
Trace of Legitimacy and Justice in Maruyama Masao

Maruyama Masao (1914–96) had been regarded as one of the most influential intellectuals who contributed to so-called postwar democracy in Japan before the end of the Cold War. Since then, however, his reputation has been challenged. Some scholars started to bring to light the aspect of him as a national thinker. They criticized the limits of his concept of democracy, because it was closed within the constraints of Japanese nationalism. It seems difficult for him to evade such criticism, even if scholars of the Maruyama School strongly insist his innocence. His lifelong devotion to Fukuzawa Yukichi (a thinker in the Meiji era, advocating “脱亜入欧 [secession from Asia and entry to Europe]”) is an inexcusable evidence of his preference for a “healthy nationalism.” His self-reflection on Japanese colonialism and imperialism was insufficient, therefore, he could hardly obtain an Asian perspective with which he could consider Asia’s nationalism and historical entanglements, and deal with Japanese nationalism aside from *Japanism* (Nihonshugi). Nevertheless, I am sure there remains something worth reconsidering in his thought, which still resists simple re-nationalization, and has a chance to “return justice to the Others.” In this paper, I try to re-read Maruyama from the viewpoint of his ambiguities.

According to Maruyama, a deconstructive way of reading is *sine qua non* for “Intellectual History” or “History of Thought.” “If we pay attention to the ambivalent possibilities of a thought,” Maruyama said, “we could find other possibilities that were not developed as a result. At an earlier stage, there must have been a chance to produce another direction that was different from the real result.”¹ Let me apply this approach to

1. Maruyama Masao, “Approach to Intellectual History [History of Thought],” 1960, in *Loyalty and Treason*: 388.

reading Maruyama's own texts. For this re-reading, I am going to pick up some notions in the following description, but particularly focus on the concept of “正統,” to which he gave two different meanings at the same time—legitimacy and orthodoxy.

1. *Historical Consciousness and Reminiscence*

Maruyama took a critical position toward “reminiscence.”

Kobayashi Hideo often expresses his idea that after all, history is nothing but reminiscences. This idea comes from his consistent attitude of refusing to accept the idea of historical development, or more precisely, a special transplantation of this idea into Japan. As long as the pattern of how to *inherit* the former thought in Japan or in the Japanese life of mind is considered, his proposition seems to *touch* one of the cores of the matter. Because the Japanese sequentially absorbs what is new and what is fundamentally heterogeneous, without sufficiently confronting the past, a new thought gains victory over the past surprisingly quickly. This means that the past is put aside without consciously confronting the present, or the past is precipitated into the bottom of the historical memory. In other words, the past disappears from consciousness to sink into “oblivion.” Thus, it spouts out suddenly in a moment as “reminiscence.”²

So-called “jumbled thoughts,” which had been buried in the depths of “oblivion,” spout out as “reminiscences” particularly in moments of “national or political crisis.” This is a time when people regard this phenomenon as a “returning to Japanese ‘original figure’ or ‘proper aspect.’”³ In order to resist this amalgam of “oblivion” and “reminiscences,” Maruyama appealed to a historical consciousness that could structuralize thoughts in order. In this historical consciousness, thoughts should start a reciprocal dialogue through their confrontation. Then we can inherit them as a legacy.⁴

2. Maruyama Masao, “Japanese Thought,” 1957, in *Japanese Thought*: 11–12.

3. Ibid: 12–13.

In other words, a historical consciousness opposes a “fact (factum)” accompanying a “feeling of reality 実感.” The latter has an affinity for “reminiscences” and “oblivion” because it excludes the dimensions of the abstract, the normative, and the historical. It is nothing less than accepting the actual Establishment as a kind of “nature” or untouchable “reality.” Maruyama calls this disposition an esthetical political theology. Now, he needs an opposite principle that enables him to open up a critical space. However, how can we introduce it in a “country without universality,” where the absolute principle, i.e., “nature” absorbs every aspect of the abstract, the normative, and the historical?⁵ He seeks this possibility of a principle through a critical heritage of traditional thoughts, then finds it in the concept of “legitimacy 正統.”

2. *The National Entity 国体 and Legitimacy 正統*

Maruyama closed his famous article “Logic and Mentality of Ultra-Nationalism” (1946) as follows.

August 15, 1945 was the day when Japanese militarism was ended. At the same time, it was the day when the National Entity as the base of the whole system of Ultra-Nationalism lost its absolutism, and put its future into hands of the Japanese people, who became free subjects for the first time at this moment.⁶

The National Entity was “the base of the whole system of Ultra-Nationalism.” In this National Entity the Japanese state occupied “substantial values such as truth, good, and beauty,” and “had its standard for substantial justification.”⁷

We should pay attention to the expression “substantial justification.” The National Entity was one that substantially controlled the interiori-

4. Ibid: 13.

5. Ibid: 19–20; Maruyama Masao, “Thought and Literature in Modern Japan,” 1959, in *Japanese Thought*: 120.

6. Maruyama Masao, “Logic and Mentality of Ultra-Nationalism,” 1946, in *Maruyama Masao Collection*, vol. 3: 36.

7. Ibid: 22–24.

ty and the minds of people. It was an “absolute value” having the character of “ultra.” However, or therefore, we could not define the National Entity as such, because it was a mechanism to control the interiority of people through its “insubstantiality.”

What was the main cause that allowed the emergence of the National Entity? Without any substance, the National Entity occupied a substantial justification of the Japanese State. Maruyama mentioned two causes: avoidance of confrontation with Christianity and promulgation of “Imperial Rescript on Education 教育勅語.” The former allowed a direct connection between the interiority of people and Ultra-Nationalism without any criticism from a transcendent value. The latter justified State intervention in the interiority of people through Emperor’s “Word お言葉” which was beyond any positive law.

So, what did Maruyama imagine to be the opposite of the powerful mechanism of the National Entity?

As Carl Schmitt says, a distinctive feature of European modern States lies in a neutral State (Ein neutraler Staat). In other words, they take a neutral position on substantial values such as truth or morals. They leave them to other associations (e.g., church) or individual conscience. The foundation of State sovereignty is based upon a purely formal legal system that is abstracted from such substantial values... Therefore, there appeared a compromise between the ruler and the ruled, which divided their domains into form/substance, exteriority/interiority and public/private. As a result, matters of thought such as faith and morality are guaranteed as “private matters,” while public power is absorbed into the legal system with a technical character.⁸

Against the National Entity, he positioned “European modern States” where the public and the private are divided: on the one hand, State sovereignty consists only in its “formal validity;” on the other hand, “freedom of subjectivity” arises independently. “Even in the case of the Prussia of the Friedrich the Great,” he said, “legitimacy (Legitimität) is ultimately absorbed into legality (Legalität).”⁹ Maruyama sought to find the

8. Ibid: 19–20.

9. Ibid: 21–24.

possibility of criticism of the National Entity through an inquiry into its legitimacy.

3. Quest for a “proper nationalism”

One year after “Logic and Mentality of Ultra-Nationalism,” he wrote the article “Kuga Katsunan: his life and thought” (1947).

As mentioned above, Kuga Katsunan aimed at a synthesis between nationalism and democracy in *Japanism*. Even though it was not thorough, I think, it must be essentially a correct perspective of the direction of modernization in Japan. A nation that exposes itself to the crisis of being colonized or semi-colonized because of its international inferiority or backwardness, has no option but to cut its own path in this direction. It was unfortunate that Japan failed to complete this synthesis in the past. The tendency of nationalism *for the people* from Fukuzawa Yukichi to Kuga Katsunan was so weak from the beginning that it was easily absorbed into nationalism from above with a strong power to govern. Therefore, the movement of nationalism from below was obliged to have an aspect of internationalism or cosmopolitan citizenship. We have only now got out of the long control by *Ultra-nationalism*. Today, we must unite the proper nationalism or the right movement for nationalism with a democratic revolution. For that purpose, while we take over the mission of Katsunan and others, we need to get rid of *their insufficiency*, which was *halfway* towards the realization of nationalism.¹⁰

As this quotation shows, Maruyama was convinced that there was a chance of establishing a “proper nationalism” in Meiji Japan. It was “unfortunate” that it failed to obtain a “synthesis between nationalism and democracy.” “Today,” after August 15, 1945, the Japanese people could inherit the task of *Japanism* from Fukuzawa to Kuga.

However, was it simply an “unfortunate” incident for the people to be put under the control of Ultra-nationalism? Did the National Entity real-

10. Maruyama Masao, “Kuga Katsunan: his life and thought,” 1947, in *Maruyama Masao Collection*, vol. 3: 105–06.

ly disappear soon after August 15, 1945? Could the Japanese people work through legitimate criticism toward Ultra-nationalism and the National Entity? Maruyama seemed me was too quick to re-introduce nationalism, even though it was not the same as the previous nationalism, but a “proper nationalism.”

Let us continue to read the following passage from “Kuga Katsunan.”

If you open a newspaper entitled “Japan Shinbun,” which was established by Kuga Katsunan 57 years ago, you can catch the outline of a map of Japan with the title characters for “Japan” at the upper right side of the background. In this map there appear to be only four main islands: Honshu, Shikoku, Kyushu, and Hokkaido. Japan is now trying to start over from that period. That is, the present day urgently needs a new “Japan Shinbun” and Kuga Katsunan.¹¹

Many scholars severely criticized this paragraph.¹² “57 years ago” means the year 1890. Maruyama returned to the successes of Meiji before the Sino-Japanese and Russo-Japanese Wars. However, here is a decisive “oblivion” for those who are banished from the scope of the four major islands, and those who are deprived of their legal rights on them. Maruyama was reminded of the “Japanese ‘original figure,’” and forgot the existence of those who were forced to assimilate into the Japanese in Japan’s colonial territories. If he made the past confront the present in a historical and awakened consciousness, he could easily have become aware of the issues of their legal rights.

Historically and legally, those who came from colonial territories and lived in Japan were Japanese in the sense of having Japanese nationality. They were still Japanese, even after the issuing of the Imperial Ordinance on the registration of foreigners in May 1947, which regarded them as “foreigners.” They were not deprived of Japanese nationality until the San Francisco Peace Treaty in April 1952. This means that at least in 1947, when Maruyama wrote his article, many Japanese lived who were not absorbed into *Japanism* or the “Japanese ‘original figure’” on the four

11. Ibid: 106.

12. For example, see Kan Sang-jung, “The Problem of the ‘Reason for the State’ in Maruyama Masao,” in *Reading Maruyama Masao*: 15.

major islands of Japan.

Japanese political theology seemed to have captured Maruyama, although he criticized it severely. No doubt, this was caused by his precipitancy to reconstruct a new “proper nationalism” after the “rupture” of the National Entity. Nevertheless, what was the meaning of the break up of the National Entity? The task of interrogating the legitimacy of the National Entity was still insufficient, and the substantial values of the National Entity were still powerful at that time. Maruyama seemed to be in hurry to fill up the gap caused by the rupture of the National Entity using a new postwar democracy (*à venir*), which had no substantial values yet, and was ironically called an illusion.

Declaring a sharp “rupture” of the National Entity on August 15, 1945, he implemented a political strategy to drive away the conservatives who negated the rupture, and he preserved continuity from the prewar era. It was a strategy to separate “Ultra-nationalism” as an exceptional deviation from the true history of Japan, and to find somehow a foundation of “proper nationalism” in Meiji. However, as Yonetani Masashi explains,¹³ it was a double-edged sword. At the same time, it was also favorable to the group (including Watsuji Tetsuro and Tsuda Sokichi) that was eager to find a *true* National Entity in history, and to combine it with the “Symbolical Emperor System” in postwar Japan.

So, how can Maruyama better present the rupture and continuity between the National Entity and “proper nationalism”? This is where we encounter his notion of “正統” again, but in a different sense.

4. *The Other Meaning of 正統: Orthodoxy*

In 1959, Maruyama agreed to publish a book entitled *Orthodoxy and Heterodoxy* 正統と異端. It was apparent to Maruyama at that time that “正統” meant orthodoxy. But, he did not abandon the other meaning of “正統,” which is legitimacy. The problem lay in the ambiguity of this very notion of “正統.” Maruyama believed that he could manage this ambiguity to criticize the National Entity from the concept of legiti-

13. Yonetani Masashi, “Maruyama Masao and Postwar Japan: on the ‘beginning’ of postwar democracy,” in *Reading Maruyama Masao*: 148–49.

macy, as well as to reconstruct a “proper nationalism” based on the concept of orthodoxy.

According to the reminiscences of Ishida Takeshi 石田雄, who was the leading disciple of Maruyama, and ran the society of *Orthodoxy and Heterodoxy* with him for more than 30 years, Maruyama planned at the beginning that he would think about the tension between the Emperor system as an orthodoxy and Marxism as heterodoxy (although it should fundamentally be paganism). However, unlike Christianity, the Emperor system and the National Entity had no bible, no creed system, and no church at their foundation. Moreover, in the postwar situation, both the Emperor System and Marxism softened their demands for orthodoxy. That is why he could not develop his own idea, and failed to publish *Orthodoxy and Heterodoxy*.¹⁴

It is certain that Maruyama assumed Christianity and Marxism to be possible opponents of the Emperor System and the National Entity. However, as mentioned above, Maruyama did not criticize the National Entity based on orthodoxy, but on modern nationalism. It was necessary for Maruyama to continue to compare it in several ways to the self-justification of modern nations, and to deepen his criticism from the angle of legitimacy.

Ishida said it was after 1980's when Maruyama returned to the concept of legitimacy. Nevertheless, it was still an attempt to observe the entangled relationship between orthodoxy and legitimacy. Ishida concluded that Maruyama's article “Yamazaki Ansai and his school” (1980) was an exceptional case, which succeeded in applying the problematic *Orthodoxy and Heterodoxy*. However, except for this topic, the problem was extremely limited.¹⁵

What compelled Maruyama to think about this futile problem? The answer might be that Maruyama was a national thinker, who emphasized reconstructing a new national identity rather than criticizing it from the perspective of legitimacy, as well as to return justice to Others. In answering this question, I would like to say yes and no. It is true that he wished to reconstruct a new national identity, but it was also a kind of antidote

14. Ishida Takeshi, “Why did *Orthodoxy and Heterodoxy* end up being incomplete?” (1) & (2), in *Misuzu*, vol. 450, vol. 451.

15. *Ibid* (1) :18.

to the revival of “old nationalistic sentiments.” Besides, he paid attention to other Asian countries to some extent, even if insufficiently. We shall go back to the early 1950's.

5. *Ways to Resist the Revival of Old Nationalism*

The People's Republic of China was founded in 1949, and the Korean War started in 1950. The Cold War was getting more and more severe when the policy of G.H.Q. radically changed. It required Japan to return to the international community as a member of the West. This was realized to some extent by the San Francisco Peace Treaty in the following year. Accordingly, Japan's rearmament continued and old symbols began to be revived in this period of a reverse-course. Maruyama seriously regarded this tendency as being dangerous. He gave a warning in his article “Nationalism in Japan” (1951).

Old nationalistic feelings are being forced to flow through the bottom of society. Will they appear at the political surface again? Will they be remobilized in old imperial symbols? If it *should* be remobilized politically, it must follow the past reactive direction like running water in a ditch because of its structural formulation. In this sense, it has become inevitable in recent days to argue strongly against the hoisting of the rising-sun flag, revival of the Japanese national anthem, inclination to visit Shinto shrines, and a situation in which old symbols come to the fore again in national education.¹⁶

This recent tendency of remobilizing both old nationalistic sentiments and old symbols, he believed, would not result in a simple revival of the National Entity. It would rather be connected to a “political power of a higher rank, which might be international, and be allowed to exist as long as it has a methodological usefulness for a certain political end of the latter (e.g., a world-wide strategy in the Cold War).”¹⁷

16. Maruyama Masao, “Nationalism in Japan,” 1951, in *Maruyama Masao Collection*, vol. 5: 75.

17. *Ibid*: 76.

This diagnosis led Maruyama to criticize neither the essential entanglement between nationalism and internationalism nor nationalism itself. Instead, he was led to reconstruct a “new nationalism” that “has a fresh sense of mission as attractive as the past imperial *one*.”¹⁸ For that purpose he requested that democracy ceases to be an “edifying sermon.” It will penetrate the “social structure and life-styles of the nation,” and furthermore, the “spiritual structure of the nation.” It was still a scheme that aimed to unite nationalism with democracy in the interiority or the subjectivity of the people. Therefore, even if it was different from the prewar National Entity as long as it tried to internally connect nationalism and interiority, it was still haunted by old phantoms from prewar Japan. It was unfortunate enough that the “new nationalism” would never be able to attain a strong “sense of mission.” Democracy also would never be able to reach the “ir-rationalization of democracy” in order to make democracy penetrate the interiority of the people.¹⁹

On the contrary, what is necessary to resist the revival of old nationalism and its complicity with international politics is to thoroughly separate the interiority from nationalism. Moreover, it is indispensable to advance “institutional and legal reform of the State system”²⁰ in order to support this separation. In other words, what was necessary was not an “ir-rationalization of democracy” that might fill up a new nationalism with hastily invented substantial values, but a radical rationalization of democracy. The latter would squarely reexamine the past, and would return justice to those who had suffered from the overwhelming power of the National Entity. It is nothing else but a process of interrogating nationalism from the viewpoint of legitimacy.

Those to whom justice should be returned are not foreigners, but the “Others,” whom Japanese Ultra-nationalism forcibly implicated in war and colonialism through every kind of violence. In particular, there included the Japanese who came from Japanese colonies as mentioned above. They are Japanese even in a legal sense. They can share a past together with so-called genuine Japanese, whom Maruyama assumed to be members of the new nationalism. Nevertheless, their way of sharing

18. Ibid: 73.

19. Ibid: 73–75.

20. Ibid: 75.

the past was different, because they do not belong to the “community of reminiscences.” They could be far from the politics of “oblivion” and “reminiscences” of the Japanese.

Even if Maruyama still believed that a new nationalism was necessary, he had to consider these other Japanese and the plurality of subjectivity. There must be an opportunity to think about other possibilities of subjectivity. It would refuse to connect the interiority of the people directly with nationalism. The most important question is how to share memories with the “Others,” and how to open the ground to ask for justice against violence even in the midst of nationalism. I am sure Maruyama could touch upon this question through his problem of legitimacy. Nevertheless, I must admit that it was nobody but he who lost it in his itinerary of thinking.

6. *Trace of Legitimacy and Justice*

The closing work in which Maruyama concentrated discussion on “正統” (“legitimacy”/“orthodoxy”) is *Reading of “Outline of Civilization Theory”* (1986). In this book, Maruyama took up the three concepts Fukuzawa Yukichi used—National Entity, political legitimacy, and lineage based on blood 国体・政統・血統. Among them, the second concept of political legitimacy is noteworthy, because Maruyama believed that it could express the concept of legitimacy in a way that was most properly distinguished from orthodoxy. Then he made clear that political legitimacy consists of the process of founding political power not upon violence, but justice.

According to Guizot, there exists a force, i.e., violence is the origin of all power without exception, but now power does not allow itself to be regarded as a product of violence. “From a warning of insurmountable instincts, any political form knows that violence is not entitled, might is not right. If it has no other foundation than violence, it lacks right completely.”

This idea is one of the most important melodies of European modern political thought. As you are aware, a proposition you can see at the

beginning of the Rousseauian theory of social contract is that power does not engender right. That is, *de facto* power relationships do not engender *de jure* normative relationships or legal relationships. That “might does not engender right” is synonymous with that “power does not engender law”...

Guizot states his idea based on this European history of legal-political thought. Any man of power must seek grounds for his own power, which is different from violence. These grounds are the problem of legitimacy.²¹

According to Guizot, the “first characteristic feature of political legitimacy is the fact that while power denies that violence is its origin, it tries to connect itself with some moral idea or some moral power—idea of justice, right, and reason.” The result is an idea of justice. That is why there are two meanings of justice, i.e., “righteousness” and “judicature” in its origin.²²

These two quotations show the possibility in Maruyama’s concept of legitimacy of interrogating violence existing in the origin of every power and the State from the perspective of justice. If so, Maruyama first had to criticize the violence in the National Entity and to return justice to those who had suffered from it. Moreover, if so, he could also attain the viewpoint of questioning not only bad nationalism but also nationalism in general. Nonetheless, he did not thoroughly follow this path. In fact, he weakened his demand for justice, and allowed political legitimacy to retreat.

Strangely enough, Maruyama was going to separate the National Entity from political legitimacy in the next section.

To sum up, Caroling, who had been a subject of the French King just as the Fujiwara clan were of the Imperial Household of Japan, was gradually seizing real power. Thus, the mainstream of politics was changed; nevertheless, we cannot say that the French National Entity was changed. It is this matter that Fukuzawa wanted to say in his formulation that “change of political legitimacy/political form 政統 has nothing

21. Maruyama Masao, *Reading of “Outline of Civilization Theory,”* vol. 1: 170–71.

22. *Ibid.*: 172.

to do with rise and fall of the National Entity.”²³

If Maruyama could maintain his idea of political legitimacy to question the grounds of political power (National Entity) from the point of view of justice, he had to confute Fukuzawa’s formulation. However, he abruptly re-read this “政統” as “political form” or “political system,” and came to the side of Fukuzawa.

If political legitimacy has nothing to do with a change of National Entity in general, when did Maruyama think the latter would really change? At this point, he did not resort to *de jure*, but to *de facto*: once foreigners rule a country, its National Entity will be ruptured. He paraphrased Fukuzawa’s other formulation: “although there remain language and religion, if the people lose their political power to be ruled by foreigners, we define it as a rupture of the ‘National Entity.’”²⁴

This formulation defines: as long as the Japanese rule in Japanese territory, the National Entity is perpetuated; once foreigners rule Japanese territory, it is ruptured. According to this definition, the National Entity of Japan was ruptured by the defeat in war for a while. With accepting the Potsdam Declaration, the Emperor of Japan as a sovereign was subordinate to the power of MacArthur’s headquarters when the National Entity was ruptured. In this case, even if there is still a monarch, we cannot say that the National Entity continues.²⁵

Maruyama was well aware of the formidable power of the National Entity. It was next to impossible to have it ruptured only by G.H.Q. occupying Japan for a while. However, this *de facto* rupture of the National Entity was indispensable for Maruyama, because his “political act” necessitated a separation of the postwar from the prewar by any means in order to make a new point of departure for the Japanese people. Contrary to his expectations, there was hardly any attempt to interrogate the orthodoxy of the National Entity and the Emperor system, for the pur-

23. *Ibid.*: 182.

24. Fukuzawa Yukichi, *Outline of Civilization Theory*, in *Fukuzawa Yukichi Collection*, vol. 4: 40.

25. Maruyama Masao, *Reading of “Outline of Civilization Theory,”* vol. 1: 167

pose of making a substantial new orthodoxy at the beginning of the post-war period. There was neither a “transference of loyalty” nor a democratic revolution. Maruyama was surrounded by such the so-called “insubstantiality” of postwar democracy.

However, this cannot excuse Maruyama for his choice of a *de facto* rupture of the National Entity and the weakening of his pursuit of legitimacy. If you follow this path, once the Japanese people regain their power, the rupture of National Entity will be overcome. The same things will continue quietly as if there was nothing. What must be asked will disappear again in a structure of “oblivion” and “reminiscences.”

It should be necessary for legitimacy to radically interrogate the National Entity before establishing its *de facto* rupture. Only this *de jure* inquiry, I think, could open the conditions of the possibility for a “substantial new democratic nationalism” (if nationalism should still have meaning here, and it must be different from that of Maruyama’s). It would be open to a plurality of subjectivities, who would separate their interiority from the State and return justice to the “Others.”

Against Maruyama, but at the same time, in solidarity with Maruyama, we need to seek traces of legitimacy and justice, when the desire to build a “community of reminiscences” with a phantom of the National Entity is becoming rampant in Japan today.

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