Winkler, Christian. "Conservatism in Japan: Dealing with discontinuity." *Conservative Moments: Reading Conservative Texts*. Ed. Mark Garnett. London: Bloomsbury Academic, 2018. 85–90. Textual Moments in the History of Political Thought. *Bloomsbury Collections*. Web. 26 Apr. 2023. <<http://dx.doi.org/10.5040/9781350001565.ch-011>>.

Downloaded from Bloomsbury Collections, www.bloomsburycollections.com, 26 April 2023, 10:27 UTC.

Copyright © Mark Garnett 2018. Released under a CC BY-NC-ND licence (<https://creativecommons.org/licenses/by-nc-nd/3.0/>). You may share this work for non-commercial purposes only, provided you give attribution to the copyright holder and the publisher, and provide a link to the Creative Commons licence.

CHAPTER ELEVEN

Conservatism in Japan: Dealing with discontinuity

Christian Winkler

How will many Japanese reply, if asked, 'how did Japan come into being?' Some will bring up the creation of the country told by myth, others will say [it all began] with the ascension to the throne by the first Emperor Jimmu at the palace in Kashihara as told in the Nihon Shoki [Chronicles of Japan, completed in 720 A.D.]. Some will say [. . .] Japan came into being shortly before the times of Prince Shōtoku [an influential member of the Imperial family who lived from 574–622]. In any case, while it is not exactly clear when Japan came into being, we all think that Japan has an extremely long history that continues to this very day. I believe almost all Japanese realize this in how ever vague a fashion. However, this common sense of most Japanese is entirely rejected by the explanation of the Constitution of Japan. I think this is the biggest problem [with the constitution].

The Constitution of Japan explains the creation of Japan as follows: In August 1945, when the theoretical [foundation] of this Constitution was laid, or in 1946, when the constitution was actually drafted, or in 1947, when it came into effect, 'the people

of the time have created a new country called Japan by signing a social contract.'

In other words, it follows the logic of clearly denying the continuity of the Japanese nation with its extremely long history and [proclaims] the new birth of a Japanese nation whose ties to its past until that point had been cut off. The Constitution of Japan denies the existence of Japan as a historical entity, while being the 'Constitution of Japan'. The long history and traditions of the Japanese nation have been rejected. It explains that a 'new Japan' was created, disconnected from history. This is the Constitution of Japan's greatest defect . . .

The Constitution of Japan has various issues. However, I think this [the disconnect from the past] is still the most important one, the core part of these issues. Unfortunately, there aren't a lot of people who have pointed this out, even though [. . .] this problem is at the root of the various lapses of postwar Japan.¹

Japanese conservatism is generally associated with the Liberal Democratic Party (LDP), which has been the governing party for all but four years since its foundation in 1955. As discussed elsewhere, attaching the adjective 'conservative' to the LDP without considerable qualification means either reducing 'conservatism' to a label without any history or meaning, or oversimplifying post-war history.² The LDP's strong emphasis on regional equality, clientelism and the more or less emphatic embrace of progressive liberal democratic values by many senior party leaders during long stretches of the post-war period are but a few reminders of the challenge to qualify the LDP as 'conservative', in the same way we refer to Edmund Burke or Russell Kirk as 'conservative'.³ This chapter thus approaches conservatism in Japan by looking at the political thought of representative conservative figures in the country's intelligentsia, specifically academics and literary critics. The goal of this chapter is to show that despite various institutional and historic differences, it is arguably more appropriate to speak of conservatism in Japan than Japanese conservatism. In fact, I would like to argue that differences between this country's conservatism and the political tradition in Western countries are hardly as significant as geographical, historical and cultural differences may lead the reader to suspect.

The translated passage cited earlier is representative of conservative thought, highlighting the conservative insistence on historical continuity and corresponding disdain for radical reforms and revolutions. To Japanese conservatives, the liberal democratic post-war regime which came into being

in the immediate aftermath of the Second World War, is precisely such an ill-advised radical reform. At first glance, it may seem paradoxical to have conservatives argue *against* the present constitutional status quo. Instead, we would expect conservatives to uphold the status quo against progressive attempts at strengthening and/or increasing individual human rights, social justice or getting rid of traditions via proposed amendments.

In Japan, the roles are reversed. Since the constitution came into effect in 1947, conservatives have been pushing for an amendment, while progressives led by the Socialist and Communist parties have been the staunchest defenders of the Japanese supreme law. This role-reversal owes itself to both the content and the creation process of the Constitution of Japan (CoJ), which remains unamended to this date.

To understand this conservative grudge about the creation of the Constitution, it is necessary quickly to review modern Japanese history. After the Japanese Empire accepted the Potsdam Declaration and formally surrendered (thereby ending the Second World War) in September 1945, a seven-year occupation period began. Unlike Germany or Austria, the United States alone acted as the occupation authority in Japan, even though the General Headquarters (GHQ) led by Supreme Commander for the Allied Powers (SCAP) General Douglas MacArthur was at least on paper bound by the decisions of the Far Eastern Commission. Dissatisfied with the Japanese government's unwillingness fundamentally to revise the 1889 constitution (The Constitution of the Great Empire of Japan, also known as Meiji Constitution)⁴ and to create a liberal democracy underpinned by popular sovereignty and universal suffrage, MacArthur had GHQ draft an amendment proposal. The Americans insisted that the basic elements of this proposal (changing the emperor's role from sovereign to symbol, popular sovereignty, protection of fundamental human rights and pacifism) should be part of Japan's post-war constitution, despite strong resistance from the Japanese government, which feared such radical reforms would bring about 'chaos, confusion and communism'.⁵ The drafting of the constitution under and with considerable involvement by the Occupation authorities quickly gave rise to the argument that the CoJ had been forced upon Japan.⁶ This version of history, however, ignores the many continuities that exist between pre- and post-war Japan, for example, in the cases of the imperial and family registration systems.⁷ In fact, the initial American draft of the CoJ underwent considerable changes based on input from the Japanese side during the negotiations that followed the submission of this draft to the Japanese government. For instance, certain human rights were limited to Japanese citizens and the National Diet remained a bicameral parliament (as opposed to the unicameral parliament initially proposed by the Americans).⁸

This raises the question of why conservatives focus so strongly on change and historical discontinuities. After all, the Meiji Constitution too came into being as the result of significant reforms during the mid-nineteenth century that saw Japan transform itself into a centralized nation state.⁹

Curiously, most conservative intellectuals have hailed that series of reforms, usually referred to in a slightly misleading manner as Meiji Restoration, as a careful and considerate series of reforms reflecting Japan's long history and traditions.¹⁰ As pointed out elsewhere, the main difference in evaluating those two major discontinuities in modern Japanese history is related to the agent of reform. Conservatives criticize the post-war reforms of 1946–48 as an 'ideological import forced upon Japan by the US' at a time when a defeated and occupied Japan was too weak to say 'no'.¹¹ Not surprisingly, conservatives do not view this foreign lawgiver in the same positive light as Rousseau once did. To them GHQ was merely an unwelcome and ill-wishing outside force bent on severing Japan's links to its past and thereby weakening Japan to ensure it would never pose a threat to US security again. The weapon of choice was the liberal democratic 1947 Constitution and other reforms, that one conservative intellectual has likened to brainwashing an adult and turning him or her into a 12-year-old child ignorant of his or her proud family history and traditions.¹² In contrast, conservatives praise the Meiji-era political framework as the result of strategic, independent, considerate and historically rooted reforms by Japanese leaders *themselves*.¹³

Apart from the nationalist critique of the foreign lawgiver, the aforementioned criticism of the CoJ's creation out of a historical *tabula rasa* is hardly uniquely Japanese. After all, the idea goes against not one, but many key features of the conservative political tradition such as the extra-human origins of social order and the preference for organic change. Arguments made by Japanese conservatives are similar to conservative critiques in the West, such as Roger Scruton's criticism of the then British prime minister Tony Blair's 'progressive' constitutional reform initiatives.¹⁴

The belief in an organic social order, which may not have found expression in a constitution until a later stage of history, but whose manifestations such as traditions and laws shape a constitution is evident in both, Yagi's criticism of the CoJ and Scruton's claim that liberals were quick to forget the continuity of British influences that had helped shape the US Constitution.¹⁵ The rejection of throwing those legal and social traditions out of the window is precisely the same critique that Burke brought forth in what remains arguably conservatism's most influential writing, his *Reflections on the Revolution in France* (1790). As Burke put it, addressing a young gentleman across the channel: 'you had all these advantages in your ancient states, but you chose to act as if you had never been molded into civil society and had everything to begin anew. You began ill, because you began by despising everything that belonged to you. You set up your trade without a capital.'¹⁶ One hundred fifty years after Burke, Oakeshott formulated a similar, yet less blunt, critique of what he called a rationalist '*tabula rasa*' in *Rationalism in Politics and Other Essays*.¹⁷

Yagi's argument above is identical: Be it out of respect for what previous generations had built or because of man's imperfections the accumulated wisdom of the past and its embodiment in traditions and

laws is too precious to discard. Unfortunately, this was exactly what had happened in 1947, when the post-war constitution came into effect. It is hardly surprising then that Japanese conservative intellectuals frequently refer to G. A. Chesterton's 'democracy of the dead'.¹⁸ In his 2004 constitutional amendment proposal, Nishibe makes this 'voting right' of the previous generations explicit, when suggesting that 'on the occasion of the citizens making a decision regarding [the Emperor's] position and its function, [the people] shall accept the limitations stemming from Japanese traditions'.¹⁹

Radical breaks with established social and legal norms always had negative consequences. While in France, the revolution quickly consumed its children, the negative consequences of the then new constitution and other Occupation-era reforms took more time to show themselves, but as one conservative thinker remarked, '60 years on, Japan no longer has any true elite left and the nation has been weakened'. One small difference to note here is that the French revolutionaries had not anticipated or planned the Reign of Terror in 1789. In Japan in 1946, however, conservatives allege, the United States knew exactly what damage it could do to the Japanese nation and why.²⁰

The underlying ideological struggle is reminiscent of the centuries-old battle between conservatives and their progressive foes in Europe, for the Social Contract not only underpinned the creation of the constitution, but liberal thought similar to that of Social Contract icons Locke or Rousseau had also strongly influenced the law's content. This is evident from the fact that the Constitution of Japan has been among the most specific constitutions in enumerating individual rights.²¹ The constitution proclaims these fundamental human rights to be 'inherent, inviolable and universal', and by taking cues from the American Constitution, declares, 'all 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 other governmental affairs.' Furthermore, 'marriage shall be based only the mutual consent of both sexes,' and laws pertaining to marriage and family 'shall be enacted from the standpoint of individual dignity and the essential equality of the sexes'.²²

Conservatives have long complained about the liberal individualism underpinning these key stipulations of the Japanese supreme law. Yagi has blamed this 'excessive individualism' and the lack of protection of the (traditional) family in Articles 13 and 24 for an increase in divorces and youth crimes.²³ Nishio does not go quite that far, but notes that we will never know whether people living under the patriarchal pre-war system were really unhappy, and suggests that despite being freed from those chains of traditions and intermediate organizations like the family, present-day Japanese still are far from being happy; instead, frustration was on the rise.²⁴ Against this backdrop Yagi concluded that 'the grand experiment of individualism' had already failed in the West.²⁵ Here, we see

the conservative link to the past: Conservatives allege that man had gained little from severing ties with Japan's proud history and traditions in 1946. Hence, it is not surprising that Yagi is not alone in advocating the inclusion of a stipulation protecting the family as the basic unit of society in order to strengthen this vital intermediate organization.²⁶

Needless to say, the criticism of the liberal quest to free the individual from the yoke of traditions has been a key feature of conservatism on both sides of the Atlantic. In Robert Nisbet's words, 'the conservative philosophy was born of Burke's and others' antagonism to the deadly *etatisme* and *individualisme* which had, like pincers, threatened to crush the traditional intermediate groups in the social order.'²⁷

In the early 1980s, Russell Kirk wrote, 'Japanese conservatism, now recovering from the injuries inflicted by war and military occupation, is an interesting development, arising out of the old Japanese concepts of piety, duty and honor. [. . .] Japan wears successively and perhaps sincerely a series of Western masks; but these are discarded in turn, for beneath the masks the old Japanese character lives.'²⁸

I would argue that the opposite is also true. As has been pointed out elsewhere,²⁹ Japanese conservatism has often been defined by its outside appearance, specifically the focus on certain major issues such as the aforementioned constitutional amendment or patriotic education. However, this mask of very specific policy agenda items too frequently hides core principles which Japanese conservatives share with their Western counterparts. Based on different historical realities, Yagi's emphasis on Japan's long history or Etō's praise for eighteenth-century conservatism in feudal Japan may be distinct from Voegelin or Kirk's praise for the Middle Ages in Europe. However, the yearning for historical continuity, the belief in the imperfection of man and the resulting necessity for laws and traditions is a commonality. One could discount this commonality as coincidence, if it were not for the strong influence of Western conservatism. Even more than Chesterton or Oakshott, Burke is frequently quoted and his arguments employed by Japanese conservatives who warn of the negative effects of the individual's atomization and rejection of the past, just as Burke had warned his readers about the futility and dangers inherent in the French Revolution.