeknownst to Roosevelt, future events were to prove him wrong, as the Japanese would learn to frame the end of the Second World War not as a surrender, but as the ‘end’ of the War.

A prominent Japan historian, Kenneth Pyle, has argued that the unconditional surrender and subsequent imposition of American reforms in Japan was of utmost importance in

²¹⁷ Kenneth B. Pyle, “The Making of Postwar Japan: A Speculative Essay,” *The Journal of Japanese Studies* 46, no. 1 (January 28, 2020): 113–43, <https://doi.org/10.1353/jjs.2020.0006>.

²¹⁸ Franklin Delano Roosevelt, *Victory and the Threshold of Peace, 1944-45*, ed. Samuel Irving Rosenman (Russell & Russell, 1969), 210.

understanding the end of the war and Japan's reconstruction.²¹⁹ What is most intriguing about his analysis of the end of war, however, specifically in regards to our analyses for the purposes of this dissertation, is his characterization of this period as the "American Revolution."²²⁰

The nature of this imposition can also be seen in how the end of the war is perceived in Japan as opposed to other Axis powers, namely, Germany. There is a stark linguistic difference between the German and Japanese characterizations of how the war ended. In German, the end of the Second World War is referred to as either *Bedingungslose Kapitulation* or *Niederlage*, which are 'unconditional surrender' and 'defeat' respectively. On the other hand, *Kriegsende* refers to the generic act of ending a war. Hence, while *Kriegsende* is the actual end of the war, *Bedingungslose Kapitulation* and *Niederlage* are the words used to characterize the nature of how the German populace view the war ended—a linguistic admission of loss. This is not the case in Japanese. In Japanese, there are three phrases that pertain to the end of the war: *Shusen* (終戦), *Haisen* (敗戦), and *Mujoken-kofuku* (無条件降伏). *Haisen* and *Mujoken-kofuku* respectively refer to 'loss of war' and 'unconditional surrender,' and share the connotations of their German counterparts. However, the most prevalent method of referring to the end of the war is *Shusen*, which is literally 'end of war' and is akin to *Kriegsende*, but the meaning of the term is far more expansive. Whereas *Haisen* connotes agency in regards to the actuality of losing a war, *Shusen* disengages this agency, and refers to the fact that a war ended, and furthermore,

²¹⁹ Kenneth B. Pyle, *The Japanese Question: Power and Purpose in a New Era* (American Enterprise Institute, 1996); Kenneth B. Pyle, *Japan in the American Century* (Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2018).

²²⁰ Pyle, "The Making of Postwar Japan," 129.

implies that a war that Japan was not an active participant of, ended. *Shusen*, in a sense, brings closure to a period of Japan's past, but also, accommodates the sense of victimhood of the Japanese. The latter part, rightly so, considering the indiscriminate firebombing of civilians by the US military, along with the two nuclear attacks on largely civilian population targets. *Shusen* appeared as early as 1952 in official literature, and incorporated further into the vernacular Japanese in 1967 with it being incorporated into the Act on the Granting of Special Aid for Repatriation.²²¹ Indeed, August 15th is known in Japan as *Shusen no hi* (終戦の日) which refers to 'the day the war ended,' as opposed to May 8th in Germany, Victory in Europe Day, is "a day to remember the victims of fascism and a moment to celebrate freedom from fascism."²²²

The combination of the linguistic disengagement with agency in regards to the end of the war, and the American imposition of institutional reforms in Japan was an ideal recipe for superficial implementation of democratization. Countless studies have been conducted in the last century on the topic of democratization, and those specifically looking into forced democratization tend to conclude that such practices of imposing democratization from above, or the outside, more often than not, fail, if not supplemented by popular mobilization for

²²¹ Ministry of Foreign Affairs, *Shusen Shiroku [History of the End of the War]* (Shinbun Gekkan-sha, 1952); "Act on Special Aid for Repatriation," 114 § (1967), http://www.shugiin.go.jp/internet/itdb_housei.nsf/html/houritsu/05519670801114.htm.

²²² Chase Winter, "Marking VE Day in Germany Becomes a Time for Reflection near Cologne," Deutsche Welle, May 8, 2016, <https://www.dw.com/en/marking-ve-day-in-germany-becomes-a-time-for-reflection-near-cologne/a-19243433>; Cf. "Speech by President Richard von Weizsäcker during the Ceremony Commemorating the 40th Anniversary of the End of War in Europe and of National-Socialist Tyranny on 8 May 1985 at the Bundestag, Bonn" (Bundespräsidialamt, May 8, 1985), <https://www.bundespraesident.de/SharedDocs/Downloads/DE/Reden/2015/02/150202-RvW-Rede-8-Mai-1985-englisch.pdf>.

democratization.²²³ Indeed, as Pyle rightly quotes in his examination of the American Revolution, John Stuart Mill raised alarm on the topic as early as a century prior to the occupation:

A state is self-determining even if its citizens struggle and fail to establish free institutions, but it has been deprived of self-determination if such institutions are established by an intrusive neighbor. The members of a political community must seek their own freedom, just as an individual must cultivate his own virtue. They cannot be set free, as he cannot be made virtuous, by any external force. Indeed, political freedom depends upon the existence of individual virtue, and this the armies of another state are most unlikely to produce.²²⁴

As the subsequent historical events that occur will show, the goal of imposing an American Revolution in postwar Japan fails to achieve the ideals that the occupiers wished, but rather, revitalized, and further strengthened the prewar heliocratic regime into the twentieth and twenty-first centuries.

6.2. Postwar Reconstruction: 1946-1989

As early as January 1946, the American occupation had realized the power of the bureaucracy, and seemingly the necessity to keep the Japanese bureaucratic structure intact, albeit with considerable oversight for democratization. The Esman Memorandum stated, “Of all the major

²²³ Charles Tilly, *Democracy* (Cambridge University Press, 2007), 58; Alexander B. Downes and Jonathan Monten, “Forced to Be Free?: Why Foreign-Imposed Regime Change Rarely Leads to Democratization,” *International Security* 37, no. 4 (April 1, 2013): 90–131, https://doi.org/10.1162/ISEC_a_00117; Havard Christiansen Hegre Lene Siljeholm Gleditsch, Nils Petter, *Democratic Jihad? Military Intervention and Democracy*, Policy Research Working Papers (The World Bank, 2007), <https://doi.org/10.1596/1813-9450-4242>.

²²⁴ Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations* (Basic Books, 2015), chap. 6; Quoted in Pyle, “The Making of Postwar Japan,” 131.

bulwarks of feudal and totalitarian Japan, only the bureaucracy remains unimpaired. The bureaucracy will definitely outlast the occupation and will play a decisive role of moulding [sic] the future of Japan.”²²⁵ However, the drastic reforms that SCAP had originally planned for Japan, and to a degree Germany, quickly became unraveled under the perceived threat of communist subversion and the beginning of the Cold War. As part of what is now known as the Reverse Course, Under Secretary of the Army, William H. Draper suggested a “‘shift of emphasis’ in Japan from political reform to economic recovery.”²²⁶

In relation to the shift, the “deconcentration of industry” bill that was enacted in 1947 by the diet was overturned by SCAP, leaving 314 companies intact of the 325 that were slated to be disbanded. This ‘shift in emphasis’ prevented a thorough reform of the prewar *zaibatsu* companies and allowed for another factor of the previous regime to stay largely intact.²²⁷

With the military arm of the government disassembled, and the purge of prewar party leaders completed, the bureaucracy came to the forefront as Japan’s leading actor in governance. Concerning the balance of power between the bureaucracy and the political actors, Muramatsu argues that this was not a zero-sum game, but rather, a “positive sum” game. He explains, “Under a system of strong centralized political power, the bureaucracy was very

²²⁵ Supreme Commander For the Allied Powers, Government Section, *Political Reorientation of Japan, September 1945 to September 1948: Report* (U.S. Government Printing Office, 1949), 578.

²²⁶ Piers R. Williamson, *Risk and Securitization in Japan: 1945-60* (Routledge, 2013), 59.

²²⁷ John W. Dower, *Embracing Defeat: Japan in the Wake of World War II* (W. W. Norton & Company, 1999), 533.

effective...particularly so during the period Japan rebuilt itself from the aftermath of the war...On the other hand, when the parties regained power vis-à-vis the bureaucracies, they needed strong bureaucratic agencies to promote their own policy ideas.”²²⁸ This “positive sum” game ultimately created the basis of the postwar heliocratic regime.

6.2.1. Consolidation of Political Power

To combat the rising fears of the communization of Japan, and to grab power under the new Constitution, the two conservative parties merged to form a vanguard rightist party: the Liberal Democratic Party.²²⁹ The merger of the Liberal and Democratic parties was strategically successful, as it became able to beat the Japanese Socialist Party in the subsequent elections, and thus became Japan’s first conservative government in the post-war era in 1955.²³⁰ This led to the 1955 system, in which the LDP would rule single-handedly for the next thirty-eight years.

Post-war Japan tended to be viewed as a democracy by most foreign scholars and properly an ally of the United States into the Cold War. With democratic institutions instilled by the US

²²⁸ Muramatsu and Naschold, *State and Administration in Japan and Germany*, 26.

²²⁹ “The Formation of the Liberal Democratic Party,” Liberal Democratic Party of Japan, 2015, <https://www.jimin.jp/english/about-ldp/history/104257.html>.

²³⁰ Chalmers Johnson, “JPRI Working Paper No.11: The 1955 System and the American Connection: A Bibliographic Introduction” (Japan Policy Research Institute, July 1995), <http://www.jpri.org/publications/workingpapers/wp11.html>.

occupation, this is a popular argument that countless scholars have made.²³¹ However, this is not accurate. While political theorists devise differing definitions regarding which qualities define a democracy, the consensus among them is that a democracy is contingent on what Valerie Bunce calls “freedom, uncertain results, and certain procedures,” where “uncertain results” portray free elections, and “certain procedures” are the observances of the rule of law.²³² While “the existence of a dominant view does not mean that *all* citizens in every nation exclusively endorse a liberal conceptualization,” as Demarys Canache explains, the rule of law is not a concept that can have a constructivist interpretation.²³³ Contrary to the relativist viewpoint Laurence Whitehead takes on democratization, the rule of law is not deontological and can be used as a precise barometer of democratic development.²³⁴

Consider the thirty-eight-year reign of the LDP from 1955 to 1993. Did this satisfy Bunce’s rubric for uncertain results with certain procedures? There are three critical factors of the

²³¹ Cf. Mary Alice Haddad, *Building Democracy in Japan* (Cambridge University Press, 2012); Takeshi Ishida and Ellis S. Krauss, *Democracy in Japan* (University of Pittsburgh Press, 1990); Rikki Kersten, *Democracy in Post-War Japan: Maruyama Masao and the Search for Autonomy* (Routledge, 2013); Ray A. Moore and Donald L. Robinson, *Partners for Democracy: Crafting the New Japanese State Under MacArthur* (Oxford University Press, 2004); Bradley Richardson, *Japanese Democracy: Power, Coordination, and Performance* (Yale University Press, 1997); Brian Woodall, *Growing Democracy in Japan: The Parliamentary Cabinet System Since 1868* (University Press of Kentucky, 2014).

²³² Robert A. Dahl, *On Democracy* (New Haven: Yale University Press, 1998), 38; Joseph A. Schumpeter, *Capitalism, Socialism and Democracy* (London: Allen and Unwin, 1976), 250; Philippe C. Schmitter, “The Future of ‘Real-Existing’ Democracy,” *Society and Economy* 33, no. 2 (August 2011): 407, <https://doi.org/http://dx.doi.org.libproxy.temple.edu/10.1556/SocEc.33.2011.2.9>; Valerie Bunce, “Democratization and Economic Reform,” *Annual Review of Political Science* 4, no. 1 (June 2001): 45.

²³³ Damarys Canache, “Citizens’ Conceptualizations of Democracy: Structural Complexity, Substantive Content, and Political Significance,” *Comparative Political Studies*, January 24, 2012, 1132, <https://doi.org/10.1177/0010414011434009>.

²³⁴ Laurence Whitehead, *Democratization: Theory and Experience* (Oxford: Oxford University Press, 2002), 7–8.

Japanese politics, seen in the 1955 system that suggests otherwise. Firstly, strategic manipulation of electoral policy in regards to the malapportionment of House of Representative seats initially ensured that the LDP remained solidly in power—even as the malapportionment worsened over time. Secondly, a system favoring hereditary politicians made ensuring a direct, intertwined lineage possible. This was culturally caused. And thirdly, the existence of a key political party created and funded by domestic slush funds—often factionally controlled—and by covert agencies of foreign governments is evidence of a lack of accountability of these politicians to their constituents.

Elections are the most important part of any democratic regime, and thus electoral procedures require thorough scrutiny. However, the electoral system in Japan largely remained untouched during the post-war reconstruction. When examining the electoral system of Japan, it is necessary to go back to May 5, 1925 when the General Election Law was enacted. This law stipulated that there were to be 466 seats in the lower house, elections were to be held with the Single Non-Transferrable Vote (SNTV) system, and the Japanese mainland was divided up into districts so at each seat would be representative of roughly 150,000 people.²³⁵ The drafters of the law predicted the population of Japan would grow in the future, and thus included at these districts were to be redistricted as needed. Every five years from the enactment of the law, this was to occur in accordance with the most recent population data collected by the preceding census. However, the nature of the Japanese legal system stifled any appropriate adjustments to

²³⁵ The law applied only to those residing in mainland Japan, and not to overseas territories of Japan, including Korea, Sakhalin, and Taiwan. Hiroyuki Hata, “Malapportionment of Representation in the National Diet,” *Law and Contemporary Problems* 53, no. 2 (1990): 158.

occur. Whereas the Constitution of the United States of America sets within it rules for elections, the current Constitution of Japan merely touches on elections, by stating that “[e]lectoral districts, method of voting and other matters...shall be fixed by law.”²³⁶

Furthermore, as William Somers Bailey explains:

The central legal codes adapted from the civil law tradition of continental Europe were maintained after the war... Thus, although the Constitution was primarily inspired by the common law tradition, the special regard for positive, or enacted law, remained. In this tradition, judicial remedies are mostly limited to those set forth in law. Common law judicial remedies such as mandamus, injunction, and contempt are not available unless the enacted law so provides.²³⁷

As such, the districts that were delineated in 1925, and then in 1947 under the auspices of the post-war Public Office Election Law, remained almost the same for the next half-century, excluding minor adjustments, namely, minor redistricting in southern Japan. As the Constitution stipulated that electoral regulations were to be examined and set by the legislative branch, these minor adjustments were made on the initiative of policymakers and the bureaucracy. However, as Ronald J. Hrebencar examined in 1977, the whole electoral system was formed in a way to favor the incumbent. He came to the conclusion that the reason that the incumbent LDP had survived as the single dominant party for so long was due to this state of chronic malapportionment, “straitjacket campaign activities restrictions,” and the electoral

²³⁶ The Constitution of Japan, sec. 47; “The Constitution of the United States” (1787), http://www.senate.gov/civics/constitution_item/constitution.htm. (Art. 1 Sec. 2 Cl. 3. “Representatives shall be apportioned among the several states...according to their respective numbers...Enumeration shall be made...every...ten years...The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative.”)

²³⁷ William S. Bailey, “Reducing Malapportionment in Japan’s Electoral Districts: The Supreme Court Must Act,” *Pacific Rim Law and Policy Journal* 6 (1997): 172.

laws.²³⁸ Bailey argues that the historical negligence of the levels of malapportionment in Japan are due to the fact that the Japanese Constitution does not specifically stipulate guidelines regarding electoral procedures, as done so in the United States Constitution; that Article 47 of the Japanese Constitution stipulates that “electoral districts, method of voting and other matters...shall be fixed by law.” This is akin to “setting the foxes to guard the hen house.”²³⁹ Under the auspices of the pre-reform Public Office Election Law, there was the Electoral Systems Council (ESC) that was created in 1960 to examine, deliberate, and make recommendations to the prime minister’s office regarding redistricting.²⁴⁰ However, as the ESC was directly appointed by the Cabinet, there was little incentive for the Council to make any recommendations, and even when doing so, the Cabinet also had little incentive to correct any malapportionment that may be detrimental to its own reign. As such, in the forty-four years between 1945 and 1989, malapportionment had only been corrected in three instances, whereas there were sixteen lower house elections that took place.

As seen, while electoral procedures were certain, the results of said elections were also certain during this period, thereby consolidating the LDP to its throne. Another factor, though, of Japanese parliamentary politics that assures electoral certainty is heritage. Whereas hereditary politicians exist in other countries as well, the nature of heritage and pedigree in Japanese

²³⁸ Ronald J. Hrebendar, “The Politics of Electoral Reform in Japan,” *Asian Survey* 17, no. 10 (October 1, 1977): 978, <https://doi.org/10.2307/2643395>.

²³⁹ Bailey, “Reducing Malapportionment in Japan’s Electoral Districts,” 172 footnote; *The Constitution of Japan*.

²⁴⁰ “Senkyo Seido Shingikai Secchiho [Law for the Establishment of an Electoral Systems Council],” Pub. L. No. 119 (1960).

politics is disconcertingly prevalent.²⁴¹ Prime Minister Abe Shinzo, former Prime Ministers Aso Taro, Fukuda Yasuo, Koizumi Junichiro, Mori Yoshiro and plenty of others “are all political blue bloods whose fathers, grandfathers or other close relatives were political notables, some prime ministers. This trend is especially conspicuous in the ruling Liberal Democratic Party.”²⁴² One scholar puts the proportion of hereditary politicians as one hundred and twelve or thirty-eight percent of all LDP diet members, and fifteen percent of all DPJ diet members.²⁴³ For example, former Prime Minister Aso Taro’s pedigree is simply astonishing:

Aso’s grandfather, Shigeru Yoshida, was prime minister during Japan’s formative years after its World War II defeat. His great-grandfather, Takichi, was a Lower House representative, while his great-great-grandfather was Toshimichi Okubo, who played a key role in the Meiji [Renovation]. Aso’s father, Takakichi, was also a Diet member representing Fukuoka.²⁴⁴

Furthermore, Aso’s sister, Nobuko was married to Prince Tomohito of Mikasa-no-miya, a cousin of H.I.H. the Emperor Emeritus of Japan, and Aso Taro is related through marriages to Prince Fumimaro of Konoe, former Prime Ministers Hosokawa Morihiro, Kishi Nobusuke, and

²⁴¹ Indian politics is often raised as one example where hereditary politicians are prevalent; Patrick French, “Opinion: India’s Hereditary MPs,” NDTV.com, June 12, 2014, <http://www.ndtv.com/opinion/indias-hereditary-mps-577630>.

²⁴² Kazuaki Nagata, “Hereditary Politicians a Fact of Life,” *The Japan Times*, April 27, 2009, <http://www.japantimes.co.jp/news/2009/04/27/national/hereditary-politicians-a-fact-of-life/>.

²⁴³ Hiroshi Fukuda, “Why Are There So Many Hereditary Politicians in Japan?,” *Asia-Pacific Review* 16, no. 2 (November 1, 2009): 1–2, <https://doi.org/10.1080/13439000903381352>.

²⁴⁴ Jun Hongo, “The Blunt, Blue-Blooded Aso Is Back,” *The Japan Times*, January 22, 2013, <http://www.japantimes.co.jp/news/2013/01/22/reference/the-blunt-blue-blooded-aso-is-back/>.

Abe Shinzo.²⁴⁵ The ministerial pedigree does not stop there. Of the 30 postwar prime ministers that have existed, anywhere from 13 to 24 of them are known to be related to one another, depending on how far back one goes up the family trees.²⁴⁶ For example, Ishibashi Tanzan's granddaughter married Ito Chubei II, and Chubei's granddaughter is married to Kono Yohei, a power player in LDP politics.²⁴⁷ Chubei's brother's grandson is married to the granddaughter of Baron Kano Hisanobu. The baron's daughter is married to Aso Taro's grandfather, Taro. Prime Minister Ohira Masayoshi's son, through marriage, is a distant relative to Prime Ministers Sato Eisaku and Miki Takeo.²⁴⁸ Prime Minister Nakasone Yasuhiro's son-in-law is related, through marriage, to Hatoyama Ichiro's son, and Prime Minister Takeshita Noboru's son-in-law is related, through marriage, to Prime Minister Ikeda Hayato's wife.²⁴⁹ Prime Minister

²⁴⁵ Kosuke Takahashi, "Taro Aso with a Silver Spoon," Asia Times Online, September 24, 2008, <http://www.atimes.com/atimes/Japan/JI24Dh02.html>.

²⁴⁶ "Abeke to Asoke No Kakeizu Wo Tadotte Wakatta Rekidai Souru No Ijouna Shinseki Kankei [An Abnormal Pedigree of Historical Prime Ministers, Seen from the Abe and Aso Family Trees]," Magu Magu News!, August 8, 2016, <http://www.mag2.com/p/news/215037>; "NEWS Posuto Sebun – Hatoyama, Abe...Sengo No Rekidai Souru-Daijin 33 Ninchu 13 Nin Ga Shinseki Data [NEWS Post Seven – Hatoyama, Abe...Of the 33 Post WW2 Prime Ministers, 13 Were Related]," NEWS Post Seven, July 12, 2016, http://www.news-postseven.com/archives/20160712_428722.html?PAGE=1#container; "Fukuda Yasuo – Aso Taro – Abe Shinzo No Kakei: Shitteta? Ano Seijika No Ruutsu! Nihon No Kizokushakai No Kakeizu Matome [Fukuda Yasuo, Aso Taro, and Abe Shinzo's Pedigree: Did You Know the Roots of That Politician? Family Trees of the Japanese Aristocratic Class]," Naver Matome, March 30, 2013, <https://matome.naver.jp/odai/2131290833846045901/2136463882080944603>; "Kakeizu Ikeda Hayato Kazoku [Family Tree of Ikeda Hayato and Family]," Nihonno Kakeizu, n.d., <http://nihonnokeizu.net/blog-entry-294.html>; "Nihon No Myoji 7000 Ketsu Sei Uji Ruibetsu Taikan Sugawara-Uji (2) [Compendium of 7000 Japanese Surnames – Sugawara (2)]," Nihon no Myoji 7000 ketsu, n.d., <http://www.myj7000.jp-biz.net/clan/02/021/02101a.htm>.

²⁴⁷ "Kanwa Kyudai Pato 2 [Kanwa Kyudai Part 2]," n.d., <https://web.archive.org/web/20170101132042/http://www.kakeiken.com/report006-2.html>.

²⁴⁸ Ibid.

²⁴⁹ "Kanwa Kyudai Pato 4 [Kanwa Kyudai Part 4]," Fuso Kakei Kenkyujo, n.d., <https://web.archive.org/web/20161130040256/http://www.kakeiken.com/report006-4.html>.

Koizumi Junichiro and Ishihara Shintaro are related, through marriage.²⁵⁰ Ishihara has stated that he is of the Hattori lineage, which connects to the Matsudaira clan, which, in turn by marriage, connects to Emperor Komei's sister.²⁵¹ Prime Minister Mori Yoshiro's wife is related, through marriage, to Nakasone Yasuhiro's wife.²⁵²

Fukuda Hiroshi (no relation to the former prime ministers) a scholar on political pedigree summed up the situation aptly:

...Japan of today is, in a way, akin to Japan in the mid-Edo period. The first generation became feudal lords more or less on the strength of their abilities and achievements. If their children and grandchildren became feudal lords, their success or failure was not regarded as such a major issue—instead, it was the preservation of their status as lords that was of paramount importance.²⁵³

Intermarriage between reigning elites of a nation is not evidence of a purely democratic system where upward mobility is ensured for the populace. The nature of the political dynasties of Japan is evidence of an aristocratic system that ensures a specific group of political actors to remain in power, similar to its European counterparts in the continental monarchies of Saxe-

²⁵⁰ Ishihara Shintaro Kenkyukai, *Kenshou – Ishihara Seiken Taibouron – Koizumi Seiji tonon Tettei Hikaku [A Comparative Examination of a Potential Ishihara Prime Ministership and the Koizumi Government]* (Tokyo: Gendai Shokan, 2002).

²⁵¹ Shinichi Sano, *Teppen Yaro – Honnin mo shiranakatta Ishihara Shintaro [Teppen Yaro-All about Ishihara Shintaro]* (Tokyo: Kodansha, 2003).

²⁵² Takashi Hirose, *Shibutsu Kokka – Nihon no Kuromaku no Keizu [Cleptocracy: The Families that Run Japan]* (Koubunsha, 2000).

²⁵³ Fukuda, “Why Are There So Many Hereditary Politicians in Japan?,” 12.

Coburg and Gotha.²⁵⁴

Intermarriage of the elite class through arranged marriages is not uncommon in Japan, as seen above. However, the depth, and scope of the intermarriages cannot be overstated. While strategic marriages often conjure images of members of the aristocracy and royalty using marriage of their members with another family as a tool to build a relationship for political goals, arranged marriages in Japan, to this day, are still often used as tools to build bonds within the elite classes—whether that is in the Imperial Family, the bureaucracy, the political actors, or large corporations.²⁵⁵ One of the more scandalous of such arrangements was the Takanawa-kai, a party that was organized by the Ministry of Finance in the postwar reconstruction period, through as late as 2001 when the Ministry was transformed into its present state during the bureaucratic restructuring.²⁵⁶ The Takanawa-kai was a party that met about ten times a year at the Takanawa Prince Hotel in Shinagawa, Tokyo, which consisted of as many as sixty single career bureaucrats and daughters of political, bureaucratic, and

²⁵⁴ Michael Mossetig, “Royal Marriages: Not Long Ago, They Meant Something,” *PBS News Hour*, April 28, 2011, <http://www.pbs.org/newshour/rundown/royal-marriages/>.

²⁵⁵ Kalman D. Applbaum, “Marriage with the Proper Stranger: Arranged Marriage in Metropolitan Japan,” *Ethnology* 34, no. 1 (1995): 37–51, <https://doi.org/10.2307/3773862>; Chigusa Yamaura, “From Manchukuo to Marriage: Localizing Contemporary Cross-Border Marriages between Japan and Northeast China,” *The Journal of Asian Studies* 74, no. 3 (2015): 565–88; Koyano Atsushi, *Nihon no Yumei Ichizoku: Kindai Esutaburishshumento no Keizu-shu [Most Famous Clans of Japan: An Overview of the Modern Establishment]* (Gentosha, 2007); Sato Tomoyasu, *Keibatsu: Nihon no Nyu-Esutaburishshumento [Strategic Marriages: Japan’s New Establishment]* (Rippu Shobo, 1987).

²⁵⁶ At the time of this dissertation was written, it is unknown whether the Takanawa-kai is still active under the auspices of the current Ministry of Finance. It would be fair to state though, that even if the Takanawa-kai itself may not be conducted per se, there is no evidence that similar gatherings are not occurring amongst the political and bureaucratic factions to this day.

corporate leaders, which led to arranged strategic marriages between these participants.²⁵⁷ In many of these cases, career bureaucrats married into political families, thereby giving the bureaucrat a way into the political ecosystem.²⁵⁸ Such practices of arranged marriages between the political and bureaucratic elite strengthened the bond between the factions, along with large corporate families, furthering the consolidation of power in the central government.

Jim Mann of the Los Angeles Times once asked its readers “Do you ever want to know why the Japanese government behaves the way it does today...why its political parties are so hopelessly weak? ...There are some U.S. government files that could help shed light on those questions.”²⁵⁹ The files that Mann speaks of are declassified documents from the US Department of State and the Central Intelligence Agency that shed light on the origins and upbringing of the LDP. In 1994, Tim Weiner of the New York Times wrote an article on the relationship of the CIA and the Japanese ruling elite, arguing that the CIA had a history of funding the LDP from its inception, well into the 1980s. In the article, Weiner cites Alfred C. Ulmer Jr., the head of the CIA’s Far East operations in the late 1950s, stating, “We financed [the LDP] ...we depended on the LDP for information,” and that the Agency had used its funds

²⁵⁷ Manabe Shigeki, *Okura-sho Korinai Kenryoku: Shin Shihai no Zu [Ministry of Finance - the Authority which fails to Repent: New Perspectives on its Power]* (Niki Shuppan, 1992).

²⁵⁸ “Nihon Wo Shihai Suru ‘Seshu-Keibatsu-Giin’ - Abe Shinzo Wa Sono Tenkei [The ‘Hereditary Inter-marriage Politicians’ That Control Japan - Abe Shinzo, an Archetype],” *Sentakū*, February 2007.

²⁵⁹ Jim Mann, “CIA Keeping Historians in the Dark About Its Cold War Role in Japan,” *Los Angeles Times*, March 20, 1995, http://articles.latimes.com/1995-03-20/news/mn-45023_1_cold-war.

to support the party as well as for covert operations.²⁶⁰ The same article cites U. Alexis Johnston, US Ambassador to Japan from 1966 to 1969, as saying “We were financing a party on our side.”²⁶¹

The story behind the covert funding of the LDP by the CIA is elaborated in full in Weiner’s book, *Legacy of Ashes: The History of the CIA* (2008). In it, Weiner explains that the CIA and State Department officials met with Kishi Nobusuke, member of the then Liberal Party, between 1954 and 1955, discussing Kishi’s grand strategy for Japan. In one such meeting, Kishi told the US diplomats “his strategy was to wreck the ruling Liberal Party, rename it, rebuild it, and run it. The new Liberal Democratic Party...would be neither liberal nor democratic, but a right-wing club of feudal leaders rising from the ashes of imperial Japan.”²⁶² And thus, the LDP was borne, through the hands of CIA funding and voluntary operative of the Agency. The financial support of LDP politicians by the CIA did not end in the 1950s either. This funding operation continues to as late as the period of the Lockheed Incident,²⁶³ where

²⁶⁰ Tim Weiner, “C.I.A. Spent Millions to Support Japanese Right in 50’s and 60’s,” *The New York Times*, October 9, 1994, sec. World, <http://www.nytimes.com/1994/10/09/world/cia-spent-millions-to-support-japanese-right-in-50-s-and-60-s.html>.

²⁶¹ Weiner.

²⁶² Tim Weiner, *Legacy of Ashes: The History of the CIA* (Knopf Doubleday Publishing Group, 2008), 136.

²⁶³ The Lockheed Incident was a multinational bribery campaign by Lockheed Corporation in the 1970s which entailed bribes sent out to members of governments abroad in exchange for their governments to purchase Lockheed aircraft. In Japan, most notably, Prime Minister Tanaka Kakuei was charged with accepting a three million dollar bribe from Lockheed. However, Tanaka was never convicted, and died in 1993 with his case pending appeal. Cf. Richard Halloran, “5 Japanese Had Key Roles In Pushing Lockheed Bids,” *The New York Times*, March 1, 1976, sec. Archives, <https://www.nytimes.com/1976/03/01/archives/westchester-weekly-5-japanese-had-key-roles-in-pushing-lockheed.html>; Eiichiro Tokumoto, “Lockheed Scandal 40 Years on: The Downfall of Prime Minister Kakuei Tanaka,” *Asia Times*, December 28, 2016, <https://asiatimes.com/2016/12/lockheed-scandal-40-years-downfall-prime-minister-kakuei-tanaka/>.

future Prime Minister Nakasone Yasuhiro was being funded by the CIA.²⁶⁴ As the *Times* article exposed, this cooperative relationship between the ruling LDP and the US foreign policy bureaucracy continued well into the 1980s, with the LDP becoming the vanguard party, continuing the imperialist traditions of old Japan— “liberal” and “democratic” indeed.²⁶⁵

It is important to note, here, that Japan was in a peculiar place during the postwar reconstruction. While the formal occupation of Japan by the US ended in 1952 with the San Francisco Treaty, Japan was in a strategic geopolitical location for the US—in its fight against the rise of communism during the Cold War. Indeed, the occupation ended; however, the US forces remained in Japan. Moreover, the islands of Okinawa continued to be occupied under US control until 1972.²⁶⁶ This peculiar agreement between the US and Japan in the postwar period—the US de facto using Japan as a strategic military placement thereby providing Japan with military protection in lieu of Japan creating itself its own military—gave rise to the Yoshida Doctrine, which in short, allowed Japan to focus on its economic reconstruction, using

²⁶⁴ Toshihiro Okuyama, *Himitsu Kaijo: Rokkiido Jiken - Tanaka Kakuei wa naze Amerika ni kirawaretanoka [Unveiling the Secrets: The Lockheed Incident - Why America hated Tanaka Kakuei]* (Tokyo: Iwanami Shoten, 2016).

²⁶⁵ Cf. Chalmers Johnson, Norbert A. Schlei, and Michael Schaller, “The CIA and Japanese Politics,” *Asian Perspective* 24, no. 4 (2000): 79–103.

²⁶⁶ While the formal occupation of Japan has ended as a whole in 1972 with the repatriation of Okinawa into Japan, the US military still, to this day, has a major presence in Japan, with 78 installations across Japan, of which, 31 are in Okinawa alone. Cf. “Zainichi Beigun Shisetsu/Kuiki Menseki [Areas Occupied by US Forces in Japan]” (Ministry of Defense, January 1, 2020), https://www.mod.go.jp/j/approach/zaibeigun/us_sisetsu/pdf/menseki_r020101.pdf.

minimal resources for its own defense policy.²⁶⁷ This agreement between the two powers, along with the nature of the international system in this period are undeniably critical aspects that explain how Japan was able to turn itself around from its war-ravaged state so quickly, but also elucidates the motivations for the US to keep Japan on a very short leash through its covert activities.

This is not to say that funding was solely provided by the CIA. Indeed, the majority of the LDP funding did come from domestic sources. However, despite legally mandated to disclose all political contribution information—such as amounts and sources—over fifty percent was never disclosed. Furthermore, the institutional factionalism that existed within the LDP made access to money a critical component for success.

Whereas hereditary politicians funded by the United States and the domestic financial elite constituted an elite aristocratic class that kept its reign for years, a vast amount of political power undeniably lay with the bureaucracy in Japan, and Johnson makes a compelling argument. Recalling the Lockean definition of political power, Johnson says:

Political power, then, I take to be a right of making laws with penalties of death and, consequently, all less penalties for the regulating and preserving of property, and of employing the force of the community in the execution of such laws, and in the commonwealth from foreign injury, and all this only for the common good.²⁶⁸

²⁶⁷ Kenneth B. Pyle, “Restructuring Foreign Policy and Defence Policy: Japan,” in *Asia-Pacific in the New World Order*, ed. Anthony G. McGrew and Chris Brook (Routledge, 1998), 121–36.

²⁶⁸ Chalmers Johnson, “Japan: Who Governs? An Essay on Official Bureaucracy,” *Journal of Japanese Studies* 2, no. 1 (October 1, 1975): 10, <https://doi.org/10.2307/132037>.

The power to legislate laws technically lie in the legislature under the Constitution of Japan, but in reality, it is the bureaucracy that drafted and retains the substance of most bills to politicians in the Diet. Moreover, the bureaucracy has the power to create ministerial ordinances that act as guidelines on how laws are implemented in real-life.²⁶⁹ Furthermore, for at least two decades, many bureaucrats became Diet members, thereby strengthening ties between the legislature and bureaucracy.

While the argument that the bureaucracy controlled a vast portion on the rise of the Japanese state is indeed an accurate one, considering the importance of state-controlled reconstruction of the country in the post-war era, it is also arguably undeniable that the power vested in the bureaucracy inevitably declined, to a degree, with the rise of charismatic and strategic politicians. In 1986, Johnson elaborated the shift from the “*kanryo shudo taisei* (bureaucratic leadership structure)” to a “*to shudo taisei* (party leadership structure).”²⁷⁰ He argues that this shift occurred due to three key causes: (i) inter-bureaucratic power struggles, (ii) senior Liberal Democratic Party politicians gaining expertise (as opposed to the early post-war era when the majority of politicians had been purged), and (iii) the nature of the legislature changing from consisting primarily of career politicians to those who have worked in the bureaucracy, legislating with the expertise they may have had from their previous fields.²⁷¹ Savvy, strategic

²⁶⁹ Ministerial guidelines that individual bureaucracies could enact include “cabinet orders, urban prefectural ordinances, ministerial ordinances, and rules and regulations”; Johnson, 11.

²⁷⁰ Chalmers Johnson, “Tanaka Kakuei, Structural Corruption, and the Advent of Machine Politics in Japan,” *Journal of Japanese Studies* 12, no. 1 (1986): 24.

²⁷¹ Johnson’s comment regarding “the legislature changing from...career politicians” to former bureaucrats is statistically misleading. While there were a rising number of those former bureaucrats running for electoral

politicians exercising “supra-bureaucratic leadership...[was] here to stay,” argues Johnson, and offers considerable praise to Tanaka Kakuei for his actions that led to the “democratization of the political process.”²⁷² However, what Johnson failed to understand was that the Japanese bureaucratic machine, which was his primary research, did not just encompass the de jure bureaucracy, but had become something far greater. The powers that lay in the bureaucracy strengthened through intermarriages with the political and corporate elite, and furthermore, its institutional assimilation into public and private corporations.

Japanese bureaucrats who are near retirement are often reemployed in public or private corporations as part of their severance package. This practice is generally known as *amakudari*, or ‘descent from heaven.’ This system is akin to the ‘revolving door’ one sees in the United States and other Anglophone nations, however, there is a strong emphasis on the nature of *amakudari* being a member of the *okami* coming ‘down’ to a corporation as an ‘overseer,’ whereas the congressional revolving door in the US is seen as something more of a professional relationship of stakeholders. Japanese political economy in this sense is unique, in that “the institutional configuration of Japan has fostered a state-directed economy that is nonsocialist,” Usui and Colignon argue, continuing that “War and industrial development are viewed as having created an ‘organic interdependence,’ but an interdependence controlled by

positions, the number of nonbureaucrat legislators far outweigh those from bureaucratic backgrounds. Johnson, 24.

²⁷² Johnson, 28.

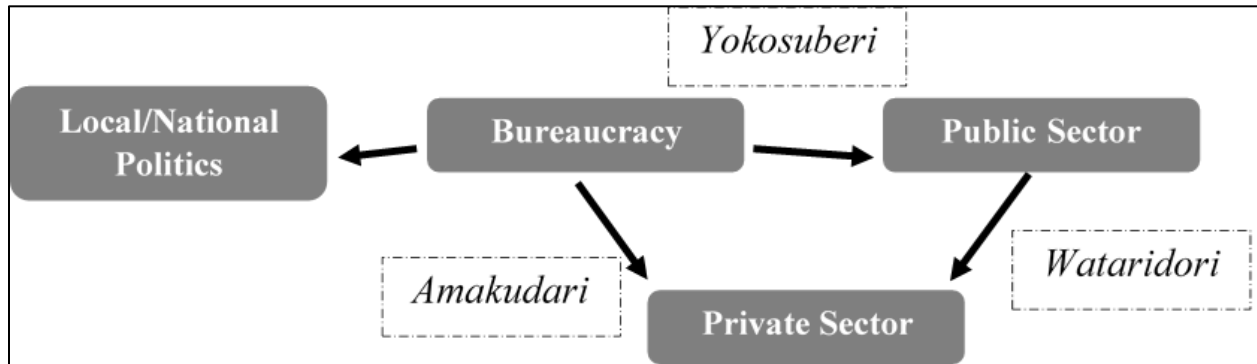
the state.”²⁷³

That being said, amakudari is not the only way a bureaucrat retires from his posting. Indeed, there are cases of bureaucrats moving on to another governmental agency or quasi-governmental organization. These cases are often referred to as *yokosuberi*, or ‘sliding over,’ as they are in effect sliding over to an equally prestigious institution, as opposed to descending to a private corporation. Those resilient retirees who wish to move from their new public sector post-retirement positions to the private sector, or vice versa, are referred to as *wataridori*, which is Japanese for ‘migrating birds,’ as they migrate along their path of retirement. As the bureaucrats went forth in their post-retirement, the bonds between the three prongs of the Iron Triangle became even stronger, with the political, bureaucratic, and corporate elite. Usui, Colignon, and Okimoto argue that it is this network of cooperation “between the state and the private sector provided a basis for a subtly conditioned cooperation in which terms of force and domination were too clumsy,” and that this network is “a major element of a cohesive and cooperative power structure.”²⁷⁴

²⁷³ Chikako Usui and Richard A. Colignon, “Government Elites and Amakudari in Japan, 1963-1992,” *Asian Survey* 35, no. 7 (1995): 689, <https://doi.org/10.2307/2645423>; Daniel I. Okimoto and Thomas P. Rohlen, *Inside the Japanese System: Readings on Contemporary Society and Political Economy* (Stanford University Press, 1988).

²⁷⁴ Daniel I. Okimoto, *Between MITI and the Market: Japanese Industrial Policy for High Technology* (Stanford University Press, 1989), 152–57; Richard A. Colignon and Chikako Usui, *Amakudari: The Hidden Fabric of Japan’s Economy* (Cornell University Press, 2018), 13, <https://muse.jhu.edu/book/59973>.

Figure 9. Amakudari, Yokosuberi, Wataridori



Furthermore, how democratic was the shift that Johnson posited in his study of Tanaka? Surely, the definition of what consists democratic is a highly contested subject, but if one were to consider democratic to be tied with transparency and accountability, the shift of power from the bureaucracy to politicians did not bring the political process any of the above. The rise of a political elite with supra-bureaucratic power also gave rise to a new clique of politicians—the *zoku*. These politicians were composed of “Diet members who have...expertise and practical experience about a particular area of government policy and enough seniority in the party to have influence on...the ministry responsible for that policy area.”²⁷⁵ The *zoku* primarily lobbied the other Diet members to pass certain laws and policy initiatives to cater to their area of expertise, be that the *doro zoku* in favor of construction projects characterized by bridges-to-nowhere, or the *bunkyo zoku* asserting influence over education policy. That said, while such activities accentuated the opaqueness and the lack of popular accountability of the political process, some such as Leonard Schoppa argue that their contributions outweigh the “ways they

²⁷⁵ Leonard J Schoppa, “Zoku Power and LDP Power: A Case Study of the Zoku Role in Education Policy,” *Journal of Japanese Studies* 17, no. 1 (1991): 81.

detract from the leadership potential of the LDP.”²⁷⁶ Johnson argued that power had partially shifted from the bureaucracy toward the party elite, and yet Schoppa’s argument raises some questions as to how much this power actually rested in the party leadership, if the *zoku* had much influence over the policymaking process. Indeed, *zoku* politicians often pushed policies in concert with the bureaucracies of their ‘policy specialties.’

Through quasi-aristocratic lineage, and formal institutions put in place to favor incumbents who were undeniably members of the ruling clique, the LDP reigned. That being said, “Who governs?” is a question that many a scholar asked when trying to fathom the Japanese miracle. That is, while politicians of the LDP reigned as legislators and political heads of government, what entity actually governed Japan? Examining the postwar reconstruction of Japan, Chalmers Johnson popularized the term *developmental state* to signify the bureaucratic dominance in Japan’s policymaking.²⁷⁷ While the politicians were the face of the government, he argued that it was the bureaucracy—namely the Ministry of International Trade and Industry, and the Ministry of Finance—that formulated policy, namely industrial policy, in the postwar era, through incentives and an Orwellian forms of coercion, *administrative guidance* and *discretionary influence*.²⁷⁸ Although, some may argue that the bureaucracy had lost its means of coercion by choice, it could also be argued that pressures from the bureaucracy to the

²⁷⁶ Schoppa, 104.

²⁷⁷ Johnson, “Japan.”

²⁷⁸ Johnson, *Miti and the Japanese Miracle*; G. W Noble, “Let a Hundred Channels Contend: Technological Change, Political Opening, and Bureaucratic Priorities in Japanese Television Broadcasting,” *Journal of Japanese Studies* 26 (2000): 79–110.

various corporate entities affected the transformation of postwar industrial policy, from a labor intensive to capital-intensive economy.²⁷⁹ The Ministry of Finance, on the other hand, had a second national budget that was not in need of parliamentary approval until 1973: the Fiscal Investment and Loan Plan (*Zaisei Tokyushi Keikaku*), which was formed using funds syphoned from postal savings insurance plans, and filtered through a myriad of public policy companies (*kodan*), which in turn were where cases of *amakudari* were rampant.²⁸⁰

For those unacquainted with Japan, such extrajudicial leverage and informal institutions may be confounding, but this is simply another aspect of Japanese governance, in which de facto rules by law, as opposed to observing rule of law.²⁸¹ The bureaucratic machine went through several transformations over the last four decades, gradually losing some of its power to a slowly presidentializing prime ministership, political actors within the Japanese government are still very much dependent upon the bureaucracy for legislative assistance but also for pork-barrel politics, thereby keeping the bureaucracy highly relevant in the governing of Japan to

²⁷⁹ John O Haley, “Governance by Negotiation: A Reappraisal of Bureaucratic Power in Japan,” *Journal of Japanese Studies* 13, no. 2 (1987): 343–57; John O Haley, *Authority without Power: Law and the Japanese Paradox* (Oxford University Press, 1994); Noble, “Let a Hundred Channels Contend”; Kozo Yamamura and Jan Vandenberg, “Japan’s Rapid-Growth Policy on Trial: The Television Case,” in *Law and Trade Issues of the Japanese Economy: American and Japanese Perspectives*, ed. Gary Saxonhouse and Kozo Yamamura (University of Washington Press, 1986).

²⁸⁰ Kent E. Calder, “Linking Welfare and the Developmental State: Postal Savings in Japan,” *Journal of Japanese Studies* 16, no. 1 (January 1, 1990): 31–59, <https://doi.org/10.2307/132493>; Johnson, “Japan”; Steven R Reed, Ethan Scheiner Thies, Michael F, and Michael Thies, “The End of LDP Dominance and the Rise of Party-Oriented Politics in Japan,” *Journal of Japanese Studies* 38, no. 2 (2012).

²⁸¹ Haley, “Sheathing the Sword of Justice in Japan”; Isomura Eiichi and Kuromura Minoru, *Gendai Nihon no Gyousei [Public Administration in Contemporary Japan]* (Teikoku Chihou Gyousei Gakkai, 1974); Johnson, “Japan.”

this day.²⁸²

Does a hereditary quasi-aristocracy, centralized and powerful bureaucracy, and deliberate malapportioned voting system lead to an argument that Japan is merely an elitist democracy? No, it does not. There are several factors why Japan is more than an elitist democracy, and furthermore, reasons why conceptually, some theories of elitist democracies are insufficient in their theoretical foundations for it to be a regime-type.

The concept of elitist democracies has been studied for hundreds of years, often starting from Thomas Aquinas' proposal regarding the superiority of monarchic or oligarchic regimes.²⁸³ The study of elitist democracies became more systematic with the introduction of political economic theories in the late nineteenth to early twentieth centuries. Pareto and Mosca's conceptualization of elite theory distinguished the roles of governing and nongoverning elites, a political and nonpolitical class that forms in society, and that there is a psychological difference in elites vis-à-vis ordinary citizenry.²⁸⁴ German sociologist Robert Michels

²⁸² Johnson, "Tanaka Kakuei, Structural Corruption, and the Advent of Machine Politics in Japan"; Ellis S. Krauss and Benjamin Nyblade, "'Presidentialization' in Japan? The Prime Minister, Media and Elections in Japan," *British Journal of Political Science* 35, no. 2 (2005): 357–68; Schoppa, "Zoku Power and LDP Power."

²⁸³ Cf. Thomas Aquinas, *De Regno: On Kingship* (Divine Providence Press, 2014), bk. 1; Thomas Aquinas, *The Summa Theologica of St. Thomas Aquinas*, trans. Fathers of the English Dominican Province, English Dominican Province Translation edition (New York: Christian Classics, 1981).

²⁸⁴ J. J. Chambliss, ed., *Philosophy of Education: An Encyclopedia*, 1 edition (Routledge, 2015), 179; Robert A. Nye, *Anti-Democratic Sources of Elite Theory: Pareto, Mosca, Michels* (London ; Beverly Hills: SAGE Publications Ltd, 1977); Vilfredo Pareto, *The Mind and Society: [Trattato Di Sociologia Generale]*, ed. Arthur Livingston, trans. Andrew Bongiorno (New York: Harcourt, Brace and Company, 1935); Gaetano Mosca, *Elementi di scienza politica*. (Roma: Fratelli Bocca, 1896); Gaetano Mosca, *The Ruling Class* (McGraw Hill Book Company, Inc., 1939), <http://archive.org/details/rulingclass031748mbp>.

proposed the Iron Law of Oligarchy,²⁸⁵ in which he claimed that the oligarchic consolidation of power will inevitably occur in any social or political organization—whether that may be labor unions or states—elected or otherwise due to the “tactical and technical necessities” that may arise.²⁸⁶

In the concluding chapter of *Japan and East Asia: The New International Order*, Hellmann warned his readers, “The fate of a bourgeois and status quo power in an unstable, transitional setting is, of necessity, insecure.”²⁸⁷ While Hellmann’s ominous statement was pertaining to the placement of Japan within the international system, the evidence shown above largely shows how Japan indeed was, and in fact, still consists of a hereditary lineage of politicians, a very strong bureaucracy even after reformation in the post-1955 system era, and its placement in the international system. The ever-evolving international system has not affected Japan’s domestic politics as much as one expects. Indeed, the “bourgeois and status quo” has indeed remained in power. That being said, there are others who would critique Japan further, examining whether Japan, under the above circumstances, even falls under the overgeneralized umbrella of an “elitist democracy.” Some such as Herzog argue that Japan is a pseudo-

²⁸⁵ The Iron Law of Oligarchy may have been the conceptual origins of *The Theory and Practice of Oligarchical Collectivism*, a fictional book incorporated into George Orwell’s 1984. George Orwell, *1984* (Houghton Mifflin Harcourt, 2017), pt. 2.

²⁸⁶ Robert Michels and Seymour Martin Lipset, *Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy*, trans. Eden Paul (Martino Fine Books, 2016); James L. Hyland, *Democratic Theory: The Philosophical Foundations* (Manchester ; New York : New York: Manchester Univ Pr, 1995), 247.

²⁸⁷ Donald C. Hellmann, *Japan and East Asia: The New International Order* (Praeger, 1972).

democracy.²⁸⁸ However, hyphenated democracies often rest on the assumption that adding adjectives to a word such as *democracy* will not pervert the actual defining aspects of democracy.²⁸⁹ Perhaps it is time now, as this dissertation proposes, to be faced with a necessity to reassess Japan's regime-type without the academic compulsion to keep calling it a democracy.

6.2.2. *Heliocratic Civil Society*

Just as there are distinct peculiarities in the Japanese political and bureaucratic system, the nature of Japanese civil society in the postwar period—a concept many political scientists would consider to be an integral part of a democratic regime—is similarly unique. The cloud of Neo-Confucian proto-ideology looms over Japanese civil society, where deference towards authority exists in every facet of society. Here, we will look at the nature of enforced philanthropy, as well as the education system in the postwar reconstruction, and analyze its heliocratic peculiarities.

As Simon Avenell examined, under the Japanese postwar statist regime, the state has regulated—or fostered—civil society, as part of its attempt to reconstruct itself. Whereas the term *volunteer* means doing something out of one's own volition, the postwar regime intervened in civic engagement as well, prescribing volunteer opportunities to its citizens. Avenell explains, "Throughout the country's modern history, most volunteers were either

²⁸⁸ Peter J. Herzog, *Japan's Pseudo-Democracy* (Routledge, 2013).

²⁸⁹ Collier and Levitsky, "Democracy with Adjectives."

directly appointed by the state, as with district welfare commissioners (*minsei-iin*), or mobilized through regional groups like neighborhood associations (*chonai-kai* and *jichi-kai*) with traditionally close ties to officialdom.”²⁹⁰ This heliocratic intervention into civil society was one of the culprits in stagnating the growth of civil society in Japan.²⁹¹

Another policy of intervention that the government of Japan carried over from its prewar years is the state control over education. In the prewar era, the Imperial Rescript on Education was promulgated on October 30, 1890, prescribing the moral education that was imposed unto the citizens:

Ye, Our subjects, be filial to your parents, affectionate to your brothers and sisters; as husbands and wives be harmonious, as friends true; bear yourselves in modesty and moderation; extend your benevolence to all; pursue learning and cultivate arts, and thereby develop intellectual faculties and perfect moral powers; furthermore advance public good and promote common interests; always respect the Constitution and observe the laws; should emergency arise, offer yourselves courageously to the State; and thus guard and maintain the prosperity of Our Imperial Throne coeval with heaven and earth.²⁹²

According to the Ministry of Education, the nature of the Rescript was incorporated into the Elementary School Order of 1890, where it put utmost importance into fostering “filial piety, friendship, benevolence, sincerity, propriety, courage, humility,” and especially stressed the

²⁹⁰ Simon A. Avenell, “Facilitating Spontaneity: The State and Independent Volunteering in Contemporary Japan,” *Social Science Japan Journal* 13, no. 1 (June 20, 2010): 69, <https://doi.org/10.1093/ssjj/jyq001>.

²⁹¹ Numerous scholars argue the weak nature of Japanese civil society. Cf. Kōichi Hasegawa, *Constructing Civil Society in Japan: Voices of Environmental Movements* (Melbourne, Vic. : Abingdon: Trans Pacific ; Marston, 2004); Schwartz and Pharr, *The State of Civil Society in Japan*; Yutaka Tsujinaka and Robert Pekkanen, “Civil Society and Interest Groups in Contemporary Japan,” *Pacific Affairs* 80, no. 3 (October 1, 2007): 419–37.

²⁹² “Imperial Rescript on Education,” October 30, 1890, <http://www.danzan.com/HTML/ESSAYS/meiji.html>.

need to nourish “Reverence for the Emperor and Love of the Country” (*Sonno Aikoku* 尊皇愛國).²⁹³

In the early years of postwar reconstruction, partly due to the reforms that SCAP conducted, educational materials were purged of any nationalist tendencies.²⁹⁴ As part of the occupying policies, SCAP had wished to completely revamp the education material. “The US Education Mission led by George D. Stoddard,” says Takemae Eiji, “remained in Japan for less than a month [in 1946] but in that short time produced a blueprint for the institutional reform of Japanese education.”²⁹⁵ SCAP argued that the success for such a reform was necessary, and to achieve that, a cross-national committee was created, similar to the drafting of the Constitution, and on February 2, 1946, a Committee of Japanese Educators was started by the MOE. This Committee comprised of twenty-nine liberal academics, and produced an official recommendation of potential reforms the MOE could make.²⁹⁶ This Committee was also instrumental in the adoption of legal codes such as the Fundamental Law of Education of 1947 and the Board of Education Law of 1948.²⁹⁷ However, after Japan regained its sovereignty, the decentralization and democratization processes that had been put in place with the aforementioned laws were immediately reversed. In 1956, elected boards of education were

²⁹³ Ministry of Education, Culture, Sports, Science, and Technology, “Japan’s Modern Educational System: The First Hundred Years,” 2015, http://www.mext.go.jp/b_menu/hakusho/html/others/detail/1317326.htm.

²⁹⁴ Ouchi Hirokazu, *Aikokushin to kyoiku [Patriotism and Education]* (Nihon Tosho Sentaa, 2007), 63.

²⁹⁵ Eiji Takemae, *Allied Occupation of Japan* (A&C Black, 2003), 352.

²⁹⁶ Takemae, 355–56.

²⁹⁷ “Fundamental Law of Education” (1947); “Board of Education Law” (1948).

abolished and replaced with appointments, and starting 1958, all textbooks were to be reviewed with Ministry of Education (MOE) oversight.²⁹⁸ Also in 1958, the MOE reintroduced moral education, previously prohibited by SCAP.²⁹⁹ However, this must be further explained, as the prewar ‘*tenno*’ system education procedures, such as the Rescript, were simply not replicated. The prewar ‘moral education’ revolved around *shushin*, which borrowed heavily from Mencius and other Neo-Confucian teachings, developed primarily to combat the rise of Western individualism and materialism.³⁰⁰ The continuation of *shushin* education was prohibited by SCAP. The ‘moral education’ that was reintroduced by MOE in 1958 centered around *dotoku*, was less an instilling of hierarchic dogma, but rather incorporated ideas such as civic participation, and the importance of education. However, this differentiation come across as superficial to some scholars such as Khan, who argues that “concepts such as ‘thoughtfulness,’ ‘reverence,’ ‘modesty,’ ‘patriotism,’ and ‘sincerity’ in moral education resemble those of the prewar moral education...except for the emphasis on imperial ideology.”³⁰¹

Furthermore, starting in the latter half of the century, a move towards ‘liberal nationalism’ was made by educational interest groups that often were closely tied with the government.³⁰² These groups’ agenda primarily revolved around historical revisionism regarding the comfort women,

²⁹⁸ Miki Y. Ishikida, *Japanese Education in the 21st Century* (iUniverse, 2005), 187–88.

²⁹⁹ Ishikida, 188; Cf. Khan, *Japanese Moral Education Past and Present*, 109.

³⁰⁰ Yumeno Kyusaku, *Tokyo-jin no Daraku Jidai [Depravity of Tokyoites]* (Kyushu Nippo, 1925).

³⁰¹ Ishikida, *Japanese Education in the 21st Century*, 71; Khan, *Japanese Moral Education Past and Present*, 204–5.

³⁰² Shigemoto Kazuo and Sato Tetsuo, *Kimigayo shiryō shusei [Articles on Kimigayo]* (Oozora-sha, 1991), 145.

as well as the nature of Japanese acts of aggression during the War; the purpose for this revisionism, according to Kevin Doak was to nourish a sense of nationalism and patriotism to the citizens of the next generation.³⁰³ An editorial from The Japan Times echoes an eerie similarity between the Ministry of Education’s Textbook Authorization Research Council—which is the official body of MEXT that edits and approves history texts for usage in Japanese middle and secondary schools—and the contents of the Imperial Rescript: “The education ministry’s [actions] will clearly strengthen state control of textbooks and help nurture parochial nationalism among children,” and cautions its readers that “‘morals’—as defined by the central government—[being taught] as a mandatory subject” will “tighten government control over education.”³⁰⁴

Whereas Bunce’s parameters for democracies predominantly focus on the political structures of regimes, Robert Dahl focuses more on civil society when constructing his rubric for what a democratic regime should qualify. Dahlian democracy starts off by saying that an ideal form of democracy does not exist, but sets forth five propositions that a state needs to fulfill to be considered a democracy: (i) De facto Free Participation by the Citizenry; (ii) Voting Equality; (iii) an Educated Citizenry; (iv) Agenda-setting Freedom by the Citizenry; and (v) Inclusive Equality among the Citizenry.³⁰⁵ When applying the Dahlian theory of democracy to Japan, or any other state, discrepancies soon emerge that were invisible under the Schumpeterian theory

³⁰³ Doak Kevin, *Ogoe de utae, “Kimigayo” wo [Sing Kimigayo Aloud]* (Boydell & Brewer, 2009), 210–11.

³⁰⁴ “Editorial: Teaching or Brainwashing?,” *The Japan Times*, January 12, 2014.

³⁰⁵ Robert A Dahl, *Democracy and Its Critics* (New Haven: Yale University Press, 1989), 221.

of democracy, where the theoretical burden is on his argument regarding electoral politics.

Japanese law stipulates that all citizens above the age of twenty are eligible to vote in national and local elections. However, gross malapportionment stifles the equality between the value of each vote depending on where the voter is voting, and thus does not meet the first and second propositions. The Japanese citizenry are not controlled by the government to protest against the authorities to gain rights that they do not have. While that may be the case, in reality, civil society organizations need to register prior to making any demonstrations against the authorities, and this enforced cooptation significantly weakens civil society in general.

Controls on the media are not as Orwellian as the left argues them to be, but the *Kisha Club* system does not allow for the media to engage in investigative journalism, as all information that the journalists can collect come from these press clubs that are affixed to various government agencies, and if any would dare to report critically against the government, news agencies in question are liable to be expelled from access.³⁰⁶ Thus, the press club system allows the establishment to promulgate a cookie-cutter form of information to its media outlets, thereby creating a “harmonious” relationship between the authorities and the media. This then leads to the lack of an educated citizenry. Japan has one of the highest literacy rates in the world, and yet, also could be considered to be the most docile citizenry due to the watered down information they receive from the established media outlets.³⁰⁷ When accurate

³⁰⁶ Adam Gamble and Takesato Watanabe, *A Public Betrayed: An Inside Look at Japanese Media Atrocities and Their Warnings to the West* (Regnery Publishing, 2004), 53–66.

³⁰⁷ Central Intelligence Agency, “The World Factbook,” 2012, <https://www.cia.gov/library/publications/the-world-factbook/fields/2070.html>.

information is not available to the masses, and only information that is filtered by agencies are broadcast, one cannot argue that the educated citizenry in Japan qualify Dahl's third proposition for the need of an educated citizenry. Lastly, the applicability of equality across all citizens in Japan is not a reality either. Japan has historically battled citizens' organizations in regards to the minority ethnic Korean and ethnic Chinese population, as well as with *Burakumin* communities. Citizens such as these are not considered "citizens" under the Immigration Control and Refugee Recognition Act, and such discrimination does not allow for a universal application of voter eligibility laws in Japan.³⁰⁸

None of these factors of the Japanese civil society falls within the traditional parameters of a democratic regime.

6.2.3. Economical aspects of Heliocracy

In early 1948, when the Japanese economy was not as uplifting as the SCAP had wished it to be, the SCAP hurried the creation of the Ministry of International Trade and Industry to allow for greater governmental intervention in the domestic economy.³⁰⁹ This was the beginning of the Johnsonian developmental state. The formation of MITI served US foreign policy interests as well: Walter LaFeber writes that this decision kept "Asia open to American interests while integrating the region within an open, global, capitalist framework...Japan was less an end in itself than the means, in Washington's eyes, for achieving the larger regional and global

³⁰⁸ "Immigration Control and Refugee Recognition Act," Pub. L. No. Cabinet Order No. 319 (1951).

³⁰⁹ Dower, *Embracing Defeat*, 540–41.

purposes of US foreign policy.”³¹⁰ It was not only MITI that was de facto carried over from the prewar years. The Ministry of Finance and the Bank of Japan carried over intact, and while the Home Ministry—in charge of propagandizing and suppression of dissent—was formally dissolved in 1947, its functions, as well as a great proportion of bureaucrats from the Ministry, were carried over to the Ministry of Home Affairs, the Ministry of Health and Welfare, the Ministry of Construction, and the National Public Safety Commission.³¹¹ However, of the many ministries that carried over, either intact or in pieces, the MITI was of a different caliber; that is, “MITI, established in 1949, is not merely the successor of the former Ministry of Commerce and Industry...It also absorbed trade functions of the Occupation-period Board of Trade, which was the successor to the semiautonomous Trade Bureau,” thus, bolstering its administrative authority over “industrial and trade policy to a degree not even attained under the militarists.”³¹²

Jonah Levy illustrates how the postwar statist regime helped Japan reconstruct successfully up through the 1970s. He argues that the Japanese statist regime had four core features:

- (1) Meritocratic elite schools that recruited and trained the nation’s best and brightest youth for high-level positions in the state administration;
- (2) Multiyear planning processes that established the priorities and parameters of the nation’s economic development;
- (3) A variety of policy instruments that permitted state authorities to influence and channel resources to key sectors or even individual firms (strategic use of trade policy, subsidized credit, research aid, price rigging,

³¹⁰ Walter LaFeber, *The Clash: U.S.-Japanese Relations Throughout History* (W. W. Norton & Company, 1998), 271.

³¹¹ W. G. Beasley, *The Rise of Modern Japan, 3rd Edition: Political, Economic, and Social Change Since 1850* (Palgrave Macmillan, 2000), 229.

³¹² Edward R. Beauchamp, *History of Contemporary Japan, 1945-1998* (Taylor & Francis, 1998), 55.

etc.); (4) A political foundation of conservative hegemony that allowed planners to slight the needs of labor, favoring investment over consumption.³¹³

Levy's 4-point criteria theorize what Johnson and Gregory Noble claims in his research on the Japanese bureaucracy. Johnson illustrated that nature of MITI, and how it implemented its goals through a myriad of 'tools,' including but not limited to, administrative guidance, and drafting ministerial ordinances.³¹⁴ Noble argued that the Ministry of Posts and Telecommunications held substantial "discretionary influence" over the entire telecommunications industry standards.³¹⁵ Furthermore, the Ministry of Finance has successfully obtained the power to hold a secondary budget—the Fiscal Investment and Loan Plan (*Zaisei Tokyushi Keikaku*)—that did not require any oversight from the national legislature. Such extralegal leverage may confound some, as this directly contradicts the principle of the rule of law. Isomura Eiichi and Kuronuma Minoru, authors of *Gendai Nihon no gyosei* (1974), clarify that the Japanese government do not observe the rule of law, but rather, rules by law.³¹⁶ This vast discretionary power—rule by law—given to the bureaucracy was a key factor in the coming years as the economic statist regime propelled Japan through the tumultuous

³¹³ Jonah D. Levy, *The State After Statism: New State Activities in the Age of Liberalization* (Harvard University Press, 2006), 97.

³¹⁴ Johnson, "Japan," 11.

³¹⁵ G. W Noble, "Let a Hundred Channels Contend: Technological Change, Political Opening, and Bureaucratic Priorities in Japanese Television Broadcasting," *Journal of Japanese Studies* 26 (2000): 106.

³¹⁶ Johnson, "Japan," 11.

1950s to as late as the 1990s.

6.3. Conclusion

None of the above rapid reindustrialization would have been possible without the peculiar circumstances Japan found itself in in the immediate aftermath of the war. That is, most nation-states have some form of a standing army, or, have an explicit agreement with a neighboring nation-state regarding their security policy in times of conflict. However, Japan, being confined by Article 9 of the Constitution that was promulgated in 1947, as well as by the evolving nature of US foreign policy of the region, found itself in a favorable situation where it could be fully reliant on the US military for the protection of its borders. Thus, the Yoshida Doctrine was born, which justified Japan's strategies of focusing purely on mercantilism, without being forced to engage in any major conflict with its increasingly tumultuous neighboring areas.³¹⁷ Donald C. Hellmann refers to the position of Japan being incubated by the United States as a 'greenhouse,' explaining, "Japan was and still remains essentially a passive actor on the world political state, more a trading company than a nation-state, a nation without a foreign policy in the usual sense of the word."³¹⁸ It was through such peculiar circumstances that facilitated a vibrant economic revitalization, as well as monolithic

³¹⁷ Kevin J. Cooney, *Japan's Foreign Policy Since 1945* (Routledge, 2015), 6.

³¹⁸ Donald C. Hellmann, "Japanese Politics and Foreign Policy: Elitist Democracy Within an American Greenhouse," in *The Political Economy of Japan: The Changing International Context*, ed. Takashi Inoguchi (Stanford University Press, 1988), 358.

political structure. With the total absence of a necessity for Japan to sacrifice their youth for the sake of the state, this was yet another source of popular discontent that was nullified before it occurred.

Chapter 7. 1989-2010: A Period of Turbulance in Heliocracy

素人が政権を取ったのだからしょうがない。イギリスの議会制民主主義だって定着するまで時間がかかっている。

It was to be expected, considering it was an amateur-led administration. Even the British parliamentary democracy took time to be accepted too.

—Ozawa Ichiro, January 15, 2019.³¹⁹

The period starting in 1989 was indeed a tumultuous one. The death of the sovereign notwithstanding, Japan was faced with international, domestic, and economic disarray unbeknownst to the nation since the end of the war. The Cold War was about to come to a close, while, bringing with the change, a new War on Terror began. In the following three decades, there were two ascensions to the throne by members of the Imperial Family; one following a death, and the other, an abdication. The economic downturn led to frequent reorganization of political parties and their respective leadership. These seismic events are often alluded to as igniting paradigm shifts—notably the 1993 split in the Liberal Democratic Party—in the political, bureaucratic, and social institutions of Japan. However, as this chapter will show, whatever shift may have occurred did not fundamentally affect the basic dynamics or the efficiency—or the lack thereof—of the heliocratic system of governance in Japan.

³¹⁹ “Heisei Keizai 30nenshi: Ozawa Ichiro Jiyuto Kyodo Daihyo [An Economic History of Heisei: Ozawa Ichiro, Cochairman of the Liberal Party],” *Weekly Economist*, January 15, 2019.

7.1. Political Disarray

Emperor Hirohito passed away at 6:33am, January 7, 1989. This marked the end of the Showa, and Crown Prince Akihito ascended to the throne, making this day the beginning of a new page in Japan: Heisei.³²⁰

The dawn of the Heisei brought forth a period of turmoil in the domestic regime. The ruling LDP was faced with several large-scale corruption scandals starting in the end of the 1980s: the Recruit Scandal in 1988, and the Sagawa Scandal of 1992 fomented strong disapproval against the LDP administration in the early 1990s.³²¹ The lingering economic downturn from the economic bubble bursting, as well as failed promises of political reform by the Kaifu and Miyazawa administrations also did not help, in securing LDP's majority. Internal factional rivalries led to large power players such as Ozawa Ichiro to leave the LDP in 1993, igniting a series of party regrouping in the Diet.

In 1993, the 1955 system came to an abrupt end. Factional differences within the LDP caused two large factions to splinter off to create their own parties, and the LDP ended its reign with the epic loss in the 1993 House of Representatives election.³²² For the first time since 1955, on

³²⁰ Susan Chira, "Hirohito, 124th Emperor of Japan, Is Dead at 87: Monarch Fell Ill Sept. 19 -- Crown Prince, 55, Ascends the Throne Hirohito, Emperor of Japan, Dies at 87 The State Funeral Is Expected to Take Place in 40 to 50 Days.," *New York Times*, January 7, 1989, <http://search.proquest.com/docview/110237490/abstract/B7416E7044864300PQ/2?accountid=14784>.

³²¹ Bruce Stronach, *Beyond the Rising Sun: Nationalism in Contemporary Japan* (Greenwood Publishing Group, 1995), 104; Schwartz and Pharr, *The State of Civil Society in Japan*, 260.

³²² Hata Tsutomu and Ozawa Ichiro created the Japan Renewal Party, and the New Party Sakigake was started by a group of young policymakers led by those such as Takemura Masayoshi and Hatoyama Yukio; Masae Ido,

July 29, 1993, a Japanese government comprised of parties other than the LDP was formed, as a coalition that included the Japanese Socialist Party, the Japan Renewal Party, the Komeito, the Japan New Party, the Democratic Socialist Party, the New Party Sakigake, the Socialist Democratic Federation, and the Democratic Reform Party.³²³ However, as one may expect, severe impediments for an eight-way coalition to act effectively, the coalition disintegrated on April 25, 1994. This led to the creation of the Japan Renewal Party, and the Hata administration was set up.³²⁴ This too failed quickly with the Hata cabinet resigning on June 30, 1994, and a coalition government consisting of the Japanese Socialist Party, the Liberal Democratic Party, and the New Party Sakigake was formed, with Murayama Tomiichi as prime minister.³²⁵ Thus, the new era of extreme political fluidity began. The period from 1989 to 2012 was characterized by a revolving door of prime ministers, with upwards of seventeen heads of government in this twenty-three-year period.³²⁶

“‘1993nen Saigo No Chusenkyokusei Senkyo’ to ‘Minshuto Daihyosen’ [The Final Medium District Elections of 1993‘ and ‘Presidential Election for the Democratic Party of Japan’],” *BLOGOS* (blog), December 28, 2014, <http://blogos.com/outline/102390/>; “Wayback Machine: Sakigake Vista,” 2001, <http://web.archive.org/web/20010721113204/http://www.coara.or.jp/~sakigake/>; Cf. Leonard J. Schoppa, *Evolution of Japan’s Party System: Politics and Policy in an Era of Institutional Change* (University of Toronto Press, 2011).

³²³ Aurelia George Mulgan, *Ozawa Ichirō and Japanese Politics: Old Versus New* (Routledge, 2014), 16.

³²⁴ Mulgan, 63.

³²⁵ William D. Hoover, *Historical Dictionary of Postwar Japan* (Scarecrow Press, 2011), 195.

³²⁶ To be more accurate, one needs to take into account that the Koizumi Junichiro administration lasted from 2001 to 2006, and thus during the twenty-three-year period excluding Koizumi, there were sixteen prime ministers, roughly one every fourteen months; “Naikakuseido to Rekidai-Naikaku [The Prime Ministerial System and Historical Prime Ministers],” Cabinet Office Home Page, 2015, <http://www.kantei.go.jp/jp/rekidai/ichiran.html>.

Table 5. Prime Ministers from 1989 to 2012

Name	Start Date	End Date	Party
Uno Sosuke	June 3, 1989	August 10, 1989	LDP
Kaifu Toshiki	August 10, 1989	November 5, 1991	LDP
Miyazawa Kiichi	November 5, 1991	August 9, 1993	LDP
Hosokawa Morihiro	August 9, 1993	April 28, 1994	JNP
Hata Tsutomu	April 28, 1994	June 30, 1994	JRP
Murayama Tomiichi	June 30, 1994	January 11, 1996	JSP
Hashimoto Ryutaro	January 11, 1996	July 30, 1998	LDP
Obuchi Keizo	July 30, 1998	April 5, 2000	LDP
Mori Yoshiro	April 5, 2000	April 26, 2001	LDP
Koizumi Junichiro	April 26, 2001	September 26, 2006	LDP
Abe Shinzo	September 26, 2006	September 26, 2007	LDP
Fukuda Yasuo	September 26, 2007	September 24, 2008	LDP
Aso Taro	September 24, 2008	September 16, 2009	LDP
Hatoyama Yukio	September 16, 2009	June 8, 2010	DPJ
Kan Naoto	June 8, 2010	September 2, 2011	DPJ
Noda Yoshihiko	September 2, 2011	December 26, 2012	DPJ
Abe Shinzo	December 26, 2012	<i>Incumbent</i>	LDP

The splintering and mergers of political parties in this period is truly staggering. Members that left the LDP in 1993 created the Japan New Party, the Japan Renewal Party, and the New Party Sakigake. For the 1996 General Election, the Democratic Socialist Party, Clean Government Party, JNP, and the JRP merged to form the New Frontier Party, becoming the party with the second most seats in the Lower House after the LDP. Meanwhile, the dissolution of the USSR and the end of the Cold War led the JSP to reevaluate its mission, and those who favored a more conservative approach to politics left the party to join former LDP members to create the Democratic Party of Japan. For the 1998 House of Councilors election, the NFP dissolved and splintered once again, with its members joining and rejoining with the DPJ, the LDP, as well as recreating the CGP, and new parties such as the Liberal Party.

While the sheer number of factions and parties being created anew and dissolving, one often overlooks the fact that excluding those who splintered off from the JSP and the CGP, everyone else originated in the LDP, and many, returned to their old nests.

The decline of the JSP can be attributed to two factors: ideological and electoral. The Grand Coalition the JSP partook with the LDP entailed the JSP to agree on the legitimacy of the SDF and the promotion of civilian nuclear energy programs, as well as implementation of the new single member electoral district system. This created an internal rift between the traditional leftist base of the party, and its more pragmatic factions. Furthermore, accepting the new electoral system, de facto, shot the party in its foot. Single member districts (SMD) favor larger parties that have a strong national presence, and tend to lead to two-party systems. The disadvantages of smaller parties is further exacerbated by the centralized fiscal policy of Japanese party politics, as parties need national representatives to bring pork back to their districts so that their local representatives can distribute them.³²⁷ Without a strong national base, the local base flounders, and becomes unable to attract new candidates able to gain seats in the national stage. Once the JSP failed to keep its party cohesive, and members splintered off, they were put in an increasingly difficult position to regain foothold due to the SMD system that they themselves had promoted during the Grand Coalition government with the LDP.

³²⁷ Ethan Scheiner, *Democracy Without Competition in Japan: Opposition Failure in a One-Party Dominant State* (Cambridge University Press, 2006).

Thus, with the demise of the JSP, the political landscape of Japan was left with the LDP, and a plethora of smaller political parties founded by former LDP members, the Komeito—a political party founded on religious incentives, and the Japanese Communist Party. As the following years would show, this acute fragmentation of political parties would, in turn, strengthen the LDP due to their similar ideologies and policy goals, and show to the electorate that they were not a viable opposition to the ruling regime.³²⁸

The Grand Coalition ended in 1998, with the LDP holding the helm again, without a formal coalition with the SDP and NPS. LDP rule thus continued, until its traumatic loss in 2009, when the newly formed DPJ gained parliamentary majority.

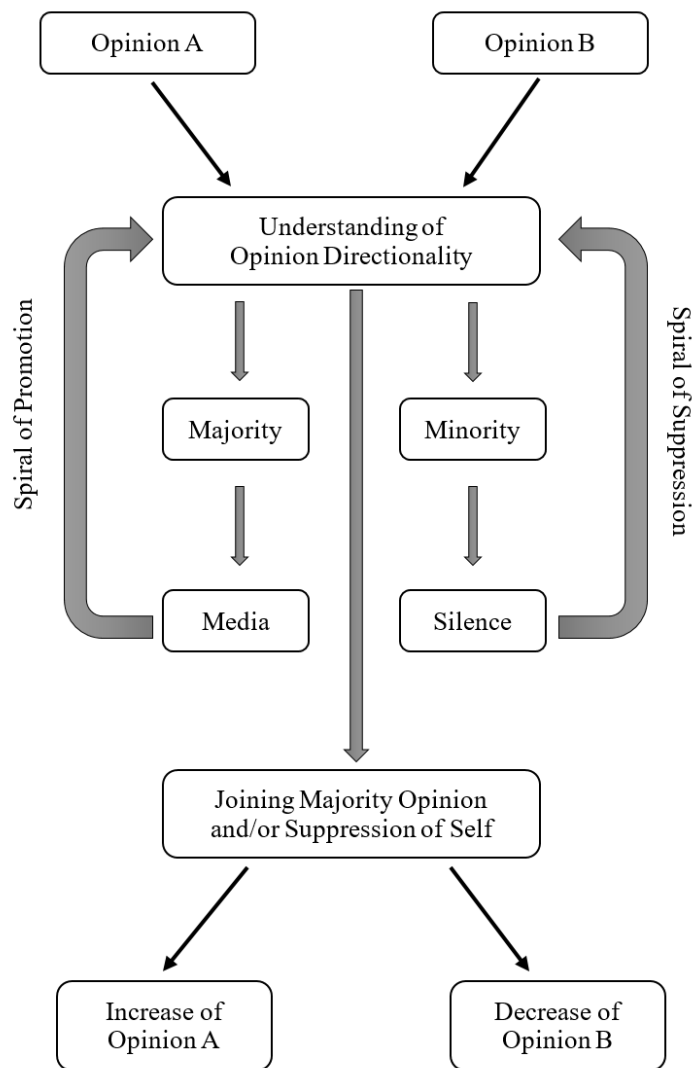
One of the more pertinent notes regarding the political theater of this period is the *Koizumi Gekijo* (“the Koizumi Show”) that unfolded in the 2005 General Elections. The election of 2005 was triggered by Prime Minister Koizumi’s decision to dissolve the Lower House based on his wishes to push through his landmark policy of postal privatization. Even within his party, the LDP, the postal privatization bill had considerable opposition. While the bill passed by a slight margin in the Lower House, the House of Councilors voted the bill down. Those

³²⁸ When the western press refer to the Democratic Party of Japan, the party is often referred to as a “center-left” party. I find this to be misguided. While the party is in fact, a collection of political actors that splintered off from a myriad of parties, both on the right (LDP), and the left (JSP), its ideological foundations are suspect, to be considered center-left (e.g. refer to Chapter 8 for its policies on nuclear energy). I believe that Richard Samuels summed up the DPJ aptly when he stated in an interview, “One often speaks of ‘center-left’ as a single position on an ideological spectrum, but in the case of the DPJ, the hyphen should be read as a plus sign. Those who came to it from the center and those from the left have never really found common ground on many important issues.” Richard J. Samuels, *Japan after Kan: Implications for the DPJ’s Political Future*, interview by Chris Acheson, August 19, 2011, <https://www.nbr.org/publication/japan-after-kan-implications-for-the-dpjs-political-future/>.

who opposed the bill in the Upper House included members of the LDP. Koizumi thus decided to dissolve the Lower House and call a snap election. Under his party leadership, he ordered the party not to endorse any candidates that were opposed to the legislation, and instead, nominate and endorse candidates—dubbed the *Koizumi Children*—to run against those incumbents. The LDP had another landslide victory, gaining eighty-four seats, with its total coming to two-hundred-and-ninety-six seats in the Lower House. Combined with their coalition partner, the CGP, the ruling administration was able to keep its hold on two-thirds of all seats of the Diet, making way for potentially overruling parliamentary votes with the two-thirds rule.³²⁹

³²⁹ Japanese parliamentary regulations regarding voting on bills stipulate that if a bill that passed the Lower House is voted down or not voted on by the Upper House within sixty days, the Lower House can vote on it again, and if more than two-thirds of the members of the Lower House vote to pass the bill again, the bill passes the Diet and becomes law.

Figure 10. Spiral of Silence Theory³³⁰



What is interesting regarding the *Koizumi Show* is that it was a prime example of an amalgamation of the Spiral of Silence Theory and heliocracy. The Spiral of Silence theory was

³³⁰ Adapted from Takeshita Toshiro, *Media no gidai settei kinou: masukomi kouka kenkyu ni okeru riron to jissho [Agenda Setting Mechanism of the Media: Theories and Practice in Mass Communication Studies]* (Gakubunsha, 2008).

posited by Elisabeth Noelle-Neumann in 1974, and describes the nature of agenda setting and public opinion. The gist of her argument is that those that espouse minority opinions tend to silence their views for fear of social isolation, and conversely, that the majority opinions get bolstered through mass dissemination of their views through media. Eventually, the minority opinions are suppressed through the spiral process, and public opinion rallies around the majority opinion.³³¹

In the case of the *Koizumi Show*, the fear of social isolation was bolstered by the highly conformist nature of heliocratic society in Japan. This, combined with the one-phrase politics of the Koizumi Show—such as the media and Koizumi throwing around phrases such as *shikaku* (“assassins”) to refer to Koizumi Children candidates, and *jiminto wo bukkowasu* (“Tear down the LDP”) as a catch phrase—fostered a public opinion ecosystem where those who opposed the Koizumi administration were portrayed as enemies, and those who supported as saviors. Here, once again, the Neo-Confucian proto-ideology of the Japanese heliocracy, namely the cultural conformism, strengthened the agenda setting of the heliocratic regime, thereby overwhelmingly electing a party that may not have been in the electorates’ best interests.

7.2. End of the Cold War

By 1989, the Cold War was coming to a close. On November 9, 1989, the masses in Berlin

³³¹ Elisabeth Noelle-Neumann, “Turbulences in the Climate of Opinion: Methodological Applications of the Spiral of Silence Theory,” *The Public Opinion Quarterly* 41, no. 2 (1977): 143–58.

decided to fell the Wall that had divided them for decades.³³² The Soviet Union had begun to corrode away internally, and the bipolarity that had existed since the Korean War had shifted to a singular, unipolar international system: Pax Americana.³³³ Foreign policy directives had lost their purpose, and the powers of the world needed to restructure their foreign policies. During the beginning of the Cold War, the US Occupation in Japan had reversed its initial efforts to democratize Japan, and instead procured Japan as a stalwart against communist aggression. Thus, the US-Japan Security alliance was born. After the Soviet Bloc had been de facto defeated, many Japanese neorealists argued that Japan would distance itself from the United States, and pursue its own interests.³³⁴ However, John Ikenberry rightly analyzed the quid pro quo Tokyo and Washington saw in the continuation of the US-Japan Security alliance; that is, by continuing on with Japan being “a junior partner in a US-centered regional and global order,” the US was willing to “play down bilateral economic conflicts and focus attention instead on repairing and expanding their bilateral security relationship with Japan.”³³⁵

This period also saw a transformation of the international status of the Self-Defense Forces (SDF) of Japan. Historically, administrations had been reluctant to send the SDF to UN Peace

³³² Nigel Kelly, *The Fall of the Berlin Wall: The Cold War Ends* (Capstone Classroom, 2006), 4.

³³³ Robert Gilpin, *War and Change in World Politics* (Cambridge: Cambridge University Press, 1981), 30, <http://ebooks.cambridge.org/ref/id/CBO9780511664267>; G. John Ikenberry, *America Unrivaled: The Future of the Balance of Power* (Cornell University Press, 2002), 284; Nigel Thalakada, *Unipolarity and the Evolution of America's Cold War Alliances* (Palgrave Macmillan, 2012).

³³⁴ Kenneth N. Waltz, “The Emerging Structure of International Politics,” *International Security* 18, no. 2 (October 1, 1993): 55, <https://doi.org/10.2307/2539097>.

³³⁵ Ikenberry, *America Unrivaled*, 201–201.

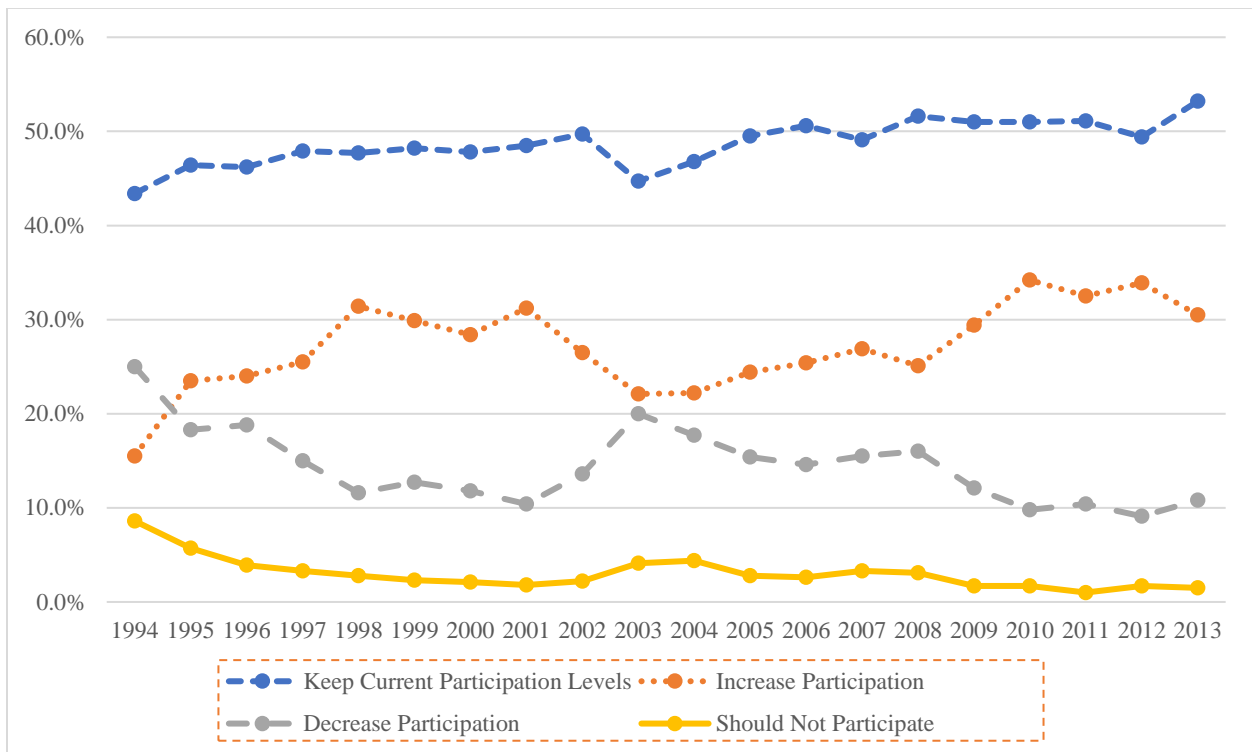
Keeping Operations. For example, in 1958, under the Kishi Nobusuke administration, the international community asked for Japan to deploy their SDF to the UN Observation Group in Lebanon. However, at the time, Kishi was working towards revising the Constitution in tandem with revisions to the US Japan Security Treaty, and opted against the excursion based on the worry that such an expedition would negatively affect public opinion regarding constitutional revision.³³⁶ However, the end of the Cold War, and the increased association between the Japanese SDF and the stationed US forces did bring a new era of international cooperation between the US and Japanese militaries.

In 1992, the Act on Cooperation for United Nations Peacekeeping Operations and Other Operations was passed by the Diet, which opened up new ways for Japanese cooperation regarding international peacekeeping missions, but also, as an optimal segue for Japan to support the US military in the future.³³⁷ Between 1991 and 2003, Japan sent their SDF to a selection of UN Peacekeeping Operations, as well as supporting roles in international conflicts. These include Minesweeping missions in the Persian Gulf (1991), PKO in Cambodia (1992), PKO in Mozambique (1993), Humanitarian aid in Zaire (1994), PKO in the Golan Heights (1996), Air cargo support missions in Afghanistan during the US-led War on Terror (2001), as well as continued refueling missions in support of the Operation Enduring Freedom – Maritime Interdiction Operation (2001-2006).

³³⁶ “Jeitai no Kaigai Haken wo meguri Reiwa no ima giron subeki koto [What we need to be examining regarding Foreign Excursions by the SDF during the Age of Reiwa],” *Asahi Shimbun*, October 26, 2019, <https://webronza.asahi.com/politics/articles/2019102300007.html>.

³³⁷ “Act on Cooperation for United Nations Peacekeeping Operations and Other Operations,” 79 § (1992), http://www.pko.go.jp/pko_j/data/law/pdf/law_e.pdf.

Figure 11. Public Opinion of SDF PKO



The deployment of SDF in foreign excursions undeniably lay the foundations for future forays into constitutional reinterpretation of collective self-defense in both the government and in public opinion. Indeed, public opinion for various peacekeeping operation participation has been on an upward trend, with upwards of ninety percent of respondents in support of some level of participation, and of which, thirty percent support an increased foreign presence, in a recent survey conducted by the Cabinet Office (See Figure 9).³³⁸

³³⁸ “Gaiko Ni Kansuru Yoronchousa Zu26 [Public Opinion Surveys on Foreign Policy: Figure 26],” Cabinet Office Survey Data, 2013, <https://survey.gov-online.go.jp/h25/h25-gaiko/zh/z26.html>.

Another aspect of the increased presence of Japan in the international community came in the form of an apology—twice. Firstly, with the Kono Statement on August 4, 1993, and secondly, with the Murayama Statement on August 15, 1995. The historical position that the Japanese government held up until 1993 was that Japan had not forced anyone into involuntary prostitution during the Second World War. This issue pertaining to the so-called Comfort Women was a thorn in the side of any bilateral relations between Japan and Korea since the end of the War.³³⁹

During bilateral negotiations between then Prime Minister Miyazawa Kiichi and President Roh Tae-woo of South Korea in 1992, Miyazawa expressed his “remorse at the deeds” and his “apology to the people of the Republic of Korea” regarding the Comfort Women.³⁴⁰ Upon being pressed by his Korean counterpart, the Japanese government began an investigation on involuntary aspects of the Comfort Women, led by the Cabinet Foreign Policy Office, and issued a statement on August 4, 1993.³⁴¹ On the same date, Chief Cabinet Secretary, Kono Yohei issued a statement regarding the results of the investigation, acknowledging government

³³⁹ James Sterngold, “Japan Admits Army Forced Women Into War Brothels,” *New York Times*, August 5, 1993, sec. World, <https://www.nytimes.com/1993/08/05/world/japan-admits-army-forced-women-into-war-brothels.html>.

³⁴⁰ “Japanese Premier Begins Seoul Visit,” *New York Times*, January 17, 1992, sec. World, <https://www.nytimes.com/1992/01/17/world/japanese-premier-begins-seoul-visit.html>.

³⁴¹ “Iwayuru Jugun Ianfu Mondai Ni Tsuite [Regarding the so-Called Comfort Women Issue]” (Cabinet Foreign Policy Office, August 4, 1993), https://www.mofa.go.jp/mofaj/area/taisen/pdfs/im_050804.pdf.

involvement in the establishment and management of comfort stations, coercive recruitment of comfort women, and extended the government's "apologies and remorse."³⁴²

A more comprehensive apology was still yet to follow. On August 15, 1995, the fiftieth anniversary of the end of the war, Prime Minister Murayama Tomiichi issued a statement "On the occasion of the 50th anniversary of the war's end." In which, he stated:

敗戦の日から 50 周年を迎えた今日、わが国は、深い反省に立ち、独善的なナショナリズムを排し、責任ある国際社会の一員として国際協調を促進し、それを通じて、平和の理念と民主主義とを押し広げていかなければなりません。同時に、わが国は、唯一の被爆国としての体験を踏まえて、核兵器の究極の廃絶を目指し、核不拡散体制の強化など、国際的な軍縮を積極的に推進していくことが肝要であります。これこそ、過去に対するつぐないとなり、犠牲となられた方々の御霊を鎮めるゆえんとなると、私は信じております。

Building from our deep remorse on this occasion of the 50th anniversary of the end of the war, Japan must eliminate self-righteous nationalism, promote international coordination as a responsible member of the international community and, thereby, advance the principles of peace and democracy. At the same time, as the only country to have experienced the devastation of atomic bombing, Japan, with a view to the ultimate elimination of nuclear weapons, must actively strive to further global disarmament in areas such as the strengthening of the nuclear non-proliferation regime. It is my conviction that in this way alone can Japan atone for its past and lay to rest the spirits of those who perished.³⁴³

³⁴² "Ianfu Kankei Chousa Kekka Happyo Ni Kansuru Kono Naikaku Kanbo Chokan Danwa [Statement by the Chief Cabinet Secretary Yohei Kono on the Result of the Study on the Issue of 'Comfort Women']" (Ministry of Foreign Affairs, August 4, 1993), <https://www.mofa.go.jp/mofaj/area/taisen/kono.html>.

³⁴³ Tomiichi Murayama, "Statement by Prime Minister Tomiichi Murayama 'On the Occasion of the 50th Anniversary of the War's End'" (Ministry of Foreign Affairs, August 15, 1995), <https://www.mofa.go.jp/announce/press/pm/murayama/9508.html>.

This was the first time that a sitting prime minister acknowledged wartime atrocities, and expressed remorse to its victims. Of particular note regarding the Murayama Statement was that the statement was made by the Murayama administration, which was a coalition of the JSP, NPS, and the LDP. This unlikely coalition of parties seemingly on ideological polar opposites aptly characterized the political disarray that unfolded in the 1990s.

7.3. Socioeconomic Anomie

Until the late 1980s, the Japanese economy was booming—in a bubble formed through optimism and liquidity as one of the most successful economic powers of the world.³⁴⁴ John Caverly examined Japan as a case study for a book on financial crises, and illustrated the disproportionately strong economic growth of Japan:

Economic growth averaged 5.4 percent per annum from 1987-1990, after a dip to 3.1 percent in 1986. Productivity growth grew a rapid 4.6 percent per annum over the same period, helping to control inflation. Profits grew at an average 8 percent per annum during the whole decade of the 1980s, well ahead of inflation, and there seemed to be no reason why rapid growth could not continue.³⁴⁵

“There seemed to be no reason why rapid growth could not continue,” except for when it did not. The rampant asset bubble burst in late 1990, with stock prices falling by forty-six percent

³⁴⁴ John Calverley, *When Bubbles Burst: Surviving the Financial Fallout* (Nicholas Brealey Publishing, 2011), 43.

³⁴⁵ Calverley, 43–44.

from its acme in the previous year.³⁴⁶ This is when what came to be known as the “lost decades” began, as Japan slipped into a slow-growth recession that eventually continues to this day.³⁴⁷

The 1990s saw yet another factor contributing to social fluidity: the 1995 Aum terrorist attack. On March 20, 1995, members of the Aum Shinrikyo radical religious organization attacked the Tokyo subway system with sarin gas.³⁴⁸ This was the first time in modern Japanese history that a terror attack took place that affected over five thousand people.³⁴⁹ Marck Wheeler Macwilliams argues that the Aum cult successfully solicited many well-educated youth to join their organization, controlled their minds, and subsequently induced them to commit heinous crimes such as murders. This, he saw was rooting in the anomie that prevailed in the aftermath of the bursting of the economic bubble. Society was failing to accommodate the lost souls of youth.³⁵⁰

Seeing that many young people were so radicalized by social unrest, the government decided

³⁴⁶ Calverley, 45.

³⁴⁷ Yiping Huang and Shiro Armstrong, *Asian Financial Integration: Impacts of the Global Crisis and Options for Regional Policies* (Routledge, 2014), 79.

³⁴⁸ M. R. Haberfeld and Agostino von Hassell, *A New Understanding of Terrorism: Case Studies, Trajectories and Lessons Learned* (Springer Science & Business Media, 2009), 220.

³⁴⁹ There have been political terror attacks both in the prewar and postwar periods, but indiscriminate terror on this scale was unheard of until 1995.

³⁵⁰ Mark Wheeler Macwilliams, *Japanese Visual Culture: Explorations in the World of Manga and Anime* (Routledge, 2014), 148.

that promoting patriotism among the young would be an effective palliative. Thus, the Law Regarding the National Flag and Anthem was established in 1999 under the Obuchi administration.³⁵¹ Contrary to the legislative intent of the Law, this act was utilized by nationalist educational bureaucrats to clamp down on those who did not stand and pay their respects to the flag and the national anthem.³⁵² While the national flag of Japan may be a benign red dot on a white background, it is the anthem that becomes problematic for those who disagree with perpetuating Japanese nationalist ambitions. That is, the lyrics to the *Kimigayo* praise the imperial dynasty of Japan:

Thousands of years of happy reign be thine
Rule on, my lord, till what are pebble now
By age united to mighty rocks shall grow
Whose venerable sides the moss doth line.³⁵³

Teachers who decline to stand for the national anthem or refuse to sing the anthem now were liable to face administrative penalties, including having their contract terminated at the end of the term. This, in spite of the guarantee of “freedom of thought, belief and conscience,” as enshrined in both the Constitution of Japan and the International Convention for Civil and

³⁵¹ “Law Regarding the National Flag and Anthem” (1999); “National Flag & National Anthem,” Cabinet Office Home Page, 2015, http://www.cao.go.jp/en/flag_anthem.html.

³⁵² Marit Bruaset, “The Legalization of Hinomaru and Kimigayo as Japan’s National Flag and Anthem and Its Connections to the Political Campaign Of ‘healthy Nationalism and Internationalism,’” 2003, <https://www.duo.uio.no/handle/10852/24202>; “When A Flag Is Not A Flag,” *Newsweek*, March 28, 1999, <http://www.newsweek.com/when-flag-not-flag-163766>; Kyodo, “Music Teacher Reprimanded for Refusing to play ‘Kimigayo,’” Free Online Library, July 21, 1999, <http://www.thefreelibrary.com/Music+teacher+reprimanded+for+refusing+to+play+%22Kimigayo%22.-a055364732>.

³⁵³ The Japanese lyrics are: *Kimi ga yo wa / Chiyo ni yachiyo ni / Sazare ishi no / Iwao to nari te / Koko no musu made*; Roger Goodman and Ian Neary, *Case Studies on Human Rights in Japan* (Routledge, 2013), 78.

Political Rights.³⁵⁴ This movement to enforce patriotism in schools faced a setback in 2004, when the current Emperor Emeritus, then Emperor, the divine imperial figure that the *Kimigayo* praises, “stated his opposition to the regulation.”³⁵⁵ His imperial utterance, the constitutional limitations to him notwithstanding, was seen as “a sign that he was worried about Japan’s direction.”³⁵⁶

7.4. Bureaucratic Turmoil

The strong bureaucracy that had led Japan through its rapid reindustrialization was faced with several crises regarding its consolidated power during this period. The decade following the burst of the economic bubble and subsequent recession was also a period mired in bureaucratic corruption scandals, ranging from bribery of Ministry of Health and Welfare officials by hospice care corporations, to the No-Pan-Shabushabu trusts by bankers and Ministry of Finance bureaucrats.

The latter scandal led to the arrest and conviction of four MOF bureaucrats and six Bank of Japan officials, as well as the demotion and suspension of one-hundred and twelve MOF officials. Ironically, the initial target of the Special Investigative Team of the Tokyo District Public Prosecutors Office, who was the Minister’s Secretariat and Deputy Director-General at

³⁵⁴ John L. Cogan and Murray Print, *Civic Education in the Asia-Pacific Region: Case Studies Across Six Societies* (Routledge, 2013), 74–75.

³⁵⁵ Norimitsu Onishi, “Tokyo’s Flag Law: Proud Patriotism, or Indoctrination?,” *The New York Times*, December 17, 2004, http://www.nytimes.com/learning/teachers/featured_articles/20041217friday.html.

³⁵⁶ Onishi.

the time, was never arrested. This was later shown to have been the result of bureaucratic negotiation between MOF and MOJ, which led to MOJ agreeing to only prosecute lower tier officials, so that the MOF's bureaucratic integrity was retained.³⁵⁷

The economic downfall of the 1990s as well as corruption scandals forced the government of Japan to scrutinize the Ministry of Finance, subsequently leading to its restructuring, as well as further restructuring of the entire bureaucracy.³⁵⁸ The *Basic Act on Central Government Reform* of 1998 brought about large-scale restructuring of the central bureaucracy in 2001, consolidating twenty-three ministries into thirteen.³⁵⁹ This consolidation inevitably strengthened the individual bureaucracies, as each organ was assigned with a greater selection of issues over which they had oversight. While the Koizumi administration, which lasted from 2001 to 2006, implemented extensive deregulation through regulation of various industries,

³⁵⁷ “Okura Koso Yuchaku Kouzou No Kaname [The Ministry of Finance Is the Keystone of Bureaucratic Misdeeds],” *Kumamoto Nichi-Nichi Shimbun*, March 6, 1998; “Kinyu-Shoken Jiken, Jisatsu-Sha Wa 6 Nin Me [6th Suicide Related to Financial Bribery Incidents],” *Mainichi Shimbun*, May 2, 1998; “Okura Kyaria No Ogori [The Pridefulness of Ministry of Finance Bureaucrats],” *Tokyo Shimbun*, November 13, 1998; “Okurasho Oshoku Jiken Hatsukohan [Ministry of Finance Bribery Incident Trials Begin],” *Sankei Shimbun*, April 28, 1998; “Zumu Appu: Yureru Settai [Zoom Up: Wining and Dining Reconsidered],” *Kahoku Shinpo*, May 9, 1998; “Zumu Appu: Yureru Settai [Zoom Up: Wining and Dining Reconsidered],” *Kahoku Shinpo*, May 7, 1998; “Jitsuroku! ‘Zaimusho Skyandaru’ [Exposed! The Ministry of Finance Scandals],” *Friday Digital*, August 10, 2018, <https://friday.kodansha.co.jp/article/2887>.

³⁵⁸ Sonni Efron, “Japan’s Finance Ministry Rocked by Bribery Scandal,” *Los Angeles Times*, January 27, 1998, <http://articles.latimes.com/1998/jan/27/news/mn-12576/2>; Isabel ReynoldsTakashi Hirokawa, “Japan’s Once Dominant Finance Ministry Rises Again With Noda Tax,” *Bloomberg*, June 10, 2012, <http://www.bloomberg.com/news/articles/2012-07-09/japan-s-once-dominant-finance-ministry-rises-again-with-noda-tax>.

³⁵⁹ Cf. Kiyoshi Mizuno, “Chuou Shocho Tou Kaikaku Kihon Hou to Wa [Regarding the Central Ministry Reconstruction Act],” (January 14, 1999), <http://www.ppsa.jp/pdf/journal/pdf1999/1999-01-014.pdf>. Cf. Kiyoshi Mizuno, “Chuou Shocho Tou Kaikaku Kihon Hou to Wa [Regarding the Central Ministry Reconstruction Act],” <http://www.ppsa.jp/pdf/journal/pdf1999/1999-01-014.pdf>.

and privatized the postal system, these actions further strengthened the bureaucratic oversight of the industries in question. Whereas the society and political organs of government were in disarray during this period, the bureaucratic reshuffle notwithstanding, the Japanese bureaucracy continued to chug right along, pulling Japan onwards to the second decade of the new millennium.

7.5. Conclusion

The period from 1989 through 2010 was truly a tumultuous time. The end of the Cold War brought upon Japan a shift in its defense priorities, giving way to a new epoch of international cooperation. Furthermore, bilateral relationships grew, through the Kono and Murayama statements, addressing the comfort women issue lingering from the end of the Second World War.

Domestically, this period coincided with the end of Showa, a period spanning from the wars through the postwar reconstruction of Japan, and the Japanese Miracle. A new era, Heisei, began. Society saw a rise in anomie exacerbated by the economic downturn caused by the economic bubble bursting, with multiple banks failing. The increased instability saw a rise in truly horrific crimes, culminating in the terrorist attacks instigated by the Aum Supreme Truth. The bureaucracy, keeping with its oldern ways, was caught in several corruption and bribery scandals, which, in turn, triggered a large-scale, yet, superficial, restructuring.

Politically, the 1955 system came to an end, and the two major parties of the preceding era, the

LDP and the JSP, splintered, with those in opposing factions from within, leaving, and setting up new parties. Then, there was a short-lived grand coalition administration of the LDP and JSP, spanning ideologies, or, more accurately, in sense, spanning parties that had shed their underlying ideological foundations. After a series of LDP prime ministers—virtually all of them members of the hereditary political elite—swapping places for several years, a new DPJ-led coalition government formed in 2009.

However, one thing that persevered throughout this period, as with preceding periods, is the nature of governance in Japan. It is true that there were an array of transitions, restructuring, and coalition building that occurred. All of them notwithstanding, the regime, inevitably, has continued on. The members of the bureaucratic and political elite remained, and civil society willfully continued to support its leaders. The rise of the DPJ in relation to the LDP was not some evidence to the two-party system, or even a show of will by the populace against the LDP. The DPJ was a party of fragmented ideologues, many originating from the LDP—new faces, but same gist of politicking.

The DPJ-led coalition government was to face its biggest challenges in the coming decade, and Japan will see a resurgence of its old ways of governing. It will persevere. The people, but also the heliocracy in general.

Chapter 8. March 11, 2011

直ちに人体や健康に影響を与える数値ではない

These levels do not pose an immediate threat to your health.

—Edano Yukio, March 20, 2011.³⁶⁰

The anaphylactic shock that Japanese society endured in the previous two decades was suddenly defibrillated by the environmental catastrophe that struck on March 11, 2011. The social and political fallout of the 1990s largely carried over, but by 2012, the LDP had returned to power, with a sense of direction unheard of in the previous half-century. The bureaucracy too was strengthened once again. The anomie that permeated the lost decade turned into a myriad of feelings and actions by the people of Japan. Japan was rattled awake.

This chapter looks at the greatest natural disaster to have hit Japan in modern times, and through a case study of the political, bureaucratic, and social support and management of civilian nuclear energy in Japanese heliocracy.

8.1. Defibrillation and Continuity

The sociopolitical turmoil of the preceding decades came to an abrupt halt on March 11, 2011. One of the largest earthquakes in recorded history hit off the coast of northeastern Japan,

³⁶⁰ Ken Belson and Hiroko Tabuchi, “Japan Finds Tainted Food Up to 90 Miles From Nuclear Sites,” *The New York Times*, March 19, 2011, sec. World, <https://www.nytimes.com/2011/03/20/world/asia/20japan.html>.

causing a tsunami, as well as subsequently, multiple nuclear meltdowns at the Fukushima Dai-ichi Nuclear Power Plant, just two hours north of Tokyo.³⁶¹ Whereas the preceding two decades were riddled with societal and political chaos, as well as economic stagnation, the triple disaster of 2011 was a turning point for the Japanese. It was a turning point where the chaos that ensued in the immediate aftermath led to the conservative central government consolidating more power, and the citizenry to willfully subjugate themselves to power again.

The government and the bureaucracy in particular, initially suffered setbacks in terms of the legitimacy. Regarding disaster management practices, the Japanese system of “hazard specific planning” causes disarray in times of acute crises says Leo Bosner, a retired official from the Federal Emergency Management Agency.³⁶² “The Japanese Government’s ‘hazard-specific’ disaster planning, that is, one plan for an earthquake, another for a tsunami, another for a terrorist incident, and so forth [...] is badly outmoded and leads to confusing and impractical plans as well as numerous gaps in response.”³⁶³ The mode of disarray within the government that created a stove-piped lack of cooperation between the agencies affected not only the post-

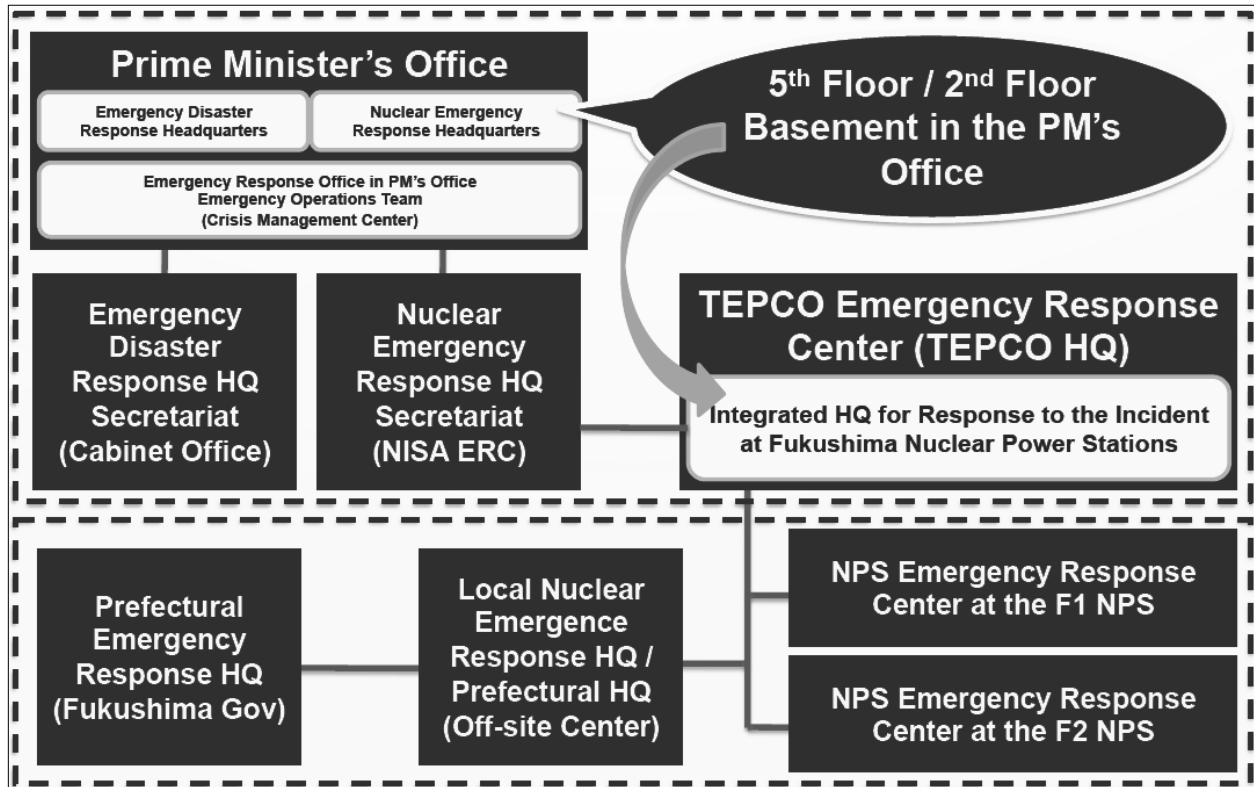
³⁶¹ Daniel Kaufmann and Veronika Penciakova, “Japan’s Triple Disaster: Governance and the Earthquake, Tsunami and Nuclear Crises,” The Brookings Institution, accessed April 21, 2014, <http://www.brookings.edu/research/opinions/2011/03/16-japan-disaster-kaufmann>; Damian Grammaticas, “Japan Quake: Worst Crisis since WWII, Says PM,” BBC News, March 11, 2011, <http://www.bbc.com/news/world-asia-pacific-12726297>; Takeo Ohnishi, “The Disaster at Japan’s Fukushima-Daiichi Nuclear Power Plant after the March 11, 2011 Earthquake and Tsunami, and the Resulting Spread of Radioisotope Contamination,” *Radiation Research* 177, no. 1 (January 1, 2012): 1–14; “NASA - Japan Quake May Have Shortened Earth Days, Moved Axis,” Feature, March 14, 2011, <http://www.nasa.gov/topics/earth/features/japanquake/earth20110314.html>.

³⁶² Leo Bosner, “Emergency Management in the US and Japan” (February 25, 2014). Leo Bosner, “Emergency Management in the US and Japan” (Temple University, Japan Campus, Tokyo, February 25, 2014).

³⁶³ Bosner.

crisis initial management, but also entire reconstruction efforts.

Figure 12. Nuclear Crisis Management Disarray



The organizational structure to deal with the crisis was complex and not effective. Under the prime minister's office was the Emergency Disaster Response headquarters, and the Nuclear Emergency Response headquarters, as well as the Emergency Response Office, which coordinated with the respective Secretariats for each section. Then there was the Emergency Response Center at the TEPCO headquarters, which transformed into the Integrated Headquarters for Response to the Incident at the Fukushima Nuclear Power Stations. These organizations had to coordinate with the Fukushima Prefectural Emergency Response headquarters, the Local Nuclear Emergency Response headquarters, and the NPS Emergency

Response Centers at the power plants.³⁶⁴ The lack of a permanent central disaster management authority similar to the Federal Emergency Management Agency in the United States could very well have alleviated many of the organizational failures that the Japanese government was met with in the wake of the disaster.

Such organizational failures were not ignored by Japanese civil society. Protests ensued shortly after the accidents, ultimately turning into the largest anti-government movement Tokyo has seen since the 1960s protests against the US-Japan Security Treaty.³⁶⁵ In one sense, the protests were a break from the seemingly docile culture of civil society and the nature of elite decision-making in Japan. The citizenry raised their voices against the repeatedly ambiguous statements issued by Edano, the Chief Cabinet Secretary at the time, who repeated over and over that “there are no immediate health risks” from the radiation. Public opinion polls showed that a majority of the population wanted either a gradual phase-out or an immediate decommissioning of all nuclear energy sources.³⁶⁶ David Slater et al. illustrate how civil

³⁶⁴ Investigation Committee on the Accident at Fukushima Nuclear Power Stations of Tokyo Electric Power Company, “Emergency Responses Required and Taken by Governments and Other Bodies,” July 23, 2012, 225, <http://www.cas.go.jp/jp/seisaku/icanps/eng/04IIIfinal.pdf>. See Appendix.

³⁶⁵ Hiroko Tabuchi, “Thousands Gather in Tokyo to Protest Nuclear Restart,” *The New York Times*, July 16, 2012, sec. World / Asia Pacific, <http://www.nytimes.com/2012/07/17/world/asia/thousands-gather-in-tokyo-to-protest-nuclear-restart.html>; “Anti-Nuclear Protests Held in Japan,” *BreakingNews.ie*, 2011, sec. World_news, <http://search.proquest.com.libproxy.temple.edu/docview/871264721>; “Thousands Protest in Tokyo against Nuclear Power,” *BBC Monitoring International Reports*, November 13, 2012; “Anti-Nuke Protesters to Encircle Parliament in Tokyo,” *Asian News International*, July 29, 2012.

³⁶⁶ Paul Midford, “Shifting Public Opinion and Debates on Energy Security & Renewable Energy in Japan” (February 13, 2014); Matthew Penney, “Nuclear Power and Shifts in Japanese Public Opinion,” *Japan Focus*, February 13, 2012, <http://japanfocus.org/-Noriko-MANABE/3796>. Paul Midford, “Shifting Public Opinion and Debates on Energy Security & Renewable Energy in Japan” (DIJ Seminar, Tokyo, February 13, 2014); Matthew

society organizations filled the gaps where the government could not fill in terms of disaster relief, arguing that Japanese citizenry have finally began taking political action, through utilizing social media to create flows of information as well as portals to coordinate disaster relief supplies being sent to the various evacuation centers.³⁶⁷ Civil society responded with full force to the crisis, and the protesters' agenda have been established in to the mainstream.³⁶⁸

While the mishandling of disaster management by the DPJ administration under Prime Minister Kan, and then by Noda was appalling in the eyes of the populace. In reality, the majority of the citizenry willfully took for granted the government's position on what is "really" happening in Fukushima. Traditional media sources repeatedly promulgated the images of Chief Cabinet Secretary Edano Yukio announcing that the amount of radiation being spewed out into the atmosphere by the meltdown had "no immediate risk to health," regardless of more accurate information made available from citizen activists and international organizations.³⁶⁹

Penney, "Nuclear Power and Shifts in Japanese Public Opinion," *Japan Focus*, February 13, 2012, <http://japanfocus.org/-Noriko-MANABE/3796>.

³⁶⁷ Keiko Nishimura, David Slater, and Love Kindstrand, "Social Media, Information and Political Activism in Japan's 3.11 Crisis," *Japan Focus*, 2012, <http://www.japanfocus.org/-nishimura-keiko/3762>.

³⁶⁸ Douglas Miller, "Japan's Antinuclear Movement, Post-3/11," *Japan Subculture Research Center* (blog), February 20, 2014, <http://www.japansubculture.com/japans-post-311-antinuclear-movement/>.

³⁶⁹ "'Tadachi Ni Eikyo Wa Nai' hatsugen No Kensho [An Examination of the statement: 'No Imminent Threat']," *The Asahi Shimbun*, March 8, 2013, <http://webronza.asahi.com/national/themes/2913030700002.html>; "Current Fukushima Exclusion Zone Map," Safecast, 2014, <http://blog.safecast.org/2013/12/current-fukushima-exclusion-zone-map/>; Chris Busby, "ECRR Risk Model and Radiation from Fukushima" (European Committee on Radiation Risk, March 19, 2011), <http://www.euradcom.org/publications/fukushima19032011.pdf>. "'Tadachi Ni Eikyo Wa Nai' hatsugen No Kensho [An Examination of the statement: 'No Imminent Threat']," *The Asahi Shimbun*, March 8, 2013, <http://webronza.asahi.com/national/themes/2913030700002.html>; "Current Fukushima Exclusion Zone Map," Safecast, 2014, <http://blog.safecast.org/2013/12/current-fukushima-exclusion-zone-map/>; Chris

Four days after the accident in Fukushima, Chancellor Angela Merkel of Germany announced that the German government would shut down seven nuclear reactors that have been in operation since the 1980s.³⁷⁰ By May 30, 2011, the German government drafted a cabinet decision to shut down all nuclear reactors in the country by “2022 at the latest.”³⁷¹ These decisions, created in a rush in the wake of the accident halfway around the globe gave hope to anti-nuclear activists in Japan, that they too may be able to lobby the government into shutting down all reactors for good in Japan. However, the difference in political climate between Germany and Japan was an obvious culprit in not allowing policy changes in Japan. A key parliamentary party that has been highly relevant in German politics is the Green Party, founded in 1980 by a group of peace and environmental activists, who have been staunchly anti-nuclear from its inception as a political party.³⁷² After a brief hiatus immediately following the German reunification, the Greens returned to the parliament, and joined a coalition with the Social Democratic Party and governed Germany from 1998 to 2005. While

Busby, “ECRR Risk Model and Radiation from Fukushima” (European Committee on Radiation Risk, March 19, 2011), <http://www.euradcom.org/publications/fukushima19032011.pdf>. “Tadachi Ni Eikyo Wa Nai” hatsugen No Kensho [An Examination of the statement: ‘No Imminent Threat’]; “Current Fukushima Exclusion Zone Map,” Safecast, 2014, <http://blog.safecast.org/2013/12/current-fukushima-exclusion-zone-map/>; Chris Busby, “ECRR Risk Model and Radiation from Fukushima” (European Committee on Radiation Risk, March 19, 2011), <http://www.euradcom.org/publications/fukushima19032011.pdf>.

³⁷⁰ Ben Knight, “Merkel Shuts down Seven Nuclear Reactors,” *Deutsche Welle*, March 15, 2011, <http://www.dw.de/merkel-shuts-down-seven-nuclear-reactors/a-14912184>.

³⁷¹ Annika Breidhardt, “German Government Wants Nuclear Exit by 2022 at Latest,” *Reuters*, May 30, 2011, <http://uk.reuters.com/article/2011/05/30/us-germany-nuclear-idUKTRE74Q2P120110530>.

³⁷² “Nuclear Energy (Atomausstieg),” The Green Party (Die Grüene), January 1, 2013, <https://www.gruene.de/themen/atomausstieg-energiewende/atomausstieg.html?type=%2525252fproc%2525252fself%2525252fenviron%252523%2523menuitem1>.

the Greens suffered a loss in 2005, they still garner support from the public, and are a key faction in German politics to this day.³⁷³ Thus, when the German government decided to shut down the nuclear reactors, an ulterior, political motivation was to cater to the opposition Green Party to ensure political survival of the ruling bloc.³⁷⁴ Regardless of the motivation behind Merkel's decision-making in the aftermath of the Fukushima disaster, the nuclear reactors in Germany were now to be decommissioned by 2022.

Things were starkly different in Japan. The two political parties that have been against nuclear energy from the onset were the Japanese Communist Party ("JCP") and the Social Democratic Party of Japan ("SDP").³⁷⁵ Excluding the coalition government formed by the SDP's predecessor, the Japanese Socialist Party, the New Party Sakigake and the LDP during the Murayama administration (1994-1996), neither the JCP nor the SDP have ever been particularly relevant in the Japanese political environment.³⁷⁶ Furthermore, the Japanese electorate has been averse to all things revolutionary since the student protest movements that took place in the 1960s to the 1970s, and thus these parties have been on the outer fringes of

³⁷³ "Germany," *Parties and Elections in Europe*, 2014, <http://www.parties-and-elections.eu/germany.html>; Nicholas Kulish, "Greens Gain in Germany, and the World Takes Notice," *The New York Times*, September 1, 2011, sec. World / Europe, <http://www.nytimes.com/2011/09/02/world/europe/02greens.html>.

³⁷⁴ Breidhardt, "German Government Wants Nuclear Exit by 2022 at Latest."

³⁷⁵ "Datsu Genpatsu, Enerugii Seisaku [Post-Nuclear, Energy Policies]," Social Democratic Party of Japan, 2014, <http://www5.sdp.or.jp/policy/policy/energy/energy0712.htm>; "'Genpatsu Zero' No Ketsudan Wo - Tokushuu [Decide on 'Zero Nuclear' - a Series]," Japanese Communist Party, 2012, http://www.jcp.or.jp/web_tokusyu/2012/05/201205genpatsu.html.

³⁷⁶ Daniel Aldrich, "Post-Fukushima Nuclear Politics in Japan, Part 3: Empowered Anti-Nuclear Sentiment," *The Monkey Cage*, 2013, <http://themonkeycage.org/2013/04/03/post-fukushima-nuclear-politics-in-japan-part-3-empowered-anti-nuclear-sentiment/>.

the political climate in Japan. The LDP and the DPJ on the other hand, have consistently been pro-nuclear. The former, the ruling party since 1955, was the chief proponent of nuclear energy in Japan, authorizing the building of most of the nuclear power plants in Japan.³⁷⁷

As the ruling party at the time of the accident at Fukushima Dai-ichi NPP, the DPJ have shown their reluctance to abandon the promotion of nuclear energy. In the months after the nuclear accident, Merkel had already begun shutting down nuclear reactors in her own country, whereas Banri Kaieda, Minister for Economy, Trade, and Industry, had told the International Atomic Energy Association that he has full faith that the thirty-five nuclear reactors that have been offline since 3.11, as well as the nineteen that were in operation will all be producing energy in Japan from the near future.³⁷⁸ This statement from the DPJ is not surprising when taking into account their historical stances on the topic. The book, *Genpatsu ni shigamitsuku Hitobito no Mure: Genpatsu Riyou Kyoudoutai no Himitsu ni Semaru (Those who Cling to Nuclear Energy)* by Komatsu Kimio illustrates the changes in the manifestos of major political parties over the years leading up to March 11, 2011. The wording regarding nuclear energy policy in the manifesto for the DPJ changed four times in the course of six years between 2003 to 2009, from nuclear energy being termed “*katoteki enerugii*” (“*過渡的エネルギー*” i.e.

³⁷⁷ Jeff Kingston, “Nuclear Power Politics in Japan, 2011-2013,” *Asian Perspective* 37, no. 4 (2013): 501–21; Jeff Kingston, “Japan’s Nuclear Village,” *Japan Focus*, September 10, 2012, <http://www.japanfocus.org/-Jeff-Kingston/3822#sthash.KdeLLyJk.dpuf>.

³⁷⁸ Brendan M. Howe and Jennifer S. Oh, “The Fukushima Nuclear Disaster and the Challenges of Japanese Democratic Governance,” *Korea Observer* 44, no. 3 (2013): 495–516; “Minister Calls for Restart of Japan’s Reactors,” *World Nuclear News*, June 23, 2011, http://www.world-nuclear-news.org/RS-Minister_calls_for_restart_of_Japans_reactors-2306114.html.

“Transient energy”) in 2003, to no mention of nuclear energy in 2004, to “*jikyuuritsu wo genshiryoku wo fukumete takameru*” (“自給率を、原子力を含めて高める” i.e. “Raise energy self-sufficiency, inclusive of nuclear energy sources”) in 2007, then finally to “*genshiryoku riyō ni tsuite chakujitsu ni torikumu*” (“原子力利用について着実に取り組む” i.e. “Steadily use and operate nuclear energy”) in 2009.³⁷⁹ When the two political parties with the most number of seats in the Diet are both intrinsically pro-nuclear, it makes the political climate virtually impenetrable for any effective formation of a new regulatory framework, whether domestically or with transnational support.

Referring to continuities within the Japanese bureaucratic machine, Brian Woodall once quipped, “Once you create institutions, they are really hard to change.”³⁸⁰ Woodall is correct, and this statement aptly explains the lack of innovation in the new nuclear regulatory framework of Japan. One of the most important traits of the Japanese bureaucracy that one needs to understand when looking at Japan is its stark continuity, even when going through critical turning points of history.

Roughly, eighteen months after the triple disaster, the Nuclear Regulation Authority (NRA) was launched as a new regulatory organ. While the NRA was formed under the Ministry of

³⁷⁹ Democratic Party of Japan, “Manifesto,” 2003; Democratic Party of Japan, “Manifesto,” 2004; Democratic Party of Japan, “Manifesto,” 2007; Democratic Party of Japan, “Manifesto,” 2009; Kimio Komatsu, *Genpatsu Ni Shigamitsuku Hitobito No Mure: Genpatsu Riyō Kyoudoutai No Himitsu Ni Semaru (Those Who Cling to Nuclear Energy)* (Tōkyō: Shin-Nihon Shuppansha, 2012).

³⁸⁰ Brian Woodall, “Japan’s Energy Policy Choices and Environmental Consequences: Explaining Institutional Change and Stability” (University of Washington, Seattle, Wash., United States, October 13, 2015).

Environment in 2012, it is crucial to recall how the Japanese government has treated its own nuclear regulatory policy up until the launch of the NRA.

Japan is not, and has never been, an energy rich nation. During the Taisho and Meiji periods, Japan did utilize its coalmines across the country to meet its energy needs. However, this changed in 1961 when Japan opted for cheap oil from the Middle East. Since then, Japan has had to rely on foreign resources for its energy production, and thus its energy policy was deeply connected with its security policies. An evidence of this is that during the prewar era, the Japanese energy policy was in the jurisdiction of the Munitions Ministry, with close collaboration with the regional utility monopolies that produced and distributed power. As the war came to an end in 1945, a new energy policy was being drafted. The occupying forces led by General Douglas MacArthur made it one of their primary objectives to dismantle prewar industrial conglomerates, and thus did dismantle a majority of such organizations. However, as the Americans left Japan, the postwar Japanese government reverted to creating monopolies to run their private sectors.³⁸¹ In 1951, privately owned regional electric power monopolies were reinstated, and in 1952, the *Denpatsu* (Electric Power Development Corporation) was formed as a government entity to conduct R&D for the newly formed regional utility monopolies. As Eisenhower's 1953 Atoms for Peace speech opened the atomic era in the United States, US foreign policy towards Japan subsequently brought to the island nation its own atomic age. In 1955, the Atomic Energy Basic Law was enacted, and three institutions was born: The "Atomic Energy Bureau was created...to provide administrative support for the JAEC, [the]

³⁸¹ Mimura, *Planning for Empire*.

JAERI to carry out related R&D, and the Joint Diet Committee on Atomic Energy to help politicians monitor developments in nuclear power.”³⁸² The nuclear energy policy structure came to a turning point in 1974 with the Mutsu radiation leak incident, when the government was forced to restructure its nuclear regulatory framework.³⁸³ The 1957 Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors was amended to clearly signify the responsibilities of each governmental agency regarding the future treatment of nuclear materials, MITI (and later, METI) was in charge of the promotion, logistics, and processing of nuclear materials, MEXT was in charge of the research and testing of nuclear reactors, and MLITT was in charge of commercial marine reactors.

The prewar Munitions Ministry was rechristened in the occupation as the Ministry of Commerce and Industry. It was dismantled in 1949 to create the Ministry of International Trade and Industry. MITI. Together with the Ministry of Finance, it was a key bureaucracy that governed Japan through its highly successful reindustrialization. This is the Johnsonian interpretation of Japanese governance, also known as the developmental state. Whereas the Japanese reindustrialization was touted as being a miracle in the late 1970s, there were several aspects of this developmental state that came back to bite the nation, some forty years later.³⁸⁴

³⁸² Morris Low, *Science and the Building of a New Japan* (Palgrave Macmillan, 2005), 116.

³⁸³ Mutsu was a nuclear powered cargo vessel. It had a minor radiation leak due to poor construction of the reactor shielding enclosure. Cf. Helmar Krupp, *Energy Politics and Schumpeter Dynamics: Japan's Policy Between Short-Term Wealth and Long-Term Global Welfare* (Springer Science & Business Media, 2013), 292; Masayuki Nakao, “Radiation Leaks from Nuclear Power Ship ‘Mutsu’” (Association for the Study of Failure), accessed April 1, 2020, <http://www.shippai.org/fkd/en/hfen/HA1000615.pdf>.

³⁸⁴ Chalmers Johnson, “The Japanese ‘Miracle,’” in *MITI and the Japanese Miracle: The Growth of Industrial Policy : 1925-1975* (Stanford University Press, 1982), 1–39.

The rapid reindustrialization of Japan in the immediate postwar era was made possible by two factors: a greenhouse that allowed for Japan to free ride on American security policy, and the emphasis of an export-oriented economy by the developmental state model.³⁸⁵ The export oriented economy created an intrinsic necessity for Japan to stabilize its energy production, whether this was by coal, gas, or by nuclear power generation. As such, it was rational for MITI to promote the construction of large-scale nuclear and thermal power plants across the nation, and goad civil society to promote this as well.³⁸⁶

In 1978, the Science and Technology Agency established the NSC based on the Atomic Energy Basic Act, as an independent organ that makes policy recommendations to other ministerial agencies based on policies that the AEC had previously put together. The NSC was transferred to the jurisdiction of the Cabinet Office in 2001 as part of government-wide restructuring of bureaucracies. It was at this time when MITI too was transformed into the Ministry of Economy, Trade, and Industry.³⁸⁷ As part of this shake-up, NISA was created as a semi-independent regulatory organ for all matters pertaining to the nuclear industry. While it was the intention of the government to create an independent regulatory organ separate from the promotional activities of the Agency for Natural Resources and Energy, NISA was kept within METI. To further create the potential for bureaucratic disarray, the Japan Nuclear Energy

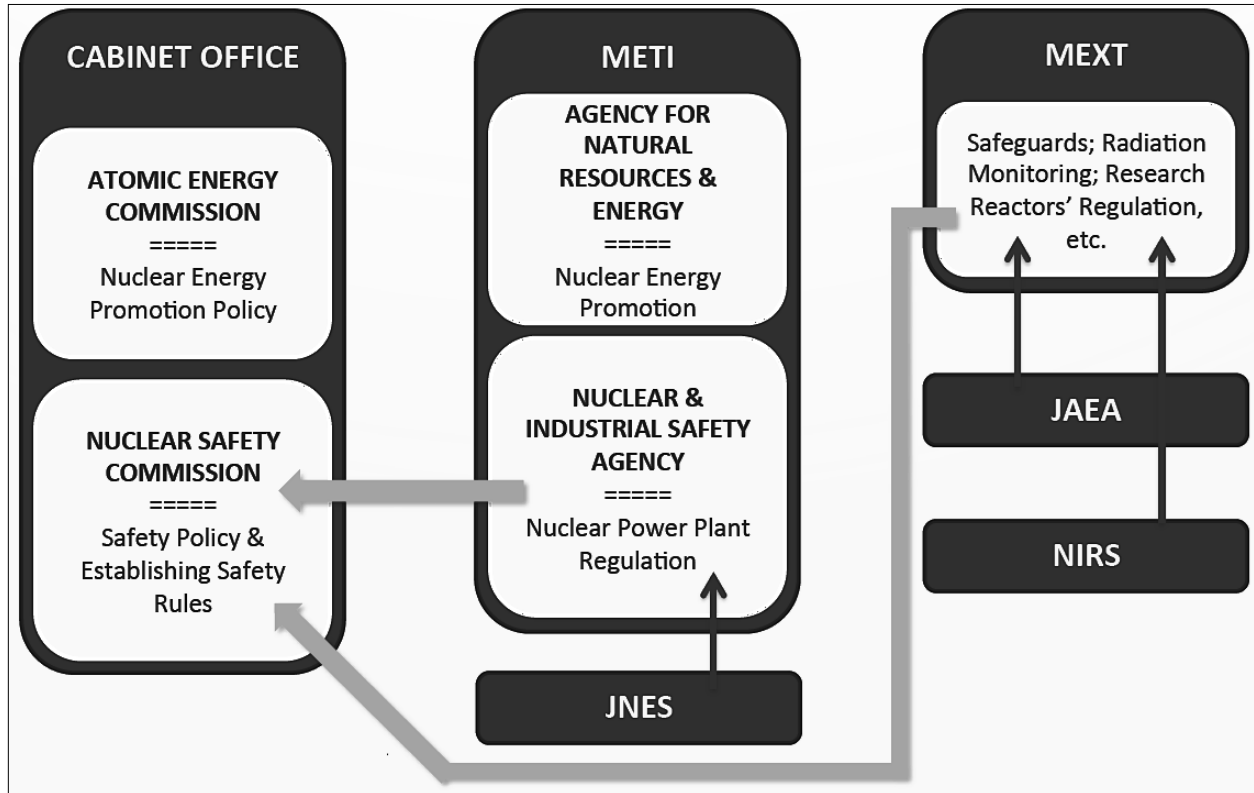
³⁸⁵ Hellmann, “Japanese Politics and Foreign Policy: Elitist Democracy Within an American Greenhouse.”

³⁸⁶ Honma Ryo, *Genpatsu Koukoku [Nuclear Power Advertisements]* (Aki Shobou, 2013); Suzuki Kunio and Honma Ryo, *Darega Tabuu wo tsukurunoka: Genpatsu Koukoku, Houdou wo tooshite Nihonjin no ryoushin wo tou [Who makes the Taboo: Examining Japanese Morality through Nuclear Power Advertisements]* (Aki Shobou, 2013).

³⁸⁷ “Act for Establishment of METI” (2011).

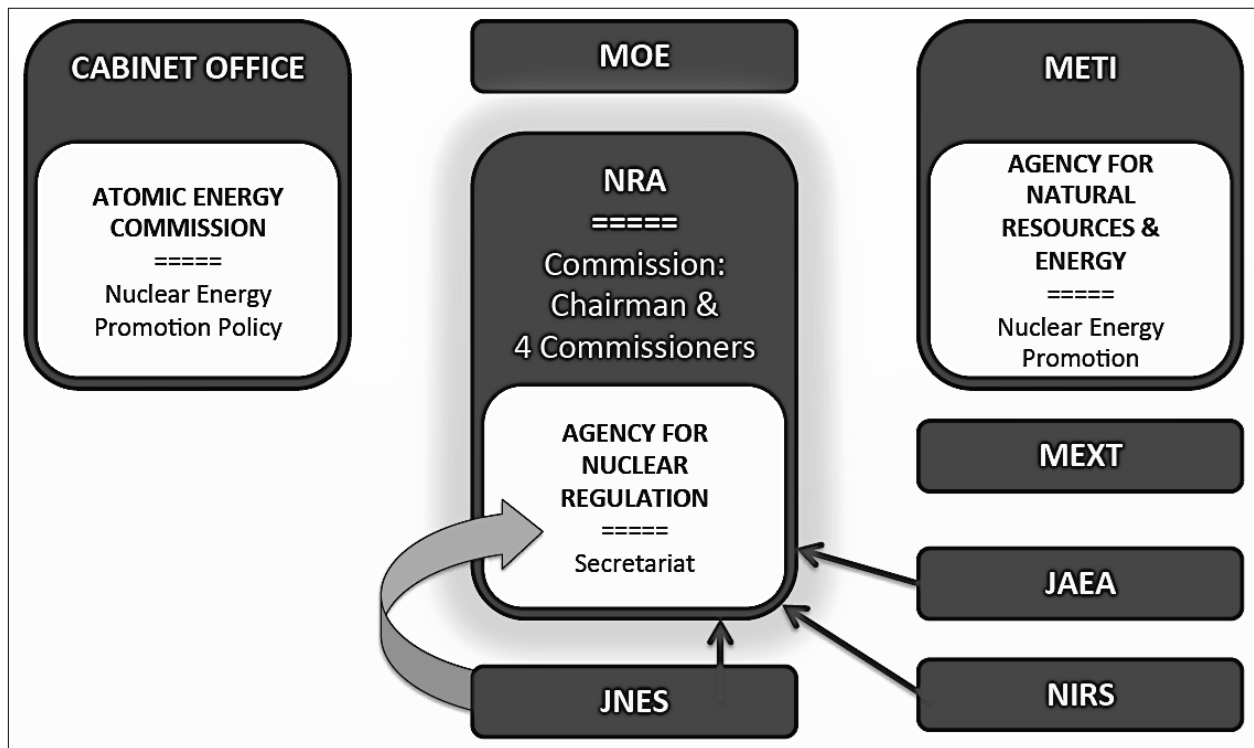
Safety Organization was created within METI as well, as NISA's Technical Support Organization.

Figure 13. Nuclear Regulatory Organizations (Pre-2012)



In response to the popular outcry, as well as institutional necessities that arose through international and internal commissions, the Japanese government attempted to transform its disheveled nuclear regulatory system in 2012. Whereas the previous system had multiple agencies that seemingly had had the same *raison d'être*, under the auspices of the newly christened regulatory framework, there was to be one sole agency in charge of the regulation of the nuclear industry in Japan: the NRA.

Figure 14. Nuclear Regulatory Organizations (Post-2012)



The NRA was created under the Ministry of Environment, as opposed to being within the jurisdiction of a nuclear energy promoting METI, which was “a step forward,” in the eyes of Woodall.³⁸⁸ However, one of the criticisms that led to the restructuring of the regulators was that of the nature of the Japanese bureaucracy—that is, as NISA and ARNE were within METI, there were countless cases of bureaucrats being transferred from one department to another. The mingling of regulators and promoters did not stop within the ministry, but continued outward, into the corporate sector, where former bureaucrats settled in after retiring from their

³⁸⁸ Woodall, “Japan’s Energy Policy Choices and Environmental Consequences: Explaining Institutional Change and Stability.”

ministerial positions. Under the new framework, the NRA: housed the Agency for Nuclear Regulation, which conducted the administrative matters such as budgeting for the NRA; the JNES merged with the ARN in March 2014; the NIRS and JAEA are now affiliate institutions with the NRA. NUMO remained within METI. With the creation of a new agency, bureaucrats from METI, MEXT, and the Cabinet Office were sent to the NRA. As independence and integrity were one of the critical factors for the creation of the NRA, an Addendum to the Act for the Establishment of NRA stipulates that bureaucrats within the NRA “shall not be allowed to return to agencies that promote nuclear energy.”³⁸⁹ While this provision may sound stringent, it ignores the fact that bureaucrats can fluidly move between bureaucracies, thereby ignoring this prohibition by moving to a non-nuclear related agency first, prior to returning to their final destination. Furthermore, there is an important caveat within the same section, which states, “However, the aforementioned provision is negotiable within the first five years from enactment of this Act,” which made any prohibition meaningless for the first five years.³⁹⁰

8.2. Aestheticization of Atoms

Amidst the post-crisis turmoil, many in the Japanese media reflected on the policies taken forth by the Japanese government that had led to the catastrophe. Political parties in Japan were predominantly supportive of peaceful usage of nuclear energy, including political factions that

³⁸⁹ “Act for Establishment of NRA” (2012), secs. 6–1.

³⁹⁰ Act for Establishment of NRA, 6–1.

supported the Gensuikin³⁹¹ and the Kakkin.³⁹² Support for the peaceful use of nuclear energy was in fact a nationally accepted, where even organizations that supported the *hibakusha*³⁹³ from Hiroshima and Nagasaki openly promoted the usage and advancement of nuclear energy—ironic, considering that Japan was known to have a “nuclear allergy” and yet, there was, and still is, support for civilian nuclear energy use.³⁹⁴ Since the signing of the *US-Japan Nuclear Cooperation Agreement* (“the Agreement”) in November 1955, the enactment of the *Atomic Energy Basic Act* in December 1955, and the signing of the *Agreement for Cooperation Between the Government of the United States of America and the Government of Japan Concerning Peaceful Uses of Nuclear Energy* in 1988, the only political party that exists today that has been consistently against expansive nuclear energy policies has been the JCP.³⁹⁵

How does a nation, let alone victims of the atomic bomb attacks, support the use of nuclear energy by the government, one may ask. One characteristic of the Japanese heliocratic regime is that the Neo-Confucian proto-ideology that underpins all facets of sociopolitical interaction

³⁹¹ Gensuikin: The Gensuibaku Kinshi Nihon Kyogikai (“Gensuikyo”; Japan Council against Atomic and Hydrogen Bombs) was established in 1955 in response to the open-air nuclear bomb detonation by the US in the previous year; Kakkin: In 1961, due to ideological factionalization, a faction led by the Democratic Socialist Party left Gensuikyo to create its own organization, the Kakukeiki Kinshi Heiwa Kensetsu Kokumin Kaigi (“Kakkin”; National Council for the Prohibition of Nuclear Weapons and for the Establishment of Peace Movement).

³⁹² Miki Y. Ishikida, *Toward Peace: War Responsibility, Postwar Compensation, and Peace Movements and Education in Japan* (The Center for US-Japan Comparative Social Studies, 2005).

³⁹³ *Hibakusha* refer to the extant victims of the Hiroshima and Nagasaki atomic bombings.

³⁹⁴ “Despite Bombing, Hibakusha Saw Nuclear Energy as Hope of the Future,” AJW by The Asahi Shimbun, July 22, 2011, <http://ajw.asahi.com/article/0311disaster/analysis/AJ201107224853>.

³⁹⁵ International Bureau Officer of the Japanese Communist Party, Personal Communication, interview by Douglas Miller, April 19, 2014.

is the deference to authority. Since the 1950s, both the political actors and the bureaucracy have worked hand in hand with the private sector to promote the usage of nuclear energy in Japan. This policy was supplemented through the incorporation of pro-nuclear marketing campaigns in media, as well as through the Japanese language.

One of the interesting ways that Japan has been able to differentiate between nuclear weaponry such as atomic bombs and hydrogen bombs, as opposed to nuclear power generation is by using two separate terms to signify the same thing. In the modern Japanese lexicon, nuclear power as in energy is *genshiryoku* (原子力), whereas nuclear power as in military weaponry is *kaku* (核). Literally, the former signifies *the power from the atom*, and the latter signifies *the nucleus*, but in terms of usage in the English lexicon, both terms signify nuclear power as a whole, and have no differentiation. However, the terms are used separately in specific situations to frame what message is being sent out. For example, when Iran or North Korea develops nuclear technology, it is translated as *kaku-kaihatsu* (核開発), and when Japan or the US develops nuclear technology, this is translated as *genshiryoku-kaihatsu* (原子力開発), and while both mean exactly the same in English, the issue is framed in a way, so that *kaku* is strictly for weaponry, and *genshiryoku* is for the peaceful use of nuclear power.³⁹⁶

There is no mutually accepted source when exactly this differentiation started to occur, but one theory is with how President Dwight D. Eisenhower's *Atoms for Peace* speech was translated into Japanese in 1953. On December 8, 1953, Eisenhower made an address before the General

³⁹⁶ Yumi Kanzaki and Yoko Yamamoto, "Fukushima and Hiroshima," *Chugoku Shimibun*, July 16, 2011.

Assembly of the United Nations on peaceful uses of atomic energy.³⁹⁷ The title of the speech, *Atoms for Peace*, was translated into Japanese as “heiwa no tame no genshiryoku” (平和のための原子力) by the United States Embassy in Japan.³⁹⁸ That said, the translation of the term *atomic* was not consistent, and alternated with the terms *genshiryoku* and *kaku* where necessary. For example, where Eisenhower says, “That new language is the language of atomic warfare,” the Japanese translation says “sono atarashii kotoba towa, kakusensou ni kansuru yougo dearu” (その新しい言葉とは、核戦争に関する言葉である).³⁹⁹ According to the official translation offered by the US Embassy in Japan, the appearance of *kaku* rises when Eisenhower is speaking of nuclear power as armaments and the *genshiryoku* is primarily used when he is speaking of nuclear energy generation, or peaceful uses thereof. There are indeed times when they are used interchangeably, but the correlation between the terms used and how they are framed is rather eerie, and does not look coincidental.

Japan has historically had allergic reactions to all things nuclear, as she is the only state in the world that has ever been attacked with a nuclear weapon, twice. There is probable cause for the occupational forces as well as the Japanese government to differentiate between wartime and peaceful usage of nuclear energy, so that the Japanese citizenry will accept the peaceful use of nuclear energy as a critical tool for reconstruction. Starting 1955, the Yomiuri Shimbun newspaper company began publicly promoting the peaceful use of nuclear energy, and cohosted

³⁹⁷ Dwight D. Eisenhower, “Address Before the General Assembly of the United Nations on Peaceful Uses of Atomic Energy” (New York, December 8, 1953), <http://www.presidency.ucsb.edu/ws/?pid=9774>.

³⁹⁸ Dwight D. Eisenhower, “Heiwa No Tame No Genshiryoku/Atoms for Peace—In Japanese and English” (Embassy of the United States, Japan, 1953), <http://aboutusa.japan.usembassy.gov/pdfs/wwwf-majordocs-peace.pdf>.

³⁹⁹ Eisenhower, 128, 135.

with the US Embassy, events called the “Genshiryoku Heiwa Riyou Hakurankai” (原子力平和利用博覧会 i.e. “Exposition for the Peaceful Use of Nuclear Energy”); it is not a coincidence that the chairman of Yomiuri, Shoriki Matsutaro was the first chairman of the Atomic Energy Commission.⁴⁰⁰ Popular culture soon followed suit, and soon Japanese media was filled with shows such as *Doraemon* and, eventually, *Gundam*, which, coincidentally are both powered by nuclear reactors.⁴⁰¹

The promotion of nuclear energy, whether that is civilian use of, or, military use of, is evident in various popular culture elements across societies. Just as *Doraemon* and *Gundam* promoted the ‘good’ uses of nuclear energy in Japan, similar ideas can be seen in the United States, in works such as the *Teenage Mutant Ninja Turtles* (TMNT), where a group of turtles tainted by radioactivity gain miraculous powers. In terms of how the references are treated, Nicky Falkof writes in her analysis of TMNT that “the idea of the Turtles is sanitized from the outset, their monstrous mutation effectively ignored in favor of more palatable attributes.”⁴⁰² Furthermore, Falkof continues:

TMNT does not just disavow awareness of the catastrophe [of Chernobyl], it inverts it, the terrifying disaster of the nuclear meltdown recast in a bizarre about-face as its own opposite, made into something good, something useful, a creator of heroes who re-perform the American mythic tradition, entering into the longstanding national heroic

⁴⁰⁰ “The Reality of Atoms for Peace,” *Vancouver Shinpo Japanese Newspaper*, June 1, 2012, http://www.v-shinpo.com/index.php?option=com_content&view=article&id=609:2012-06-01-19-58-21&catid=2:special&Itemid=3.

⁴⁰¹ “Doraemon Kara Genshiro Ga Kieteita? [Doraemon’s Nuclear Reactor Being Excised?],” J-CAST News, November 13, 2012, <http://www.j-cast.com/2012/11/13153762.html>.

⁴⁰² Nicky Falkof, “Heroes with a Half Life: Teenage Mutant Ninja Turtles and American Repression of Radiophobia after Chernobyl,” *The Journal of Popular Culture* 46, no. 5 (2013): 942, <https://doi.org/10.1111/jpcu.12061>.

narrative...By using popular cultural references to cast the Turtles as specifically American teens *TMNT* identifies the “good” nuclear effects that made them heroic as specifically American mutations, a division that mirrors the separation between “communist” Chernobyl and the “harmless” reactors used in the US.

By creating a delineated differentiation between the “good” and the “communist” effects of inadvertent exposure to nuclear radiation, this creates a pacifying effect to the severity of the source. While Falkof does not go as far as to say there were any direct collaboration between the creator and the policymakers, she does illustrate the overt differentiation that the series makes starting in the 1987 television series regarding the benefits of the “ooze.”⁴⁰³

Falkof concludes her research by introducing the notion that “bursting into public consciousness in the year after the Chernobyl meltdown, when radiophobia would have been a pertinent and pressing concern, *Teenage Mutant Ninja Turtles*’ manifest discourse sanitized the imagined consequences of rampant and uncontrolled nuclear power...but underneath this apparent decontamination of nuclear power-via-radiation lie the latent fears it attempts to mask.”⁴⁰⁴ The “latent fears” of radiation is what all of the aforementioned manga pieces tries to mask through its references to nuclear energy. Paul Slovic, scholar on risk-perception has written extensively on how nuclear risk is perceived in normalcy and during a post-crisis environment.⁴⁰⁵

⁴⁰³ “Teenage Mutant Ninja Turtles” (CBS, 1987); Falkof, “Heroes with a Half Life,” 943.

⁴⁰⁴ Falkof, “Heroes with a Half Life,” 946.

⁴⁰⁵ Paul Slovic, “The Perception Gap: Radiation and Risk,” *Bulletin of the Atomic Scientists* 68, no. 3 (May 2012): 67–75, <https://doi.org/10.1177/0096340212444870>; Paul Slovic, “Perception of Risk,” *Science*, New Series, 236, no. 4799 (April 17, 1987): 280–85; Paul Slovic, “Perceived Risk, Trust, and Democracy,” *Risk Analysis* 13, no. 6 (December 1, 1993): 675–82, <https://doi.org/10.1111/j.1539-6924.1993.tb01329.x>.

Slovic's research has shown that the perception of risk differs along a set of coordinates ranging from the known to the unknown, and the "dread" level of each individual. When something is less familiar to one's life, the perceived risk is greater. Hence, at the dreaded edges of the diagram are risks pertaining to nuclear radiation, and those on the opposite end are risks such as caffeine consumption.⁴⁰⁶ Conversely, then, if one were to alleviate the perceived risks of nuclear radiation, it would be optimal to familiarize the mass publics with various aspects of nuclear energy on a day-to-day basis, perhaps through insertion of such ideas in popular culture.

While this may only show a strong correlation between civilian nuclear energy policy of the two nations and their respective popular culture references, when one reflects on the theoretical arguments of Benjamin, Adorno, and Horkheimer, these correlations begin to show a different light. Walter Benjamin critically analyzed the fascist regimes of the Second World War, and their incorporation of totalitarian tactics as an art form.⁴⁰⁷ The aestheticization of politics, as he termed, is evident in how the private-public sectors worked together to promote a political goal—the promotion of nuclear energy as a viable source of energy production. Furthermore, Adorno and Horkheimer argued in their work on the culture industry that the commodification of art intrinsically produces a relationship between the culture industry and the mass publics who consume the culture for the sake of consuming:⁴⁰⁸

⁴⁰⁶ Slovic, "Perception of Risk," 282.

⁴⁰⁷ Benjamin, "The Work of Art in the Age of Mechanical Reproduction"; John Lechte, "Benjamin, Walter," in *Encyclopedia of Social Theory* (Thousand Oaks, CA: SAGE Publications, Inc., n.d.).

⁴⁰⁸ Theodor W. Adorno and Anson G. Rabinbach, "Culture Industry Reconsidered," *New German Critique*, no. 6 (1975): 12, <https://doi.org/10.2307/487650>; Diane Waldman, "Critical Theory and Film: Adorno and 'The Culture Industry' Revisited," *New German Critique*, no. 12 (October 1, 1977): 39–60, <https://doi.org/10.2307/487755>.

Culture is a paradoxical commodity. So completely is it subject to the law of exchange that it is no longer exchanged; it is so blindly consumed in use that it can no longer be used. Therefore, it amalgamates with advertising. The more meaningless the latter seems to be under a monopoly, the more omnipotent it becomes. The motives are markedly economic.⁴⁰⁹

The commoditized culture thus becomes politicized under the coercive economic regime—capitalistic aims. The culture industry inevitably streamlines what is produced, and what is consumed. This is not to say that the audience has no freedom to choose what they wish to consume—they indeed do, but “freedom to choose an ideology— since ideology always reflects economic coercion—everywhere proves to be freedom to choose what is always the same.”⁴¹⁰

The familiarization of nuclear energy to the mass public is beneficial in altering the perceived risk of radiation exposure. The theoretical underpinnings of Benjamin, Adorno, and Horkheimer suggest that when an art becomes commoditized in the scope of the culture industry in an advanced capitalist system, political goals of such a system could become aestheticized. The correlation between the various policy initiatives of the Japanese and American governments, the four nuclear crises starting with the bombings in Hiroshima and Nagasaki to the Fukushima meltdown, as well as that of the references to nuclear energy and radiation exposure within popular culture cannot be ruled out as being coincidental. Indeed, the systematic framing through linguistic differentiation, along with the incorporation of policy initiatives into popular culture discourses strengthened the conditioning of the Japanese citizenry by the heliocratic regime.

⁴⁰⁹ Theodor W. Adorno and Max Horkheimer, “The Culture Industry: Enlightenment as Mass Deception,” 1944, <http://www.marxists.org/reference/archive/adorno/1944/culture-industry.htm>.

⁴¹⁰ Adorno and Horkheimer.

8.3. Conclusion

The Great East Japan triple disasters of 2011 was a crisis of seismic scale unknown to modern Japan. It shook the regime, the bureaucracy, and a portion of the citizens awake, and yet, as we saw in this chapter, nothing really changed. The DPJ-led government was criticized for its mishandling of the crisis and poor communication, and was on its way out in the 2012 general election. The bureaucratic complexities—structural and institutional—was complacent in the handling of the crisis, and yet, the subsequent restructuring of the nuclear watchdog agencies was riddled with loopholes, allowing the bureaucracy to chug along as usual, without any major setback to its motivations. The citizenry seemed to be shaken awake, with hopes for a strong mass movement to hold the government accountable on the rise in the immediate aftermath, and yet, no social movement succeeded to coalesce into a nation-wide movement that kept its relevance in the years to come.

One student-led group, Students Emergency Action of Liberal Democracy (SEALDs), did receive its two seconds of fame, and several academics were hopeful that this group would ignite political engagement in Japan. I expressed doubts on their effectiveness and relevance in an article written by Jeff Kingston in 2015, and stand by my analysis.⁴¹¹ There were two critical factors amiss about SEALDs. Firstly, they did not innovate in their tactics, and failed to organize effectively, to foster greater understanding of its participants regarding the motivations of the heliocratic regime. Connected with the first point, the more pertinent issue

⁴¹¹ Jeff Kingston, “Students Oppose Abe’s Assault on the Constitution,” *The Japan Times*, September 5, 2015, <https://www.japantimes.co.jp/opinion/2015/09/05/commentary/students-oppose-abes-assault-constitution/>.

was that SEALDs too were part of the system that contributed to the lack of political engagement in Japan. That is, the regime that they claimed was a “Liberal Democracy” that needed to be upheld, was, in fact, merely what they had been conditioned to believe was a democracy. They failed to understand that without being able to critique and analyze the nature of governance in Japan, and therefore see that the values that they wished to uphold which they believed to have existed, never did.

Thus, the heliocratic regime persevered the disasters and the citizenry failed to understand the depth of the heliocratic culture that has permeated Japan to this day.

Chapter 9. 2012-2020: Heliocracy in Contemporary Japan

今日こんにちをもち、天皇としての務めを終えることになりました。ただ今、国民を代表して、安倍内閣総理大臣の述べられた言葉に、深く謝意を表します。即位から30年、これまでの天皇としての務めを、国民への深い信頼と敬愛をもって行い得たことは、幸せなことでした。象徴としての私を受け入れ、支えてくれた国民に、心から感謝します。明日あすから始まる新しい令和の時代が、平和で実り多くあることを、皇后と共に心から願い、ここに我が国と世界の人々の安寧と幸せを祈ります

Today, I am concluding my duties as the Emperor. I would like to offer my deep gratitude to the words just spoken by Prime Minister Shinzo Abe on behalf of the people of Japan. Since ascending the throne 30 years ago, I have performed my duties as the Emperor with a deep sense of trust in and respect for the people, and I consider myself most fortunate to have been able to do so. I sincerely thank the people who accepted and supported me in my role as the symbol of the State. I sincerely wish, together with the Empress, that the Reiwa era, which begins tomorrow, will be a stable and fruitful one, and I pray, with all my heart, for peace and happiness for all the people in Japan and around the world.

—Emperor Emeritus Akihito, April 30, 2019.⁴¹²

Heisei was a period of turmoil in Japan. The economic bubble burst, starting Japan's Lost Decades. The Emperor who led Japan through the Second World War and postwar reconstruction had passed, and his son, Akihito, reigned as Emperor. Economic stagnation and the rise of precarity gave rise to increasingly violent crimes, with the Aum Supreme Truth's terrorism taking the cake. The nation was shaken by two catastrophic earthquakes, once in

⁴¹² “Addresses by His Majesty the Emperor: Remarks by His Majesty the Emperor on the Occasion of the Ceremony of His Abdication at the Seiden (State Hall), April 30, 31st Year of Heisei (2019)” (The Imperial Household Agency, April 30, 2019), <https://www.kunaicho.go.jp/page/okotoba/detailEn/46#155>.

Kobe in 1995, and then the Great East Japan earthquake, tsunami, and nuclear disaster in 2011. The period starting in 2012 with the return of the LDP as parliamentary majority, leading up to 2020 has also been tumultuous, in different ways. However, such turbulent times did not affect the nature of heliocracy, but rather, emboldened it. In this chapter, we will examine the return of the LDP and specifically look at the party's utilization of the Cabinet Legislative Bureau in its decision to press forth with constitutional reinterpretation, analyze the heliocratic justice system, and assess the abdication of Akihito and the start of Reiwa. Through these critical junctures, one central theme recurs, as seen in earlier chapters. That is, continuity of governance, continuity of norms, and continuity of ideas.

9.1. Return of LDP Redux

December 16, 2012, the Liberal Democratic Party of Japan was elected back into power after ousting the Noda administration.⁴¹³ Abe Shinzo returned to the role as prime minister for the second time. The Abe administration called for snap elections late 2014 and retained itself as the ruling coalition for at least another four years.⁴¹⁴ Whereas scholars such as Chris Winkler and Paul Midford argue that the triumphal return of the LDP to power was not necessarily a shift of Japan as a whole to the right, but rather, the electorate, who wanted a stable

⁴¹³ Bruce Einhorn, "Japan Election Landslide Puts LDP Back in Power," *BusinessWeek: Global_economics*, December 17, 2012, <http://www.businessweek.com/articles/2012-12-17/japan-election-landslide-puts-ldp-back-in-power>; Malcolm Foster, "Conservative LDP Wins Landslide Victory in Japan," *Northwest Asian Weekly*, December 22, 2012, sec. WORLD NEWS.

⁴¹⁴ Ethan Scheiner Smith Daniel M. and Michael F. Thies, "Abe Romps, Japan Yawns: 2014 Japanese Parliamentary Election Report," *The Washington Post*, December 30, 2014, <http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/12/30/abe-romps-japan-yawns-2014-japanese-parliamentary-election-report/>.

government, made a rational choice.⁴¹⁵ While these explanations may be used to explain how electoral democracies work, such explanations are not directly relevant in determining the nature of elections in heliocracies. The voters did not make a rational choice, but rather, made their choices based on what they understood to be what they wanted. The electorate in a heliocracy no longer has the functionality to vote on rationale, but rather, echoes Theodore Adorno's and Max Horkheimer's examination of a docile populace faced with choosing what they want based on what they are given. That is, the electorate accepts "what the culture manufacturers offer him. Kant's formalism still expected a contribution from the individual, who was thought to relate the varied experiences of the senses to fundamental concepts; but industry robs the individual of his function."⁴¹⁶ The electorate votes for which they were asked to vote for, and in 2012, they voted for the LDP.

Since its return, the Abe administration has passed two critical bills strengthening government control over its citizenry, as well as revisiting remilitarization. Firstly, the Designated Secrets Law imposes harsh punishment to anyone that comes across certain secrets, where the secrets in question are in fact categorized as secrets themselves, and thus the Law intends to stifle any

⁴¹⁵ Midford, "Shifting Public Opinion and Debates on Energy Security & Renewable Energy in Japan"; Chris Winkler, "Blast from the Past? A Closer Look at the Rise of Japan's Political Right" (February 19, 2014). Midford, "Shifting Public Opinion and Debates on Energy Security & Renewable Energy in Japan"; Chris Winkler, "Blast from the Past? A Closer Look at the Rise of Japan's Political Right" (Institute for Contemporary Asian Studies, Tokyo, February 19, 2014).

⁴¹⁶ Theodor W. Adorno and Max Horkheimer, "The Culture Industry: Enlightenment as Mass Deception," 1944, 124, <http://www.marxists.org/reference/archive/adorno/1944/culture-industry.htm>. Adorno and Horkheimer, "The Culture Industry: Enlightenment as Mass Deception," 124.

investigative journalism against the state.⁴¹⁷ Secondly, and more controversially, the government of Japan decided to reinterpret its postwar peacetime Constitution, granting itself the right to collective defense. This action was largely seen as a precursor to Abe's goal for revising the Constitution itself, leading to Japan's remilitarization—something the current Constitution forbids.⁴¹⁸ The actions taken by the Abe administration to consolidate government control over both civic engagement as well as strengthen its military presence raises questions regarding a further challenge to the the rule of law envisioned in the 1947 constitution.

The issue surrounding collective self-defense is twofold. On one hand, there is the issue of international cooperation as a member of the international system, including the United Nations. The other, is a matter of constitutionality and incongruence to domestic laws. One stark factor to make note of is that constitutions normally prescribe domestic rules and not relations with other states. However, that is not the case, with the Japanese Constitution. Before engaging in a thorough analysis of the Japanese Constitution and the UN Charter, it is necessary to have a full grasp of what exactly *shudanteki-jieiken* or right to collective self-defense means, and what it means to the Japanese government.

⁴¹⁷ WashingtonsBlog, "Japanese Senator: 'The Path That Japan Is Taking Is The Recreation Of A Fascist State' Washington's Blog," accessed March 28, 2015, <http://www.washingtonsblog.com/2013/11/fukushima-radiation-will-hit-fish-west-coast-north-america.html>; Takamitsu Sawa, "Abe Shows Totalitarian Bent," *The Japan Times*, December 16, 2013, <http://www.japantimes.co.jp/opinion/2013/12/16/commentary/japan-commentary/abe-shows-totalitarian-bent/>.

⁴¹⁸ Martin Fackler, "Abe Is Said to Have Plans to Revise Pacifist Charter," *The New York Times*, February 5, 2015, <http://www.nytimes.com/2015/02/06/world/asia/abe-wants-to-revise-pacifist-constitution-as-early-as-2016-ally-says.html>.

First, the phrase right to collective self-defense refers to the right enshrined in Article 51 of the UN Charter, which gives member-states the right to individually and collectively participate in securing their interests. What is collective security, one may ask. According to Peu Ghosh, “Collective security is based on the principle that ‘aggression against any one member of the international community is an aggression against peace and security. As such it has to be met by collective efforts of all the nations.’”⁴¹⁹ That being said, collective security is not a systematic schema for regional security, but rather a plan, a mechanism for nation-states to defend against an aggressor.⁴²⁰

Secondly, *shudanteki-jieiken* or right to collective self-defense was coined to be an antonym to the defense doctrine used by the Japanese government under the Yoshida doctrine, the *kobetsuteki-jieiken* or the right to individual self-defense. The right to individual defense was assumed under customary international law far before the enactment of the United Nations, but was legislated into text in Article 51 of the UN Charter as an unalienable right.⁴²¹ Generally, it stipulates that when one is attacked by another state, one has the right to protect itself against the aggressor. Under the current doctrine of *shudanteki-jieiken* or right to collective self-defense, the LDP supposes that if a US naval vessel was attacked by the DPRK while on a mission to protect

⁴¹⁹ Peu Ghosh, *International Relations* (PHI Learning Pvt. Ltd., 2016), 96.

⁴²⁰ A. F. K. Organski, *World Politics* (Knopf, 1958), 371–84; Georg Schwarzenberger, *Power Politics: A Study of International Society* (F. A. Praeger, 1951), 8.

⁴²¹ Yamamoto Soji, *Kokusai-ho (Shinpan) [International Law (New Edition)]* (Yuhikaku, 1994), 732–33.

its interests, the Japanese government can order the SDF to protect the US naval vessel, for the purposes of collective security.

To complicate issues further before delving into the unconstitutionality of *shudanteki-jieiken* or right to collective self-defense, one needs to touch upon the unconstitutionality debate on *kobetsuteki-jieiken* or the right to individual self-defense. Just as the constructivist-positivist schism exists in American juridical studies, scholars of Japanese constitutional law similarly are split on whether to incorporate legislative intent to construe nontextual cues from the constitution, or to adhere to a strict textualist approach.⁴²²

Article 9. 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.

If one were to adhere to the strict textualist approach to Article 9, then it becomes evidently clear that the formation of a self-defense force in itself is unconstitutional, along with any intent to individual self-defense due to the fact that the SDF is indeed a “land, sea, and air [force]” which has “war potential.” Indeed, proponents of revising the constitution stress on this point to argue that the Constitution does not allow for a military and thus to become a normal nation, Japan

⁴²² Gideon Rosen, “Textualism, Intentionalism, and the Law of the Contract,” in *Philosophical Foundations of Language in the Law*, ed. Andrei Marmor and Scott Soames (Oxford Scholarship Online, 2011), <http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199572380.001.0001/acprof-9780199572380-chapter-7>.

needs to amend Article 9 or rewrite the Constitution.⁴²³

What then is the legal justification that prevailed until the summer of 2015? That is, the position that *kobetsuteki-jieiken* or the right to individual self-defense, is indeed constitutional. The key articles for justifying this claim are Article 13, 65 and 73.

Article 13. All of the people shall be respected as individuals. Their right to life, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare, be the supreme consideration in legislation and in other governmental affairs.

Article 65. Executive power shall be vested in the Cabinet.

Article 73. The Cabinet, in addition to other general administrative functions, shall perform the following functions: Administer the law faithfully; conduct affairs of state. Manage foreign affairs. Conclude treaties. However, it shall obtain prior or, depending on circumstances, subsequent approval of the Diet. Administer the civil service, in accordance with standards established by law. Prepare the budget, and present it to the Diet. Enact cabinet orders in order to execute the provisions of this Constitution and of the law. However, it cannot include penal provisions in such cabinet orders unless authorized by such law. Decide on general amnesty, special amnesty, commutation of punishment, reprieve, and restoration of rights.

Article 13 stipulates that the peoples' "right to life, liberty, and the pursuit of happiness shall...be the supreme consideration in legislation and in other governmental affairs," and Articles 65 and 73 give administrative powers to the executive branch. Working from the assumption that the existence of the SDF is indeed constitutional, then it follows that the execution of self-defense by

⁴²³ Jesse Johnson, "LDP Produces Manga to Make Case for Constitutional Revision," *The Japan Times Online*, May 11, 2015, <http://www.japantimes.co.jp/news/2015/05/11/national/politics-diplomacy/ldp-produces-manga-make-case-constitutional-revision/>.

the SDF can be contained within the administrative jurisdiction of the Cabinet.⁴²⁴ This constitutional interpretation by the Cabinet Legislative Bureau (CLB) led the way to the three principles of self-defense: “(a) there is an imminent and illegitimate act of aggression against Japan; (b) there are no other means of stopping that aggression; and (c) the use of armed force is confined to the minimum necessary level.”⁴²⁵

Proponents of *shudanteki-jieiken* or right to collective self-defense argue that as a member-state of an international system it has an obligation to protect its allies’ interests in a time of conflict, which in turn will stabilize the international system and thus will be increasing the security of Japan.⁴²⁶ The LDP administration echoes these claims.⁴²⁷ There are several critical fallacies in these claims. Firstly, the claim that collective self-defense will increase Japan’s own security conflates the concepts of collective self-defense and individual self-defense. Whereas the former is about sending Japanese troops to fight foreign wars, the latter is about protecting its own sovereignty. Even if collective self-defense may possibly increase the security of Japan in the end, this supposed possibility alone is not a justification to engage in collective self-defense.

⁴²⁴ Ministry of Defense, “Kempo to Jieiken [The Constitution and Right to Self-Defense],” Ministry of Defense, 2016, <http://www.mod.go.jp/j/approach/agenda/seisaku/kihon02.html>.

⁴²⁵ Anzenhosho no Hoteki kiban no Saikochiku ni kansuru Kondankai, “Buryoku-Kogeki Ni Itaranai Shingai Ni Taisuru Sochi [Actions against Non-Military Aggression]” (Ministry of Defense, February 9, 2014), <http://www.kantei.go.jp/jp/singi/anzenhosyou2/dai6/siryou2.pdf>; Ministry of Defense, “Defense of Japan” (Ministry of Defense, 2013).

⁴²⁶ Michael Green and Jeffrey W. Hornung, “Ten Myths About Japan’s Collective Self-Defense Change,” *The Diplomat*, July 10, 2014, <http://thediplomat.com/2014/07/ten-myths-about-japans-collective-self-defense-change/>.

⁴²⁷ Cabinet Secretariat, “Anzenhoshou Housei No Seibi Ni Tsuite [Regarding the Legislation of Security Preservation Laws],” Cabinet Secretariat, 2017, <http://www.cas.go.jp/jp/gaiyou/jimu/anzenhoshouhousei.html>.

Article 51. Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

Secondly, the CLB has explicitly stated in the past that collective self-defense, while congruent with the rights enshrined in Article 51 of the UN Charter, is incongruent and thus unconstitutional under Japanese law, clarifying, “the exercise of the right of self-defense must stay within the minimum necessary level to defend Japan, and collective self-defense exceeds this limit and is therefore impermissible under the constitution.”⁴²⁸

Article 98. This Constitution shall be the supreme law of the nation and no law, ordinance, imperial rescript or other act of government, or part thereof, contrary to the provisions hereof, shall have legal force or validity.
The treaties concluded by Japan and established laws of nations shall be faithfully observed.

Indeed, Article 51 of the UN Charter gives states the right to collective self-defense, but does not stipulate an obligation to do so. Thus any claim that argues otherwise—including those that claim superiority of international law over domestic law—simply ignores this fact. If, the UN Charter obligated member-states to participate in collective self-defense, then under the Vienna

⁴²⁸ Cabinet Legislative Bureau, “Answers to Questions Regarding the Constitution, International Law, and Collective Self-Defense” (The House of Representatives, May 29, 1981), http://www.shugiin.go.jp/internet/itdb_shitsumona.nsf/html/shitsumon/b094032.htm; Richard J. Samuels, “Politics, Security Policy, and Japan’s Cabinet Legislation Bureau: Who Elected These Guys, Anyway?,” *JPRI Working Paper*, no. 99 (March 2004).

Convention on the Law of Treaties and Article 98 of the Japanese Constitution, the government of Japan would be obligated to follow suit.⁴²⁹ However, that is not the case. Similarly, proponents of collective self-defense assure its citizens that the new policy by the government merely acknowledges that Japan has the right to collective self-defense, and is not stipulating for an obligation to collective self-defense.⁴³⁰ However, one wonders, if the reinterpretation of the peace clause of the Constitution was done so whimsically, what protections do the Japanese populace have against an administration that opts to reinterpret the right to collective self-defense as an obligation? To this inquiry, Kitagawa Kazuo, deputy chief of Komeito, assures his constituents to trust the democratic system.⁴³¹

Ironically, the Supreme Court of Japan has also kept silent regarding the constitutionality of both individual and collective self-defense, fueling the extrajudicial disagreements regarding this matter. The Supreme Court of Japan, established by Articles 76 and 81 of the Constitution, is the final appellate jurisdiction of Japan.

Article 76. The whole judicial power is vested in a Supreme Court and in such inferior courts as are established by law. No extraordinary tribunal shall be established, nor shall any organ or agency of the Executive be given final judicial power. All judges shall be independent in the exercise of their conscience and shall be bound only by this Constitution and the laws.

⁴²⁹ “Vienna Convention on the Law of Treaties” (1980), para. 46.

⁴³⁰ “Limited Exercise of Collective Self-Defense Is Not Unconstitutional,” *Nippon.Com* (blog), July 14, 2015, <http://www.nippon.com/en/features/c02104/>.

⁴³¹ “Limited Exercise of Collective Self-Defense Is Not Unconstitutional.”

Article 81. The Supreme Court is the court of last resort with power to determine the constitutionality of any law, order, regulation or official act.

However, contrary to the adversarial court system one sees in the United States, the Japanese Supreme Court is notorious for its judicial conservatism, and has only struck down six laws since its current conception.⁴³² While there are stark differences between the US and Japanese systems of judicial review, one of the main factors of this is that the political actors within the government—*id est*, the CLB—have large powers to control the actions of the Supreme Court—to the extent that the Courts became robed representatives of the LDP.⁴³³

The CLB existed under the Meiji Constitution, but due to its reactionary *raison d'être*, the MacArthur administration during the occupation had it disbanded in 1948.⁴³⁴ However, once the Japanese nation regained statehood in 1952, the CLB was swiftly reinstated. As the CLB gives the legal justification to the ruling party's political actions, it is not an overstatement to claim that the CLB is in fact holds the *de facto* final appellate jurisdiction in Japan.⁴³⁵

⁴³² Iwao Sato, “Ikenshinsasei to Naikaku Houseikyoku [Constitutional Review and the Cabinet Legislative Bureau]” (Institute of Social Science The University of Tokyo, 2005).

⁴³³ J. Mark Ramseyer and Eric B. Rasmusen, *Measuring Judicial Independence: The Political Economy of Judging in Japan* (University of Chicago Press, 2003), <http://bibliovault.org/BV.landing.epl?ISBN=9780226703886>; J. Mark Ramseyer and Frances McCall Rosenbluth, *Japan's Political Marketplace* (Harvard University Press, 2009).

⁴³⁴ Sato, “Ikenshinsasei to Naikaku Houseikyoku [Constitutional Review and the Cabinet Legislative Bureau].”

⁴³⁵ Nishikawa Shinichi, *Shirarezaru Kanchou: Shin Naikaku Houseikyoku [The Unknown Bureau: The Cabinet Legislative Bureau]* (Satsuki Shobou, 2002), 124.

That being said, the proponents of collective self-defense often cite three cases heard in the courts as landmark cases that justify the existence of the SDF and the right to collective self-defense: the Eniwa Incident (Sapporo District Court), the Naganuma Naiki Incident (Supreme Court) and the Sunagawa Incident (Supreme Court). However, neither ruling actually ruled based on constitutional review, but rather, on the doctrine of *acte de gouvernement*, which follows the fourth rule in the Brandeis' Rules "The Court will not pass upon a constitutional question although properly presented by the record, if there is also present some other ground upon which the case may be disposed of."⁴³⁶

Furthermore, the Court opinion regarding the Sunagawa case was specifically regarding the Status of Forces Agreement with the United States, and the relationship between the US military and Japanese security, and not regarding that of Japanese security doctrines. Thus, the supposition that these cases justify anything is also incongruent with the promotion of collective self-defense by the Japanese government.

The selective invocation of international law by political elites is nothing new, and neither is it limited to Japan. Japan is notorious for threatening to pursue legal action against the Republic of Korea and the People's Republic of China regarding territorial issues, but turns a blind eye when

⁴³⁶ Ashwander v. Tennessee Valley Authority, 297 U.S. 298 (United States Supreme Court 1936).

the International Court of Justice rules against its whaling practices.⁴³⁷ The invocation of Article 51 by the Japanese government to justify its about-face regarding collective self-defense is just this. It is the selective application of international law that has permeated the international system, and is detrimental both to the integrity of international law, as well as to its placement in the international system.⁴³⁸

As seen from the analysis of the Japanese Constitution, Article 51 of the UN Charter, and Japanese constitutional precedence, proponents of collective self-defense have a hard sell to make. Scholars and politicians against collective self-defense, as well as those who are starkly against individual self-defense have a myriad of court cases and international and domestic jurisprudence to make their case. However, it is on the onus of the LDP administration and the CLB to make the case that collective self-defense is indeed constitutional under the current reading of the Constitution. Without any legal justification provided, the facts are evident. Collective self-defense, as stipulated by the CLB and the LDP administration is unconstitutional. Lawrence Repeta, echoing Japanese constitutional scholars, also claims “As it is presently written, Article 9 does not allow Japan’s participation in the collective self-defense operations...In order to lawfully authorize such action, the text of the Constitution itself must be

⁴³⁷ Douglas M. Miller and Joshua A. Williams, “Plight of the Cetaceans: The Case for International Governance of Whaling” (Annual Midwest Political Science Association Conference 2016, Chicago, IL, United States, April 9, 2016).

⁴³⁸ United Nations General Assembly Sixth Committee, “Selective Legal Application Hampers Development of International Law: Press Release,” United Nations, November 17, 1995, <https://www.un.org/press/en/1995/19951117.gal2892.html>.

revised.”⁴³⁹

However, the biggest irony in this constitutional crisis is that the scholars and politicians who argue for an expansive, activist reading of the Constitution, which expands the interpretation of Article 9 to encompass collective self-defense, is in fact, the same group of people that argued in the past that Article 9 is too constraining, and does not allow for a full-fledged military, and thus for Japan to become a normal nation, one needs to amend the Constitution to revise Article 9.

The position that Article 9 encompasses collective self-defense, but Article 9 does not allow for individual self-defense are incongruous arguments and thus this, is the basis for the logical fallacy that the Abe administration has forced upon Japan with their reinterpretation of Article 9.

The administrative role of the CLB notwithstanding, if any given reigning party was given the right to drastically alter the interpretation of the Constitution, one that had been staunchly held by the same party for over half a century, in whim, then what purpose does the Constitution hold? Article 99 of the Japanese Constitution states “The Emperor or the Regent as well as Ministers of State, members of the Diet, judges, and all other public officials have the obligation to respect and uphold this Constitution.”

9.2. Justice Ghosn Astray

⁴³⁹ Lawrence Repeta, “Japan’s Proposed National Security Legislation — Will This Be the End of Article 9?,” *The Asia-Pacific Journal: Japan Focus* 13, no. 25 (June 22, 2015).

On December 30, 2019, ousted former Chairman of Nissan Motor Company, Carlos Ghosn fled from Japan, breaking his bail conditions.⁴⁴⁰ This much-publicized event startled the Japanese prosecutorial and judicial authorities, as this debacle caused them to lose face.⁴⁴¹ The escape-via-audio-equipment-case of Ghosn akin to something from a spy novel has shown light once again on the Japanese legal system and its alien nature compared to those counterparts in the West. Once again, shock and criticism ensue from outside Japan, looking at this seemingly ‘democratic’ nation with draconian criminal justice laws, something incongruous with widely accepted democratic norms of the West.

Theorists of democracy often stipulate that rule of law is a necessary component of modern democratic society. Two such theorists come to mind when examining the nature of the concept of the rule of law, and its importance: Locke and Montesquieu.⁴⁴² Both argued that having a proper legal system legislated and promulgated was intrinsic to democratic rule, in contrast to the arbitrary decrees that were the norm in monarchic and authoritarian regimes. Indeed, Locke

⁴⁴⁰ Young-Sam Cho, “What’s Ghosn On? Cringeworthy Puns Light Up Twitter,” *Bloomberg.Com*, January 3, 2020, <https://www.bloomberg.com/news/articles/2020-01-03/what-s-ghosn-on-puns-ghosn-wild-light-up-twitter>; Ben Dooley and Michael Corkery, “Carlos Ghosn’s Escape: A Lawyer in Beirut, a French Passport and a Lot of Mystery,” *The New York Times*, December 31, 2019, sec. Business, <https://www.nytimes.com/2019/12/31/business/carlos-ghosn-escape-japan.html>; David Gauthier-Villars, Mark Maremont, and Sean McLain, “Carlos Ghosn Sneaked Out of Japan in Box Used for Audio Gear,” *Wall Street Journal*, January 3, 2020, sec. Business, <https://www.wsj.com/articles/carlos-ghosn-sneaked-out-of-japan-in-box-used-for-audio-gear-11578077647>.

⁴⁴¹ William Pesek, “How the Carlos Ghosn Caper Has Already Ruined Shinzo Abe’s Year,” *The Washington Post*, January 13, 2020, <https://www.washingtonpost.com/opinions/2020/01/13/how-carlos-ghosn-caper-has-already-ruined-shinzo-abes-year/>.

⁴⁴² Cf. Montesquieu and Carrithers, *The Spirit of Laws*.

states in his *Two Treatises* that “sudden thoughts, or unrestrain’d, and till that moment unknown Wills without having any measures set down which may guide and justify their actions,” in regards to the unpredictability and therefore unreliability of arbitrary decrees.⁴⁴³ If we were to take these two thinkers at face value, then it would necessitate for a democratic regime to observe the rule of law to its fullest extent, upheld by the judiciary being an intrinsic yet separate branch of government from the legislature. However, there are startling issues to this rubric when applied to Japan.

A recurring theme of this dissertation is that the system of government in Japan does not fit into political concepts that we have come to understand in the West—especially that of Anglo-American norms. It is critically important to understand that Japan does not share the same norms, cultures, and institutions that the West have. This is evident in the legal foundations as well.

Japanese law, as seen in the analysis of the Meiji Constitution in Chapter 5, was modeled heavily on the Prussian and French legal and constitutional foundations. Indeed, shortly after the Renovation, a French legal scholar, Gustave Émile Boissonade de Fontarabie was invited to Japan to assist in the formulation of a modern legal code. The Meiji Constitution was built around the concept of *Rechtsstaat*, where the “guarantee of the ‘rights of the subject’ [...] was

⁴⁴³ John Locke, *Locke: Two Treatises of Government Student Edition*, ed. Peter Laslett (Cambridge University Press, 1988), 138.

limited by a provision securing these rights only ‘according to law,’ and therefore any kind of restriction on the ‘rights of the subject’ was allowed so long as it had a statutory basis.”⁴⁴⁴

Therefore, laws in Japan were instituted as the implementation of government power, and not the limit of it. This is a stark difference from the Anglo-American model of rule of law where the law essentially, at least theoretically, acts to limit government power. The Japanese adaptation of *Rechtsstaat* fit well amidst this nation built on Neo-Confucian proto-ideology, as there was already ample fertile ground for implementing a top-down form of legal governance in the continued deference to authority that permeated Japanese society.

It is a common misconception that the postwar American Revolution in Japan instilled in the Japanese a renewed sense of constitutionalism and the rule of law. The *tatemaie* is that the Constitution, which the Americans forced upon Japan during the occupation, transformed Japanese society and governance. However, the *honne*, it seems, is that the regime never really changed, and that whatever ‘transformation’ may have occurred or seemed to have occurred was merely a pragmatic choice made by the postwar regime.⁴⁴⁵ Evident of this continuity, in 1962, the Chief Justice of the Supreme Court of Japan stated, “The Rule of Law today means that the law rules the people, and that people should obey the law and should act as the law

⁴⁴⁴ Noriho Urabe, “Rule of Law and Due Process: A Comparative View of the United States and Japan,” *Law and Contemporary Problems* 53, no. 1 (January 1, 1990): 62, <https://doi.org/10.2307/1191826>.

⁴⁴⁵ *Honne* and *tatemaie* refer to the dichotomy between one’s true, honest intentions, and the superficial façade that one projects, respectively. Cf. Takeo Doi, *The Anatomy of Self: The Individual Versus Society* (Kodansha International, 2001); Takeo Doi, “The Japanese Patterns of Communication and the Concept of Amae,” *Quarterly Journal of Speech* 59, no. 2 (April 1973): 180–85.

ordains.”⁴⁴⁶ Contrary to the established belief of what Japanese jurisprudence stipulates today, the nature of the Courts in Japan vis-à-vis administrative law is one that is more akin to what the Meiji Constitution was based on—that of *Rechtsstaat*, or more accurately, the French notion, *état légal*. The latter is a concept of French constitutional law that is eerily similar to the nature of Japanese legal application, and its judicial conservatism.

The myriad of court cases that have been pled against the state’s administrative actions, whether that be about the SDF, the US military presence in Japan, or of electoral malapportionment, have seemingly followed its precedents in Napoleonic and Prussian legal norms.⁴⁴⁷

An article by the French Constitutional Council explains the transition of the French legal system from the Fourth to the Fifth Republic, stating that while the public law system moved from a strictly *état légal* to a more constitutional, or *Rechtsstaat* style system, there are notable cases where the practices of the former system continue on to current-day:

Le changement de terminologie est donc le signe apparent d'une profonde modification de l'ordonnement juridique intervenue, après la seconde guerre dans les pays dans lesquels la Constitution est devenue l'élément central de cet ordonnancement. Ce changement s'est produit en France avec un certain retard mais il a eu lieu et il n'est plus

⁴⁴⁶ Kisaburo Yokota, “Ho No Shihai to Saiban [The Rule of Law and the Court],” *Hoso Jiho* 14, no. 1 (1962): 7. Quoted in Urabe, “Rule of Law and Due Process,” 68.

⁴⁴⁷ Cf. P. M. Gaudemet, “Droit Administratif in France,” in *An Introduction to the Study of the Law of the Constitution*, by A. V. Dicey (Springer, 1985).

possible de raisonner comme au temps de l'État légal de Carré de Malberg, parfois aussi dénommé État légicentrique . Le passage à l'État de droit constitutionnel met au premier plan la notion de constitutionnalité et il doit en être tenu compte désormais même si cela dérange quelques habitudes.

[The change of terminology is therefore a sign of apparent modification in the legal arrangements made, after the second war, the countries in which the Constitution became the central element this arrangement. The change happened in France with some delay but it did happen and it not possible to reason the way we did during the État légal of Carré de Malber, sometimes called État légicentrique. The passage to État de droit constitutionnel puts the notion of constitutionality first and it must be held as such even if it disturbs certain habits.]⁴⁴⁸

The “habits” it speaks of are the legal norms that permeate the current-day constitutionalism that has continued on from the *état légal* system, and this, is very much in line with how legal norms have continued in Japan, traversing two very different constitutions.

In 2004, the Japanese legal system went through several reforms. These reforms included the introduction of a lay-judge system akin to, but not exactly, jurors in the US, as well as expansion of law schools in institutions of higher education. The implementation of the lay-judge system (“Saiban-in”) was a watershed moment for the expansive legal reform process that Japanese jurists had been preparing since the 1990s. While the legal reforms that the government and the Japan Federation of Bar Associations (“JFBA”) were indeed expansive, such large-scale reforms came at the further detriment of criminal defendants.

⁴⁴⁸ Louis Favoreu, “Légalité et constitutionnalité [Legality and Constitutionality]” (Conseil Constitutionnel, November 1997), <https://www.conseil-constitutionnel.fr/nouveaux-cahiers-du-conseil-constitutionnel/legalite-et-constitutionnalite>.

The Act Concerning Participation of Lay Assessors in Criminal Trials (“Saiban-in Law”) was enacted on May 28, 2004, and transformed criminal trial procedure by introducing lay-judges to the courtroom. The Saiban-in system is not applied to all criminal court cases, but is limited to those cases where the death penalty, indefinite confinement, or imprisonment is a potential penalty, as well as other cases that infringe on specific laws that include manslaughter.⁴⁴⁹ In these cases, three professional judges are supplemented by six lay-judges that are selected from the civilian population to serve. The Saiban-in system has been mired by controversy from the onset, both legally and socially. Legally, the introduction failed to introduce safeguards for the defense in criminal trials, such that, lay-judges who are unaccustomed to forced pleas and unrecorded interrogations may take such evidence made under duress at face value.

Socially, the strain that the Saiban-in system forced on to its participants, both lay-judges and defendants, were not taken into account when introducing Japan to this new system. As ordinary citizens were to take part in the judicial process, court cases now had to be accommodating to the ordinary work schedule and life of the lay-judges. This meant that trial dates needed to be scheduled one after another, and the entire process needed to be sped up. As such, the defense and the prosecution were to meet with the judges prior to the trials to

⁴⁴⁹ Toshiki Odanaka, “Saibanin Seido to Minshushugi Keijihogaku No Kadai [About the Issue of Saiban-in Seido (Lay Judge System) from the Viewpoint of Democratic Criminal Law],” *Ryukoku Hogaku* 38, no. 4 (March 10, 2006): 1077–1103; Kent Anderson and Emma Saint, “Japan’s Quasi-Jury (Saiban-in) Law: An Annotated Translation of the Act Concerning Participation of Lay Assessors in Criminal Trials,” *Asian-Pacific Law & Policy Journal* 6, no. 1 (Winter 2005): 51; “Act Concerning Participation of Lay Assessors in Criminal Trials,” 63 §, accessed February 8, 2020, https://elaws.e-gov.go.jp/search/elawsSearch/elaws_search/lsg0500/detail?lawId=416AC0000000063.

determine what the roadmap they envision their cases to be. This too causes disfavor to the defense, as too often than not, communication between the lawyers and defendant are limited in the pre-indictment stage, and thus makes pretrial preparation for the defense very difficult under a sped up system. An underprepared defense would inevitably be seen as less accurate in the eyes of the lay-judges and thus the court may be swayed in favor of the prosecution further.

These recent justice system reforms have been argued as being a precursor for the judicialization of Japanese society.⁴⁵⁰ However, this is an optimistic overstatement at best, but rather; the reforms were evidence of juridification, not judicialization.⁴⁵¹ The reforms did increase discourse on legal matters amongst the media and the population of Japan, but this is not necessarily the effect of judicialization. The legal reforms have not affected the courts, in terms of its status in Japan. Whereas the US justice system is constitutionally delineated from the other branches of government, the Japanese system is slightly more complicated, with the executive being intrinsically connected with the legislative, and the courts are not particularly

⁴⁵⁰ Tokujin Matsudaira, "Judicialization of Politics and the Japanese Supreme Court," *Washington University Law Review* 88, no. 6 (2011), https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1066&context=law_lawreview; Hideyuki Hirai, "Judicialization or De-Judicialization?: The Rise of Network-Based Governance of the Drug Problems in Contemporary Japan," in *Judicialization of Social Problems and Governance of Security in Comparative Perspectives* (XIX ISA World Congress of Sociology, Toronto, Ont., Canada: International Sociological Association, 2018).

⁴⁵¹ Cf. Tom Ginsburg, "The Judicialization of Administrative Governance: Causes, Consequences and Limits," in *Administrative Law and Governance in Asia: Comparative Perspectives*, ed. Tom Ginsburg and Albert H. Y. Chen (Routledge, 2008), 1.

separate from the policymaking organs.⁴⁵² For example, historically, while the Supreme Court of Japan is indeed the constitutional court of Japan, it has been extremely conservative in its decisions pertaining to overturning government policies. In the seventy years since the end of the Second World War, there have been only ten cases where the Court determined a law enacted by the Diet to be unconstitutional. During the same period, the Supreme Court of the United States has ruled acts of congress as unconstitutional one hundred and twenty one times.⁴⁵³ Judicial conservatism is most prevalent in cases where the courts need to uphold national policy, such as bills and laws pertaining to the Japanese and US militaries. There have been cases of limited judicial activism by the courts such as those cases concerning electoral malapportionment, but these are rare to come by and thus insufficient to call judicialization in terms of the policy arena.

The court cases pertaining to electoral malapportionment are optimal case studies to look into the relationship between the Supreme Court and the legislature, its decision-making powers often monopolized by the long-reigning LDP. Between 1947 and 2013, there have been eleven rulings by the Supreme Court of Japan regarding malapportionment for the Single Member

⁴⁵² The independence of the justice system in the US are an issue of contention, especially regarding “stacking” the Supreme Court of the United States with justices nominated by particular parties, or state-level judges being elected and therefore being embroiled in electoral financing issues pertaining to corporate and PAC related donations. However, the point being made here in comparison to the Japanese system is that the Courts in the US are, at least constitutionally and legally separated entities from the other branches of government, whereas the Japanese system necessitates conscious collaboration between the branches.

⁴⁵³ See Appendix 3 for a full list of cases where the Supreme Courts of the respective countries ruling against acts of their legislatures.

Districts (“SMDs”) of the House of Representatives’ elections. All the cases where constitutionality was determined, the plaintiffs argued that the preceding elections were unconstitutional on the basis that gross malapportionment infringed upon Article 14, which states that “All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin.”⁴⁵⁴

On April 14, 1976, the Court ruled that the malapportionment rate in the previous 1972 elections were unconstitutional; on November 7, 1983, the Court ruled that the previous 1980 election was held under a state of unconstitutionality due to the rate of malapportionment; on July 17, 1985, the Court ruled that the 1983 election was unconstitutional; on October 21, 1988, the previous election of 1986 was deemed constitutional; on January 20, 1993, the preceding 1990 election was ruled as being held under a state of unconstitutionality; between 1995 and 2007, the Court ruled that the four elections held in 1993, 1996, 2000, and 2005 were constitutional; and on March 23, 2011, as well as on November 20, 2013, the Court ruled twice in a row that the elections of 2009 and 2012, respectively, were held under a state of unconstitutionality.⁴⁵⁵ While

⁴⁵⁴ The Constitution of Japan.

⁴⁵⁵ Senkyo Muko Seikyu Jiken [Case to Void Election], No. Showa 49 (Gyo Tsu) 75 (Supreme Court of Japan April 14, 1976); Senkyo Muko Seikyu Jiken [Case to Void Election] (Tokyo High Court December 1980); Senkyo Muko Seikyu Jiken [Case to Void Election], No. Showa 56 (Gyo Tsu) 57 (Supreme Court of Japan November 7, 1983); Senkyo Muko Seikyu Jiken [Case to Void Election], No. Showa 59 (Gyo Tsu) 339 (Supreme Court of Japan July 17, 1985); Jumin Soshō ni yoru Songai Baishō Jiken [Case regarding Compensation of Damages incurred to Citizens], No. Heisei 1 (Gyo Tsu) 126 (Supreme Court of Japan November 20, 1989); Senkyo Muko Seikyu Jiken [Case to Void Election], No. Heisei 18 (Gyo Tsu) 176 (Supreme Court of Japan June 13, 2007); Senkyo Muko Seikyu Jiken [Case to Void Election], No. Heisei 25 (Gyo Tsu) 209 (Supreme Court of Japan November 20, 2013); Senkyo Muko Seikyu Jiken [Case to Void Election], No. Heisei 25 (Gyo Ke) 1 (Hiroshima High Court November 28, 2013); Takaaki Nishiyama et al., “Ippyo No Kakusa Okizari Bengoshi Gurupu Ga Issei Teiso Junbi e [Group of Lawyers Prepare to Sue Collectively Regarding Malapportionment],” *Asahi Shimbun Digital*, November 18, 2014, <http://www.asahi.com/articles/ASGCK4FWBGCKUTIL00W.html>.

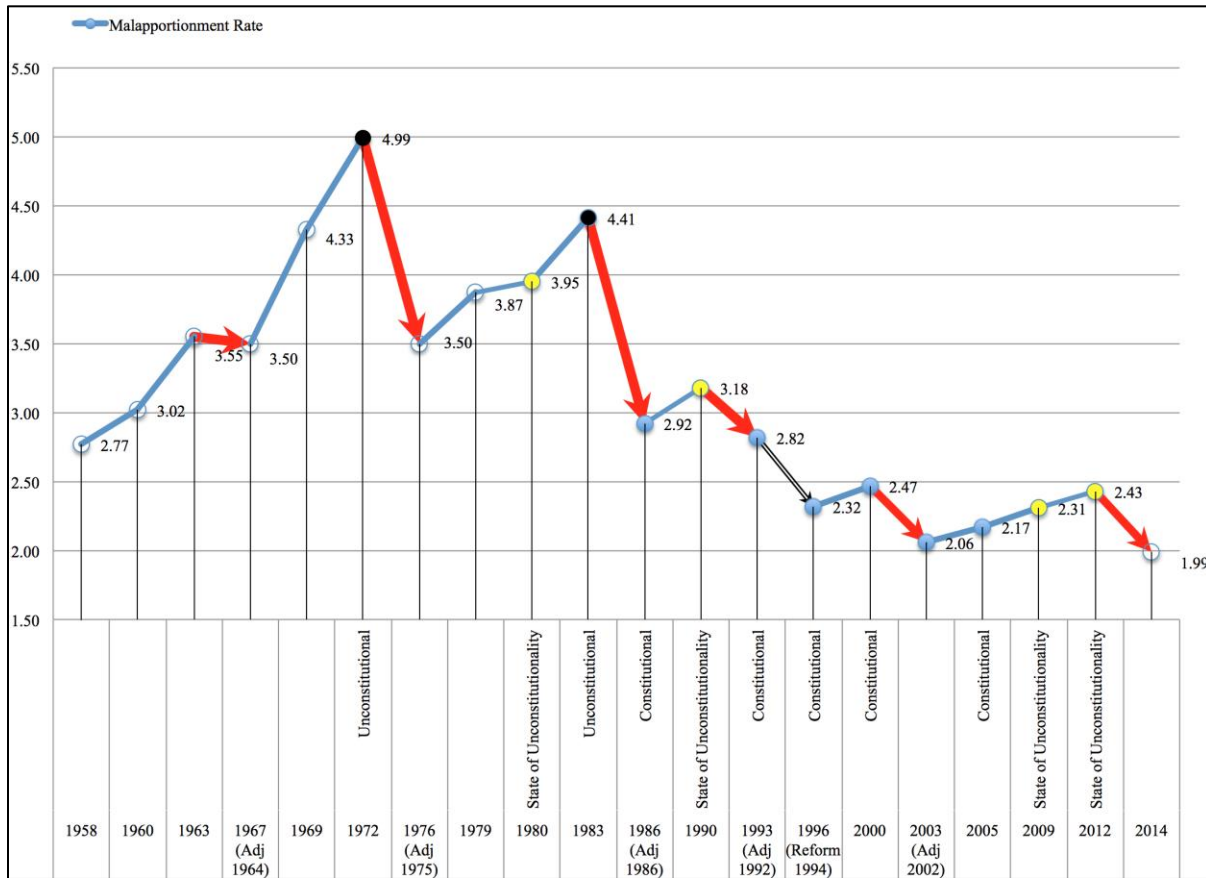
some scholars see little difference between unconstitutionality and a state of constitutionality, there is one critical difference between them, especially when it comes to setting precedence.⁴⁵⁶ The rulings of 1993, 2011 and 2013 declared the elections of 1990, 2009 and 2012, respectively, were in a state of unconstitutionality due to the fact that they deemed the time allotted to the legislature since the previous unconstitutionality ruling was in fact too little to determine that the legislature had deliberately neglected reapportionment.⁴⁵⁷

As the timeline on the figure below shows, out of the two times the Supreme Court had ruled unconstitutional, both times resulted in an adjustment by the government. However, in the cases where the Court only ruled the preceding elections as held under a state of unconstitutionality, there was only once, in 1993, when redistricting occurred to adjust for the rising rate of malapportionment. While the two unconstitutional rulings and their relationship with the subsequent adjustment seem causal, as the other rulings do not seem to have any effect on the subsequent adjustments, the correlation between these results are extremely weak, if any.

⁴⁵⁶ Jeff Kingston, *Critical Issues in Contemporary Japan* (Routledge, 2013), 41; Tomohito Shinoda, *Contemporary Japanese Politics: Institutional Changes and Power Shifts* (Columbia University Press, 2013), 234.

⁴⁵⁷ Robert Pekkanen, Steven Reed, and Ethan Scheiner, *Japan Decides 2012: The Japanese General Election* (Palgrave Macmillan, 2013), 143; Senkyo Muko Seikyū Jiken [Case to Void Election], Supreme Court of Japan November 20, 2013 at 21.

Figure 15. Malapportionment and the Supreme Court



It may be counterintuitive to many regarding how an election deemed to be unconstitutional or in a state of unconstitutionality by the Supreme Court in fact remains legitimate and not nullified. All cases by the Supreme Court that ruled the elections to be unconstitutional or in a state of unconstitutionality were dismissed in favor of the state due to a provision under Article 31 of the Administrative Procedures Law:

(1) In an action for the revocation of an administrative disposition, the court may dismiss a claim with prejudice on the merits in cases where the original administrative disposition or administrative disposition on appeal is illegal but the revocation thereof is likely to seriously affect public welfare, if the court, having

considered the extent of any possible damage to be suffered by the plaintiff, the extent and method of compensation for or prevention of such damage and all other circumstances concerned, finds that the revocation of the original administrative disposition or administrative disposition on appeal is not in line with public welfare. In this case, the court shall declare the illegality of the original administrative disposition or administrative disposition on appeal in the main text of the judgment of dismissal.

(2) The court, when it finds it appropriate, may declare the illegality of an original administrative disposition or administrative disposition on appeal by a judgment before making a final judgment.

(3) The court may cite a judgment set forth in the preceding paragraph when stating the facts and reasons in a final judgment.⁴⁵⁸

Therefore, the Court has repeatedly ruled against the plaintiff's favor, on the basis that nullifying the election in question "is not in line with public welfare" due to the disarray such a revocation may cause nationally. This legal principle has been utilized in court cases for all electoral malapportionment claims, for both upper and lower houses.⁴⁵⁹

Scholars such as William Somers Bailey argue that the historical negligence of the levels of malapportionment in Japan are due to the fact that the Japanese Constitution does not specifically stipulate guidelines regarding electoral procedures, as done so in the United States Constitution; that Article 47 of the Constitution stipulating that "electoral districts, method of voting and other matters...shall be fixed by law" is akin to "setting the foxes to guard the hen house."⁴⁶⁰

⁴⁵⁸ "Administrative Procedures Law," Pub. L. No. 139 (1962), <http://law.e-gov.go.jp/htmldata/S37/S37HO139.html>.

⁴⁵⁹ However, there has been one court case, albeit not at the Supreme Court, that has ruled that has ruled the preceding upper house election to be unconstitutional and void.; Senkyo Muko Seikyu Jiken [Case to Void Election], Hiroshima High Court November 28, 2013.

⁴⁶⁰ Bailey, "Reducing Malapportionment in Japan's Electoral Districts," 172 footnote; The Constitution of Japan.

However, the lack of concrete constitutional articles on the format of electoral redistricting does not have such a negative effect as Bailey argues it to have. Take the case of West Germany, a country with a similar legal positivist code and judicial principles, as Japan imported most of its legal principles from the Swiss and Prussian models during the Meiji Restoration. Hata Hitoyuki explains in *Malapportionment in Representation in the National Diet*:

In West Germany, a suit was filed with the Federal Constitutional Court, challenging the validity of the 1961 election for members of the Bundestag on the ground that the election had been held based on an apportionment law that violated the Basic Law of West Germany. The Federal Constitutional Court handed down a decision of prospective invalidation that held that the election would be invalid unless the Bundestag reapportioned by the end of the 1965 legislative session...The Bundestag...responding to the decision, corrected the imbalance in question by revising the apportionment law in February 1964.⁴⁶¹

The nonexistence of constitutional electoral regulation did not impede the Federal Constitutional Court from ruling a prospective invalidation, and subsequently persuading the Bundestag to revise the apportionment law. Hence, it could be similarly argued that the inability for malapportionment to be aptly corrected in Japan do not come from the nonexistence of electoral clauses in the Constitution, but rather, from the extreme judicial conservatism of the Supreme Court, compounded with legislative inaction or opposition to any correction. While the Supreme Court has not dismissed any cases challenging constitutionality of grossly malapportioned elections under the Political Cases doctrine, the repeated utilization of Article 31 of the Administrative Procedures Law implies a similar doctrine.⁴⁶²

⁴⁶¹ Hata, "Malapportionment of Representation in the National Diet," 170.

⁴⁶² Cf. *Marbury v. Madison*, 5 U.S. 137 (1803).

While one could argue that the close, symbiotic relationship between the judiciary and the legislative body is an oft seen characteristic of a parliamentary system of government, and thus not consequentially a justification to claim that this is a factor to argue that Japan is not a democracy, the issues surrounding the Japanese justice system goes far beyond judicial conservatism. The distinct foundation of the Japanese legal tradition being based on a symbiosis of Neo-Confucian proto-ideology and the Franco-Prussian juridical concept of the *Rechtstaat* as opposed to the Anglo-American notion of the rule of law is a critical factor in determining the nature of heliocracy in Japan that cannot be overstated. Indeed, as scholar of French constitutional law, Dominique Rousseau puts it, “L’Etat légal ensuite, qui soumet le pouvoir exécutif, l’administration et la justice au respect de la loi votée par le Parlement, loi qui, expression de la volonté générale, est incontestable et ne peut donc être jugée. [The *état légal* then, which subjects the executive power, administration, and justice to the respect of the law voted by the Parliament, law which, expression of the general will, is incontestable, and cannot therefore be judged.]”⁴⁶³

9.3. The Abdication

On April 30, 2019, His Majesty the Emperor Emeritus, Akihito, abdicated from the

⁴⁶³ Dominique Rousseau, “Mon plaidoyer pour l’Etat de droit [My Plea for the Rule of Law],” *Libération*, August 17, 2016, sec. Idées, https://www.liberation.fr/debats/2016/08/17/mon-plaidoyer-pour-l-etat-de-droit_1473037.

Chrysanthemum throne, to make way for his son, Naruhito, to ascend to it. This was the first imperial abdication since Emperor Koukaku abdicated in 1817, and therefore the first under the current Constitution.⁴⁶⁴ The ascension of the new emperor also brought to Japan a new imperial era, the Reiwa.

From the onset, the abdication of the now Emperor Emeritus, Akihito, was controversial. Prime Minister Abe Shinzo was not notified beforehand, when the national broadcasting service, NHK, televised their scoop from the imperial household that the emperor had decided to abdicate.⁴⁶⁵ The animus between the prime minister and the emperor was known over the years, partly due to Abe's push for remilitarization of Japan, and the other, because of his unwillingness to take into account the emperor's wishes for the reevaluation of the Imperial House Act.

Akihito was born in 1933 to Emperor Showa, Hirohito, and his wife Empress Kojun amidst the period of militarism and territorial expansion. The War ended when he was twelve, and during the occupation, Akihito was famously tutored by an American Quaker, Elizabeth Gray Vining, from 1946-1950. His upbringing under the new Constitution of Japan in the postwar period, combined with his westernized education, and self-reflection on the nature of the past wars, Akihito traversed a much more liberal, peaceful, life as crown prince compared with his

⁴⁶⁴ Yusuke Yoneda, *Reiwa Shinshu: Rekidai Tenno-Nengo Jiten [Almanac of Historical Emperors and Imperial Eras: Reiwa Edition]* (Tokyo: Yoshikawa Koubunkan, 2019).

⁴⁶⁵ Yamaguchi Kazuomi, "Joko Heika to Abe Shusho: 10nen Goshi no 'Sure chigai' [The Emperor Emeritus and Prime Minister Abe: 10 years of 'Growing Apart']," nippon.com, May 7, 2019, <https://www.nippon.com/ja/japan-topics/c06110/>.

predecessors. In 1959, he married Shoda Michiko, who became the first-ever commoner princess for the imperial family since the inception of the modern imperial household in the Meiji period. The Grand Chamberlain to Emperor Showa at the time criticized this decision and strived to have the marriage derailed, saying “it is unconscionable that his highness the Crown Prince is wishing to marry a commoner.”⁴⁶⁶

One critical point that needs to be elaborated on when determining the nature of the imperial family in Japan under the Constitution is whether the Emperor has any human rights. Under a democratic form of government, it is assumed that every citizen of the state has equal human rights under the law. However, as seen under the preceding section, Japanese constitutional law has different stipulations when it comes to its understanding and implementation of the rule of law. The following articles of the Constitution pertain to the nature of the Emperor:

Article 1. The Emperor shall be the symbol of the State and of the unity of the People, deriving his position from the will of the people with whom resides sovereign power.

Article 2. The Imperial Throne shall be dynastic and succeeded to in accordance with the Imperial House Law passed by the Diet.

However, there is no direct statement here, or elsewhere, stating that the Emperor is indeed a citizen of Japan. Article 10 and 13 delineate the primary rights of citizens:

Article 10. The conditions necessary for being a Japanese national shall be determined by law.

⁴⁶⁶ Sukemasa Irie, *Irie Sukemasa Nikki [Diary of Irie Sukemasa]* (Tokyo: Asahi Shimbun, 1990).

Article 13. All of the people shall be respected as individuals. Their right to life, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare, be the supreme consideration in legislation and in other government affairs.⁴⁶⁷

There is considerable disagreement on the matter pertaining to whether the Emperor is included in the category of “Japanese national” or even “people” as per Articles 10 and 13. The Emperor, for example, is forbidden, constitutionally, from participating in any political matters.⁴⁶⁸ He does not have the right to engage in a civil suit, such as those to protect himself from slander.⁴⁶⁹ The imperial family does not have a family register, and instead have their own Record of Imperial Lineage. For the purposes of the Constitution and the LDP administration, the Emperor, along with the imperial family, are slaves to the state, without many of the fundamental human rights given to citizens of Japan. It is not an overstatement to state that they are worked, literally, to death, under the current Constitution. As Article 2 states that the imperial family is dynastic, the main argument of the conservative factions within Japanese politics, as formulated within the “Memorandum from the Fourth Conference on Lessening the Burden of Public Service by the Emperor” from November 2016, is that the Emperor does not have a right to abdicate, and needs to forget about abdicating, and reign to

⁴⁶⁷ The Constitution of Japan.

⁴⁶⁸ The Constitution of Japan, Art. 4.

⁴⁶⁹ In a civil suit brought on by citizens arguing that the government of Japan spending their budget on a portion of the state funeral of Emperor Showa was unconstitutional and thus incurred damages to the citizens, the Supreme Court of Japan ruled that as the Emperor is the symbol of all Japanese, the Emperor does not have the right to participate in any civil or criminal trial as plaintiff nor defendant. Jumin Sosho ni yoru Songai Baisho Jiken [Case regarding Compensation of Damages incurred to Citizens].

his death.⁴⁷⁰

It was not always this way. Under the Koizumi administration, several conferences were held within the government and scholars were invited to discuss how Japan ought to continue its imperial lineage. At the time, there had not been any male successors born into the imperial family in over forty years and there were significant discussions regarding the continuation of the lineage through revising the Imperial Household Law, in order to amend it so that first-born females could succeed the throne. In its final report, the conference participants concluded that females should be allowed to ascend to the throne, as long as they are the eldest child of an Emperor.⁴⁷¹ Based on these Koizumi administration prepared to submit a revision to the Law in the following Diet session, but this was halted when Princess Kiko was found to be pregnant with a son, on February 7, 2006. In 2012, during the DPJ administration, Abe Shinzo, expressed his disgust and relief in an interview article. He stated, “Any such revision [allowing for Princess Aiko, the daughter of the Crown Prince, to ascend to the throne] would have been an irreversible disgrace to the history of the imperial household.”⁴⁷² A vocal proponent against female ascensions, Abe Shinzo took power in September 2006; he ended all discussions regarding the topic, and reversed the official government position pertaining to succession to

⁴⁷⁰ “Tenno No Koumu No Futan Keigen Tou Ni Kansuru Yushikisha Kaigi Gijiroku (Dai 4 Kai) [Memorandum from the 4th Conference on Lessening the Burden of Public Service by the Emperor]” (Cabinet Office, Japan, November 14, 2016), http://www.kantei.go.jp/jp/singi/koumu_keigen/dai4/gijiroku.pdf.

⁴⁷¹ “Koshitsu Tenpan Ni Kansuru Yushikisha Kaigi Hokokusho [Memorandum from Conferences Regarding Revising the Imperial Household Law]” (Cabinet Office, Japan, November 24, 2005).

⁴⁷² Shinzo Abe, “Minshutou Ni Koshitsu Tenpan Kaisei Wa Makaserarenai: ‘Josei Miyake’ Sosetsu Wa Koutou Danzetsu No Ari No Ikketsu [We Cannot Let the DPJ Revise the Imperial Household Law: The Creation of ‘Female Imperial Houses’ Will Lead to the End of the Imperial Lineage],” *Bungei Shunju*, December 2012.

being just for male primogeniture.

In this backdrop, the abrupt, and direct scoop by NHK, and then by other media sources on July 13, 2016, regarding the will of the Emperor to abdicate came as a shock to the Abe administration. On August 8, 2016, the Emperor spoke to the citizens in a televised address, explaining his will to abdicate, and for his eldest son, Naruhito to ascend to the throne. This act by the Emperor was taken by some to be a coup by the Emperor himself against the wishes of the Abe administration, which had been pressing forward towards its goal of constitutional revision, expansion of collective self-defense, and the remilitarization of Japan. By forcing the hand on the administration, the Emperor attempted to press the government to consider reevaluating and revising the Imperial Household Law. The Emperor's wishes notwithstanding, the Abe administration quelled any movement towards revision, and issued a one-time special law, allowing for the then, Emperor, to abdicate, without any future possibility of abdication.⁴⁷³

The sheer irony of Abe's decision against the will of the Emperor is that Abe is a self-professed conservative, and a member of the Japan Conference, an ultraconservative political interest group. His goals for constitutional revision and the remilitarization of Japan echoes many of the Conference's motivations and historical revisionism. On face value, it seems that as an ultraconservative, his motivations would be to uphold the wishes of the Emperor. And yet, his actions against the now Emperor Emeritus, and his lack of respect towards the imperial household would have been held as *lèse-majesté* under the prewar Constitution, and charged as

⁴⁷³ "A Special Provision to the Imperial House Law Allowing the Abdication of the Emperor" (2019).

an enemy of the state.

The abdication occurred on April 30, 2019, and Heisei came to an end. On May 1, 2019, a new imperial era was promulgated: Reiwa. When the name of the new era was announced on April 1, 2019, Prime Minister Abe stated that the characters of Reiwa 令和 were picked from the Manyoshu, and signified “a culture being born and nurtured by people coming together beautifully.”⁴⁷⁴ The exact poem that these characters were taken from is in Volume 5 of the Manyoshu:

于時初春令月
氣淑風和
梅披鏡前之粉
蘭薰珮後之香

This can be translated as “It was in new spring, in a fair/venerable (rei) month, when the air was clear and the wind a gentle (wa) breeze; plum flowers blossomed a beauty’s charming white as powder before a mirror; and the fragrance of the orchids was like sweet incense.”⁴⁷⁵

Furthermore, the government emphasized that the choice of the name came from the Manyoshu, which was written in medieval Japanese script, as opposed to all previous era names, which were selected from Chinese poetry. The choice of these logoglyphs, 令 and 和

⁴⁷⁴ Tomohiro Osaki and Sakura Murakami, “Reiwa: Japan Reveals Name of New Era Ahead of Emperor’s Abdication,” *The Japan Times Online*, April 1, 2019, <https://www.japantimes.co.jp/news/2019/04/01/national/politics-diplomacy/japan-readies-announce-name-new-era/>.

⁴⁷⁵ Ryan Shaldjian Morrison, “Thoughts on the New Japanese Era Name, Reiwa: ‘Comely Peace,’” *nippon.com*, April 19, 2019, <https://www.nippon.com/en/japan-topics/g00691/thoughts-on-the-new-japanese-era-name-reiwa-comely-peace.html>.

for the era name was quite controversial, as the first logoglyph primarily signifies “order” in the vernacular Japanese. It is used in words such as *meirei* 命令 (a command) and *hourei* 法令 (laws), and thus have a top-down connotation. Indeed, the government needed to issue statements supplementing the choice, with a foreign ministry official stating that no one in the government had intended it to be interpreted that way.⁴⁷⁶ However, the undertones are prevalent.

The originator of the name was Nakanishi Susumu, a renowned scholar on the Manyōshū. He was interviewed by *Yomiuri Shimbun* in an article published April 17, 2019, where he explains how he came to this term.⁴⁷⁷ He explains the etymology of the character 令, stating that it has its roots in the Neo-Confucian term for “justice, righteous,” 善 as well as 律 which refers to “being in accordance with.” When pressed upon the top-down nature of the term, he responds, “Would you obey an unjust command? No, you would not. The type of command that one obeys is a just command. Traditionally, commands are just things.” He continues, stating that harmony is just, and therefore follows the first article of the 17 Article Constitution, traditionally attributed to Prince Shotoku: “Harmony is to be valued, and an avoidance of

⁴⁷⁶ Tomohiro Osaki, “Japan Assures World That Reiwa Is All about ‘beautiful Harmony’ and Has Nothing to Do with ‘Command,’” *The Japan Times Online*, April 3, 2019, <https://www.japantimes.co.jp/news/2019/04/03/national/japan-assures-world-reiwa-beautiful-harmony-nothing-command/>.

⁴⁷⁷ “Reiwa Shinjidai no Mokuhyo Uruushiki ‘Yamato no Kokoro’ Kokubun-gakusha Nakanishi Susumu-shi [Reiwa and its Goals for the New Era ‘A Beautiful Yamato’ with Nakanishi Susumu],” *Yomiuri Shimbun*, April 17, 2019, Morning edition.

wanton opposition to be honored.”⁴⁷⁸ A beautiful harmony that needs to be followed, as it is the just way. Once again, the effects of Neo-Confucian proto-ideology is seen here, in the choice of Reiwa as the new era name.

9.4. Conclusion

In his analysis of Japanese nationalism, Bruce Stronach, alluding to Tocquevillian “tyranny of the social majority,” argues that contemporary “Japan is a tyranny of the social majority...Social values and behavioral norms related to collectivity and conformity do limit the individual freedom of Japanese, but they are [no longer] enforced by the state.”⁴⁷⁹ Recent developments in Japan show Stronach’s analysis to be either naïve or outdated. Various civil society organizations and citizens’ movements have been quelled strategically by the state, and conformity within the media furthers the state’s coercive tactics to ensure conformity and order of the masses.⁴⁸⁰

⁴⁷⁸ William George Aston, *Nihongi: Chronicles of Japan from the Earliest Times to A.D. 697* (K. Paul, Trench, Trübner, 1896).

⁴⁷⁹ Stronach, *Beyond the Rising Sun*, 84.

⁴⁸⁰ “Anti-Nuclear Activists’ METI Camp Razed in Darkness after Years Battling over Fukushima,” *The Japan Times Online*, August 21, 2016, <http://www.japantimes.co.jp/news/2016/08/21/national/anti-nuclear-activists-tents-forcibly-removed-economy-ministry-premises-years-long-battle/>; Ayako Mie, “Okinawa Protests Erupt as U.S. Helipad Construction Resumes,” *The Japan Times Online*, July 22, 2016, <http://www.japantimes.co.jp/news/2016/07/22/national/politics-diplomacy/central-government-sues-okinawa-futenma-relocation/>; Kazuaki Nagata, “Tepco Chief Likely Banned Use of ‘meltdown’ under Government Pressure: Report,” *The Japan Times Online*, June 16, 2016, <http://www.japantimes.co.jp/news/2016/06/16/national/tepcos-chief-likely-banned-use-meltdown-government-pressure-report/>; Elaine Lies and Ami Miyazaki, “Dolphin Activist Ric O’Barry Says He’s a Political Prisoner of Japan,” *The Japan Times Online*, January 26, 2016,

The period between 2012 and 2020 saw a nation reeling from the aftermath of the Great East Japan triple disaster, the Abe administration's push towards Japanese remilitarization, and the end of an era. The remilitarization efforts led by the administration was shown to be conducted in tandem with the CLB bureaucracy, ever prevalent in current-day governing. Through the analysis of modern Japanese constitutional law, it became evident that an integral component of democracy—the rule of law—is missing, and moreover, appropriated and adapted into Japan's *état légal*. The involuntary servitude forced upon the imperial household, along with the ruling party's contempt for the Emperor elucidates further that both the Constitution and the imperial household are merely tools of the state. Furthermore, the tradition of Neo-Confucian proto-ideology is seen in the development and implementation of the new era name. All of these points show how much Japan is different from what one would consider a democracy to be, and furthermore, demystify the nature of the modern day heliocratic regime we see in Japan.

<http://www.japantimes.co.jp/news/2016/01/26/national/dolphin-activist-ric-obarry-says-hes-political-prisoner-japan/>.

SECTION 4. CONCLUSION

Chapter 10. Who Governs?

We lack terms both comprehensive and precise enough to describe [the clash between democratic institutions and governmental controls over society] within modern civilization. Perhaps “democracy” and “totalitarianism” come closest to being the terms we need, but both convey too little in exact scope and at the same time too much in emotional overtones. But the clash exists and nowhere more clearly than in Japan.

—Edwin O. Reischauer, 1965.⁴⁸¹

In a diet proceeding in March 2015, Mihara Junko, a diet member of the LDP revived the concept of *Hakko Ichiu*, stating that the prime minister should propose a “political accord to the entire world [on economic and taxation systems under which nations could help each other] as one family based on the hakko ichiu concept.”⁴⁸² *Hakko Ichiu* (八紘一宇) comes from the statement that the first emperor of Japan, Emperor Jimmu, made at his ascension to the throne: *ame no shita wo oohite ie to nasamu, mata yoroshikarazuya*⁴⁸³ (“Wouldn’t it be wonderful if all people who live within the four corners of this world lived under one roof as one big family?”).⁴⁸⁴ This phrase was used extensively during the Sino-Japanese War and the subsequent imperial expansion into Asia by the Japanese, and came to signify, according to

⁴⁸¹ Edwin O. Reischauer, “Similarity of Problems in Japan and the West,” in *Democracy in Prewar Japan: Groundwork or Façade?*, ed. George Oakley Totten (Heath, 1965), 102.

⁴⁸² “Japan Should Follow Wartime Slogan to Deal with Tax Evasion, LDP Lawmaker Says,” *The Japan Times Online*, March 18, 2015, <http://www.japantimes.co.jp/news/2015/03/18/national/politics-diplomacy/japan-follow-wartime-slogan-deal-tax-evasion-ldp-lawmaker-says/>.

⁴⁸³ 掩八紘而爲宇不亦可乎 in the form of a single noun becomes 八紘一宇.

⁴⁸⁴ Suguru Uehara, “‘Hakko Ichiu’ to Firipin Shonen Ga Mita Kamizake [‘Hakko Ichiu’ and the Kamikaze Seen by a Filipino Boy],” *Kyokasho ga oshienai Rekishi* [History that isn’t taught in textbooks], 2009, <http://www.jiyuushikan.org/essay/essay020.html>.

some historians, the Japanese perspective on racial and cultural superiority against the other Asians.⁴⁸⁵

While it may be simple to brush aside the statement as yet another utterance of wartime propaganda, it is important to look back and understand how the phrase was used, historiographically. The territorial expansion by the Empire of Japan from the Meiji to early Showa was not akin to the colonial or imperial expansion that took place by the leaders of the west in the preceding centuries. The primary justification of establishing a Greater East Asia Coprosperity Sphere was the principle of *kodo*, or the “imperial way.” This notion of the imperial way was, in turn, affected by the Neo-Confucian principle of *odo*, which Mencius preached:

孟子曰。以力假仁者霸。霸必有大國。
以德行仁者王、王不待大。
湯以七十里、文王以百里。
以力服人者、非心服也、力不贍也。
以德服人者、中心悅而誠服也、如七十子之服孔子也。

[Mencius said, “He who uses force as a pretense of humaneness is a hegemon. But such a hegemon must have a large state in order to be effective. The man who uses his virtue to practice humaneness is the true king. To be a real king you don't need an especially large territory. Tang did it with only seventy li and King Wen did it with only one hundred li. When you use your power to make people follow, they will never follow with their hearts; they follow only because they don't have enough strength to resist. When people follow virtue, they are happy from the bottom of their hearts, and they follow sincerely, the way the seventy disciples followed Confucius.”]⁴⁸⁶

⁴⁸⁵ Stephen S. Large, *Shōwa Japan: 1926-1941* (Taylor & Francis, 1998), 202; Judgment (International Military Tribunal for the Far East 1948).

⁴⁸⁶ Mencius, *Selections*, trans. A. Charles Muller, 2019, para. 2A.3, <http://www.acmuller.net/con-dao/mencius.html>.

Odo pertains to the virtuous leadership of a king, as opposed to the tyrannical rule of a despot.⁴⁸⁷ Indeed, the very nature of the effects of *Odo* on the imperial system was evident from the Meiji Renovation. On March 14, 1868, Emperor Meiji issued a letter to his subjects, in which, he stated:

今般朝政一新の時膺りて天下億兆一人も其所を得ざるときは、皆朕が罪なれば、今日の事朕躬ら身骨を勞し、心志を苦しめ、艱難の先に立ち、古列祖の尽させ給ひし蹤を踐み、治績を勤めてこそ、始めて天職を奉じて億兆の君たる所に背かざるべし。⁴⁸⁸

[It is my fault, if I cannot garner unanimous support from all people across this nation, upon this time of political renewal of the imperial court. For one to become a true sovereign of the nation, I need to be at the forefront, sharing the same experiences with everyone, even at times of great emotional and physical hardships. Only then, will one be able to follow in the way of our ancestors and reign.]⁴⁸⁹

Neo-Confucian proto-ideology permeated Japanese society, politics, and the imperial reign.⁴⁹⁰

The fact that there were indeed cases of truly evil conduct by the wartime Japanese forces in its overseas territories is undeniable. However, it is also evident that behind every facet of Japanese heliocracy, the spectre of this proto-ideology loomed.

⁴⁸⁷ For a more in depth comparative analysis of Mencian kingship and the western equivalent, see Tianhu Hao, “John Milton’s Idea of Kingship and Its Comparison with Confucianism,” *Comparative Literature Studies* 54, no. 1 (April 3, 2017): 161–76.

⁴⁸⁸ Emperor Meiji, “Okuchou Anbu Kokusei Senyou No Goshinkan [Imperial Letter to Subjects],” March 14, 1868, https://www.wul.waseda.ac.jp/kotenseki/html/he02/he02_04867_0077/index.html.

⁴⁸⁹ English translation by author.

⁴⁹⁰ Cf. Hideharu Sonda, *Nihon Kokka Kagaku Taikei [Writings on the Japanese Political State]*, vol. 4 (Jitsugyo no Nihonsha, 1943), 101.

10.1. The Continuity

The intent of Mihara's usage of wartime slogans in everyday diet proceedings notwithstanding, the rightward shift seen in Japan since the return of the Abe administration in 2012 is eerily reminiscent of the prewar militarist statist regime. However, this perceived shift may not be as unexpected as one would think. That is, as seen throughout this dissertation, the postwar Japanese government largely carried over from its prewar heliocratic regime. The reconstruction led by the Japanese developmental state allowed for the *kyohei in fukoku kyohei* be substituted by the US foreign policy in the Far East, thereby letting Japan pursue economic heliocracy to achieve *fukoku*.⁴⁹¹ Japan never consolidated an American style of democracy in the postwar era, and the United States tolerated this—perhaps without fully understanding it or knowing how to implement full convergence with a western democratic model.

This continuity from the pre-war regime is not, in fact evidence of failure on part of the US occupation, at its attempt to instill democracy in Japan. Paul Feyerabend's principle of democratic relativism illustrates "that what is right for one culture need not be right for another."⁴⁹² The realization that one cannot simply instill alien political concepts into Asia is indeed something that the US fails to see. To understand that "privileging one conception of truth, rationality, or knowledge in the name of scientific objectivity [risks] imposing a

⁴⁹¹ *Fukoku kyohei* is a phrase popularized in the late Edo to Meiji period, meaning "Rich Nation, Strong Army."

⁴⁹² Paul Feyerabend, *Science in a Free Society* (London: Verso, 1987), 85.

repressive worldview on...other cultural [groups] who do not share [the same] assumptions and intellectual framework” may help us accept alternate forms of governance—such as heliocracy—that may not fit in with the mainstream liberal norms of what scholars perceive optimal governance to be.⁴⁹³

10.2. Quo vadis, Iaponiam?

The continuity of the heliocentric regime is evident. From the foundations built in the pre-modern eras, formalized in the Meiji Renovation, the Japanese system of governance has displayed remarkably little fundamental change. Four centuries later, the actions taken by civil society, political actors, and the bureaucracy largely continue on, on their own peculiar trajectory. Where is Japan going?

Two of the main purposes of political science research are (a) to analyze and understand the nature of why certain regimes act in certain ways, and (b) basing on that information, project how certain regimes may react, in the future, to domestic and international events. As seen in the preceding pages, Japan has largely stayed on a trajectory based on its Neo-Confucian proto-ideology, with an acute deference to authority at both the civil society and governmental levels.

The bureaucratic system of elites and red tape have essentially persisted over centuries,

⁴⁹³ Maria Baghramian, “Draft of a Paper to Appear in *Relativism: A Contemporary Anthology*, (Michael Krausz, Ed.), Columbia University Press - *A Brief History of Relativism*,” 15, accessed March 11, 2013, <http://www.ucd.ie/philosophy/staff/mariabaghramian/Brief%20History.pdf>. Maria Baghramian, “Draft of a Paper to Appear in *Relativism: A Contemporary Anthology*, (Michael Krausz, Ed.), Columbia University Press - *A Brief History of Relativism*” (Dublin), 15, accessed March 11, 2013, <http://www.ucd.ie/philosophy/staff/mariabaghramian/Brief%20History.pdf>.

undeterred through major wars, two constitutions, a myriad of natural and manmade disasters, and economic modernization in a globalized world, all highly varied international and domestic contexts.

Considering the trajectory that the Japanese heliocratic regime has taken up to this point, it is arguably safe to assume it will continue in some form. The bureaucracy will keep going, and find ways to limit any politician-led structural reform. The policymakers will continue to seek ways to hold on to power, utilizing, but not fully espousing, nationalism as a political discourse. One often considers nationalism to be a trait solely in the traditional ‘right-wing,’ but when even the Japanese Communist Party expresses nationalistic political arguments, one can but see how skewed political discourse really is in the Japanese parliament.

For example, the Japanese Communist Party, while inherently to the left of the reigning Liberal Democratic Party, has shared the ruling administration’s views that the disputed territories of Japan are solely that of Japan, regardless of the lack of substantive control on some of the islands. For example, one cannot argue that the Senkaku Islands are Japanese territory due to Japan exercising substantive control over them, and argue that Dokdo Island is also Japanese territory when the latter is under substantive control by the Republic of Korea. However, this is both the party line of the LDP and the JCP.⁴⁹⁴

⁴⁹⁴ Kazuo Shii, “Part 1-2 Interview - Are There Any Solutions to the Territorial Problem?,” in *Territorial Questions and the Japanese Communist Party*, trans. Douglas Miller (Tokyo: Japan Press Service, 2012), 12–24.

Chalmers Johnson famously tackled the question “Who governs?” when analyzing the nature of the postwar Japanese miracle. He argued that the postwar reconstruction was impossible without the persistent bureaucratic machine that had largely remained unscathed in the US occupation. However, he fell short of arguing that the Japanese regime was anything other than a democracy. His model of the developmental state was merely a characterization of the nature of governance within the overarching peculiarities of Japanese democracy and the structure of the international system amidst the Cold War. Countless others have analyzed Japan from similar lenses, them too, falling short of actually tackling the elephant in the room: Is Japan really a democracy?

It is necessary to take a few steps back, and seeing the bigger picture at times. Žižek once stated, “We feel free because we lack the very language to articulate our unfreedom.”⁴⁹⁵ I believe that the same could be said for what we have come to believe democracy is for us. We believe we are democratic because we lacked the very language to articulate the deviant nature of our undemocracy. That is, deviations from our democracy only after protracted and partial changes. To be sure, our system is in many ways more open to change than Japanese heliocracy.

Therefore, instead of attempting to analyze and explain why the Japanese government acts in the ways it does through the traditional western democratic norms and themes of authoritarianism, this dissertation took a few steps back. It saw the stark peculiarities of Japanese governance that was incongruous with the traditional notions of what a democracy is, and attempted to propose a

⁴⁹⁵ Slavoj Žižek, “Introduction: The Missing Ink,” in *Welcome to the Desert of the Real!: Five Essays on September 11 and Related Dates* (Verso, 2002), 2.

new theoretical rubric, one that can foster better understanding of Japanese governance.

10.3. Heliocracy Revisited

To tackle the necessity of the creation of a new ‘language’ to articulate the nature of Japanese governance, this dissertation is an effort to test two hypotheses:

- H₁ Japan was never a democracy nor a fascist state.
- H₂ Japanese governance is better understood using a new theoretical framework, disengaged from established theories of political science based on Judeo-Christian norms and philosophies.

Through the analyses of the western political concepts of democracy and fascism, an effort was made to show how fragmented the operationalization of these terms are in political science discourse. Therefore, pinning a singular universal definition for these concepts are problematic. The difficulty of this was shown utilizing formal theory to explain the problem of hyphenated democracies, showing the logical inconsistencies that arise when using categorical terms that have severe limits to their universal application. Applying the linguistic concept of desemanticization to political theories, it becomes clear how difficult it is to apply to Japan the concepts of democracy and fascism as appropriate explanatory devices.

The Japanese system of governance does not fit into the western rubrics of fascism (and *fashizumu*) and democracy. The concept of heliocracy is employed as a fresh analytical framework examine and understand Japan. To understand not only Japan but also other nation-states of East Asia, it is essential to focus on the effects of Neo-Confucian proto-ideology,

which has been operative for centuries in this region. The rubric for heliocracy, that involves a strong interventionist central government that heavily intervenes in social and economic matters, and culturally passive and essentially homogenous populace that has a strong deference to authority, leads to an organic linkage between society and political governance. This has persisted despite basic changes in the domestic and international worlds associated with modernization.

In order to examine the ‘fit’ of this new rubric of analysis, this dissertation took a temporal case study approach, looking at Japan in six distinct periods. Starting in the premodern period between 1603 and 1867, we looked at the birth of a formalized central government. Bureaucracies did indeed exist prior to 1603—as far back as 720 when Prince Shotoku supposedly authored the Seventeen Article Constitution.⁴⁹⁶ However, the creation of the Tokugawa shogunate can be argued to have shaped the the central bureaucratic structure that would persist in basic ways to this day.

In the period between 1867 and 1945, the structure and dynamics of Japanese politics and society established after the Meiji Renovation provided the remarkable continuity that persisted within the Tokugawa era as Japan became an industrial nation and an international great power. This period also gave rise to the Taisho *Demokurashii*, often inaccurately referred to as the Taisho Democracy. The linguistic differentiation between the *Demokurashii* and democracy is

⁴⁹⁶ “Supposedly” as the original mention of the connection between the Seventeen Article Constitution and Prince Shotoku was in the *Nihongi*, a historical text akin to the *Kojiki*, which was put together to legitimize the imperial courts using legends. Subsequent linguistic research has shown that the Constitution used some terms that were not used in the sense until a century later.

critical when understanding how seemingly undemocratic laws such as *Lèse-majesté* and the Peace Preservation Laws could coincide with the Taisho period. Furthermore, the relationship between the populace and the emperor during the wartime Showa era further accentuated how power structures in Japan were perceived and accepted by the Japanese, and how western political thought was reshaped to find acceptance in Japanese society.

The period between 1945 and 1989 encompassing the postwar reconstruction in Japan, was shaped by the seven-year comprehensive effort by the United States occupation, which forced unto Japan a new Constitution, aimed at instilling democracy in the country. However, the effects of this imposition was not what the ‘revolutionaries’ imagined. The postwar Japanese political regime found itself in a peculiar situation in the postwar period internationally, deeply allied to the United States in the Cold War—diplomatically, economically, and militarily. It did not have responsibility for its own protection in the international community. As the key component of the American bloc in Asia, seen by Washington as a war between authoritarian communism and democracy, heliocracy persisted and was tolerated.

Showa ended in 1989, and with it, the postwar Johnsonian miracle faded away. The economic miracle of the preceding period had turned into the Lost Decades, and the economic downturn gave rise to a heightened level of anomie amongst the population, as we saw an increase in cases of violence and terror. On its face value, political instability ensued, with the end of the 1955 system, and splintering and merging political parties on both the left and the right. Bureaucratic and political scandals flourished, which led to arrests and structural reforms. However, the tumultuous nature of the early Heisei notwithstanding, the power structures

within the governing regime, both politically and within the bureaucracy, largely remained essentially intact.

The March 11, 2011 Great East Japan Earthquake, Tsunami, and Nuclear disasters were mishandled by the newly minted DPJ-led coalition government. Analysis of the handling of this disaster shows how the bureaucracy, yet again, found ways to revitalize itself in times of crisis. The catastrophic disaster did show the utter incompetence of the DPJ government. However, utilizing its own tactics such as *amakudari*, *yokosuberi*, and *wataridori*, to continue its grasp on the public and private sectors, the bureaucracy-led elite remained in control.

Heliocracy in Japan continues on. The return of the Abe administration brought with it, a reinterpretation of the constitution regarding its use of collective self-defense. The legal bureaucracy worked hand-in-hand with the administration to devise an interpretation that allowed Japan to participate in acts of war, which Article 9 explicitly prohibits. The stark omission of the rule of law in Japanese governance was addressed, through a thorough analysis of *Rechtsstaat* and *état légal*, and showed that the Neo-Confucian proto-ideology fit the latter well. The power relationship between the elected government and the imperial court, and subsequently the ordinary citizenry amidst the imperial abdication and the beginning of the new era—Reiwa—does show that while there have been some transition since the advent of Japanese heliocracy in the seventeenth century, the fundamental aspects of governance has remarkably remained constant.

This dissertation has attempted to create a new theoretical framework for better understanding

Japan through the eyes of a bilingual cosmopolitan, elucidating specific instances where linguistic misunderstandings caused erroneous characterizations of Japan, as well as showing the need for a better, non-western-centric theoretical model to analyze the nation.

10.4. Significance of Heliocracy

Prior research on the political history of Japan have largely focused on the nature of Japan viewed from a western lens. Even studies on Japan by Japanese academics have also attempted to explain why Japan acts in the way it does through traditionally accepted norms of political science, which, are more often than not, based on the western Judeo-Christian norms and ideas of political science, such as democracy. When applying alien ideas such as those to nation-states that do not fit within the traditional paradigm, scholars have circumvented this quagmire by adding hyphens and adjectives to concepts, creating new phrases such as ‘Confucian democracy’ or ‘illiberal democracy.’ The increasing abundance of hyphenate democracies becomes problematic, as many of the terms are not as clearly defined as others are, and therefore have oft overlapping parameters. Charles Sanders Peirce famously stated, “A few clear ideas are worth more than many confused ones.”⁴⁹⁷ What was attempted here was to propose a clear new idea, one that can be applied to Japan and other nation-states with clear parameters.

Heliocracy does not limit itself to Japan. Japan is not the only nation-state, especially in East

⁴⁹⁷ Charles Sanders Peirce, *Chance, Love, and Logic: Philosophical Essays* (U of Nebraska Press, 1998), 37.

Asia, that has deep traditions in Neo-Confucian proto-ideology. There are countless other regimes in the region that are peculiar in their own ways, which do not fit into western ideological paradigms. Some that come to mind are the People's Republic of China, South Korea, North Korea, and Singapore. A commonality between these nations, including Japan, is a strong deference towards authority, underlying Neo-Confucian proto-ideologies, and a centralized government. Up to this point, these nations have been characterized by western-trained academics as anything from Maoist, Marxist, democracy, authoritarian, Juche-Marxist, authoritarian democracy, and the list goes on. What is proposed here is a perspective that can be further developed by application to nation-states other than Japan that share similar proto-ideologies.

APPENDIXES

APPENDIX 1

Manifesto Announcing Shogun's Resignation

November 8, 1867.⁴⁹⁸

Looking at the various changes through which the Empire has passed, we see that when the monarchical authority became weakened, the power was seized by the Ministers of State, and that afterwards, owing to the civil wars of the periods Hogen (1156-9) and Heiji (1159- 60), it passed into the hands of the military class. Later on again my ancestor received special favour from the throne (by being appointed Shogun), and his descendants have succeeded him for over 200 years. Though I fill the same office, the laws are often improperly administered, and I confess with shame that the condition of affairs to-day shows my incapacity. Now that foreign intercourse becomes daily more extensive, unless the Government is directed from one central point, the basis of administration will fall to pieces. If, therefore, the old order of things be changed, and the administrative authority be restored to the Imperial Court, if national deliberations be conducted on an extensive scale, and the Imperial decision then invited, and if the Empire be protected with united hearts and combined effort, our country will hold its own with all nations of the world. This is our one duty to our country, but if any persons have other views on the subject they should be stated without reserve.

大政奉還の上表文⁴⁹⁹

臣慶喜謹而皇國時運之沿革ヲ考候ニ昔 王綱紐ヲ解キ相家權ヲ執リ保平之亂政權武門ニ移テヨリ祖宗ニ至リ更ニ 寵眷ヲ蒙リ二百餘年子孫相承臣其職ヲ奉スト雖モ政刑當ヲ失フコト不少今日之形勢ニ至候モ畢竟薄徳之所致不堪慚懼候況ヤ當今外國之交際日ニ盛ナルニヨリ愈 朝權一途ニ出不申候而ハ綱紀難立候間從來之舊習ヲ改メ政權ヲ朝廷ニ奉歸廣ク天下之公議ヲ盡シ 聖斷ヲ仰キ同心協力共ニ 皇國ヲ保護仕候得ハ必ス海外萬國ト可並立候臣慶喜國家ニ所盡是ニ不過ト奉存候乍去猶見込之儀モ有之候得ハ可申聞旨諸侯へ相達置候依之此段謹而奏聞仕候以上

⁴⁹⁸ Translation is taken from John Harington Gubbins, *The Progress of Japan, 1853-1871* (Oxford: Clarendon Press, 1911), 305.

⁴⁹⁹ Original Japanese from Katsu Yasuyoshi, "Kaikoku Kigen [The Beginning of the Opening of the Country]," 1893, 2930, <https://doi.org/10.11501/1027338>.

APPENDIX 2

Memorandum, Giving Reasons for Shogun's Resignation Presented by Japanese Ministers in Edo to Foreign Representatives

November 1867.⁵⁰⁰

The Tycoon of Japan has of his own free will decided to return to the Mikado the administrative authority which has been handed down to him by his ancestors through a period of more than 250 years. Fearing that at this moment of political change people's minds may be led astray by false rumours and idle reports, we think it necessary to make the following explanation of the circumstances of the case to all countries. More than two thousand years ago, when the ancestors of the Royal House came down from heaven they governed the country by personal rule, and so did their descendants after them. They were then actually (as well as in name) the sovereigns of Japan, and were known to foreign countries by the name of Mikados.

After a time the condition of the country deteriorated, and the governing power fell into the hands of a distant branch of the Imperial House,—the family of Fujiwara, the Mikados reigning, but taking no part in the administration. After this family had assumed power, its members gave themselves up to luxury and effeminacy, and though the Court was supposed to be composed of officers combining civil and military duties, this state of things existed only in name, and military power was in the hands of hereditary military officials. Whenever there was trouble in the country, the Government were unable to cope with it. So when there were rebels, the Government relied on these hereditary military officials to carry out their chastisement. These hereditary military officials were grouped under two chief houses, the Minamoto and Taira. They divided the country between them, the Minamoto having authority in the east, and the Taira in the west. Then there was a quarrel regarding the Imperial succession, and the

⁵⁰⁰ Original text from Tanabe Taichi, "Bakumatsu Gwaikodan [The Story of Foreign Relations in the last days of the Shogunate]" (Toyamabou, June 1898), 524, <http://dl.ndl.go.jp/info:ndljp/pid/785647/1>. Translation taken from Gubbins, *The Progress of Japan, 1853-1871*, 306–11.

whole country ranged itself under the rival banners, even the house of Fujiwara taking sides. At first the Taira were victorious, and they succeeded to the position of the Fujiwara, and ruled the country for twenty years. But they acted arrogantly, and wrongly made use of the Imperial name to cloak their arbitrary designs. The Mikado thereupon called the Minamoto to his assistance, and caused them to destroy the house of Taira. The Minamoto destroyed their ancient enemies, and preserved the Imperial House. The latter, in reward for the services rendered, entrusted the whole country to the military authority of the Minamoto. The military class thus, as a result of the events of several years, came to the front everywhere, and, the power of the Court being unable to restrain it, in all parts of the country military chieftains rose to the head of affairs. None had any influence in the administration save members of the military class, and they gained it by service to the Throne, by lineage, and by gaining the confidence of the nation. In the end all power became concentrated in the military class. This was about a.d. 1200, according to Western reckoning. The political change thus introduced was very great. The official title (of the new administrator) was Sei-i-tai Shogun. His position was conferred upon him by the Court, but his rule extended over the whole country. This is how the Tycoon came to preside over the Government under the Emperor of Japan.

Afterwards, any one disputing administrative authority in the country at once assailed the position of the Shogun, civil war continued for nearly 400 years ; great chieftains established themselves in all parts of the land, and fought with one another; both Mikado and Shogun were non-entities, and the condition of the Empire became more disturbed than ever.

This was the state of affairs when Toshogu, the ancestor of our Tycoon, stepped on the scene, and by immense exertions put an end to this disorder.

The Mikado of that day highly appreciating his great services, appointed him to be Shogun, and entrusted to him all the administrative affairs of the country, both civil and military. The ancestor of the ruler who became known to foreign countries as our Tycoon, far surpassed all previous Shoguns in regard to services rendered. His authority also exceeded that of any other Shogun who had preceded him. Consequently he caused the various feudal chieftains throughout the country who had previously established themselves by force of arms in various

places, and had enjoyed independent power, to assemble in Yedo, his own place of residence, and take an oath of fealty to him. He also acquired the right of investing these feudal lords with their territories, or depriving them of them, and this investiture was conferred by special written grant. Yashikis were also established in Yedo, and the system of attendance there every year, or every alternate year, was introduced. All daimios, both great and small, throughout the Empire, accepted these laws, and submitted to them, and there was not one dissentient voice.

The descendants of this ancestor have succeeded one another for several generations, and have continued to govern the country in this way for over 200 years with the approval of the Court, the feudal nobility submitting thereto and the people pursuing their avocations in tranquillity and enjoying the blessings of a long peace.

At the beginning of the long period (we have described) foreign ships came to Japan, and Japanese vessels traded abroad, and there was no hindrance to foreign commerce. But from a certain foreign country there came missionaries, who conspired with certain rebellious Japanese and plotted to create disturbance. In order to preserve the peace of the country severe edicts were issued, this religious movement was proscribed, the missionaries were driven away, and in the end the visits of foreign ships were prohibited, and Japanese vessels were forbidden to go to foreign countries, trade being permitted with only one or two foreign countries at the single port of Nagasaki. The closing of Japan was a step rendered unavoidable by the circumstances of that time.

Of recent years, however, the conditions of the world have greatly changed, and, an Envoy having come from the United States, the country was opened. The Tycoon of that time, and one or two leading statesmen in the Government realized that in modern times, from the moment when the invention of steam navigation had brought all countries near to one another, it was impossible for one island country in the East to refuse to have intercourse with all other nations in the world. They, therefore agreed (to the Envoy's proposals), and it was decided to establish foreign intercourse and trade, conclude treaties, and generally to revert to the condition of things which existed under the rule of the founder of the line. This was indeed a great change in the affairs of the country, and people who were contented with the old condition of things

became very dissatisfied. Consequently the cry of ' Close the country and expel foreigners ' was heard everywhere. The Tycoon's Government, suiting its action to circumstances, took the excellent and suitable decision above-mentioned; but those who were dissatisfied mistook what was done for submission to foreign demands from fear of hostilities. And they slandered (the Tycoon) to the Court, saying that he was neglecting the military duty entrusted to him. The Court did not understand the state of things, and at once agreed to what was suggested, ordering the Tycoon's Government to break off intercourse with foreigners. Consequently many foreign complications occurred, and indescribable inconvenience was caused. With these the Foreign Representatives are well acquainted, so they need not be mentioned here.

We confess with shame that it cannot be said that since foreign intercourse was established by the Tycoon's Government all its measures have been attended with complete success. But we can say this, that ever since the conclusion of foreign treaties those who have advocated the closing of the country, and have been hostile to foreigners, have gradually been suppressed, and that the Government has never swerved from its fixed intention to carry out every clause of the treaties.

That it has been possible to settle the rules for the opening of the country, and carry out all treaty stipulations, is due most certainly to the fact that our present energetic and sagacious Tycoon, who is endowed with heaven-sent intelligence, has filled the post of ruler of Japan in succession to his ancestors. The Foreign Representatives know well what cordial feelings he manifested to them when in the course of this year he received them in audience in the castle of Osaka, what sincere friendship he showed, how careful he was to respect treaty engagements, and how many obstacles, incidental to his duties as Tycoon, were met and overcome before the present position was attained.

The form of administration under which (the Tycoon) has governed the country, holding a rank one degree below that of the Emperor, is one peculiar to Japan, which is the natural result of circumstances, and has lasted for the last six hundred years. By virtue of the authority thus wielded tranquillity was maintained, but now that relations have been established with the whole world much inconvenience is caused owing to the name under which this intercourse is

carried on. Moreover, the fact that, at present, men's minds throughout the country are in a state of confusion, and are not in harmony, is due chiefly to the same cause. Therefore our enlightened Tycoon, making up his mind of his own accord, has arrived at the momentous decision to restore the administrative authority to the Mikado, and convoking a council of the heads of the great houses, and inquiring fully into the present condition of affairs, to set up a suitable Government, and establish a political constitution which nothing in the future can disturb, and in this way enable the country to hold its own with other nations, and become rich and strong. Of a surety never has such great solicitude for the welfare of a country been shown before.

Matters have thus arrived at the present situation. But it is unnecessary for us to give an assurance that the change will in no way affect unfavourably our relations with foreign countries, and that everything will be arranged quietly and harmoniously as before. There is no reason for anxiety.

All the provisions of the treaties concluded with Foreign Powers have been carried out by the Tycoon, and he has thoroughly recognized the importance of foreign relations. The Council of feudal nobles, great and small, which is shortly to assemble, will, as soon as the circumstances of foreign affairs have been explained to them, all respect what has been done. And in view of the fact that eight or nine in every ten persons have enjoyed the benefits conferred on them by the Tokugawa rule, although there may be some people who are in favour of old institutions, there is no chance of their being able to gain the day. We earnestly trust, therefore, that the Foreign Representatives will support our views with their usual friendliness, and will in the spirit of the exertions already made by their countries for the prosperity of all concerned look at things as they really are.

We have ventured to undertake this explanation of the past. With regard to other matters, as was stated in our recent letter, we shall communicate with you again as soon as we have heard from Kioto.

APPENDIX 3

Japanese and US Supreme Court Decisions ruling that an Act of the Diet or the Congress was Unconstitutional.

<i>Japan</i>	<i>United States</i>
1973 Sup. Ct. April 4, 1973. 27 Keishu 3, 265	1946 United States v. Lovett, 328 U.S. 303
1975 Sup. Ct. April 30, 1975. 29 Minshu 4, 572	1952 United States v. Cardiff, 344 U.S. 174
1976 Sup. Ct. April 14, 1976. 30 Minshu 3, 223	1954 Bolling v. Sharpe, 347 U.S. 497
1985 Sup. Ct. July 17, 1985. 39 Minshu 5, 1100	1955 Toth v. Quarles, 350 U.S. 11
1987 Sup. Ct. April 22, 1987. 41 Minshu 3, 408	1957 Reid v. Covert, 354 U.S. 1
2002 Sup. Ct. Sept. 11, 2002. 56 Minshu 7, 1439	1958 Trop v. Dulles, 356 U.S. 86
2005 Sup. Ct. Sept. 14, 2005. 59 Minshu 7, 2087	1960a McElroy v. United States ex rel. Guagliardo, 361 U.S. 281
2008 Sup. Ct. June 4, 2008. 62 Minshu 6, 1367	1960b Kinsella v. United States, 361 U.S. 234
2013 Sup. Ct. Sept. 4, 2013. 67 Minshu 6, 1320	1960c Grisham v. Hagan, 361 U.S. 278
2015 Sup. Ct. Dec. 16, 2015. 69 Minshu 8, 2427	1963 Kennedy v. Mendoza-Martinez, 372 U.S. 144
	1964a Aptheker v. Secretary of State, 378 U.S. 500
	1964b Schneider v. Rusk, 377 U.S. 163
	1965a Albertson v. Subversive Activities Control Board, 382 U.S. 70
	1965b United States v. Romano, 382 U.S. 136
	1965c United States v. Brown, 381 U.S. 437
	1965d Lamont v. Postmaster General, 381 U.S. 301
	1967a United States v. Robel, 389 U.S. 258
	1967b Afroyim v. Rusk, 387 U.S. 253
	1968a United States v. Jackson, 390 U.S. 570
	1968b Marchetti v. United States, 390 U.S. 39
	1968c Grosso v. United States, 390 U.S. 62
	1968d Haynes v. United States, 390 U.S. 85
	1969a Leary v. United States, 395 U.S. 6
	1969b Leary v. United States, 395 U.S. 6

Japanese and US Supreme Court Decisions ruling that an Act of the Diet or the Congress was Unconstitutional.

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1969c	O'Callahan v. Parker, 395 U.S. 258
1969d	Shapiro v. Thompson, 394 U.S. 618
1970a	Turner v. United States, 396 U.S. 398
1970b	Schacht v. United States, 398 U.S. 58
1970c	Oregon v. Mitchell, 400 U.S. 112
1971a	Blount v. Rizzi, 400 U.S. 410
1971b	United States v. United States Coin & Currency, 401 U.S. 715
1971c	Tilton v. Richardson, 403 U.S. 672
1972a	Chief of Capitol Police v. Jeanette Rankin Brigade, 409 U.S. 972
1972b	Richardson v. Davis, 409 U.S. 1069
1973a	Frontiero v. Richardson, 411 U.S. 677
1973b	Department of Agriculture v. Moreno, 413 U.S. 528
1973c	Department of Agriculture v. Murry, 413 U.S. 508
1974	Jiminez v. Weinberger, 417 U.S. 628
1975	Weinberger v. Wiesenfeld, 420 U.S. 636
1976a	National League of Cities v. Usery, 426 U.S. 833
1976b	Buckley v. Valeo, 424 U.S. 1
1977a	Califano v. Silbowitz, 430 U.S. 934
1977b	Califano v. Goldfarb, 430 U.S. 199
1977c	Railroad Retirement Bd. v. Kalina, 431 U.S. 909
1978	Marshall v. Barlow's, Inc., , 436 U.S. 307
1979	Califano v. Westcott, 443 U.S. 76
1980	United States v. Will, 449 U.S. 200

Japanese and US Supreme Court Decisions ruling that an Act of the Diet or the Congress was Unconstitutional.

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| 1982a | Northern Pipeline Constr. Co. v. Marathon Pipe Line Co., 458 U.S. 50 |
| 1982b | Railroad Labor Executives Ass'n v. Gibbons, 455 U.S. 457 |
| 1983a | Bolger v. Youngs Drug Products Corp., 463 U.S. 60 |
| 1983b | United States v. Grace, 461 U.S. 171 |
| 1983c | INS v. Chadha, 462 U.S. 919 |
| 1983d | Process Gas Consumers Group v. Consumer Energy Council, 463 U.S. 1216 |
| 1983e | United States Senate v. FTC, 463 U.S. 1216 |
| 1984a | Regan v. Time, Inc., 468 U.S. 641 |
| 1984b | FCC v. League of Women Voters, 468 U.S. 364 |
| 1985 | FEC v. National Conservative Political Action Comm., 470 U.S. 480 |
| 1986a | Colorado Republican Campaign Comm. v. FEC, 518 U.S. 604 |
| 1986b | FEC v. Massachusetts Citizens for Life, Inc., 479 U.S. 238 |
| 1986c | Bowsher v. Synar, 478 U.S. 714 |
| 1987 | Hodel v. Irving, 481 U.S. 704 |
| 1988 | Boos v. Barry, 485 U.S. 312 |
| 1989 | Sable Communications v. FCC, 492 U.S. 115 |
| 1990 | United States v. Eichman, 496 U.S. 310 |
| 1991 | Metropolitan Washington Airports Auth. v. Citizens for the Abatement of Aircraft Noise, 501 U.S. 252 |
| 1992 | New York v. United States, 505 U.S. 144 |

Japanese and US Supreme Court Decisions ruling that an Act of the Diet or the Congress was Unconstitutional.

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| 1995a | Rubin v. Coors Brewing Co., 514 U.S. 476 |
| 1995b | United States v. National Treasury Employees Union, 513 U.S. 454 |
| 1995c | United States v. Lopez, 514 U.S. 549 |
| 1995d | Plaut v. Spendthrift Farm, Inc., 514 U.S. 211 |
| 1996a | United States v. IBM Corp., 517 U.S. 843 |
| 1996b | Colorado Republican Campaign Comm. v. FEC, 518 U.S. 604 |
| 1996c | Seminole Tribe of Florida v. Florida, 517 U.S. 44 |
| 1996d | Denver Area Educ. Tel. Consortium v. FCC, 518 U.S. 727 |
| 1997a | Babbitt v. Youpee, 519 U.S. 234 |
| 1997b | City of Boerne v. Flores, 521 U.S. 507 |
| 1997c | Printz v. United States, 521 U.S. 898 |
| 1997d | Reno v. ACLU, 521 U.S. 844 |
| 1998a | Feltner v. Columbia Pictures Television, 523 U.S. 340 |
| 1998b | United States v. Bajakajian, 524 U.S. 321 |
| 1998c | United States v. United States Shoe Corp., 523 U.S. 360 |
| 1998d | Eastern Enterprises v. Apfel, 524 U.S. 498 |
| 1998e | Clinton v. City of New York, 524 U.S. 417 |
| 1999a | Greater New Orleans Broadcasting Ass'n v. United States, 527 U.S. 173 |
| 1999b | Alden v. Maine, 527 U.S. 706 |
| 1999c | College Savings Bank v. Florida Prepaid Postsecondary Educ. Expense Bd., 527 U.S. 666 |

Japanese and US Supreme Court Decisions ruling that an Act of the Diet or the Congress was Unconstitutional.

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| 1999d | Florida Prepaid Postsecondary Edu. Expense Bd. v. College Savings Bank, 527 U.S. 627 |
| 2000a | Dickerson v. United States, , 530 U.S. 428 |
| 2000b | Kimel v. Florida Bd. of Regents, 528 U.S. 62 |
| 2000c | United States v. Morrison, 529 U.S. 598 |
| 2000d | United States v. Playboy Entertainment Group, Inc., 529 U.S. 803 |
| 2001a | Bartnicki v. Vopper, 532 U.S. 514 |
| 2001b | United States v. Hatter, 532 U.S. 557 |
| 2001c | Board of Trustees of Univ. of Ala. v. Garrett, 531 U.S. 356 |
| 2001d | United States v. United Foods, Inc., 533 U.S. 405 |
| 2001e | Legal Services Corp. v. Valazquez, 531 U.S. 533 |
| 2002a | Ashcroft v. Free Speech Coalition, 535 U.S. 234 |
| 2002b | Thompson v. Western States Medical Center, 535 U.S. 357 |
| 2003 | McConnell v. FEC, 540 U.S. 93 |
| 2005 | Zivotofsky v. Kerry, 576 U.S. ___, No. 13–628, slip op. |
| 2007 | Federal Election Commission v. Wisconsin Right to Life, 127 S. Ct. 2652 |
| 2008a | Davis v. Federal Election Commission, 128 S. Ct. 2759 |
| 2008b | Boumediene v. Bush, 553 U.S. 723 |
| 2010a | Citizens United v. FEC, 558 U.S. ___, No. 08–205, slip op. |

Japanese and US Supreme Court Decisions ruling that an Act of the Diet or the Congress was Unconstitutional.

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| 2010b | United States v. Stevens, 559 U.S. ___, No. 08–769, slip op |
| 2010c | Free Enterprise Fund v. Public Company Accounting Oversight Bd., 561 U.S. ___, No. 08–861, slip op. |
| 2011a | Stern v. Marshall, 564 U.S. ___, No. 10–179, slip op. |
| 2011b | Pepper v. United States, 562 U.S. ___, No. 09–6822, slip op. |
| 2012a | National Federation of Independent Business v. Sebelius, 567 U.S. ___, No. 11–393, slip op. |
| 2012b | Hosanna-Tabor Evangelical Lutheran Church and School v. Equal Employment Opportunity Commission, 565 U.S. ___, No. 10–553, slip op. |
| 2012c | Coleman v. Court of Appeals of Maryland, 566 U.S. ___, No. 10–1016, slip op. |
| 2012d | United States v. Alvarez, 567 U.S. ___, No. 11–210, slip op. |
| 2013a | Shelby Cty. v. Holder, 570 U.S. ___, No. 12–96, slip op. |
| 2013b | United States v. Windsor, 570 U.S. ___, No. 12–307, slip op. |
| 2013c | Agency for Int’l Dev. v. All. for Open Soc’y Int’l, 570 U.S. ___, No. 12–10, slip op. |
| 2014a | McCutcheon v. FEC, 572 U.S. ___, No. 12–536, slip op. |

Japanese and US Supreme Court Decisions ruling that an Act of the Diet or the Congress was Unconstitutional.

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2014b	Zivotofsky v. Kerry, 576 U.S. ___, No. 13–628, slip op.
2015	Johnson v. United States, , 576 U.S. ___, No. 13–7120, slip op.
2016	Luis v. United States, 578 U.S. ___, No. 14–419, slip op.
2017a	Sessions v. Morales-Santana, 582 U.S. ___, No. 15–1191, slip op.
2017b	Matal v. Tam 582 U.S. ___, No. 15–1293, slip op.

BIBLIOGRAPHY

- A special provision to the Imperial House Law allowing the abdication of the emperor (2019).
- Abe, Shinzo. “Minshutou Ni Koshitsu Tenpan Kaisei Wa Makaserarenai: ‘Josei Miyake’ Sosetsu Wa Koutou Danzetsu No Ari No Ikketsu [We Cannot Let the DPJ Revise the Imperial Household Law: The Creation of ‘Female Imperial Houses’ Will Lead to the End of the Imperial Lineage].” *Bungei Shunju*, December 2012.
- Magu Magu News! “Abeke to Asoke No Kakeizu Wo Tadotte Wakatta Rekidai Souri No Ijouna Shinseki Kankei [An Abnormal Pedigree of Historical Prime Ministers, Seen from the Abe and Aso Family Trees],” August 8, 2016. <http://www.mag2.com/p/news/215037>.
- Act Concerning Participation of Lay Assessors in Criminal Trials, 63 §. Accessed February 8, 2020. https://elaws.e-gov.go.jp/search/elawsSearch/elaws_search/lsg0500/detail?lawId=416AC0000000063.
- Act for Establishment of METI (2011).
- Act for Establishment of NRA (2012).
- Act for Establishment of the Council on the House of Representatives Electoral Districts, Pub. L. No. 3 (1994).
- Act on Cooperation for United Nations Peacekeeping Operations and Other Operations, 79 § (1992). http://www.pko.go.jp/pko_j/data/law/pdf/law_e.pdf.
- Act on Special Aid for Repatriation, 114 § (1967). http://www.shugin.go.jp/internet/itdb_housei.nsf/html/houritsu/05519670801114.htm.
- Adams, Tony E., Carolyn Ellis, and Stacy Holman Jones. “Autoethnography.” In *The International Encyclopedia of Communication Research Methods*, 1–11. American Cancer Society, 2017. <https://doi.org/10.1002/9781118901731.iecrm0011>.
- “Addresses by His Majesty the Emperor: Remarks by His Majesty the Emperor on the Occasion of the Ceremony of His Abdication at the Seiden (State Hall), April 30, 31st Year of Heisei (2019).” The Imperial Household Agency, April 30, 2019. <https://www.kunaicho.go.jp/page/okotoba/detailEn/46#155>.
- Administrative Procedures Law, Pub. L. No. 139 (1962). <http://law.e-gov.go.jp/htmldata/S37/S37HO139.html>.
- Adorno, Theodor W., and Max Horkheimer. “The Culture Industry: Enlightenment as Mass Deception,” 1944. <http://www.marxists.org/reference/archive/adorno/1944/culture-industry.htm>.

- Adorno, Theodor W., and Anson G. Rabinbach. "Culture Industry Reconsidered." *New German Critique*, no. 6 (1975): 12. <https://doi.org/10.2307/487650>.
- Akae, Tatsuya. "Teiko toshite no Fashizumu—Senjiki Nihon ni okeru Mukyokaishugi to 'Nihon Fashizumu' Ron." *Shakaigaku Hyoron* 53, no. 3 (2002): 396–412.
- Akamatsu, Paul. *Meiji 1868 : Revolution and Counter-Revolution in Japan*. Routledge, 2010. <https://doi.org/10.4324/9780203845585>.
- Aldrich, Daniel. "Post-Fukushima Nuclear Politics in Japan, Part 3: Empowered Anti-Nuclear Sentiment." *The Monkey Cage*, 2013. <http://themonkeycage.org/2013/04/03/post-fukushima-nuclear-politics-in-japan-part-3-empowered-anti-nuclear-sentiment/>.
- Allan, Keith, Alessandro Capone, and Istvan Kecskes. *Pragmemes and Theories of Language Use*. Springer, 2017.
- Amyx, Jennifer, and Peter Drysdale. *Japanese Governance: Beyond Japan Inc*. Routledge, 2003.
- Anderson, Kent, and Emma Saint. "Japan's Quasi-Jury (Saiban-in) Law: An Annotated Translation of the Act Concerning Participation of Lay Assessors in Criminal Trials." *Asian-Pacific Law & Policy Journal* 6, no. 1 (Winter 2005): 51.
- "Anti-Nuclear Activists' METI Camp Razed in Darkness after Years Battling over Fukushima." *The Japan Times Online*, August 21, 2016. <http://www.japantimes.co.jp/news/2016/08/21/national/anti-nuclear-activists-tents-forcibly-removed-economy-ministry-premises-years-long-battle/>.
- "Anti-Nuclear Protests Held in Japan." *BreakingNews.Ie*. 2011, sec. World_news. <http://search.proquest.com.libproxy.temple.edu/docview/871264721>.
- "Anti-Nuke Protesters to Encircle Parliament in Tokyo." *Asian News International*, July 29, 2012.
- Anzenhosho no Hoteki kiban no Saikochiku ni kansuru Kondankai. "Buryoku-Kogeki Ni Itaranai Shingai Ni Taisuru Sochi [Actions against Non-Military Aggression]." Ministry of Defense, February 9, 2014. <http://www.kantei.go.jp/jp/singi/anzenhosyou2/dai6/siryous2.pdf>.
- Apolloni, Ag. "The End of the Era of Endings." *Symbol*, no. 10 (June 26, 2017). <https://www.eurozine.com/the-end-of-the-era-of-endings/>.
- Applbaum, Kalman D. "Marriage with the Proper Stranger: Arranged Marriage in Metropolitan Japan." *Ethnology* 34, no. 1 (1995): 37–51. <https://doi.org/10.2307/3773862>.
- Aquinas, Thomas. *De Regno: On Kingship*. Divine Providence Press, 2014.
- . *The Summa Theologica of St. Thomas Aquinas*. Translated by Fathers of the English Dominican Provinc. English Dominican Province Translation edition. New York: Christian Classics, 1981.

- Aristotle. *Politics. Book III*. Translated by Richard Robinson. Clarendon Aristotle Series. Oxford, New York: Oxford University Press, 1996.
- “Aristotle’s Political Theory (Stanford Encyclopedia of Philosophy).” Accessed October 3, 2012. <http://plato.stanford.edu/entries/aristotle-politics/index.html#ConCit>.
- Asako Hiroshi, Ito Takao, and Ueda Nobuhiro. *Nihon Hoseishi [History of Japanese Law]*. Seirin Shoin, 2010.
- Ashley, Richard K., and R. B. J. Walker. “Introduction: Speaking the Language of Exile: Dissident Thought in International Studies.” *International Studies Quarterly* 34, no. 3 (1990): 259–68. <https://doi.org/10.2307/2600569>.
- Ashwander v. Tennessee Valley Authority, 297 U.S. 298 (United States Supreme Court 1936).
- Aston, William George. *Nihongi: Chronicles of Japan from the Earliest Times to A.D. 697*. K. Paul, Trench, Trübner, 1896.
- Avenell, Simon A. “Facilitating Spontaneity: The State and Independent Volunteering in Contemporary Japan.” *Social Science Japan Journal* 13, no. 1 (June 20, 2010): 69–93. <https://doi.org/10.1093/ssjj/jyq001>.
- Bachnik, Jane M., and Charles J. Quinn Jr. *Situated Meaning: Inside and Outside in Japanese Self, Society, and Language*. Princeton University Press, 2019.
- Baghramian, Maria. “Draft of a Paper to Appear in Relativism: A Contemporary Anthology, (Michael Krausz, Ed.), Columbia University Press - A Brief History of Relativism.” Dublin. Accessed March 11, 2013. <http://www.ucd.ie/philosophy/staff/mariabaghramian/Brief%20History.pdf>.
- Bailey, William S. “Reducing Malapportionment in Japan’s Electoral Districts: The Supreme Court Must Act.” *Pacific Rim Law and Policy Journal* 6 (1997): 169–755.
- Baker, Peter. “Rise of Donald Trump Tracks Growing Debate Over Global Fascism.” *The New York Times*, May 28, 2016. <http://www.nytimes.com/2016/05/29/world/europe/rise-of-donald-trump-tracks-growing-debate-over-global-fascism.html>.
- Barthes, Roland. *Le bruissement de la langue*. Seuil, 1984.
- Baudrillard, Jean. *Cool Memories*. Verso, 1990.
- Beasley, W. G. *The Rise of Modern Japan, 3rd Edition: Political, Economic, and Social Change Since 1850*. Palgrave Macmillan, 2000.
- Beauchamp, Edward R. *History of Contemporary Japan, 1945-1998*. Taylor & Francis, 1998.
- Belson, Ken, and Hiroko Tabuchi. “Japan Finds Tainted Food Up to 90 Miles From Nuclear Sites.” *The New York Times*, March 19, 2011, sec. World. <https://www.nytimes.com/2011/03/20/world/asia/20japan.html>.

- Benjamin, Walter. "The Work of Art in the Age of Mechanical Reproduction," 1936. <http://www.marxists.org/reference/subject/philosophy/works/ge/benjamin.htm>.
- Board of Education Law (1948).
- Bosner, Leo. "Emergency Management in the US and Japan." Presented at the Temple University, Japan Campus, Tokyo, February 25, 2014.
- Boswell, Terry, and Immanuel Maurice Wallerstein. *Revolution in the World-System*. Studies in the Political Economy of the World-System. New York: Greenwood Press, 1989.
- Breidthardt, Annika. "German Government Wants Nuclear Exit by 2022 at Latest." *Reuters*, May 30, 2011. <http://uk.reuters.com/article/2011/05/30/us-germany-nuclear-idUKTRE74Q2P120110530>.
- Brinton, Laurel J. *The Structure of Modern English: A Linguistic Introduction*. John Benjamins Publishing, 2000.
- Brooks, Linda M. "Portrait of the Artist as Hero: Anselm Kiefer and the Modernist Semiotics of Fascism." In *Mimesis in Contemporary Theory: The Literary and the Philosophical Debate*, by Mihai Spariosu. John Benjamins Publishing, 1984.
- Brown, Delmer M., Marius B. Jansen, William H. McCullough, Madoka Kanai, Donald Howard Shively, Kozo Yamamura, Peter Duus, and Naohiro Asai. *The Cambridge History of Japan*. Edited by John Whitney Hall. Cambridge University Press, 1988.
- Brown, R. W., and E. H. Lenneberg. "A Study in Language and Cognition." *Journal of Abnormal Psychology* 49, no. 3 (1954): 454–62.
- Brown, Sidney Devere. "Ōkubo Toshimichi: His Political and Economic Policies in Early Meiji Japan." *The Journal of Asian Studies* 21, no. 2 (February 1962): 183–97. <https://doi.org/10.2307/2050521>.
- Bruaset, Marit. "The Legalization of Hinomaru and Kimigayo as Japan's National Flag and Anthem and Its Connections to the Political Campaign of 'Healthy Nationalism and Internationalism,'" 2003. <https://www.duo.uio.no/handle/10852/24202>.
- Bunce, Valerie. "Democratization and Economic Reform." *Annual Review of Political Science* 4, no. 1 (June 2001): 43.
- . *Subversive Institutions: The Design and the Destruction of Socialism and the State*. Cambridge Studies in Comparative Politics. Cambridge, UK ; New York: Cambridge University Press, 1999.
- Burns, Linda C. *Vagueness: An Investigation into Natural Languages and the Sorites Paradox*. Dordrecht/Boston/London: Kluwer Academic Publishers, 1991.
- Buruma, Ian. *Inventing Japan, 1853-1964*. Vol. 12. Modern Library Chronicles. Modern Library, 2003.

- Busby, Chris. "ECRR Risk Model and Radiation from Fukushima." European Committee on Radiation Risk, March 19, 2011.
<http://www.euradcom.org/publications/fukushima19032011.pdf>.
- Cabinet Legislative Bureau. "Answers to Questions Regarding the Constitution, International Law, and Collective Self-Defense." The House of Representatives, May 29, 1981.
http://www.shugiin.go.jp/internet/itdb_shitsumona.nsf/html/shitsumon/b094032.htm.
- Cabinet Secretariat. "Anzenhoshou Housei No Seibi Ni Tsuite [Regarding the Legislation of Security Preservation Laws]." Cabinet Secretariat, 2017.
<http://www.cas.go.jp/jp/gaiyou/jimu/anzenhoshouhousei.html>.
- Calder, Kent E. "Linking Welfare and the Developmental State: Postal Savings in Japan." *Journal of Japanese Studies* 16, no. 1 (January 1, 1990): 31–59.
<https://doi.org/10.2307/132493>.
- Calverley, John. *When Bubbles Burst: Surviving the Financial Fallout*. Nicholas Brealey Publishing, 2011.
- Canache, Damarys. "Citizens' Conceptualizations of Democracy: Structural Complexity, Substantive Content, and Political Significance." *Comparative Political Studies*, January 24, 2012. <https://doi.org/10.1177/0010414011434009>.
- Carothers, Thomas. "Struggling with Semi-Authoritarians." In *Democracy Assistance: International Co-Operation for Democratization*, edited by Peter Burnell. Routledge, 2013.
- Cassel, Par Kristoffer. *Grounds of Judgment: Extraterritoriality and Imperial Power in Nineteenth-Century China and Japan*. Oxford; New York: Oxford University Press, 2012.
- Central Intelligence Agency. "The World Factbook," 2012.
<https://www.cia.gov/library/publications/the-world-factbook/fields/2070.html>.
- Chambliss, J. J., ed. *Philosophy of Education: An Encyclopedia*. 1 edition. Routledge, 2015.
- Chira, Susan. "Hirohito, 124th Emperor of Japan, Is Dead at 87: Monarch Fell Ill Sept. 19 -- Crown Prince, 55, Ascends the Throne Hirohito, Emperor of Japan, Dies at 87 The State Funeral Is Expected to Take Place in 40 to 50 Days." *New York Times*. January 7, 1989.
<http://search.proquest.com/docview/110237490/abstract/B7416E7044864300PQ/2?accountid=14784>.
- Cho, Young-Sam. "What's Ghosn On? Cringeworthy Puns Light Up Twitter." *Bloomberg.Com*, January 3, 2020. <https://www.bloomberg.com/news/articles/2020-01-03/what-s-ghosn-on-puns-ghosn-wild-light-up-twitter>.
- Chomsky, Noam. *Rules and Representations*. Columbia University Press, 1980.
- Chotiner, Isaac. "Is Donald Trump a Fascist?" *Slate*, February 10, 2016.
http://www.slate.com/articles/news_and_politics/interrogation/2016/02/is_donald_trump_

a_fascist_an_expert_on_fascism_weighs_in.html.

- Christakis, Nicholas A. “Let’s Shake Up The Social Sciences.” *New York Times*. July 21, 2013.
- Clancy, Patricia M. “The Acquisition of Communicative Style in Japanese.” In *Language Socialization across Cultures*, edited by Bambi B. Schieffelin and Elinor Ochs. Studies in the Social and Cultural Foundations of Language ; No. 3. Cambridge [England]; New York: Cambridge University Press, 1986.
- Cogan, John L., and Murray Print. *Civic Education in the Asia-Pacific Region: Case Studies Across Six Societies*. Routledge, 2013.
- Colignon, Richard A., and Chikako Usui. *Amakudari: The Hidden Fabric of Japan’s Economy*. Cornell University Press, 2018. <https://muse.jhu.edu/book/59973>.
- Collier, David, and Steven Levitsky. “Democracy with Adjectives: Conceptual Innovation in Comparative Research.” *World Politics* 49, no. 3 (1997): 430–51.
- Conniff, James. “Hume on Political Parties: The Case for Hume as a Whig.” *Eighteenth-Century Studies* 12, no. 2 (1978): 150–73. <https://doi.org/10.2307/2738042>.
- Conroy, Hilary. “Concerning Japanese Fascism.” *The Journal of Asian Studies* 40, no. 02 (1981): 327–28.
- “Constitution of the Japanese Communist Party,” 2004. <http://www.jcp.or.jp/jcp/Koryo/index.html>.
- Cooney, Kevin J. *Japan’s Foreign Policy Since 1945*. Routledge, 2015.
- Corne, Peter Howard. “The Influence of Traditional Normative Mechanisms of Behaviour on the Japanese Legal System.” *Sydney Law Review* 12, no. 2/3 (1990 1989): 346–61.
- Craig, Albert M. *Choshu in the Meiji Restoration*. Lexington Books, 2000.
- Safecast. “Current Fukushima Exclusion Zone Map,” 2014. <http://blog.safecast.org/2013/12/current-fukushima-exclusion-zone-map/>.
- Dahl, Robert A. *Democracy and Its Critics*. New Haven: Yale University Press, 1989.
- . *On Democracy*. New Haven: Yale University Press, 1998.
- Dajou Ruiten [Code of the Grand Council of State]*. 911 vols., 1867. <https://www.digital.archives.go.jp/dajou/>.
- Dalton, Russell J, Doh C Shin, and Willy Jou. “Understanding Democracy: Data from Unlikely Places.” *Journal of Democracy* 18, no. 4 (October 2007).
- Social Democratic Party of Japan. “Datsu Genpatsu, Enerugii Seisaku [Post-Nuclear, Energy Policies],” 2014. <http://www5.sdp.or.jp/policy/policy/energy/energy0712.htm>.

- Dean. *Japanese Legal System*. Cavendish Publishing, 2002.
- “Democracy, n.” In *OED Online*. Oxford University Press. Accessed December 25, 2019.
<http://www.oed.com/view/Entry/49755>.
- Democratic Party of Japan. “Manifesto,” 2003.
- . “Manifesto,” 2004.
- . “Manifesto,” 2007.
- . “Manifesto,” 2009.
- AJW by The Asahi Shimbun. “Despite Bombing, Hibakusha Saw Nuclear Energy as Hope of the Future,” July 22, 2011.
<http://ajw.asahi.com/article/0311disaster/analysis/AJ201107224853>.
- Diessel, Holger. “Grammaticalization and Language Acquisition.” *The Oxford Handbook of Grammaticalization*, October 1, 2011.
<https://doi.org/10.1093/oxfordhb/9780199586783.013.0011>.
- Dix, Robert H. “The Varieties of Revolution.” *Comparative Politics* 15, no. 3 (1983): 281–294.
<https://doi.org/10.2307/421683>.
- Doak Kevin. *Ogoe de utae, “Kimigayo” wo [Sing Kimigayo Aloud]*. Boydell & Brewer, 2009.
- Doi, Takeo. *The Anatomy of Self: The Individual Versus Society*. Kodansha International, 2001.
- . “The Japanese Patterns of Communication and the Concept of Amai.” *Quarterly Journal of Speech* 59, no. 2 (April 1973): 180–85.
- Dooley, Ben, and Michael Corkery. “Carlos Ghosn’s Escape: A Lawyer in Beirut, a French Passport and a Lot of Mystery.” *The New York Times*, December 31, 2019, sec. Business.
<https://www.nytimes.com/2019/12/31/business/carlos-ghosn-escape-japan.html>.
- J-CAST News. “Doraemon Kara Genshiro Ga Kieteita? [Doraemon’s Nuclear Reactor Being Excised?],” November 13, 2012. <http://www.j-cast.com/2012/11/13153762.html>.
- Dovi, Suzanne L. “Preferable Descriptive Representatives: Will Just Any Woman, Black, or Latino Do?” *American Political Science Review* 96, no. 4 (December 2002): 729–43.
- Dower, John W. *Embracing Defeat: Japan in the Wake of World War II*. W. W. Norton & Company, 1999.
- Downes, Alexander B., and Jonathan Monten. “Forced to Be Free?: Why Foreign-Imposed Regime Change Rarely Leads to Democratization.” *International Security* 37, no. 4 (April 1, 2013): 90–131. https://doi.org/10.1162/ISEC_a_00117.
- Downing, Brian M. *The Military Revolution and Political Change: Origins of Democracy and Autocracy in Early Modern Europe*. Princeton University Press, 1993.

- Dryzek, John S. "Democratic Political Theory." In *Handbook of Political Theory*, edited by Gerald F. Gaus and Chandran Kukathas. SAGE, 2004.
- Duus, Peter, and Daniel I. Okimoto. "Comment: Fascism and the History of Pre-War Japan: The Failure of a Concept." *The Journal of Asian Studies* 39, no. 1 (November 1979): 65. <https://doi.org/10.2307/2053504>.
- Ebenstein, William, and Edwin Fogelman. *Today's Isms: Communism, Fascism, Capitalism, Socialism*. Prentice Hall Incorporated, 1980.
- Eckardt, Regine. *Meaning Change in Grammaticalization: An Enquiry into Semantic Reanalysis*. Oxford University Press, 2006. <https://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199262601.001.0001/acprof-9780199262601>.
- Eco, Umberto. "Ur-Fascism." *The New York Review of Books*, June 22, 1995. <http://www.nybooks.com/articles/archives/1995/jun/22/ur-fascism/>.
- Editorial Board. "Axiom of Induction." In *Concise Dictionary of Mathematics*. New Delhi, India: V&S Publishers, 2015.
- "Editorial: Teaching or Brainwashing?" *The Japan Times*, January 12, 2014.
- Efron, Sonni. "Japan's Finance Ministry Rocked by Bribery Scandal." *Los Angeles Times*, January 27, 1998. <http://articles.latimes.com/1998/jan/27/news/mn-12576/2>.
- Einhorn, Bruce. "Japan Election Landslide Puts LDP Back in Power." *BusinessWeek: Global_economics*, December 17, 2012. <http://www.businessweek.com/articles/2012-12-17/japan-election-landslide-puts-ldp-back-in-power>.
- Eisenhower, Dwight D. "Address Before the General Assembly of the United Nations on Peaceful Uses of Atomic Energy." New York, December 8, 1953. <http://www.presidency.ucsb.edu/ws/?pid=9774>.
- . "Heiwa No Tame No Genshiryoku/Atoms for Peace—In Japanese and English." Embassy of the United States, Japan, 1953. <http://aboutusa.japan.usembassy.gov/pdfs/wwwf-majordocs-peace.pdf>.
- "Ekisei Kakumei." In *Digital Daijirin*. Shogakukan Inc., 2019. <https://kotobank.jp/word/%E6%98%93%E5%A7%93%E9%9D%A9%E5%91%BD-36187>.
- Ellis, Carolyn, Tony E. Adams, and Arthur P. Bochner. "Autoethnography: An Overview." *Historical Social Research / Historische Sozialforschung* 36, no. 4 (138) (2011): 273–90.
- Ellis, Carolyn, and Arthur P. Bochner. "Autoethnography, Personal Narrative, Reflexivity: Researcher as Subject." In *Handbook of Qualitative Research*, edited by Norman K. Denzin and Yvonna S. Lincoln, 2 edition. Thousand Oaks, Calif: Sage Publications, Inc., 2000.

- Emperor Meiji. "Okuchou Anbu Kokusei Senyou No Goshinkan [Imperial Letter to Subjects]," March 14, 1868. https://www.wul.waseda.ac.jp/kotenseki/html/he02/he02_04867_0077/index.html.
- Endicott, Timothy A. O. "Vagueness and Legal Theory." *Legal Theory* 3, no. 1 (March 1997): 37–63. <https://doi.org/10.1017/S135232520000063X>.
- Epstein, Mikhail. "The Place of Postmodernism in Postmodernity." The Focusing Institute, 1997.
- Eta hinin no waku wo haishi mibun shokugyo tomo heimin doyo to su [Edict Abolishing Ignoble Classes], Pub. L. No. 448 (1871).
- Fackler, Martin. "Abe Is Said to Have Plans to Revise Pacifist Charter." *The New York Times*, February 5, 2015. <http://www.nytimes.com/2015/02/06/world/asia/abe-wants-to-revise-pacifist-constitution-as-early-as-2016-ally-says.html>.
- Falkof, Nicky. "Heroes with a Half Life: Teenage Mutant Ninja Turtles and American Repression of Radiophobia after Chernobyl." *The Journal of Popular Culture* 46, no. 5 (2013): 931–949. <https://doi.org/10.1111/jpcu.12061>.
- Favoreu, Louis. "Légalité et constitutionnalité [Legality and Constitutionality]." Conseil Constitutionnel, November 1997. <https://www.conseil-constitutionnel.fr/nouveaux-cahiers-du-conseil-constitutionnel/legalite-et-constitutionnalite>.
- Feyerabend, Paul. *Science in a Free Society*. London: Verso, 1987.
- Fichte, Johann Gottlieb. *Fichte, Early Philosophical Writings*. Translated by Daniel Breazeale. Cornell University Press, 1988.
- Fiennes, Sophie. *The Pervert's Guide to Ideology*. Zeitgeist Films, 2012.
- Fioretos, Orfeo. "Historical Institutionalism in International Relations." *International Organization* 65, no. 2 (April 2011): 367–99. <https://doi.org/10.1017/S0020818311000002>.
- Foran, John. *The Future of Revolutions: Rethinking Radical Change in the Age of Globalization*. Zed Books, 2003.
- . *Theorizing Revolutions*. London ; New York: Routledge, 1997.
- Foster, Malcolm. "Conservative LDP Wins Landslide Victory in Japan." *Northwest Asian Weekly*. December 22, 2012, sec. WORLD NEWS.
- Foucault, Michel. *Michel Foucault: Politics, Philosophy, Culture : Interviews and Other Writings 1977-1984*. Translated by Alan Sheridan and Lawrence D Kritzman. New York: Routledge, 1988.
- Foulkes, A. P. *Literature and Propaganda*. Routledge, 2013.
- Fraleigh, Matthew. "Songs of the Righteous Spirit: 'Men of High Purpose' and Their Chinese

- Poetry in Modern Japan.” *Harvard Journal of Asiatic Studies* 69, no. 1 (2009): 109–71.
- French, Patrick. “Opinion: India’s Hereditary MPs.” NDTV.com, June 12, 2014.
<http://www.ndtv.com/opinion/indias-hereditary-mps-577630>.
- Fukuda, Hiroshi. “Why Are There So Many Hereditary Politicians in Japan?” *Asia-Pacific Review* 16, no. 2 (November 1, 2009): 1–14.
<https://doi.org/10.1080/13439000903381352>.
- Naver Matome. “Fukuda Yasuo – Aso Taro – Abe Shinzo No Kakei: Shitteta? Ano Seijika No Ruutsu! Nihon No Kizokushakai No Kakeizu Matome [Fukuda Yasuo, Aso Taro, and Abe Shinzo’s Pedigree: Did You Know the Roots of That Politician? Family Trees of the Japanese Aristocratic Class],” March 30, 2013.
<https://matome.naver.jp/odai/2131290833846045901/2136463882080944603>.
- Fukuie, Takahiro. “1930nendai shoki nihon ni okeru kokka shakaishugi undo - sono Nachitoron to ‘fashizumu’ron ni shouten wo atete [National Socialist Movements of the Early 1930s in Japan - Focusing on Theories of Nazism and Fascism].” *Journal of History* 118, no. 8 (2009): 1485–1508.
- Fundamental Law of Education (1947).
- Furukawa, Takahisa. *Showa Senchuki no Gikai to Gyousei [The Diet and Government during Wartime Showa]*. Tokyo: Yoshikawa Koubunkan, 2005.
- Gabbert, Elisa. “Can Ideas Withstand Shifts in Language?” *Guernica*, March 11, 2016.
<https://www.guernicamag.com/elisa-gabbert-the-sapir-whorf-hypothesis-for-translation-emoji-and-pop-culture/>.
- Cabinet Office Survey Data. “Gaiko Ni Kansuru Yoronchousa Zu26 [Public Opinion Surveys on Foreign Policy: Figure 26],” 2013. <https://survey.gov-online.go.jp/h25/h25-gaiko/zh/z26.html>.
- Gamble, Adam, and Takesato Watanabe. *A Public Betrayed: An Inside Look at Japanese Media Atrocities and Their Warnings to the West*. Regnery Publishing, 2004.
- Gaudemet, P. M. “Droit Administratif in France.” In *An Introduction to the Study of the Law of the Constitution*, by A. V. Dicey. Springer, 1985.
- Gauthier-Villars, David, Mark Maremont, and Sean McLain. “Carlos Ghosn Sneaked Out of Japan in Box Used for Audio Gear.” *Wall Street Journal*, January 3, 2020, sec. Business.
<https://www.wsj.com/articles/carlos-ghosn-sneaked-out-of-japan-in-box-used-for-audio-gear-11578077647>.
- Japanese Communist Party. “‘Genpatsu Zero’ No Ketsudan Wo - Tokushuu [Decide on ‘Zero Nuclear’ - a Series],” 2012.
http://www.jcp.or.jp/web_tokusyu/2012/05/201205genpatsu.html.
- Gentile, Emilio. “Fascismo.” In *Enciclopedia Italiana Di Scienze, Lettere Ed Arti*. Rome:

- Treccani, 1992.
- Parties and Elections in Europe. “Germany,” 2014. <http://www.parties-and-elections.eu/germany.html>.
- Ghosh, Peu. *International Relations*. PHI Learning Pvt. Ltd., 2016.
- Gilbert, Kent. *Jukyo Ni Shihai Sareta Chugokujin to Kankokujin No Higeki [The Tragedy of the Chinese and Koreans Controlled by Confucianism]*. Tokyo: Kodansha, 2017.
- Gilpin, Robert. *War and Change in World Politics*. Cambridge: Cambridge University Press, 1981. <http://ebooks.cambridge.org/ref/id/CBO9780511664267>.
- Ginsburg, Tom. “The Judicialization of Administrative Governance: Causes, Consequences and Limits.” In *Administrative Law and Governance in Asia: Comparative Perspectives*, edited by Tom Ginsburg and Albert H. Y. Chen, 1. Routledge, 2008.
- Goldfarb, Jeffrey C. *After The Fall: The Pursuit Of Democracy In Central Europe*. 1st edition. New York, N.Y: Basic Books, 1992.
- Goldstone, Jack A. “Theories of Revolution: The Third Generation.” *World Politics* 32, no. 3 (1980): 425–53. <https://doi.org/10.2307/2010111>.
- Goldstone, Jack A. “Toward a Fourth Generation of Revolutionary Theory.” *Annual Review of Political Science*, 2001, 49.
- Goodman, Carl F. *The Rule of Law in Japan: A Comparative Analysis*. Kluwer Law International, 2008.
- Goodman, Roger, and Ian Neary. *Case Studies on Human Rights in Japan*. Routledge, 2013.
- Goodwin, Jeff. *No Other Way Out: States and Revolutionary Movements, 1945-1991*. 1 edition. Cambridge ; New York: Cambridge University Press, 2001.
- Goodwin, Jeff, and Theda Skocpol. “Explaining Revolutions in the Contemporary Third World.” *Politics & Society* 17, no. 4 (1989): 489–509. <https://doi.org/10.1177/003232928901700403>.
- Grammaticas, Damian. “Japan Quake: Worst Crisis since WWII, Says PM.” BBC News, March 11, 2011. <http://www.bbc.com/news/world-asia-pacific-12726297>.
- Grand Council of State, ed. “Fukko-Ki [Annals of the Boshin Wars],” January 3, 1868. <http://dl.ndl.go.jp/info:ndljp/pid/1148133>.
- Green, Michael, and Jeffrey W. Hornung. “Ten Myths About Japan’s Collective Self-Defense Change.” *The Diplomat*, July 10, 2014. <http://thediplomat.com/2014/07/ten-myths-about-japans-collective-self-defense-change/>.
- Griffin, Roger. *The Nature of Fascism*. Psychology Press, 1991.

- Gubbins, John Harington. *The Progress of Japan, 1853-1871*. Oxford: Clarendon Press, 1911.
- Haas, Michael. *Why Democracies Flounder and Fail: Remediating Mass Society Politics*. Springer, 2018.
- Haberfeld, M. R., and Agostino von Hassell. *A New Understanding of Terrorism: Case Studies, Trajectories and Lessons Learned*. Springer Science & Business Media, 2009.
- Habermas, Jürgen. “The ‘Good Life’—A ‘Detestable Phrase’: The Significance of the Young Rawls’s Religious Ethics for His Political Theory.” Translated by Ciaran Cronin. *European Journal of Philosophy* 18, no. 3 (2010): 443–54.
- Haddad, Mary Alice. *Building Democracy in Japan*. Cambridge University Press, 2012.
- Haiman, John. “From V/2 to Subject Critics: Evidence from Northern Italian.” In *Approaches to Grammaticalization: Focus on Theoretical and Methodological Issues*, edited by Elizabeth Closs Traugott and Bernd Heine. John Benjamins Publishing, 1991.
- Haley, John O. *Authority without Power: Law and the Japanese Paradox*. Oxford University Press, 1994.
- . “Governance by Negotiation: A Reappraisal of Bureaucratic Power in Japan.” *Journal of Japanese Studies* 13, no. 2 (1987): 343–57.
- Haley, John O. “Sheathing the Sword of Justice in Japan: An Essay on Law without Sanctions.” *Journal of Japanese Studies* 8, no. 2 (1982): 265. <https://doi.org/10.2307/132340>.
- Halloran, Richard. “5 Japanese Had Key Roles In Pushing Lockheed Bids.” *The New York Times*, March 1, 1976, sec. Archives. <https://www.nytimes.com/1976/03/01/archives/westchester-weekly-5-japanese-had-key-roles-in-pushing-lockheed.html>.
- Hao, Tianhu. “John Milton’s Idea of Kingship and Its Comparison with Confucianism.” *Comparative Literature Studies* 54, no. 1 (April 3, 2017): 161–76.
- Harootunian, H. D. *Toward Restoration: The Growth of Political Consciousness in Tokugawa, Japan*. University of California Press, 1970.
- Hasebe, Yasuo, Yeh Jiunn-Rong, Chang Wen-Chen, Lin Chao-Chun, and Hwang Shu-Perng. “The Reception of the Rechtsstaat Concept in Japan: Its Contraction in Administrative Law and Expansion in Constitutional Law.” *National Taiwan University Law Review* 4, no. 1 (2009): 215–48.
- Hasegawa, Kōichi. *Constructing Civil Society in Japan: Voices of Environmental Movements*. Melbourne, Vic. : Abingdon: Trans Pacific ; Marston, 2004.
- Hata, Hiroyuki. “Malapportionment of Representation in the National Diet.” *Law and Contemporary Problems* 53, no. 2 (1990): 157–170.
- Haugen, Einar. “The Analysis of Linguistic Borrowing.” *Language* 26, no. 2 (1950): 210–31.

<https://doi.org/10.2307/410058>.

Hegre, Havard Christiansen, Lene Siljeholm Gleditsch, Nils Petter. *Democratic Jihad? Military Intervention and Democracy*. Policy Research Working Papers. The World Bank, 2007. <https://doi.org/10.1596/1813-9450-4242>.

“Heisei Keizai 30nenshi: Ozawa Ichiro Jiyuto Kyodo Daihyo [An Economic History of Heisei: Ozawa Ichiro, Cochairman of the Liberal Party].” *Weekly Economist*, January 15, 2019.

Hellmann, Donald C. *Japan and East Asia: The New International Order*. Praeger, 1972.

———. “Japanese Politics and Foreign Policy: Elitist Democracy Within an American Greenhouse.” In *The Political Economy of Japan: The Changing International Context*, edited by Takashi Inoguchi. Stanford University Press, 1988.

Henderson, Dan F. *Conciliation and Japanese Law: Tokugawa and Modern*. Univ of Washington Pr, 1965.

———. “The Evolution of Tokugawa Law.” In *Studies in the Institutional History of Early Modern Japan*, edited by John Whitney Hall and Marius B. Jansen. Princeton University Press, 1968.

Heo, JeongChul, Sumi Han, Christopher Koch, and Hasan Aydin. “Piaget’s Egocentrism and Language Learning: Language Egocentrism (LE) and Language Differentiation (LD).” *Journal of Language Teaching and Research* 2, no. 4 (July 1, 2011): 733–39. <https://doi.org/10.4304/jltr.2.4.733-739>.

Herzog, Peter J. *Japan’s Pseudo-Democracy*. Routledge, 2013.

Hino, Kenichi. “Discrimination as a Social Consciousness : On the Problems of the ‘Buraku’ Discrimination.” *Kwansei Gakuin Univeristy Research on Human Rights* 6 (March 2002): 17–33.

Hirai, Hideyuki. “Judicialization or De-Judicialization?: The Rise of Network-Based Governance of the Drug Problems in Contemporary Japan.” In *Judicialization of Social Problems and Governance of Security in Comparative Perspectives*. Toronto, Ont., Canada: International Sociological Association, 2018.

Hiranuma, Shiro. *Kokkashugi: Shinpen Kyoikugaku [Nationalism: New Pedagogy]*. Tokyo: Uchida Rokakuho, 1891. <https://dl.ndl.go.jp/info:ndljp/pid/808925>.

Hirao Michio. *Shinpan Ryoma no Subete [All about Ryoma]*. Kochi Shinbumsha, 1985.

Hirokawa, Isabel ReynoldsTakashi. “Japan’s Once Dominant Finance Ministry Rises Again With Noda Tax.” *Bloomberg*, June 10, 2012. <http://www.bloomberg.com/news/articles/2012-07-09/japan-s-once-dominant-finance-ministry-rises-again-with-noda-tax>.

Hirose, Takashi. *Shibutsu Kokka – Nihon no Kuromaku no Keizu [Cleptocracy: The Families that Run Japan]*. Koubunsha, 2000.

- “Historical Heritage - Legacy of the Tokugawa Economy, 1600-1867.” *The Japanese Economy*. 30, no. 4 (2002): 47.
- Hoffman, John, and Paul Graham. *An Introduction to Political Theory*. Routledge, 2013.
- Hongo, Jun. “The Blunt, Blue-Blooded Aso Is Back.” *The Japan Times*, January 22, 2013. <http://www.japantimes.co.jp/news/2013/01/22/reference/the-blunt-blue-blooded-aso-is-back/>.
- Honma Ryo. *Genpatsu Koukoku [Nuclear Power Advertisements]*. Aki Shobou, 2013.
- Hoover, William D. *Historical Dictionary of Postwar Japan*. Scarecrow Press, 2011.
- Hopper, Paul J., and Elizabeth Closs Traugott. *Grammaticalization*. Cambridge University Press, 2003.
- Horide, Ichiro. *The Mercantile Ethical Tradition in Edo Period Japan: A Comparative Analysis with Bushido*. Springer, 2019.
- Hoshii, Iwao. *Japan's Pseudo-Democracy*. Psychology Press, 1993.
- Howe, Brendan M., and Jennifer S. Oh. “The Fukushima Nuclear Disaster and the Challenges of Japanese Democratic Governance.” *Korea Observer* 44, no. 3 (2013): 495–516.
- Hrebenar, Ronald J. “The Politics of Electoral Reform in Japan.” *Asian Survey* 17, no. 10 (October 1, 1977): 978–96. <https://doi.org/10.2307/2643395>.
- Huang, Yiping, and Shiro Armstrong. *Asian Financial Integration: Impacts of the Global Crisis and Options for Regional Policies*. Routledge, 2014.
- Hume, David. *Essays, Moral, Political, and Literary Volume 1*. Edited by Thomas Hill Green and Thomas Hodge Grose. London; New York: Longmans, Green, 1889.
- Huysen, Andreas. *After the Great Divide: Modernism, Mass Culture, Postmodernism*. Theories of Representation and Difference. Bloomington: Indiana University Press, 1986.
- Hyde, Dominic, and Diana Raffman. “Sorites Paradox.” In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Summer 2018. Metaphysics Research Lab, Stanford University, 2018. <https://plato.stanford.edu/archives/sum2018/entries/sorites-paradox/>.
- Hyde, G. M. “The Whorf-Sapir Hypothesis and the Translation Muddle.” *Translation and Literature* 2 (1993): 3–16.
- Hyland, James L. *Democratic Theory: The Philosophical Foundations*. Manchester ; New York : New York: Manchester Univ Pr, 1995.
- “Ianfu Kankei Chousa Kekka Happyo Ni Kansuru Kono Naikaku Kanbo Chokan Danwa [Statement by the Chief Cabinet Secretary Yohei Kono on the Result of the Study on the Issue of ‘Comfort Women’].” Ministry of Foreign Affairs, August 4, 1993.

- <https://www.mofa.go.jp/mofaj/area/taisen/kono.html>.
- Ido, Masae. "'1993nen Saigo No Chusenkyokusei Senkyo' to 'Minshuto Daihyosen' [The Final Medium District Elections of 1993] and 'Presidential Election for the Democratic Party of Japan.'" *BLOGOS* (blog), December 28, 2014. <http://blogos.com/outline/102390/>.
- Ikenberry, G. John. *America Unrivaled: The Future of the Balance of Power*. Cornell University Press, 2002.
- Imai, Mutsumi. "Rethinking the Sapir-Whorf Hypothesis: Role of Language in Shaping Thought." *The Japanese Journal of Psychology* 71, no. 5 (2000): 415–33.
- Immigration Control and Refugee Recognition Act, Pub. L. No. Cabinet Order No. 319 (1951).
- "Imperial Rescript on Education," October 30, 1890.
<http://www.danzan.com/HTML/ESSAYS/meiji.html>.
- International Bureau Officer of the Japanese Communist Party. Personal Communication. Interview by Douglas Miller, April 19, 2014.
- Investigation Committee on the Accident at Fukushima Nuclear Power Stations of Tokyo Electric Power Company. "Emergency Responses Required and Taken by Governments and Other Bodies," July 23, 2012.
<http://www.cas.go.jp/jp/seisaku/icanps/eng/04IIIfinal.pdf>.
- Irie, Sukemasa. *Irie Sukemasa Nikki [Diary of Irie Sukemasa]*. Tokyo: Asahi Shimbun, 1990.
- Ishida, Takeshi, and Ellis S. Krauss. *Democracy in Japan*. University of Pittsburgh Press, 1990.
- Ishihara Shintaro Kenkyukai. *Kenshou – Ishihara Seiken Taibouron – Koizumi Seiji tonon Tettei Hikaku [A Comparative Examination of a Potential Ishihara Prime Ministership and the Koizumi Government]*. Tokyo: Gendai Shokan, 2002.
- Ishikida, Miki Y. *Japanese Education in the 21st Century*. iUniverse, 2005.
- . *Toward Peace: War Responsibility, Postwar Compensation, and Peace Movements and Education in Japan*. The Center for US-Japan Comparative Social Studies, 2005.
- Isomura Eiichi, and Kuromura Minoru. *Gendai Nihon no Gyousei [Public Administration in Contemporary Japan]*. Teikoku Chihou Gyousei Gakkai, 1974.
- Ito, Hirobumi. "The Constitution of the Empire of Japan." In *Commentaries on the Constitution of the Empire of Japan*, translated by Miyoshi Ito. Tokyo: Igitoku School of Law, 1889.
- Itō, Takatoshi. *The Japanese Economy*. MIT Press, 1992.
- Itoh, Youichi. "Socio-Cultural Backgrounds of Japanese Interpersonal Communication Style." *Civilisations. Revue Internationale d'anthropologie et de Sciences Humaines*, no. 39 (October 30, 1991): 101–28. <https://doi.org/10.4000/civilisations.1652>.

- “Iwayuru Jugun Ianfu Mondai Ni Tsuite [Regarding the so-Called Comfort Women Issue].” Cabinet Foreign Policy Office, August 4, 1993. https://www.mofa.go.jp/mofaj/area/taisen/pdfs/im_050804.pdf.
- James Legge. *The Chinese Classics: With a Translation, Critical and Exegetical Notes, Prolegomena, And ...* Trubner, 1871. <http://archive.org/details/chineseclassics05legggooq>.
- Jansen, Marius B. “Chapter 11: Meiji Revolution.” In *The Making of Modern Japan*. Harvard University Press, 2002.
- . *The Making of Modern Japan*. Harvard University Press, 2002.
- “Japan Should Follow Wartime Slogan to Deal with Tax Evasion, LDP Lawmaker Says.” *The Japan Times Online*, March 18, 2015. <http://www.japantimes.co.jp/news/2015/03/18/national/politics-diplomacy/japan-follow-wartime-slogan-deal-tax-evasion-ldp-lawmaker-says/>.
- “Japanese Premier Begins Seoul Visit.” *New York Times*, January 17, 1992, sec. World. <https://www.nytimes.com/1992/01/17/world/japanese-premier-begins-seoul-visit.html>.
- “Jieitai no Kaigai Haken wo meguri Reiwa no ima giron subeki koto [What we need to be examining regarding Foreign Excursions by the SDF during the Age of Reiwa].” *Asahi Shimbun*, October 26, 2019. <https://webronza.asahi.com/politics/articles/2019102300007.html>.
- “Jitsuroku! ‘Zaimusho Skyandaru’ [Exposed! The Ministry of Finance Scandals].” *Friday Digital*, August 10, 2018. <https://friday.kodansha.co.jp/article/2887>.
- Johnson, Chalmers. “Japan: Who Governs? An Essay on Official Bureaucracy.” *Journal of Japanese Studies* 2, no. 1 (October 1, 1975): 1–28. <https://doi.org/10.2307/132037>.
- . “JPRI Working Paper No.11: The 1955 System and the American Connection: A Bibliographic Introduction.” Japan Policy Research Institute, July 1995. <http://www.jpri.org/publications/workingpapers/wp11.html>.
- . *Miti and the Japanese Miracle: The Growth of Industrial Policy : 1925-1975*. Stanford University Press, 1982.
- . “Tanaka Kakuei, Structural Corruption, and the Advent of Machine Politics in Japan.” *Journal of Japanese Studies* 12, no. 1 (1986): 1–28.
- . “The Japanese ‘Miracle.’” In *MITI and the Japanese Miracle: The Growth of Industrial Policy : 1925-1975*, 1–39. Stanford University Press, 1982.
- Johnson, Chalmers, Norbert A. Schlei, and Michael Schaller. “The CIA and Japanese Politics.” *Asian Perspective* 24, no. 4 (2000): 79–103.
- Johnson, Jesse. “LDP Produces Manga to Make Case for Constitutional Revision.” *The Japan Times Online*, May 11, 2015. <http://www.japantimes.co.jp/news/2015/05/11/national/politics-diplomacy/ldp-produces->

manga-make-case-constitutional-revision/.

Joint Association of Classical Teachers. *The World of Athens: An Introduction to Classical Athenian Culture*. Cambridge University Press, 2008.

Judgment (International Military Tribunal for the Far East 1948).

Jumin Soshō ni yoru Songai Baishō Jiken [Case regarding Compensation of Damages incurred to Citizens], No. Heisei 1 (Gyō Tsū) 126 (Supreme Court of Japan November 20, 1989).

Kagan, Robert. "This Is How Fascism Comes to America." *The Washington Post*, May 17, 2016. https://www.washingtonpost.com/opinions/this-is-how-fascism-comes-to-america/2016/05/17/c4e32c58-1c47-11e6-8c7b-6931e66333e7_story.html.

Nihonno Kakeizu. "Kakeizu Ikeda Hayato Kazoku [Family Tree of Ikeda Hayato and Family]," n.d. <http://nihonnokakeizu.net/blog-entry-294.html>.

Kamio, Akio. "The Theory of Territory of Information: The Case of Japanese." *Journal of Pragmatics* 21, no. 1 (January 1, 1994): 67–100. [https://doi.org/10.1016/0378-2166\(94\)90047-7](https://doi.org/10.1016/0378-2166(94)90047-7).

Kamp, Hans. *Meaning and the Dynamics of Interpretation: Selected Papers of Hans Kamp*. BRILL, 2013.

———. "The Paradox of the Heap." In *Aspects of Philosophical Logic: Some Logical Forays into Central Notions of Linguistics and Philosophy*, edited by Uwe Mönnich, 225–77. Synthese Library. Dordrecht: Springer Netherlands, 1981. https://doi.org/10.1007/978-94-009-8384-7_8.

Kampfner, John. *Freedom for Sale*. Basic Books, 2010.

"Kanwa Kyudai Pato 2 [Kanwa Kyudai Part 2]," n.d. <https://web.archive.org/web/20170101132042/http://www.kakeiken.com/report006-2.html>.

"Kanwa Kyudai Pato 4 [Kanwa Kyudai Part 4]." Fuso Kakei Kenkyūjo, n.d. <https://web.archive.org/web/20161130040256/http://www.kakeiken.com/report006-4.html>.

Kanzaki, Yumi, and Yoko Yamamoto. "Fukushima and Hiroshima." *Chugoku Shimbun*, July 16, 2011.

Katsu Yasuyoshi. "Kaikoku Kigen [The Beginning of the Opening of the Country]," 1893. <https://doi.org/10.11501/1027338>.

Kaufmann, Daniel, and Veronika Penciakova. "Japan's Triple Disaster: Governance and the Earthquake, Tsunami and Nuclear Crises." The Brookings Institution. Accessed April 21, 2014. <http://www.brookings.edu/research/opinions/2011/03/16-japan-disaster-kaufmann>.

Kawabata, Naoto. "Adolescent Trauma in Japanese Schools: Two Case Studies of Ijime

- (Bullying) and School Refusal.” *Journal of the American Academy of Psychoanalysis* 29, no. 1 (March 1, 2001): 85–103. <https://doi.org/10.1521/jaap.29.1.85.17188>.
- Kazehaya, Yasoji. “Senzen no Nihon-gata Fashizumu to Hogaku oyobi Hogakusha.” *Hoshakaigaku / Nihon Hoshakaigakkai*, 1975, p110-137.
- Kelly, Nigel. *The Fall of the Berlin Wall: The Cold War Ends*. Capstone Classroom, 2006.
- Kersten, Rikki. *Democracy in Post-War Japan: Maruyama Masao and the Search for Autonomy*. Routledge, 2013.
- Khan, Yoshimitsu. *Japanese Moral Education Past and Present*. Fairleigh Dickinson Univ Press, 1997.
- Khiabany, Gholam. “De-Westernizing Media Theory, or Reverse Orientalism: ‘Islamic Communication’ as Theorized by Hamid Mowlana.” *Media, Culture & Society* 25, no. 3 (May 1, 2003): 415–22. <https://doi.org/10.1177/0163443703025003007>.
- Kim, Jaekwon, Ernest Sosa, and Gary S. Rosenkrantz. *A Companion to Metaphysics*. John Wiley & Sons, 2009.
- Kingston, Jeff. *Critical Issues in Contemporary Japan*. Routledge, 2013.
- . “Japan’s Nuclear Village.” *Japan Focus*, September 10, 2012. <http://www.japanfocus.org/-Jeff-Kingston/3822#sthash.KdeLLyJk.dpuf>.
- . “Nuclear Power Politics in Japan, 2011-2013.” *Asian Perspective* 37, no. 4 (2013): 501–21.
- . “Students Oppose Abe’s Assault on the Constitution.” *The Japan Times*, September 5, 2015. <https://www.japantimes.co.jp/opinion/2015/09/05/commentary/students-oppose-abes-assault-constitution/>.
- “Kinyu-Shoken Jiken, Jisatsu-Sha Wa 6 Nin Me [6th Suicide Related to Financial Bribery Incidents].” *Mainichi Shimbun*, May 2, 1998.
- Knight, Ben. “Merkel Shuts down Seven Nuclear Reactors.” *Deutsche Welle*, March 15, 2011. <http://www.dw.de/merkel-shuts-down-seven-nuclear-reactors/a-14912184>.
- Kojima Takeshi. *Yasukuni Shikan: Nihon shisou wo yominaosu [Perspectives on Yasukuni: Reevaluating Japanese Ideologies]*. Tokyo: Chikuma Shobou, 2014.
- Kolluoglu-Kirli, Biray. “From Orientalism to Area Studies.” *CR: The New Centennial Review* 3, no. 3 (2003): 93–111. <https://doi.org/10.1353/ncr.2004.0007>.
- Komatsu, Kimio. *Genpatsu Ni Shigamitsuku Hitobito No Mure: Genpatsu Riyou Kyoudoutai No Himitsu Ni Semaru (Those Who Cling to Nuclear Energy)*. Tōkyō: Shin-Nihon Shuppansha, 2012.
- Komo, Toshio. “20 seiki demokurashii no shisouteki isou -- Tarukotto - Pasunzu no

- fashizumuron wo tegakari toshite [Ideological Mapping of 20th Century Democracies: An Examination of Talcott and Parsons' Theories of Fascism]." Edited by Political Science Association of Japan. *Journal of Political Science*, 1974, 198–236.
- Kopstein, Jeffrey., and Mark Irving Lichbach. *Comparative Politics: Interests, Identities, and Institutions in a Changing Global Order*. Cambridge; New York: Cambridge University Press, 2000.
- “Koshitsu Tenpan Ni Kansuru Yushikisha Kaigi Hokokusho [Memorandum from Conferences Regarding Revising the Imperial Household Law]." Cabinet Office, Japan, November 24, 2005.
- Koyano Atsushi. *Nihon no Yumei Ichizoku: Kindai Esutaburishshumento no Keizu-shu [Most Famous Clans of Japan: An Overview of the Modern Establishment]*. Gentosha, 2007.
- Krauss, Ellis S., and Benjamin Nyblade. “‘Presidentialization’ in Japan? The Prime Minister, Media and Elections in Japan.” *British Journal of Political Science* 35, no. 2 (2005): 357–68.
- Krupp, Helmar. *Energy Politics and Schumpeter Dynamics: Japan’s Policy Between Short-Term Wealth and Long-Term Global Welfare*. Springer Science & Business Media, 2013.
- Ku Chieh-kang. *Chugoku Kodai no Gakujutsu to Seiji [Academics and Politics of Ancient China]*. Translated by Ogura Yasuhiko. Daishukan Shoten, 1978.
- Kubota Tetsuzo, and Nagamatsu Asazo. *Showa Dai-Ansatsu Hisshi: Hamamatsu Jiken yori 5-15 Jiken madeno Shinsou [History of Assassinations in Showa: The Truth between the Hamamatsu Incident to the 5-15 Incident]*. Hozanbo, 1932.
- Kulish, Nicholas. “Greens Gain in Germany, and the World Takes Notice.” *The New York Times*, September 1, 2011, sec. World / Europe.
<http://www.nytimes.com/2011/09/02/world/europe/02greens.html>.
- Kulkarni, Vivek, Rami Al-Rfou, Bryan Perozzi, and Steven Skiena. “Statistically Significant Detection of Linguistic Change.” *ArXiv:1411.3315 [Cs]*, November 12, 2014.
<http://arxiv.org/abs/1411.3315>.
- Kyodo. “Music Teacher Reprimanded for Refusing to Play ‘Kimigayo.’” Free Online Library, July 21, 1999.
<http://www.thefreelibrary.com/Music+teacher+reprimanded+for+refusing+to+play+%22Kimigayo%22.-a055364732>.
- LaFeber, Walter. *The Clash: U.S.-Japanese Relations Throughout History*. W. W. Norton & Company, 1998.
- Large, Stephen S. *Shōwa Japan: 1926-1941*. Taylor & Francis, 1998.
- Law Regarding the National Flag and Anthem (1999).
- Lechte, John. “Benjamin, Walter.” In *Encyclopedia of Social Theory*. Thousand Oaks, CA:

- SAGE Publications, Inc., n.d.
- Lehmann, Jean-Pierre. *The Roots of Modern Japan*. New York: Palgrave Macmillan, 1983.
- Leitch, Vincent B. *Literary Criticism in the 21st Century: Theory Renaissance*. A&C Black, 2014.
- . *Living with Theory*. Blackwell Pub., 2008.
- Leo, Jeffrey R. Di, ed. *Dead Theory: Derrida, Death, and the Afterlife of Theory*. Bloomsbury Publishing, 2016.
- Levy, Jonah D. *The State After Statism: New State Activities in the Age of Liberalization*. Harvard University Press, 2006.
- Lies, Elaine, and Ami Miyazaki. “Dolphin Activist Ric O’Barry Says He’s a Political Prisoner of Japan.” *The Japan Times Online*, January 26, 2016.
<http://www.japantimes.co.jp/news/2016/01/26/national/dolphin-activist-ric-obarry-says-hes-political-prisoner-japan/>.
- nippon.com. “Limited Exercise of Collective Self-Defense Is Not Unconstitutional,” July 14, 2015. <http://www.nippon.com/en/features/c02104/>.
- Lingle, Christopher. *The Rise and Decline of the Asian Century: False Starts on the Path to the Global Millennium*. Asia 2000 Limited, 1998.
- Liu, Henry C K. “Rule of Law vs Confucianism.” Asia Times Online, July 24, 2003.
<http://www.atimes.com/atimes/China/EG24Ad01.html>.
- Lobo, Yury. *In the Wake of Basho: Bestiary in the Rock Garden*. Xlibris Corporation, 2016.
- Locke, John. *Locke: Two Treatises of Government Student Edition*. Edited by Peter Laslett. Cambridge University Press, 1988.
- . *Two Treatises of Government: In the Former, the False Principles and Foundation of Sir R. Filmer, and His Followers, Are Detected and Overthrown : The Latter Is an Essay Concerning the True Original, Extent and End of Civil-Government*. London, 1698.
- López, Josefa Valderrama. “Beyond Words: The ‘Kokutai’ and Its Background.” *Revista HMiC: Història Moderna i Contemporània*, no. 4 (2006): 125–36.
- Low, Morris. *Science and the Building of a New Japan*. Palgrave Macmillan, 2005.
- Löwenheim, Oded. “The ‘I’ in IR: An Autoethnographic Account.” *Review of International Studies* 36, no. 4 (2010): 1023–45.
- Macwilliams, Mark Wheeler. *Japanese Visual Culture: Explorations in the World of Manga and Anime*. Routledge, 2014.
- Manabe Shigeki. *Okura-sho Korinai Kenryoku: Shin Shihai no Zu [Ministry of Finance - the*

- Authority which fails to Repent: New Perspectives on its Power*]. Niki Shuppan, 1992.
- Mann, Jim. "CIA Keeping Historians in the Dark About Its Cold War Role in Japan." *Los Angeles Times*, March 20, 1995. http://articles.latimes.com/1995-03-20/news/mn-45023_1_cold-war.
- Marbury v. Madison, 5 U.S. 137 (1803).
- Martin, Bernd. *Japan and Germany in the Modern World*. Berghahn Books, 2005.
- Maruyama Masao. *Gendai Seiji no Shisou to Koudou [Thought and Behavior in Modern Japanese Politics]*. Mirai-sha, 1964.
- . *Studies in Intellectual History of Tokugawa Japan*. Princeton University Press, 2014.
- . *Thought and Behavior in Modern Japanese Politics*. New York: Oxford University Press, 1963.
- Masharov, Mikhail, and Martin H. Fischer. "Linguistic Relativity: Does Language Help or Hinder Perception?" *Current Biology* 16, no. 8 (April 18, 2006): R289–91. <https://doi.org/10.1016/j.cub.2006.03.039>.
- Masuda Tomoko. *Tennou-sei to Kokka: Kindai Nihon no Rikken Kunshusei [The Emperor and the State: Constitutional Monarchy in Contemporary Japan]*. Aoki Shoten, 1999.
- Matsudaira, Tokujin. "Judicialization of Politics and the Japanese Supreme Court." *Washington University Law Review* 88, no. 6 (2011). https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1066&context=law_lawreview.
- Matsuoka, Kiichi. "Jiyuminken Undo No Taido [Quickening of the People's Rights Movement]." *Atomi Women's University Review* 28 (March 1995): 123–44.
- Matsuura, Tsutomu. "Nihon Fashizumu No Senso-Kyouiku Taisei to Yuuwa Kyouiku [The War-Time Education Policy and Yuuwa Education under Japanese Fascism]." In *Conference Proceedings of the Japan Educational Research Association*. Japan Educational Research Association, 1991.
- Maybee, Julie E. "Hegel's Dialectics." In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Winter 2019. Metaphysics Research Lab, Stanford University, 2019. <https://plato.stanford.edu/archives/win2019/entries/hegel-dialectics/>.
- McClain, James L. *Japan, a Modern History*. W. W. Norton & Company, 2002.
- McCormick, Brett. "When the Medium Is the Message: The Ideological Role of Yoshino Sakuzô's Minponshugi in Mobilising the Japanese Public." *European Journal of East Asian Studies* 6, no. 2 (2007): 185–215. <https://doi.org/10.1163/156805807X256863>.
- McIntosh, Malcolm. *The Necessary Transition: The Journey Towards the Sustainable Enterprise Economy*. Sheffield, United Kingdom: Routledge, 2013.

- <http://ebookcentral.proquest.com/lib/washington/detail.action?docID=1741763>.
- Mencius. *Selections*. Translated by A. Charles Muller, 2019. <http://www.acmuller.net/condao/mencius.html>.
- Michels, Robert, and Seymour Martin Lipset. *Political Parties: A Sociological Study of the Oligarchial Tendencies of Modern Democracy*. Translated by Eden Paul. Martino Fine Books, 2016.
- Midford, Paul. "Shifting Public Opinion and Debates on Energy Security & Renewable Energy in Japan." Presented at the DIJ Seminar, Tokyo, February 13, 2014.
- Midlarsky, Manus I. *Origins of Political Extremism: Mass Violence in the Twentieth Century and Beyond*. Cambridge University Press, 2011.
- Mie, Ayako. "Okinawa Protests Erupt as U.S. Helipad Construction Resumes." *The Japan Times Online*, July 22, 2016. <http://www.japantimes.co.jp/news/2016/07/22/national/politics-diplomacy/central-government-sues-okinawa-futenma-relocation/>.
- Miller, Douglas. "Japan's Antinuclear Movement, Post-3/11." *Japan Subculture Research Center* (blog), February 20, 2014. <http://www.japansubculture.com/japans-post-311-antinuclear-movement/>.
- Miller, Douglas M., and Joshua A. Williams. "Plight of the Cetaceans: The Case for International Governance of Whaling." Presented at the Annual Midwest Political Science Association Conference 2016, Chicago, IL, United States, April 9, 2016.
- Miller, Fred. "Aristotle's Political Theory." In *The Stanford Encyclopedia of Philosophy*, edited by Edward N. Zalta, Winter 2017. Metaphysics Research Lab, Stanford University, 2017. <https://plato.stanford.edu/archives/win2017/entries/aristotle-politics/>.
- Mimura, Janis. *Planning for Empire: Reform Bureaucrats and the Japanese Wartime State*. Cornell University Press, 2011.
- "Minister Calls for Restart of Japan's Reactors." *World Nuclear News*, June 23, 2011. http://www.world-nuclear-news.org/RS-Minister_calls_for_restart_of_Japans_reactors-2306114.html.
- Ministry of Defense. "Defense of Japan." Ministry of Defense, 2013.
- . "Kempo to Jieiken [The Constitution and Right to Self-Defense]." Ministry of Defense, 2016. <http://www.mod.go.jp/j/approach/agenda/seisaku/kihon02.html>.
- Ministry of Education. *Kokutai No Hongi [Cardinal Principles of National Polity]*. Tokyo: Cabinet Office Printing Bureau, 1937. <https://dl.ndl.go.jp/info:ndljp/pid/1156186>.
- Ministry of Education, Culture, Sports, Science, and Technology. "Japan's Modern Educational System: The First Hundred Years," 2015. http://www.mext.go.jp/b_menu/hakusho/html/others/detail/1317326.htm.

- Ministry of Foreign Affairs. *Shusen Shiroku [History of the End of the War]*. Shinbun Gekkan-sha, 1952.
- Minkova, Donka, and Robert Stockwell. *English Words: History and Structure*. Cambridge University Press, 2009.
- Minowa Yasufumi. *Nihon Fashizumu to Roudou Undou [Japanese Fascism and the Labor Movement]*. Kousou Shobou, 1988.
- Mitani, Hiroshi. "Japan's Meiji Revolution: An Alternative Model of Revolution?" In *The Routledge Companion to the French Revolution in World History*, edited by Alan Forrest and Matthias Middell. Routledge, 2015.
- Mizuno, Kiyoshi. "Chuo Shochou Tou Kaikaku Kihon Hou to Wa [Regarding the Central Ministry Reconstruction Act]." Presented at the Public Policy Association of Japan Symposium, January 14, 1999. <http://www.ppsa.jp/pdf/journal/pdf1999/1999-01-014.pdf>.
- Moffitt, John F. *Caravaggio in Context: Learned Naturalism and Renaissance Humanism*. McFarland, 2015.
- Montesquieu, and David W. Carrithers. *The Spirit of Laws: A Compendium of the First English Edition*. University of California Press, 1977.
- Moon, Okpyo. "Confucianism and Gender Segregation in Japan and Korea." In *Ideology and Practice in Modern Japan*, edited by Roger Goodman and Kirsten Refsing. London: Routledge, 1992. <http://ebookcentral.proquest.com/lib/washington/detail.action?docID=168918>.
- Moore, Ray A., and Donald L. Robinson. *Partners for Democracy: Crafting the New Japanese State Under MacArthur*. Oxford University Press, 2004.
- Morrison, Ryan Shaldjian. "Thoughts on the New Japanese Era Name, Reiwa: 'Comely Peace.'" [nippon.com](https://www.nippon.com/en/japan-topics/g00691/thoughts-on-the-new-japanese-era-name-reiwa-comely-peace.html), April 19, 2019. <https://www.nippon.com/en/japan-topics/g00691/thoughts-on-the-new-japanese-era-name-reiwa-comely-peace.html>.
- Mosca, Gaetano. *Elementi di scienza politica*. Roma: Fratelli Bocca, 1896.
- . *The Ruling Class*. McGraw Hill Book Company, Inc., 1939. <http://archive.org/details/rulingclass031748mbp>.
- Mossetig, Michael. "Royal Marriages: Not Long Ago, They Meant Something." *PBS News Hour*, April 28, 2011. <http://www.pbs.org/newshour/rundown/royal-marriages/>.
- Mulgan, Aurelia George. *Ozawa Ichirō and Japanese Politics: Old Versus New*. Routledge, 2014.
- Muramatsu, Michio, and Frieder Naschold. *State and Administration in Japan and Germany: A Comparative Perspective on Continuity and Change*. Walter de Gruyter, 1997.
- Murayama, Tomiichi. "Statement by Prime Minister Tomiichi Murayama 'On the Occasion of

- the 50th Anniversary of the War's End.” Ministry of Foreign Affairs, August 15, 1995.
<https://www.mofa.go.jp/announce/press/pm/murayama/9508.html>.
- Mussolini, Benito. *The Political and Social Doctrine of Fascism*. Translated by Joan Soames. London: Hogarth Press, 1933.
- Nagata, Kazuaki. “Hereditary Politicians a Fact of Life.” *The Japan Times*, April 27, 2009.
<http://www.japantimes.co.jp/news/2009/04/27/national/hereditary-politicians-a-fact-of-life/>.
- . “Tepco Chief Likely Banned Use of ‘Meltdown’ under Government Pressure: Report.” *The Japan Times Online*, June 16, 2016.
<http://www.japantimes.co.jp/news/2016/06/16/national/tepcos-chief-likely-banned-use-meltdown-government-pressure-report/>.
- Cabinet Office Home Page. “Naikakuseido to Rekidai-Naikaku [The Prime Ministerial System and Historical Prime Ministers],” 2015. <http://www.kantei.go.jp/jp/rekidai/ichiran.html>.
- Najita, Tetsuo. *Visions of Virtue in Tokugawa Japan the Kaitokudō Merchant Academy of Osaka*. Honolulu: University of Hawai'i Press, 1997.
- Nakao, Masayuki. “Radiation Leaks from Nuclear Power Ship ‘Mutsu.’” Association for the Study of Failure. Accessed April 1, 2020.
<http://www.shippai.org/fkd/en/hfen/HA1000615.pdf>.
- Narrog, Heiko, and Toshio Ohori. “Grammaticalization in Japanese.” *The Oxford Handbook of Grammaticalization*, October 1, 2011.
<https://doi.org/10.1093/oxfordhb/9780199586783.013.0064>.
- “NASA - Japan Quake May Have Shortened Earth Days, Moved Axis.” Feature, March 14, 2011.
<http://www.nasa.gov/topics/earth/features/japanquake/earth20110314.html>.
- Cabinet Office Home Page. “National Flag & National Anthem,” 2015.
http://www.cao.go.jp/en/flag_anthem.html.
- NEWS Post Seven. “NEWS Posuto Sebun – Hatoyama, Abe...Sengo No Rekidai Souri-Daijin 33 Ninchu 13 Nin Ga Shinseki Data [NEWS Post Seven – Hatoyama, Abe...Of the 33 Post WW2 Prime Ministers, 13 Were Related],” July 12, 2016. http://www.news-postseven.com/archives/20160712_428722.html?PAGE=1#container.
- Nihon no Myoji 7000 ketsu. “Nihon No Myoji 7000 Ketsu Sei Uji Ruibetsu Taikan Sugawara-Uji (2) [Compendium of 7000 Japanese Surnames – Sugawara (2)],” n.d.
<http://www.myj7000.jp-biz.net/clan/02/021/02101a.htm>.
- “Nihon Wo Shihai Suru ‘Seshu-Keibatsu-Giin’ - Abe Shinzo Wa Sono Tenkei [The ‘Hereditary Intermarriage Politicians’ That Control Japan - Abe Shinzo, an Archetype].” *Sentaku*, February 2007.
- Nishikawa Shinichi. *Shirarezaru Kanchou: Shin Naikaku Houseikyoku [The Unknown Bureau:*

- The Cabinet Legislative Bureau*]. Satsuki Shobou, 2002.
- Nishimura, Keiko, David Slater, and Love Kindstrand. "Social Media, Information and Political Activism in Japan's 3.11 Crisis." *Japan Focus*, 2012. <http://www.japanfocus.org/-nishimura-keiko/3762>.
- Nishiyama, Takaaki, Kazuo Teranishi, Katsunobu Motegi, and Yuichiro Oka. "Ippyo No Kakusa Okizari Bengoshi Gurupu Ga Issei Teiso Junbi e [Group of Lawyers Prepare to Sue Collectively Regarding Malapportionment]." *Asahi Shimbun Digital*, November 18, 2014. <http://www.asahi.com/articles/ASGCK4FWBGCKUTIL00W.html>.
- Noble, G. W. "Let a Hundred Channels Contend: Technological Change, Political Opening, and Bureaucratic Priorities in Japanese Television Broadcasting." *Journal of Japanese Studies* 26 (2000): 79–110.
- Noelle-Neumann, Elisabeth. "Turbulences in the Climate of Opinion: Methodological Applications of the Spiral of Silence Theory." *The Public Opinion Quarterly* 41, no. 2 (1977): 143–58.
- Norman, E. Herbert. *Japan's Emergence as a Modern State: Political and Economic Problems of the Meiji Period*. UBC Press, 2000.
- The Green Party (Die Grüene). "Nuclear Energy (Atomausstieg)," January 1, 2013. <https://www.gruene.de/themen/atomausstieg-energiewende/atomausstieg.html?type=%2525252fproc%2525252fself%2525252fenviro n%252523%2523menuitem1>.
- Nye, Robert A. *Anti-Democratic Sources of Elite Theory: Pareto, Mosca, Michels*. London ; Beverly Hills: SAGE Publications Ltd, 1977.
- Odanaka, Toshiki. "Saibanin Seido to Minshushugi Keijihogaku No Kadai [About the Issue of Saiban-in Seido (Lay Judge System) from the Viewpoint of Democratic Criminal Law]." *Ryukoku Hogaku* 38, no. 4 (March 10, 2006): 1077–1103.
- Ohnishi, Takeo. "The Disaster at Japan's Fukushima-Daiichi Nuclear Power Plant after the March 11, 2011 Earthquake and Tsunami, and the Resulting Spread of Radioisotope Contamination." *Radiation Research* 177, no. 1 (January 1, 2012): 1–14.
- Ohtsuka Takehiro. *Ookawa Shuumei: Aru Fukkokakushin-shugisha no Shisou [Ookawa Shuumei: The Thoughts of a certain Progressive Conservative]*. Kodansha, 2009.
- Okimoto, Daniel I. *Between MITI and the Market: Japanese Industrial Policy for High Technology*. Stanford University Press, 1989.
- Okimoto, Daniel I., and Thomas P. Rohlen. *Inside the Japanese System: Readings on Contemporary Society and Political Economy*. Stanford University Press, 1988.
- "Okura Koso Yuchaku Kouzou No Kaname [The Ministry of Finance Is the Keystone of Bureaucratic Misdeeds]." *Kumamoto Nichi-Nichi Shimbun*, March 6, 1998.

- “Okura Kyaria No Ogori [The Pridefulness of Ministry of Finance Bureaucrats].” *Tokyo Shimbun*, November 13, 1998.
- “Okurasho Oshoku Jiken Hatsukohan [Ministry of Finance Bribery Incident Trials Begin].” *Sankei Shimbun*, April 28, 1998.
- Okuyama, Toshihiro. *Himitsu Kaijo: Rokkiido Jiken - Tanaka Kakuei wa naze Amerika ni kirawaretanoka [Unveiling the Secrets: The Lockheed Incident - Why America hated Tanaka Kakuei]*. Tokyo: Iwanami Shoten, 2016.
- Onishi, Norimitsu. “Tokyo’s Flag Law: Proud Patriotism, or Indoctrination?” *The New York Times*, December 17, 2004.
http://www.nytimes.com/learning/teachers/featured_articles/20041217friday.html.
- O-no-Yasumaro. *Kojiki*. Translated by Donald L. Philippi. Princeton Univ. Press, 1969.
<https://press.princeton.edu/books/hardcover/9780691648903/kojiki>.
- O’Reilly, Bill, and Martin Dugard. *Killing the Rising Sun: How America Vanquished World War II Japan*. Henry Holt and Company, 2016.
- Organski, A. F. K. *World Politics*. Knopf, 1958.
- Orwell, George. *1984*. Houghton Mifflin Harcourt, 2017.
- . “George Orwell: What Is Fascism?” *Tribune*, 1944.
http://orwell.ru/library/articles/As_I_Please/english/efasc.
- . “Politics and the English Language.” In *Princeton Readings in Political Thought: Essential Texts since Plato - Revised and Expanded Edition*, edited by Mitchell Cohen. Princeton University Press, 2018.
- . “Politics and the English Language: An Essay.” *Horizon: A Review of Literature and Art*, 1946.
- Osaki, Tomohiro. “Japan Assures World That Reiwa Is All about ‘beautiful Harmony’ and Has Nothing to Do with ‘Command.’” *The Japan Times Online*, April 3, 2019.
<https://www.japantimes.co.jp/news/2019/04/03/national/japan-assures-world-reiwa-beautiful-harmony-nothing-command/>.
- Osaki, Tomohiro, and Sakura Murakami. “Reiwa: Japan Reveals Name of New Era Ahead of Emperor’s Abdication.” *The Japan Times Online*, April 1, 2019.
<https://www.japantimes.co.jp/news/2019/04/01/national/politics-diplomacy/japan-readies-announce-name-new-era/>.
- Ota, Masao. “Sengo Ni Okeru Tennou-Sei No Mondai [Issues Regarding the Imperial System in the Postwar Era].” *Doshisha University Law Journal* 12, no. 6 (March 1961): 104–19.
<https://doi.org/info:doi/10.14988/pa.2017.0000009381>.
- Ouchi Hirokazu. *Aikokushin to kyoiku [Patriotism and Education]*. Nihon Tosho Sentaa, 2007.

- Pareto, Vilfredo. *The Mind and Society: [Trattato Di Sociologia Generale]*. Edited by Arthur Livingston. Translated by Andrew Bongiorno. New York: Harcourt, Brace and Company, 1935.
- Payne, Stanley G. *A History of Fascism, 1914–1945*. University of Wisconsin Press, 1996.
- Peirce, Charles Sanders. *Chance, Love, and Logic: Philosophical Essays*. U of Nebraska Press, 1998.
- Pekkanen, Robert. *Japan's Dual Civil Society: Members Without Advocates*. Stanford University Press, 2006.
- Pekkanen, Robert, Steven Reed, and Ethan Scheiner. *Japan Decides 2012: The Japanese General Election*. Palgrave Macmillan, 2013.
- Pekkanen, Saadia M. "Approaches to Social Science Inquiry." Presented at the JSIS595 Research Tutorial, University of Washington, October 13, 2015.
- Penney, Matthew. "Nuclear Power and Shifts in Japanese Public Opinion." *Japan Focus*, February 13, 2012. <http://japanfocus.org/-Noriko-MANABE/3796>.
- Pesek, William. "How the Carlos Ghosn Caper Has Already Ruined Shinzo Abe's Year." *The Washington Post*, January 13, 2020. <https://www.washingtonpost.com/opinions/2020/01/13/how-carlos-ghosn-caper-has-already-ruined-shinzo-abes-year/>.
- Peters, Michael Michael A. *Poststructuralism, Marxism, and Neoliberalism: Between Theory and Politics*. Lanham, [Maryland]: Rowman & Littlefield Publishers, Inc, 2001.
- Phillips, Anne. *Feminism and Politics*. Oxford: Oxford Univ. Press, 2009.
- . *The Politics of Presence: The Political Representation of Gender, Ethnicity, and Race*. Oxford [u.a.: Oxford Univ. Press, 1998.
- Pierson, Paul, and Theda Skocpol. "Historical Institutionalism in Contemporary Political Science." In *Political Science: The State of the Discipline*, edited by Ira Katznelson and Helen V. Milner. New York : Washington, D.C.: WWNorton ; American Political Science Assn, 2002.
- Pinker, Steven. *The Language Instinct: How The Mind Creates Language*. Harper Collins, 2010.
- Plato. "Phaedrus." In *Plato: Complete Works*, edited by John M. Cooper. Indianapolis/Cambridge: Hackett Publishing Company, 1997.
- Popper, Karl. *All Life Is Problem Solving*. Routledge, 2013.
- Prince Toneri, ed. "Koutoku-Ki." In *Nihon-Shoki*, Vol. 25, 646.
- Pulcini, Virginia, Cristiano Furiassi, and Félix Rodríguez González. "The Lexical Influence of English on European Languages: From Words to Phraseology." In *Anglicization of*

- European Lexis*. Amsterdam: John Benjamins Publishing Company, 2012.
<http://ebookcentral.proquest.com/lib/washington/detail.action?docID=988852>.
- Pyle, Kenneth B. *Japan in the American Century*. Cambridge, Massachusetts: The Belknap Press of Harvard University Press, 2018.
- . “Restructuring Foreign Policy and Defence Policy: Japan.” In *Asia-Pacific in the New World Order*, edited by Anthony G. McGrew and Chris Brook. Routledge, 1998.
- . *The Japanese Question: Power and Purpose in a New Era*. American Enterprise Institute, 1996.
- . “The Making of Postwar Japan: A Speculative Essay.” *The Journal of Japanese Studies* 46, no. 1 (January 28, 2020): 113–43. <https://doi.org/10.1353/jjs.2020.0006>.
- Ramakrishnan, A. K. “The Gaze of Orientalism: Reflections on Linking Postcolonialism and International Relations.” *International Studies* 36, no. 2 (April 1, 1999): 129–63. <https://doi.org/10.1177/0020881799036002003>.
- Ramseyer, J. Mark, and Eric B. Rasmusen. *Measuring Judicial Independence: The Political Economy of Judging in Japan*. University of Chicago Press, 2003.
<http://bibliovault.org/BV.landing.epl?ISBN=9780226703886>.
- Ramseyer, J. Mark, and Frances McCall Rosenbluth. *Japan’s Political Marketplace*. Harvard University Press, 2009.
- Reed, Steven R, Ethan Scheiner Thies, Michael F, and Michael Thies. “The End of LDP Dominance and the Rise of Party-Oriented Politics in Japan.” *Journal of Japanese Studies* 38, no. 2 (2012).
- Reischauer, Edwin O. *Japan: The Story of a Nation*. Tuttle, 1981.
- . “Similarity of Problems in Japan and the West.” In *Democracy in Prewar Japan: Groundwork or Façade?*, edited by George Oakley Totten. Heath, 1965.
- Reischauer, Edwin O., and Marius B. Jansen. *The Japanese Today: Change and Continuity*. Harvard University Press, 1977.
- “Reiwa Shinjidai no Mokuhyo Uruushiki ‘Yamato no Kokoro’ Kokubun-gakusha Nakanishi Susumu-shi [Reiwa and its Goals for the New Era ‘A Beautiful Yamato’ with Nakanishi Susumu].” *Yomiuri Shimbun*. April 17, 2019, Morning edition.
- Repeta, Lawrence. “Japan’s Proposed National Security Legislation — Will This Be the End of Article 9?” *The Asia-Pacific Journal: Japan Focus* 13, no. 25 (June 22, 2015).
- Reus-Smit, Christian. *The Moral Purpose of the State: Culture, Social Identity, and Institutional Rationality in International Relations*. Princeton, NJ: Princeton University Press, 2009.
- “Revolution, n.” In *OED Online*. Oxford University Press. Accessed December 25, 2019.
<http://www.oed.com/view/Entry/164970>.

- Reynolds, E. Bruce. *Japan in the Fascist Era*. Palgrave Macmillan, 2004.
- Richardson, Bradley. *Japanese Democracy: Power, Coordination, and Performance*. Yale University Press, 1997.
- Roosevelt, Franklin D. "Message to Congress on Curbing Monopolies." Presented at the United States Congress, Washington, D.C, April 29, 1938.
<http://www.presidency.ucsb.edu/ws/?pid=15637>.
- Roosevelt, Franklin Delano. *Victory and the Threshold of Peace, 1944-45*. Edited by Samuel Irving Rosenman. Russell & Russell, 1969.
- Rosen, Gideon. "Textualism, Intentionalism, and the Law of the Contract." In *Philosophical Foundations of Language in the Law*, edited by Andrei Marmor and Scott Soames. Oxford Scholarship Online, 2011.
<http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780199572380.001.0001/acprof-9780199572380-chapter-7>.
- Rousseau, Dominique. "Mon plaidoyer pour l'Etat de droit [My Plea for the Rule of Law]." *Libération*, August 17, 2016, sec. Idées.
https://www.liberation.fr/debats/2016/08/17/mon-plaidoyer-pour-l-etat-de-droit_1473037.
- Royama Masamichi. *Gyoseigaku Ronbunshu [Essays on Public Administration]*. Keiso Shobou, 1965.
- Russell, Bertrand. *The Problem of China*. Century, 1922.
- Sajó, András, and Lorri Rutt Bentch. *Militant Democracy*. Eleven International Publishing, 2004.
- Samuels, Richard J. Japan after Kan: Implications for the DPJ's Political Future. Interview by Chris Acheson, August 19, 2011. <https://www.nbr.org/publication/japan-after-kan-implications-for-the-dpjs-political-future/>.
- . "Politics, Security Policy, and Japan's Cabinet Legislation Bureau: Who Elected These Guys, Anyway?" *JPRI Working Paper*, no. 99 (March 2004).
- Sano, Shinichi. *Teppen Yaro – Honnin mo shiranakatta Ishihara Shintaro [Teppen Yaro-All about Ishihara Shintaro]*. Tokyo: Kodansha, 2003.
- Sato, Iwao. "Ikenshinsasei to Naikaku Houseikyoku [Constitutional Review and the Cabinet Legislative Bureau]." Institute of Social Science The University of Tokyo, 2005.
- Sato Tomoyasu. *Keibatsu: Nihon no Nyu-Esutaburishshumento [Strategic Marriages: Japan's New Establishment]*. Rippu Shobo, 1987.
- Satow, Ernest Mason. *A Diplomat in Japan: The Inner History of the Critical Years in the Evolution of Japan When the Ports Were Opened and the Monarchy Restored, Recorded by a Diplomatist Who Took an Active Part in the Events of the Time, with an Account of His Personal Experiences during That Period*. London: Seeley, Service, 1921.

- Satta, Mark. "Philosophy in the Contemporary World: Sorites Authoritarianism." *Blog of the APA* (blog), December 6, 2019. <https://blog.apaonline.org/2019/12/06/philosophy-in-the-contemporary-world-sorites-authoritarianism/>.
- Sawa, Takamitsu. "Abe Shows Totalitarian Bent." *The Japan Times*, December 16, 2013. <http://www.japantimes.co.jp/opinion/2013/12/16/commentary/japan-commentary/abe-shows-totalitarian-bent/>.
- Scheiner, Ethan. *Democracy Without Competition in Japan: Opposition Failure in a One-Party Dominant State*. Cambridge University Press, 2006.
- Schmitter, Philippe C. "The Future of 'Real-Existing' Democracy." *Society and Economy* 33, no. 2 (August 2011): 399–428. <http://dx.doi.org.libproxy.temple.edu/10.1556/SocEc.33.2011.2.9>.
- Schoppa, Leonard J. *Evolution of Japan's Party System: Politics and Policy in an Era of Institutional Change*. University of Toronto Press, 2011.
- Schoppa, Leonard J. "Zoku Power and LDP Power: A Case Study of the Zoku Role in Education Policy." *Journal of Japanese Studies* 17, no. 1 (1991): 79–106.
- Schreurs, Miranda A. "Chapter Six: Japan." In *Comparative Politics: Interests, Identities, and Institutions in a Changing Global Order*, edited by Jeffrey Kopstein and Mark Lichbach. Cambridge University Press, 2008.
- Schüklenk, Udo, Johannes J M Van Delden, Jocelyn Downie, Sheila A M Mclean, Ross Upshur, and Daniel Weinstock. "End-of-Life Decision-Making in Canada: The Report by the Royal Society of Canada Expert Panel on End-of-Life Decision-Making." *Bioethics* 25, no. Suppl 1 (November 2011): 1–4. <https://doi.org/10.1111/j.1467-8519.2011.01939.x>.
- Schumpeter, Joseph A. *Capitalism, Socialism and Democracy*. London: Allen and Unwin., 1976.
- Schwartz, Frank J., and Susan J. Pharr. *The State of Civil Society in Japan*. Cambridge University Press, 2003.
- Schwartzberg, Melissa. "The Arbitrariness of Supermajority Rules." *Social Science Information* 49, no. 1 (March 1, 2010): 61–82. <https://doi.org/10.1177/0539018409354474>.
- Schwarzenberger, Georg. *Power Politics: A Study of International Society*. F. A. Praeger, 1951.
- Seitai-sho [Constitution of 1868], 331 Dajoukantatsu § (1868).
- Sekiguchi, Sumiko. "Gender in the Meiji Renovation: Confucian 'Lessons for Women' and the Making of Modern Japan." *Social Science Japan Journal* 11, no. 2 (December 1, 2008): 201–21. <https://doi.org/10.1093/ssjj/jyn057>.
- Sen, Amartya. "Positional Objectivity." *Philosophy & Public Affairs* 22, no. 2 (1993): 126–45.
- Senkyo Muko Seikyu Jiken [Case to Void Election], No. Showa 49 (Gyo Tsu) 75 (Supreme Court of Japan April 14, 1976).

- Senkyo Muko Seikyu Jiken [Case to Void Election] (Tokyo High Court December 1980).
- Senkyo Muko Seikyu Jiken [Case to Void Election], No. Showa 56 (Gyo Tsu) 57 (Supreme Court of Japan November 7, 1983).
- Senkyo Muko Seikyu Jiken [Case to Void Election], No. Showa 59 (Gyo Tsu) 339 (Supreme Court of Japan July 17, 1985).
- Senkyo Muko Seikyu Jiken [Case to Void Election], No. Heisei 18 (Gyo Tsu) 176 (Supreme Court of Japan June 13, 2007).
- Senkyo Muko Seikyu Jiken [Case to Void Election], No. Heisei 25 (Gyo Tsu) 209 (Supreme Court of Japan November 20, 2013).
- Senkyo Muko Seikyu Jiken [Case to Void Election], No. Heisei 25 (Gyo Ke) 1 (Hiroshima High Court November 28, 2013).
- Senkyo seido Shingikai Secchiho [Law for the Establishment of an Electoral Systems Council], Pub. L. No. 119 (1960).
- Shigemoto Kazuo, and Sato Tetsuo. *Kimigayo shiryō shusei [Articles on Kimigayo]*. Oozorasha, 1991.
- Shii, Kazuo. “Part 1-2 Interview - Are There Any Solutions to the Territorial Problem?” In *Territorial Questions and the Japanese Communist Party*, translated by Douglas Miller, 12–24. Tokyo: Japan Press Service, 2012.
- Shinobu, Seizaburo. *Taisho Seiji-Shi [A Political History of the Taisho Era]*. Tokyo, Japan: Kawade-shobou, 1951.
- Shinoda, Tomohito. *Contemporary Japanese Politics: Institutional Changes and Power Shifts*. Columbia University Press, 2013.
- Sims, Richard L. *Japanese Political History Since the Meiji Renovation, 1868-2000*. C. Hurst, 2001.
- Skocpol, Theda. *Diminished Democracy: From Membership to Management in American Civic Life*. Norman: University of Oklahoma Press, 2003.
- . *States and Social Revolutions: A Comparative Analysis of France, Russia and China*. Cambridge University Press, 1979.
- Slovic, Paul. “Perceived Risk, Trust, and Democracy.” *Risk Analysis* 13, no. 6 (December 1, 1993): 675–82. <https://doi.org/10.1111/j.1539-6924.1993.tb01329.x>.
- . “Perception of Risk.” *Science*, New Series, 236, no. 4799 (April 17, 1987): 280–85.
- . “The Perception Gap: Radiation and Risk.” *Bulletin of the Atomic Scientists* 68, no. 3 (May 2012): 67–75. <https://doi.org/10.1177/0096340212444870>.

- Smith, Andrew D. M. "Grammaticalization and Language Evolution." *The Oxford Handbook of Grammaticalization*, October 1, 2011.
<https://doi.org/10.1093/oxfordhb/9780199586783.013.0012>.
- Smith, Ethan Scheiner, Daniel M., and Michael F. Thies. "Abe Romps, Japan Yawns: 2014 Japanese Parliamentary Election Report." *The Washington Post*, December 30, 2014.
<http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/12/30/abe-romps-japan-yawns-2014-japanese-parliamentary-election-report/>.
- Smith, Thomas C, and American Council of Learned Societies. *Native Sources of Japanese Industrialization, 1750-1920*. Berkeley, Calif.: University of California Press, 1988.
<http://hdl.handle.net/2027/heb.01963>.
- Sonda, Hideharu. *Nihon Kokka Kagaku Taikei [Writings on the Japanese Political State]*. Vol. 4. Jitsugyo no Nihonsha, 1943.
- Spaulding, Robert Miller, and University of Michigan Center for Japanese Studies. *Imperial Japan's Higher Civil Service Examinations*. Princeton University Press, 1967.
- "Speech by President Richard von Weizsäcker during the Ceremony Commemorating the 40th Anniversary of the End of War in Europe and of National-Socialist Tyranny on 8 May 1985 at the Bundestag, Bonn." Bundespräsidialamt, May 8, 1985.
<https://www.bundespraesident.de/SharedDocs/Downloads/DE/Reden/2015/02/150202-RvW-Rede-8-Mai-1985-englisch.pdf>.
- Stathi, Katerina, Elke Gehweiler, and Ekkehard König. *Grammaticalization: Current Views and Issues*. John Benjamins Publishing, 2010.
- Steenstrup, Carl. *A History of Law in Japan Until 1868*. Brill, 1996.
- Sterngold, James. "Japan Admits Army Forced Women Into War Brothels." *New York Times*, August 5, 1993, sec. World. <https://www.nytimes.com/1993/08/05/world/japan-admits-army-forced-women-into-war-brothels.html>.
- Stronach, Bruce. *Beyond the Rising Sun: Nationalism in Contemporary Japan*. Greenwood Publishing Group, 1995.
- Supreme Commander For the Allied Powers, Government Section. *Political Reorientation of Japan, September 1945 to September 1948: Report*. U.S. Government Printing Office, 1949.
- Suzaki Shinichi. *Nihon Fashizumu to sono Jidai: Tennou-sei, Gunbu, Sensou, Minshuu [The Era of Japanese Fascism: the Emperor, Military, War, and the Masses]*. Ootsuki Shoten, 1998.
- Suzuki Kunio, and Honma Ryo. *Darega Tabuu wo tsukurunoka: Genpatsu Koukoku, Houdou wo tooshite Nihonjin no ryoushin wo tou [Who makes the Taboo: Examining Japanese Morality through Nuclear Power Advertisements]*. Aki Shobou, 2013.

- Suzuki, Takeshi. "Japanese Argumentation: Vocabulary and Culture." *Argumentation and Advocacy* 45, no. 1 (June 1, 2008): 49–53.
<https://doi.org/10.1080/00028533.2008.11821695>.
- Tabuchi, Hiroko. "Thousands Gather in Tokyo to Protest Nuclear Restart." *The New York Times*, July 16, 2012, sec. World / Asia Pacific.
<http://www.nytimes.com/2012/07/17/world/asia/thousands-gather-in-tokyo-to-protest-nuclear-restart.html>.
- Tachibana, Kiichi. "Chapter Three: Is Taisho Demokurashii the Same as Taisho Democracy?" In *Japan's Multilayered Democracy*, edited by Sigal Ben-Rafael Galanti, Nissim Otmazgin, and Alon Levkowitz. Lexington Books, 2014.
- The Asahi Shimbun. "'Tadachi Ni Eikyo Wa Nai' Hatsugen No Kensho [An Examination of the Statement: 'No Imminent Threat']," March 8, 2013.
<http://webronza.asahi.com/national/themes/2913030700002.html>.
- Tajima, Yayoi, and Nigel Duffield. "Linguistic versus Cultural Relativity: On Japanese-Chinese Differences in Picture Description and Recall." *Cogl* 23, no. 4 (2012): 675–709.
<https://doi.org/10.1515/cog-2012-0021>.
- Takahashi, Kosuke. "Taro Aso with a Silver Spoon." Asia Times Online, September 24, 2008.
<http://www.atimes.com/atimes/Japan/JI24Dh02.html>.
- Takeda, Kiyoko. "Taisho demokurashii ni okeru 'ningen': Yoshino Sakuzo no shisou wo megutte ["Man" in the Taisho Democracy: Focusing on Sakuzo Yoshino's Thought]." *Journal I-A of the International Christian University of Japan* 8 (December 1961): 34–71.
- Takemae, Eiji. *Allied Occupation of Japan*. A&C Black, 2003.
- Takeshita Toshiro. *Media no gidai settei kinou: masukomi kouka kenkyu ni okeru riron to jissho [Agenda Setting Mechanism of the Media: Theories and Practice in Mass Communication Studies]*. Gakubunsha, 2008.
- Takigawa Seiji. *Hirihoukenten: Hogen no kenkyu [Hirihoukenten: a study of Legal Idioms]*. Seikeibo, 1964.
- Takimoto, Seiichi, ed. *Nihon Keizai Taiten [Encyclopedia of Japanese Economics]*. Vol. 9. Keimeisha, 1929.
- Tanabe Taichi. "Bakumatsu Gwaikodan [The Story of Foreign Relations in the last days of the Shogunate]." Toyamabou, June 1898. <http://dl.ndl.go.jp/info:ndljp/pid/785647/1>.
- Tansman, Alan. *The Culture of Japanese Fascism*. Duke University Press, 2010.
- "Teenage Mutant Ninja Turtles." CBS, 1987.
- "Tenno No Koumu No Futan Keigen Tou Ni Kansuru Yushikisha Kaigi Gijiroku (Dai 4 Kai) [Memorandum from the 4th Conference on Lessening the Burden of Public Service by the Emperor]." Cabinet Office, Japan, November 14, 2016.

- http://www.kantei.go.jp/jp/singi/koumu_keigen/dai4/gijiroku.pdf.
- “Terrible, Adj., Adv., and n.” In *Oxford English Dictionary*. Oxford University Press, 2011.
<http://www.oed.com/view/Entry/199563>.
- “Text of Hirohito’s Radio Rescript.” *New York Times*. August 15, 1945.
- Thalakada, Nigel. *Unipolarity and the Evolution of America’s Cold War Alliances*. Palgrave Macmillan, 2012.
- The Constitution of Japan (1946).
- The Constitution of the Empire of Japan (1890).
- The Constitution of the United States (1787).
http://www.senate.gov/civics/constitution_item/constitution.htm.
- Liberal Democratic Party of Japan. “The Formation of the Liberal Democratic Party,” 2015.
<https://www.jimin.jp/english/about-ldp/history/104257.html>.
- “The Reality of Atoms for Peace.” *Vancouver Shinpo Japanese Newspaper*, June 1, 2012.
http://www.v-shinpo.com/index.php?option=com_content&view=article&id=609:2012-06-01-19-58-21&catid=2:special&Itemid=3.
- “Thousands Protest in Tokyo against Nuclear Power.” *BBC Monitoring International Reports*, November 13, 2012.
- Thronardottir, Solveig. *Name Construction in Mediæval Japan*. Gakumon, 2017.
- Tilly, Charles. *Democracy*. Cambridge University Press, 2007.
- . *European Revolutions, 1492-1992*. Making of Europe. Oxford, UK ; Cambridge, Mass., USA: Blackwell, 1993.
- . *From Mobilization to Revolution*. McGraw-Hill, 1978.
- . *Regimes and Repertoires*. University of Chicago Press, 2010.
- . *The Contentious French*. Belknap Press, 1986.
- Tokumoto, Eiichiro. “Lockheed Scandal 40 Years on: The Downfall of Prime Minister Kakuei Tanaka.” *Asia Times*, December 28, 2016. <https://asiatimes.com/2016/12/lockheed-scandal-40-years-downfall-prime-minister-kakuei-tanaka/>.
- Traugott, Elizabeth Closs. “Grammaticalization and Mechanisms of Change.” *The Oxford Handbook of Grammaticalization*, October 1, 2011.
<https://doi.org/10.1093/oxfordhb/9780199586783.013.0002>.
- Tsujinaka, Yutaka, and Robert Pekkanen. “Civil Society and Interest Groups in Contemporary Japan.” *Pacific Affairs* 80, no. 3 (October 1, 2007): 419–37.

- Tsunoda, Ryusaku. *Sources of Japanese Tradition*. Columbia University Press, 1964.
- Tsutsui, Kiyoteru. “Burakumin: From a Japanese Minority Group to an International Human Rights Organization.” In *Rights Make Might: Global Human Rights and Minority Social Movements in Japan*. Oxford University Press, 2018.
- Tucker, John Allen. “Confucianism, Capitalism, and Shibusawa Eiichi’s ‘The Analects and the Abacus.’” In *A Concise Companion to Confucius*, edited by Paul R. Goldin. John Wiley & Sons, 2017.
- Turnbull, Stephen R. *The Samurai Tradition*. Psychology Press, 2000.
- Uehara, Suguru. “‘Hakko Ichiu’ to Firipin Shonen Ga Mita Kamizake [“Hakko Ichiu” and the Kamikaze Seen by a Filipino Boy].” *Kyokasho ga oshienai Rekishi* [History that isn’t taught in textbooks], 2009. <http://www.jiyuushikan.org/essay/essay020.html>.
- Uesugi Satoshi. *Meiji ishin to senmin haishi rei* [*The Meiji Restoration and the Edict Abolishing Ignoble Classes*]. Kaiho Shuppansha, 1990.
- United Nations General Assembly Sixth Committee. “Selective Legal Application Hampers Development of International Law: Press Release.” United Nations, November 17, 1995. <https://www.un.org/press/en/1995/19951117.gal2892.html>.
- Urabe, Noriho. “Rule of Law and Due Process: A Comparative View of the United States and Japan.” *Law and Contemporary Problems* 53, no. 1 (January 1, 1990): 61–72. <https://doi.org/10.2307/1191826>.
- Usui, Chikako, and Richard A. Colignon. “Government Elites and Amakudari in Japan, 1963–1992.” *Asian Survey* 35, no. 7 (1995): 682–98. <https://doi.org/10.2307/2645423>.
- Van Deemter, Kees. *Not Exactly: In Praise of Vagueness*. Oxford: Oxford University Press, 2012.
- Van Onselen, Gareth. “The Erosion of Democracy in South Africa.” *PoliticsWeb*, August 31, 2008. <https://www.politicsweb.co.za/news-and-analysis/the-erosion-of-democracy-in-south-africa>.
- Vienna Convention on the Law of Treaties (1980).
- Waibel, Violetta L., J. Daniel Breazeale, and Tom Rockmore, eds. *Fichte and the Phenomenological Tradition*. Walter de Gruyter, 2010.
- Wakabayashi, Judy. “Secular Translation.” *The Oxford Handbook of Translation Studies*, March 17, 2011. <https://doi.org/10.1093/oxfordhb/9780199239306.013.0003>.
- Waldman, Diane. “Critical Theory and Film: Adorno and ‘The Culture Industry’ Revisited.” *New German Critique*, no. 12 (October 1, 1977): 39–60. <https://doi.org/10.2307/487755>.
- Walthall, Anne. *The Weak Body of a Useless Woman: Matsuo Taseko and the Meiji Restoration*. University of Chicago Press, 1998.

- Waltz, Kenneth N. "The Emerging Structure of International Politics." *International Security* 18, no. 2 (October 1, 1993): 44–79. <https://doi.org/10.2307/2539097>.
- Walzer, Michael. *Just and Unjust Wars: A Moral Argument with Historical Illustrations*. Basic Books, 2015.
- Wang, Georgette. *De-Westernizing Communication Research: Altering Questions and Changing Frameworks*. Routledge, 2010.
- WashingtonsBlog. "Japanese Senator: 'The Path That Japan Is Taking Is The Recreation Of A Fascist State' Washington's Blog." Accessed March 27, 2015. <http://www.washingtonsblog.com/2013/11/fukushima-radiation-will-hit-fish-west-coast-north-america.html>.
- "Wayback Machine: Sakigake Vista," 2001. <http://web.archive.org/web/20010721113204/http://www.coara.or.jp/~sakigake/>.
- Weiner, Tim. "C.I.A. Spent Millions to Support Japanese Right in 50's and 60's." *The New York Times*, October 9, 1994, sec. World. <http://www.nytimes.com/1994/10/09/world/cia-spent-millions-to-support-japanese-right-in-50-s-and-60-s.html>.
- . *Legacy of Ashes: The History of the CIA*. Knopf Doubleday Publishing Group, 2008.
- "When A Flag Is Not A Flag." *Newsweek*, March 28, 1999. <http://www.newsweek.com/when-flag-not-flag-163766>.
- Whitehead, Laurence. *Democratization: Theory and Experience*. Oxford: Oxford University Press, 2002.
- Whorf, Benjamin Lee. *Language, Thought, and Reality: Selected Writings of Benjamin Lee Whorf*. MIT Press, 1964.
- Wigmore, John Henry. *Law and Justice in Tokugawa Japan: Materials for the History of Japanese Law and Justice under the Tokugawa Shogunate 1603-1867*. University of Tokyo Press, 1969.
- Williams, Melissa S. *Voice, Trust, and Memory: Marginalized Groups and the Failings of Liberal Representation*. Princeton, NJ: Princeton Univ. Press, 2000.
- Williamson, Piers R. *Risk and Securitization in Japan: 1945-60*. Routledge, 2013.
- Winkler, Chris. "Blast from the Past? A Closer Look at the Rise of Japan's Political Right." Presented at the Institute for Contemporary Asian Studies, Tokyo, February 19, 2014.
- Winter, Chase. "Marking VE Day in Germany Becomes a Time for Reflection near Cologne." *Deutsche Welle*, May 8, 2016. <https://www.dw.com/en/marking-ve-day-in-germany-becomes-a-time-for-reflection-near-cologne/a-19243433>.
- Wolfereen, Karel Van. *The Enigma of Japanese Power: People and Politics in a Stateless Nation*. Reprint 版. New York: Vintage, 1990.

- Woodall, Brian. *Growing Democracy in Japan: The Parliamentary Cabinet System Since 1868*. University Press of Kentucky, 2014.
- . “Japan’s Energy Policy Choices and Environmental Consequences: Explaining Institutional Change and Stability.” Presented at the University of Washington, Seattle, Wash., United States, October 13, 2015.
- Yamaguchi Kazuomi. “Joko Heika to Abe Shusho: 10nen Goshi no ‘Sure chigai’ [The Emperor Emeritus and Prime Minister Abe: 10 years of ‘Growing Apart’].” *nippon.com*, May 7, 2019. <https://www.nippon.com/ja/japan-topics/c06110/>.
- Yamaguchi, Sadamu. “Fashizumu - ‘kindaika’ - ‘zentaishugi’ - Seijishi kenkyu ni okeru riron to jisshou no kousaku [Fascism - ‘Modernization’ and ‘Totalitarianism’ - The crossing of theory and empiricism in Political Science Research].” Edited by Political Science Association of Japan. *Journal of Political Science*, 1980, p167-196.
- Yamamoto Soji. *Kokusai-ho (Shinpan) [International Law (New Edition)]*. Yuhikaku, 1994.
- Yamamura, Kozo, and Jan Vandenberg. “Japan’s Rapid-Growth Policy on Trial: The Television Case.” In *Law and Trade Issues of the Japanese Economy: American and Japanese Perspectives*, edited by Gary Saxonhouse and Kozo Yamamura. University of Washington Press, 1986.
- Yamaura, Chigusa. “From Manchukuo to Marriage: Localizing Contemporary Cross-Border Marriages between Japan and Northeast China.” *The Journal of Asian Studies* 74, no. 3 (2015): 565–88.
- Yamawaki, Naoshi. “The Idea of Trans-National Public Philosophy as a Comprehensive Trans-Discipline for the 21st Century.” *Diogenes* 57, no. 3 (August 1, 2010): 135–49. <https://doi.org/10.1177/0392192111419737>.
- Yokota, Kisaburo. “Ho No Shihai to Saiban [The Rule of Law and the Court].” *Hoso Jiho* 14, no. 1 (1962).
- Yoneda, Yusuke. *Reiwa Shinshu: Rekidai Tenno-Nengo Jiten [Almanac of Historical Emperors and Imperial Eras: Reiwa Edition]*. Tokyo: Yoshikawa Koubunkan, 2019.
- Yoshino Sakuzo. “Kensei no hongii wo toite sono yushu no bi wo nasu no michi wo ronzu [Essay regarding how to promote constitutionalism].” *Chuo Koron*, January 1916.
- Young, Iris Marion. *Inclusion and Democracy*. Oxford: Oxford Univ. Press, 2004. <http://www.oxfordscholarship.com/oso/public/content/politicalscience/0198297556/toc.html>.
- Yumeno Kyusaku. *Tokyo-jin no Daraku Jidai [Depravity of Tokyoites]*. Kyushu Nippo, 1925.
- “Zainichi Beigun Shisetsu/Kuiki Menseki [Areas Occupied by US Forces in Japan].” Ministry of Defense, January 1, 2020. https://www.mod.go.jp/j/approach/zaibeigun/us_sisetsu/pdf/menseki_r020101.pdf.

Žižek, Slavoj. "Introduction: The Missing Ink." In *Welcome to the Desert of the Real!: Five Essays on September 11 and Related Dates*. Verso, 2002.

———. *Living in the End Times*. Verso, 2011.

———. *The Sublime Object of Ideology*. Verso, 1989.

"Zumu Appu: Yureru Settai [Zoom Up: Wining and Dining Reconsidered]." *Kahoku Shinpo*, May 7, 1998.

"Zumu Appu: Yureru Settai [Zoom Up: Wining and Dining Reconsidered]." *Kahoku Shinpo*, May 9, 1998.