

BOOK REVIEWS

The Japanese Imperial Monarchy as an Icon of Sociopolitical Signification

Japan's Imperial House in the Postwar Era, 1945–2019. By Kenneth J. Ruoff. Cambridge, MA: Harvard University Asia Center, 2020, 419 pp. Hardcover \$32.00
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Kenneth J. Ruoff's 2001 book, *The People's Emperor: Democracy and the Japanese Monarchy, 1945–1995*, also appeared in Japanese translation, and in 2004 was awarded the Osaragi Jirō Prize for Commentary (Japan's equivalent of the Pulitzer Prize). His recent book, *Japan's Imperial House in the Postwar Era, 1945–2019*, is an updated version of *The People's Emperor*, covering developments up to Emperor Akihito's 2019 abdication and Emperor Naruhito's subsequent enthronement. In addition, Ruoff offers reform proposals to make the monarchy more sustainable, although he makes clear his own neutrality concerning its continuation, declaring that “[i]f the imperial house were abolished tomorrow, I would simply shrug” (p. 346).

While this book deals with a wide range of interesting issues, the most intriguing chapter is the one discussing “ministerial briefings.” Under the current Constitution of Japan, which is based on the draft prepared by the American occupying forces, the emperor's public authority is drastically reduced from what it had been in the former *Meiji* Constitution. His acts as a state organ (*kokuji kōi*), the effects of which are attributed to the state, are restricted to those enumerated in Articles 6 and 7 of the Constitution. They include promulgating laws, cabinet orders, and treaties, and appointing the prime minister and the Chief Justice of the Supreme Court. However, as the emperor “shall not have powers related to government” (Art. 4), these acts are merely ceremonial.

The emperor's acts also include those taken as a private person (*shiteki kōi*). For example, he may visit his ancestors' graves and may research what interests him. Emperor Akihito, now the emperor emeritus, is a well-known researcher on goby fish (pp. 338–9) and Emperor Naruhito studied the history of water transportation while at Oxford University.

A more delicate issue relates to whether the emperor may perform public acts (*kōteki kōi*), or acts taken as a state symbol. Article 1 of the Constitution stipulates that “[t]he emperor shall be the symbol of the state and of the unity of the people.” A symbol is someone or something that represents a particular quality or idea. Whether the emperor can be a symbol of Japan depends on whether the people of Japan regard him as such. In order to be regarded as a symbol, the emperor has to engage in various acts suitable for symbolizing the state, such as visiting places affected by natural disasters or sites of World War II battles, exchanging letters and missives with foreign dignitaries, and giving a speech at the opening ceremony of the Diet. Although the Constitution does not explicitly authorize the emperor to engage in such acts, the government's official view recognizes their necessity. In sum, the emperor is authorized to act as (1) a state organ (*kokuji kōi*), (2) a private person (*shiteki kōi*), and (3) a symbol of the state (*kōteki kōi*).

In both pre-war and postwar Japan, the emperor had been informed of current political affairs by cabinet ministers. It was natural to be briefed by ministers under the *Meiji* Constitution because he was the sovereign of the state. It is difficult, however, to justify the custom of ministerial briefings under the current Constitution, given his status as merely a

symbol. Ruoff reports that Prime Minister Ashida Hitoshi (who served from May to October in 1948) revealed in his diary his hesitance in continuing to brief Emperor Hirohito, who insisted on the continuance of the custom despite the constitutional change (pp. 102–3).

The government's official view is that receiving briefings constitutes an act as a symbol of the state (pp. 124–5). Ruoff argues that this explanation is implausible. For ministerial briefings to be effective, they should be strictly confidential. As a result, they cannot function as public acts (*kōteki kōi*); people cannot regard them as symbolizing acts because they know neither the timings nor the contents of briefings.

Ruoff narrates the story of Defense Minister Masuhara Keikich (pp. 122–4). On 23 May 1973, after briefing Emperor Hirohito, he told reporters that the emperor had said:

The press says the Fourth Defense Buildup Plan is very large, whereas it seems rather small compared with those of some neighboring countries. Why has it become such a problem in the Diet? The defense of the country is important. Why not adopt the good points of the old army while leaving out the bad?

Masuhara added that the emperor's comment “gave me the courage to go on with the deliberations on the two defense legislation bills.” Masuhara's blunder immediately put Prime Minister Tanaka Kakuei in an awkward position. Responding to a question in the Diet, Tanaka unconvincingly insisted that:

In light of custom, there is no reason to believe that the emperor made the statement. I, too, brief the emperor, but there never has been an instance of the emperor's making a statement for or against, or a statement to influence, national policy.

Masuhara was soon forced to resign, on 29 May.

Ruoff suggests that since the emperor is not an automaton but a natural person, it would be strange if he were expected simply to promulgate laws, cabinet orders, and treaties “without receiving an explanation of their meaning and purpose” (p. 132). However, it is also strange to put briefings in the category of public acts. Perhaps they should be explained as preparatory proceedings for *kokuji kōi* and *kōteki kōi*.

Ruoff points out that the imperial system under the Meiji Constitution was an aberration. Direct rule by the emperor has been quite exceptional in the long history of Japan. It is “open to debate whether, before the modern period, peasants had even a vague knowledge of the emperor's existence” (p. 21). Ordinary people were unlikely to hold any intimate sentiment in relation to him. The question is why political leaders of the *Meiji* era imported the monarchical principle from German states, which in Japan was called the principle of imperial sovereignty and created the atmosphere of reverence toward the emperor.

Historian Watanabe Hiroshi explains that the reverence toward the emperor was a substitute for Christianity.¹ The origin of its creation can be traced to the Iwakura Embassy, which visited American and European countries from 1871 to 1873. Itō Hirobumi, the primary drafter of the *Meiji* Constitution, was also a member. What most perplexed the embassy's members was that political elites in the West seemed to sincerely revere Christianity, which seemed to them a ridiculous system of beliefs, based on a Bible full of fairy tales. They concluded that political elites in the West pretended to have faith in Christianity in order to propagate positive morality among ordinary people; it was an instrument to sustain the stable social life of human beings, as many of them were viewed as neither very moral nor very intelligent.

Leaders of *Meiji* Japan realized that they had to find a substitute for Christianity, given that there was no likelihood that many Japanese would become Christians. What they

¹ See, on this point, Watanabe (2021).

found was the role of the emperor. Subsequently, the people were persuaded to revere the emperor through public education. However, political elites did not seriously respect the emperor; they merely wore a mask of reverence. When Crown Prince Yoshihito, the later Emperor Taishō, was married in 1900, Itō made the following remark:² “It is unfortunate to be born as a crown prince. As soon as he is born, he is chained by ceremonial rules; upon growing-up, he has to dance in tune with music his entourage play.”

While saying this, he imitated the working of a marionette. In drafting the *Meiji* Constitution, Itō took care not to impose strict restrictions on the imperial prerogatives so as to leave room for political elites to manoeuvre them.

This endeavour to establish the emperor as an idol for the people carried a side effect. When people worship an idol, they tend to identify themselves with it, projecting their own image onto the idol and worshipping it; in other words, in a way, they are worshipping themselves.³ When policies of political elites deviate from people’s desires, people may rebel against the government in the name of the emperor or the imperial tradition. The military’s coups d’état in the 1930s and the far-Right’s protest against Emperor Akihito’s wish to abdicate in 2019 (pp. 334–8) may perhaps be explained in this context. Ruoff’s volume speaks to many such vital and intriguing issues and is a valuable resource.

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References

- Fackenheim, Emil L. (1994) *Encounters between Judaism and Modern Philosophy*, London: Jason Aronson.
Watanabe, Hiroshi (2021) *Meiji Kakumei, Sei, Bunmei* [*The Meiji Revolution, Gender and Civilization*], Tokyo: University of Tokyo Press.

Prostitution as the Critical Gendered Paradox across Law, Society, and the State

The Regulation of Prostitution in China: Law in the Everyday Lives of Sex Workers, Police Officers, and Public Health Officials. By Margaret Boittin. Cambridge, UK: Cambridge University Press, 2024. 444pp. Hardcover: \$135.00
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In her book *The Regulation of Prostitution in China* (Boittin, 2024), Boittin examines sex workers’ experiences of law and state regulations and leverages the differential experiences of sex workers in different tiers to expose the intricate dilemmas within the state faced by frontline state officials, including police officers and health workers. Prostitution, thereby, provides a unique lens for understanding the fragmentation regarding the approach an authoritarian state takes to deal with illegal behaviours on a day-to-day basis. This book is written primarily based on 19 months of fieldwork between 2008 and 2009 in multiple sites, including first-tier coastal cities such as Beijing, Guangzhou, and Shenzhen, as well as second- and third-tier cities in middle China, and thereby provides a geographically encompassing view of both the experiences of sex workers and political processes within the state during Hu and

² Quoted in *ibid.*, p. 473.

³ Fackenheim (1994), pp. 188–95.