

## Beyond Paradoxology

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### INTRODUCTION

“Japan is an incomprehensible country; Japan exists in a world divorced from that of the West; or in legal terms, in Japan, law is irrelevant. The Japanese favor unwritten, or very brief agreement. They do not regard themselves bound by the letter of such agreements but rely on the notion of ‘changed circumstances’ to seek re-negotiation; and, in the case of a dispute, will seldom, if ever, allow the matter to proceed to court.” These kinds of generalizations no longer hold sway in Europe or the United States, thanks to the careful work of Japanologists around the world and to the efforts by Japanese scholars to convey more accurate information about their country. Research on Japan conducted in recent years (and not just by Japanologists) has been characterized by an ambitious endeavor to understand and explain Japan within the context of an over-arching general theoretical framework. This symposium, entitled “The Global Meaning of Japan,” sponsored by Sheffield University, is a part of this new trend, a trend that, I believe, reflects the widespread recognition that Japan can be understood and explained by universal social science theories. Or, to put it conversely, the social science theory that cannot explain Japan is incomplete and lacks absolute application.

I welcome this new perception, but at the same time see a number of issues that still need to be discussed. These issues must be addressed for the construction of a general theory encompassing Japan, and to this end I propose here to present, along with my own arguments, some examples of currently accepted theories.

An example from the field of law is the argument presented by the American scholar of Japanese law, John O. Haley, in his “Authority without Power-Law and the Japanese Paradox.”<sup>1</sup> Haley asserts that Japanese society and law are unique.

Japan is notable as a society with both extraordinary institutional conti-

nunity along with institutional change; of cohesion with conflict, hierarchy with equality, cooperation with competition, and above all else, a manifest prevalence of community control with an equally strong impulse toward independence and autonomy. . . . It is a nation where political rule appears strong but also weak; governance centralized but also diffused; the individual subservient but also achieving; the social order closed but open.

Haley sees within Japanese society features that from the Western perspective are contradictory, and he attempts to explain this “paradox” with such paradoxical (in Western terms) concepts like “authority without power” and “law without sanction.”

An example from the field of social science is the major work “Japanese Civilization,”<sup>2</sup> by the Israeli sociologist Shmuel Eisenstadt. A symposium on Eisenstadt’s theory of Japanese civilization was held in Japan in January 1998. This symposium was organized by Professor Sonoda Hidehiro of the International Research Center for Japanese Studies, to which I also belong. At Professor Sonoda’s behest, Dr. Eisenstadt and a number of other sociologists and Japan researchers were invited. Dr. Eisenstadt opened the symposium with a presentation entitled, “Axial and Non-Axial Civilizations — the Japanese Experience in a Comparative Perspective.”<sup>3</sup> His lecture began with the following words:

The starting point of our discussion is the fact, so very often emphasized, that Japan was the first non-Western society to become fully modernized and industrialized. This fact constitutes from a comparative point of view a very interesting and challenging paradox or series of paradoxes.

Eisenstadt’s use of the word “paradox” to describe Japanese society may be coincidental, but it is nevertheless noteworthy. I would like here to quote further from Eisenstadt’s paper with occasional supplements of more comprehensive passages from his book.

## II. SHMUEL EISENSTADT’S “JAPANESE PARADOXES”

One of these central paradoxes is that while in Japan there has developed the first and at least till recently the only fully successful non-Western modernization, this modernization has been that of a non-Axial civilization — a civilization which would not be seen, in Weber’s terms, as a Great Religion or World Religion.

Weber's analysis of the civilizational roots of capitalism was part of his comparative sociology of religion. This comparative analysis was based on the premise that in all the Great Religions which he studied there existed the structural and cultural potentialities for the development of capitalism—but that it was only in the West these potentialities bore fruit. In other Great Religions or civilizations . . . these potentialities were obviated by the specific hegemonic combination of structural and cultural components that developed within them—very central among them being the confrontations between orthodoxies and heterodoxies or sectarianism. Truly enough Weber dealt only with the emergence of the original, first capitalism—not with its expansion, and yet even in this framework the paradox of Japan, a non-Axial civilization that has become the first fully modernized non-Western society, stands out.

While this text is not always clear, in essence Eisenstadt is saying that despite its being a non-Axial civilization, Japan is nevertheless the first fully modernized country in the non-Western world and therefore Japan is a paradox. Eisenstadt's premise seems to be that even in the non-Western world, the Axial civilizations had the potential to modernize while the non-Axial civilizations had little or none of this potential. Given this premise, the fact that Japan was the first non-Axial civilization in the non-Western world to modernize can be seen as a paradox. I will discuss Eisenstadt's premise later. In the meantime, I wish to continue to quote from his lecture.

But the crux of this paradox lies not only in the fact that Japan was the first non-Axial civilization to modernize. It was the only such civilization. All the other Great Non-Axial civilizations. . . . not only did not become modern or industrial ones, they were, in different ways, swamped over as it were, incorporated into different Axial civilizations, losing their . . . civilizational distinctiveness. . . . Japan not only was not incorporated into the different Axial civilizations which impinged upon it—the Sino-Confucian and the Buddhist ones—but has been able to develop a very distinct continuous pattern of institutional and cultural dynamics.

Among the distinct characteristics of this pattern, two are of special interest from the point of view of our analysis. The first is the very high tempo of institutional change, in many ways reminiscent of those ones that developed in Western Europe—namely the transition from a tribal monarchy pretending to be an Empire; to feudalism and then to a relatively centralized absolutism, up to the revolutionary breakthrough to modernity. . . . Such similarities could be identified also with respect to the direct background to modernization in the Tokugawa period—name-

ly the development of structural pluralism, of a multiplicity of centers, of economic power, the breakdown of narrow segregated ecological frameworks, the opening up of family structure, especially indeed in the rural sector, which generated many resources, and . . . very wide, cross-domain marketization. All these were in many ways very similar to those which industrialization in Europe was attributed to, as were also the high levels of literacy and urbanization, and extensive economic integration have been the most important.

Not only does Eisenstadt assert that Japan is the first non-Axial civilization to successfully modernize, he also goes on to claim that Japan is the only one to have succeeded and that this is the crux of his perceived paradox. He emphasizes Japan's difference with the other non-Axial civilizations, stating that they were pre-Axial in nature and were incorporated into other Axial civilizations. Japan avoided this fate and was able to maintain its own unique pattern of development. Eisenstadt sees in Japanese history two distinctive features. One of these is the "very high tempo of institutional change" from tribal monarchy to feudalism to absolutism to "the revolutionary breakthrough to modernity." Eisenstadt goes on:

But here we encounter the second major feature of the distinctive pattern of cultural and institutional dynamics that developed in Japan, which constitutes another central comparative paradox — namely that despite these structural similarities, . . . have been patterns of institutional formations markedly different from the Western one. They pertain to the very basic ways in which the various institutional arenas are regulated, defined — namely in line with some combination of primordial, sacral and natural terms.

The major characterizations of this definition have been the strong emphasis on contextual frameworks and the concomitant relative weakness of fully formalized, abstract rules demarcating clearly between the different arenas of action, and defining them in abstract formal terms as separate entities. Any institutional arena — political, economic, family and cultural creativity, or individual, group or organizations — has been defined in terms of its relation to the social nexus in which it was embedded. Such nexus was defined in some — continuously changing — combination of primordial, sacral, natural and ascriptive terms. The distinctive characteristics of these terms was that they were not defined in relation to some principles transcending them.

Thus, social actors, individuals or institutional arenas, have been defined . . . in terms of their mutual interweaving in common frameworks

or contexts. Concomitantly, the major arenas of social action have not been regulated above all by distinct autonomous, legal, bureaucratic or “voluntary” organizations or rules . . . but mostly through various less formal arrangements and networks which have in their turn usually been embedded in various ascriptively defined, and continuously redefined, social contexts.

Concomitantly there developed in Japan a strong tendency to the conflation of different occupational or class sectors within the different social contexts — be they enterprises, neighborhoods or such frameworks as various new religions — above all within the context of overall national community. Concomitantly, in Japan the major elites and the influentials were embedded in broader settings or contexts, defined in some combinations of primordial, sacral, and natural terms in which symbols of kinship were often predominant.

This distinct mode of structuration has been most clearly evident in the double-pronged nature of the impact of movements of protest and processes of change, and of foreign influences on the dynamics of Japanese society.

Such processes have generated new modes of discourse and given rise to many “segregated” sectors of action as well as to growing reflexivity, in which new types of cultural and social activities have flourished, and the awareness of many alternative cultural and social possibilities has been heightened. The various themes, promulgated by such movements and by public responses to them and often under the impingement of outside forces, have been in many cases incorporated in the public discourse; new, more sophisticated discourses have developed, and many concrete demands have been acceded to. Above all, new social spaces have often been created in which many new patterns of economic and social activities, modes of cultural creativity and patterns of discourse could develop.

On the other hand, the continuous reformulation of the basic ontological conceptions and conceptions of social order . . . has been guided by and reformulated, as pointed out above, in contextual settings or templates defined in some combination of primordial, social and natural terms, and the new themes and orientations have not been . . . able to break through the relative hegemony of these terms. It is these distinct features that characterize Japan as a highly dynamic non-Axial civilization.

Behind this characterization by Eisenstadt is, of course, the premise that “dynamic” and “non-Axial” as attributes of a civilization are contradictory, and that therefore Japan represents a “paradox.” Having made this premise,

the Israeli sociologist goes on to analyze the “historical origins of these constitutional and cultural patterns” of Japanese development.

### III. THE ORIGINS OF THE JAPANESE “PARADOXES”

Saying that “the most plausible attempt to analyze the historical roots of the specific Japanese institutional formations and dynamics” is the one presented by Johann P. Arnason who “follows Max Weber’s analysis of the modes of disintegration of early clan-society.” Eisenstadt argues<sup>4</sup>:

In the case of Japan the focal *historical* points are the Taika reform at the end of the 7th century which attempted to create the first “Imperial” clan state in Japan and which ultimately resulted, as Asakawa underlines: “in the practical isolation, one from the other, of the two principles constituting the reform. The organization of Japan prior to 645 was a fictitious hierarchy, whose foundation, the clan or quasi-clan, was now theoretically destroyed, while the apex, the Emperor, was preserved and elevated. . . . The loss was compensated by the imported conception of the state. How could the two be reconciled with each other? . . . Combined with causes too deep and numerous to be even casually referred to here, the two fundamentally incongruous factors, the Emperor and the state, were gradually pulled apart from one another, until the authority of the former was completely usurped by the high civil officers who surrounded his person and the majority of whom issued from one and the same family, and the state lapsed into the real control of certain military clans.

“This bifurcation resulted in the crystallization of a specific mode of double, parallel hegemony, that of power and that of authority, which contrasted greatly with comparable developments in Europe.

“The imperial court appropriated the cultural and symbolic hegemony, which was almost never challenged - and which seemingly could not have been effectively challenged. Indeed, it constituted *the* institution epitomizing the collective identity and consciousness, the encounter with the other — especially with China. At the same time political and economic power were continually vested in the various types of aristocratic or feudal groups. These however lacked any autonomous legitimation distinct from the imperial one. Hence, unlike for instance the Church in Europe, there did not develop any centers or bases of power which were autonomous from the feudal nexus and from the imperial center — nor did the cultural and the power and economic centers compete with each other for both power and legitimation.”

It was in this period that the bifurcation between power and authority that was at the root of the specific pattern of state formation that developed in Japan crystallized; it was also within the framework of this formation that the strong tendency to status dissociation developed in many sectors of Japanese society.

There is a remarkable similarity between Eisenstadt's formulation that "the bifurcation between power and authority . . . was at the root of the specific pattern of state formation that developed in Japan" and Haley's "authority without power," which I quoted earlier. That is not to say that Arnason and Eisenstadt simply imitated Haley or vice versa. Rather, the correct interpretation of this is, I believe, that the Japanese themselves, including Asakawa Kan'ichi, who is quoted by Arnason/Eisenstadt, have frequently referred to the "separation of authority and power" to explain the historical phenomenon of the imperial system's continuation despite its loss of political authority after the 10th century. Whether this is a correct interpretation is something I will discuss later. Suffice it here to point out that this formulation is not based on analysis but is a description only, and furthermore that the perceived paradox is actually due to the English translation of the Japanese term *ken'i*; as "authority" and the term *kenryoku* as "power" (translations that were, by the way, used by Asakawa).

Having said this, I wish only, at this stage in my argument, to confirm that Eisenstadt perceives the Japanese "paradox" to have originated around the time of the disintegration of clan society and the establishment of the ancient state.

#### IV. TWO TYPES OF CLAN SOCIETY DISINTEGRATION: PRE-AXIAL EMPIRES AND AXIAL AGE CIVILIZATIONS

According to Eisenstadt, there are two types of states that can emerge after the disintegration of a clan society.<sup>5</sup>

The type of institutional development attendant on the disintegration of a clan society is distinct both from that which characterized the development of great pre-Axial patrimonial empires (like those in ancient Egypt) and from the various Axial civilizations.

In pre-Axial empires the transition from one stage of political development to another—for instance, from early state to archaic kingdom—was usually connected with the reconstruction and widening of the kinship or territorial elements and ascriptive categories and symbols, with

the growing importance of territorial units as opposed to purely kinship ones, and with what may be called the qualitative extension and diversification of basic cosmological conceptions. It was also characterized by the increasing specialization of the elites (who were, however, on the whole embedded in various, sometimes complex and wide-ranging, ascriptive units), by a close correspondence between structural differentiation and the differentiation of elite functions, and by the prevalence of cultural models and conceptions containing relatively low levels of tension between the transcendental and mundane orders. The centers that developed in such societies were ecologically and organizationally, but not symbolically, distinct from the periphery. . . .

In contrast, the Axial Age civilizations were marked by growing distinctions, even discrepancies, between structural differentiation, in the form of social division of labor, and the differentiation of elite functions. In addition, these societies witnessed the emergence of autonomous elites and concomitantly more radical developments or breakthroughs in cultural orientation, especially in the direction of a radical conception of the tension between the mundane and transcendental orders. At the same time, different modes of institutional formations appeared, including distinct civilizational or religious collectivities — different types of autonomous centers distinct from their peripheries. There also developed in these civilizations a strong tendency toward ideological politics.

Eisenstadt goes on to assert that Japan does not fit either of these patterns.<sup>6</sup>

The distinctiveness of the institutional development in Japan lies in its unusual combination of a high level of structural differentiation with low levels of distinction between roles and of autonomy of elite functions, that is, with the fact that in Japan the major elite functions were embedded in ascriptive settings. . . .

The major context in which the development of potentially highly specialized but not autonomous elites took place was indeed the differentiation in Japan of a clan society into two distinct, non-competing centers — between the Emperor and the State, of authority and of power. In its turn the absence or weakness of such elites reinforced the continuity of these two non-competing centers and the bifurcation between power and authority.

It is not easy to accept Eisenstadt's thesis that the bifurcation between power/State and authority/Emperor caused the deficiency of the autonomous elite or that the latter fostered the former. I say this because it is theoretically

possible that the context of a separation of state and ruler could actually mold the autonomous elite into an important support of the state. It is further theoretically possible that such an autonomous elite would absorb the authority/Emperor into their own ranks.

These possibilities cast doubt upon Eisenstadt's argument that authority/Emperor and power/State are "non-competing centers." How can he premise this without supporting his thesis? Still, it is imperative in criticizing a fellow scholar that one should interpret his or her arguments as positively as possible, and I would therefore like to continue to delve into Eisenstadt's explanations of his thesis.

Eisenstadt follows the passage quoted above with the statement that "this mode of differentiation [into power and authority] was also reinforced by the change in structure of family and kinship, connected with the shift from 'uji' (clan) to the 'ie' system . . .," and he then goes into a detailed explanation of this shift.

My criticism is of Eisenstadt's interpretation that the shift from *uji* to *ie* was just one more factor (second to the "absence or weakness of the autonomous elite") reinforcing the continuity in the mode of differentiation between power and authority. Rather, he should have presented the shift from *uji* to *ie* as the very factor that brought about the weakening or diminishment of the autonomous elite. If Eisenstadt had based his arguments on this premise, he would surely have seen that the formulation of a bifurcation between (differentiation into) power and authority—and the seeming paradox that arises from this formulation—is inappropriate. It is the absence or weakness of an autonomous elite that should be the focus of any attempt to define Japanese society. Care should be taken not to be misled by the seductive formula of a separation of power and authority, the so-called Japanese paradox.

## V. FROM *UJI* TO *IE*

"The shift from the 'uji' (clan) to the 'ie' system," says Eisenstadt, "led among others to a growing tendency to primogeniture which took place around the Kamakura period." Herein lies the fault with his argument, for in making this statement, Eisenstadt suddenly shifts his focus of attention from the ancient Japanese state to the medieval period.

His perception that the *ie* system took root in the medieval period is at once both right and wrong. But this is not the real issue here. What bothers me is that after having very convincingly set the stage for his thesis that the disintegration of the clan society is what led to the formation of the ancient Japanese state, and that it is at this stage in history that the origins of Japan's distin-

guishing characteristics are to be found (characteristics that define Japan as being neither a pre-Axial nor Axial civilization), Eisenstadt departs completely from that train of thought to discuss the *ie* of four to five centuries later without bothering to develop his original argument any further.

Certainly, Eisenstadt's definition of the *ie* is correct. But the *ie* has nothing to do theoretically or timewise either, with the "bifurcation between power and authority" or the "absence or weakness of autonomous elites" within the ancient Japanese state structure. At best the *ie* can be seen as a condensed version of the ancient state structure, but not much more.

My opinion in this regard can be summarized by the following five points.

(1) The shift from *uji* to *ie* began in the late 7th century-early 8th century in conjunction with the formation of the ancient state, but it took three to four centuries for the shift to take place.

(2) The *ie* were first formed among the highest ranking nobility (particularly the regent or *sekkon* families), the system gradually filtering down to the middle-ranking nobility, and then to the top- and later, middle ranking samurai, gradually spreading to the general public overtime.

(3) The *ie* of the high-ranking nobility assumed their final form around the middle of the 11th century; those of the high-ranking samurai by the end of the 12th century; and of the middle-ranking samurai between the 14th and 15th centuries.

(4) The *ie* formed in this way were groups that existed to serve the next-higher rank (ultimately the highest-ranking, the emperor). This is why emperor has neither an *ie* nor *ie* name (family name). The characteristics by which Eisenstadt defines the *ie* — fairly open unigeniture; wide practice of adoption and of incorporation of people from outside; and strong emphasis on functional adequacy and achievement performance — are essential for the *ie* to fulfill its function as a service group.

(5) The character of the *ie* as a service group or organization is something that the *ie* inherited from the *uji*. In this respect the so-called shift from *uji* to *ie* was not a changeover between two completely unrelated institutions, but an evolution into a more stable and sophisticated form.

Of the points I have made above, my assertions in (1) through (4) are discussed in the paper on "Feudalism and *Ie* in Japan," which I presented at the January symposium on Eisenstadt's theory of Japanese civilization.<sup>7</sup> I would therefore like to concentrate here on the *uji*. In my opinion the structure of the *uji*, and the "shift" from *uji* to *ie*, is the origin of "the absence or weakness of autonomous elites" that characterizes Japanese society. This thesis allows for a logical explanation of Japan without having to resort to models of paradox.

## VI. WHAT IS THE *UJI* ?

An explanation of the *uji* is required before the shift from *uji* to *ie* can be discussed. At issue here is whether *uji* can be translated as “clan” or whether it is, in fact, a blood kinship group. I would like here to give an overall review of the research that has been conducted on the *uji* by scholars of ancient history, anthropologists, and folklorists.

I will start with the relationship among the ancient Japanese kinship ties what the anthropologists call the “Eskimo type.” Different terms are used to refer to direct and collateral family relationships, but no difference is made between patrilineal and matrilineal family. Another distinguishing feature of the ancient Japanese kinship system is the relatively narrow application of the incest taboo; the only prohibitions, besides those against relations between father and daughter, and mother and son, are relations between (a) brother and sister born of the same mother, (b) husband and mother of the wife, and (c) husband and daughter of the wife (a daughter born between the wife and a different man). Of these, only (a) is based on purely biological reasons. The taboos against (b) and (c) relate to the tradition among the ancient Japanese of mother and children living together while the father lived separately. This tradition and the accompanying incest taboos are reflected in the ancient use of the term *iro* meaning “birth mother” or “same mother.” Thus, *iro-se* (same-mother brother), and *iro-mo* (same-mother sister). Interestingly, there is no similar term meaning “same father.”

Given these characteristics, it can be surmised that unilateral (either patrilineal or matrilineal) descent groups did not exist among the ancient Japanese. Instead, unmarried children resided with their mother, and the father lived separately, only gradually moving in to form a small family unit as the children grew older. The mother’s parents generally lived close by. The *uji* overlapped this family structure.

What is usually called a clan is characterized by the following features: (1) it is an ancestor-oriented unilineal descent group; (2) its members share equal status, and (3) it is exogamous (clan exogamy).

Anthropologists say there is another type of kinship group known as the “ramage” type after the structure of Polynesian chiefdoms. The ramage is just the opposite of the clan: (1) it is ego-oriented and not unilineal (in fact, it is often ambi-lineal); (2) its members are not equal, there existing, instead, a relationship of ruler and ruled between direct family members (such as the family lineage of the group head) and collateral family members; and (3) there is no exogamy.

Japanese kinship groups share a number of similarities with the ramage-type

group, but differ in the significant respect that they lack characterizing feature (2). The *uji* leadership was not a position passed down from parent to child, but rather a position filled by whoever wielded the most political power at any given time, there being a relatively large pool of candidates, including very remote collateral relatives (even, at times matrilineal relatives and daughters' husbands), to choose from.

By the very nature of its structure, the *ramage* presupposes the existence of an independent lordship. In contrast, the *uji* structure reflects a more universal, externalized political position in its selection of group head.

Ancient Japanese society did not have unilineal descent groups defined, as a clan would be, by a common ancestor and exogamy. Neither did there exist kinship groups like the *ramage* with their own inherent leadership. The *uji* was not, in other words, an autonomous group with its own structural principles.

What can be seen here is a dual structure. At the base of this structure is a small family focused (ego oriented) on a certain person — not necessarily the father — and loosely linked bilineally or through marriage to a small-scale group. On top of this foundation rests the large-scale *uji* that binds the loosely tied smaller groups together into a more universal entity.

What is important to note is that the *uji* was a highly flexible ego-oriented organization only loosely tied together and therefore relatively easy for its subgroups to leave. It was not, in other words, an automatically defined group linked together by clear-cut and immutable structural principles. What appears to be the emergence of a relatively large and stable *uji* structure is in fact a union of political moment. What was this “political moment” and what was the aforementioned “political position” that was the measure by which the head of an *uji* was selected?

## VII. THE IDENTITY OF THE *UJI*

To discuss the matter of “political moment,” it is first necessary to touch upon the seemingly ancestor-oriented structure of the *uji*, which invariably traced its origins to a progenitor. In the case of the *uji* however, this progenitor did not represent the tip of a pyramid of descent that automatically defined the parameters of a clan. A more apt description is that this progenitor was the first person to serve the emperor's forebears. He was, in other words, the first to establish the privileged position of the “we” who serve the emperor and for this reason was designated as the founder or ancestor of the *uji* group. The *uji* progenitor did not have to be a real person; in fact, it was more likely to be a mythological figure. The myths recorded in the *Nihonshoki* [Chronicles of

Japan] and the *Kojiki* [Ancient Chronicle] establish the Sun Goddess as the emperor's progenitor and narrate the legends in which the progenitors of the various *uji* serve the various emperors. These myths thereby function to explain the origins of the relationship between the emperor (the person who is served) and the *uji* (the groups that serve).

Of course, the progenitor and the "we" who follow need to be tied by blood, but interestingly enough, in the case of the *uji*, the progenitor's "mana" was not passed down through the generations from parent to child, but, instead, was viewed as something that was directly given over from the progenitor to the current *uji* head. Here the principle of succession — of inheritance from parent to child — does not apply. Note, for example, that the same word *oya* is used in ancient Japanese to refer to both ancestor and parent. It was not always necessary for the position of *uji* head, the person who lead the group in its service to the emperor, to be legitimized by being passed on from father to son to grandson. Thus the son of an *uji* head did not always succeed to the position. It was always possible for the position to devolve upon various "relatives," such as a younger brother, a male cousin, the son of a daughter, and so on and so forth. This practice corresponds with the ancient perception that mana was something that was directly received from the *oya* progenitor.

Obviously, the "political position" of an *ujix* head was whatever it might be that proved that this person had inherited the mana of the *uji* progenitor. The *uji* head was, furthermore, in the closest position (a position of high rank within the imperial court) possible to serve the emperor. Once the *uji* head was selected on the basis of these criteria, this person became the nucleus of an *uji* of ego-oriented and bilineal relatives (not necessarily blood relatives). The make-up of the *uji* changed with each new head, for the group members under the previous *uji* head did not necessarily stay within the *uji* when a new head came to the fore. It was the personal relationship between the *uji* head and each individual person within the group that determined the membership of the *uji*. The structural principles of the *uji* were exactly the same as the kinship principles that defined the loosely tied, fluid union of the small family. The *uji* was formed, in other words, by the "political moment" to serve the emperor. The head of the *uji* was the individual who personified the *uji*'s service to the emperor and the members of the *uji* were defined by their relationship to this individual.

What then, you may ask, of those of low rank and distant location who had no opportunity to come in direct contact with the emperor? Were only those of middle and higher rank organized into *uji*? The answer is both yes and no. In historical documents, the term *uji* (usually written in Kanji, the Chinese character) is used only in reference to the higher ranking nobility who had direct access to the central emperor figure. The only exceptions were the pow-

erful families of outlying regions who had pledged allegiance to the emperor. Like the central nobility, these families were allowed to form *uji* to serve the emperor. Clearly, the ancient Japanese perception was that the *uji* was a group united by its service to the emperor. It was also a symbol of rank representing certain prerogatives.

Yet despite this clear-cut definition, it has been the general practice among contemporary Japanese historians to apply the term *uji* (written in *hiragana* or *katakana*) to a much broader range of people. Can the definition of “political moment” as used above be applied to those ranks which did not directly serve the emperor? The answer is yes. The “political moment” to serve the emperor was not something totally unrelated to the common people because they did indeed serve the emperor under the leadership of the *uji* (written in Kanji) of the powerful families. Of course their “service” to the emperor was necessarily indirect as they actually owed direct allegiance to their powerful local overlords. The centripetal force that united the *uji* (written in *hiragana* or *katakana*) of the lower classes was the “political moment” of their subservient relationship to the powerful families of their region. Still, in theory, they also served the emperor. In fact, it was not unusual for representatives of the lower ranks to go occasionally to the imperial court to serve the emperor directly.

What then of the independent, free individuals who did not subject themselves to the authority of the powerful families? I propose that these people did not have *uji*; did not, in fact, form groups that were large enough or closely tied enough to be called *uji*. As I explained before, Japan’s kinship groups did not have the structural principles to autonomously form *uji* without the necessary “political moment.” This “political moment” was the adhesive that kept the *uji* together.

My reasoning is based on the names that were applied to the *uji*. The *uji* of ancient Japan were named in terms of the actual work they did in serving the emperor or after the place in which this service was rendered, such as the royal palace, a royal villa or manor. An example is that of the *uji* called Ôtomo, a name that literally means boss or head of the servants. The word *tomo* was applied to all the people who attended to or otherwise acted as servants to the emperor in various ways. These *tomo* were organized into diverse *uji* groups defined by the work they did for the emperor.

The fact that an *uji*’s name represented its duties or office implies that the identity of the *uji* as a whole and that of its individual members were defined by the group’s service to the emperor. This kind of identity perception is reflected in the ancient Japanese turn of phrase *na o ou* meaning “carry a name,” the implication being that one’s name represents the task or responsibility that one bears. Given that the *uji* was defined in this way by its service to the emperor, it is only natural to conclude that all those people who could

not identify themselves with such service necessarily did not form *uji*.

### VIII. FROM *UJI* TO *IE* PART II

In the year 660, Japan was sorely beaten by the combined forces of China and the Korean kingdom of Silla. This bitter experience pushed the Japanese to build a nation that could withstand such powerful forces. A state structure premised on the *uji*, however, posed certain problems when it came to adapting a Chinese-style bureaucratic system and setting the groundwork for a military state with a powerful army.

Of course, this was not a time in Japanese history for the building of a free and equal society unfettered by the restrictions of rank or community. The idea of a modern bureaucracy and military comprised of individuals selected for their abilities was inconceivable. The leaders of the day had no intention of completely dismantling the *uji* system of privilege and rank. They were, after all, an integral part of that system. What they sought to do was to preserve the *uji* while changing those aspects of the system that did not conform with the organizational principles of the bureaucratic and military systems that they were trying to adopt. It was the fluidity and instability of the *uji* that posed a problem.

In 664, the *uji* that directly served the emperor were divided into three ranks with each *uji* allowed weapons befitting its rank. In 681, *uji* without a head were required to appoint a leader, and in 682, *uji* were required to finalize their membership and report who their members were to the government. Additional ranks were added in 684, at the same time extending the system to the powerful outlying families. All of these measures enabled the government to secure an accurate measure of the *uji* and also served to define their various roles within the state structure (and the privileges that came with these functions).

Notable is the fact that the privileges of rank were bestowed only upon the *uji* head and those of few families most closely related to him. The purpose of this, needless to say, was to control the characteristic fluidity of the *uji* structure whereby the position of *uji* head was passed around the whole group, including collateral members, and the group membership changed with every new leader. This fluidity was a source of conflict within the imperial court because *uji* relatives (brother vs. brother; uncle vs. nephew; cousin vs. cousin; etc.) vied with one another to win the rank of *uji* head and the political advantage that came with this position.

The situation was likely to worsen with the introduction of the Chinese bureaucratic system and its laws and regulations, which included a limitation

on the number of bureaucratic positions available. Prior to this time there had been no clear restrictions on the number of posts or their order of rank. Brute strength was sufficient to forge new positions and win prestige. Under the new system, however, appointment to certain posts determined the degree of political clout one had instead of the other way around. It was therefore in the common interests of those at the core of power to proscribe the number of people who could aspire to these posts. All of the measures described above were aimed at organizing the various *uji* into a cohesive structure (with the *uji* of the paramount leaders of the day at the very top of pile) and at organizing the internal relations of each *uji* (with the *uji* head of the day at the very top of the group structure).

Tightening the organization of the *uji* would not be truly effective unless measures were implemented to ensure that it did not revert over time to its former loose and unstable composition. The government sought to remedy this by decreeing that the privileges of rank within the *uji* be passed on only from father to son (preferably the eldest son) in a patrilineal line of succession. This new policy was introduced through systems of heir-apparent and hereditary court rank established in the legal code (*ryō*) compiled at the beginning of the 8th century.

(1) The appointment of an heir was a common practice in China where court rank could only be passed on to a single individual. In Japan, the appointment of an heir was aimed at that of the next *ie* head. The legitimate heir to the position of *ie* head was selected while the position was still filled by the former head (the father). For the nobility, this appoint system was very important, because the succession of the *ie* was closely related to the system of hereditary court rank.

(2) The system of hereditary court rank gave an advantage to the descendants of people in positions of very high rank. This was another system introduced from China. In China, however, all the sons of a high-ranking court official equally enjoyed the privileges that came with the post, while in Japan the legitimate heir had a distinct advantage over his siblings in this regard.

As anyone can see, the combination of these two systems gave certain family lines an edge over others within the *uji*. The so-called shift from *uji* to *ie* originated in the implementation of the kinds of policies described above. (I have purposely chosen to set aside for the time being whatever it may be that Eisenstadt had in mind when he postulated this shift.)

It is important to remember that the ancient Japanese government never sought to dismantle the *uji* altogether; its only aims were to organize the external and internal *uji* structures. The laws of the day gave priority to the legitimate heir in the matter of *ie* inheritance, but not in the case of *uji* head succession. Even though the system of hereditary court rank appeared to give the

legitimate heir an advantage, this advantage was not absolute, and there was never any guarantee that the legitimate heir might not be shunted off of his career path by his brothers or male cousins. Also, while the legitimate heir was still young, his uncles and/or other collateral relatives often filled positions of higher rank, sometimes even filling the post of *uji* head. In the 8th century, the balance of power among the leading *uji* broke down and after the 9th-10th centuries the Fujiwara family enjoyed a virtual hegemony. But even then, as is well known, there was no end to the conflict among the collateral families within the Fujiwara *uji* over who, exactly, was to wield this power.

In the final analysis, however, this kind of internal conflict by which certain family lines were obliterated and others strengthened eventually caused the *uji* structure to disintegrate and reassemble into the *ie*. The “shift” from *uji* to *ie* was a gradual process of change taking 3-4 centuries. Nevertheless, it is clear that the change began with the policies instituted between the latter half of the 7th century and the beginning of the 8th century that were meant to bring order among and within the *uji*. In implementing these policies the *uji* denied their own existence.

Yet even in this process of self-denial, the conceptual definition of the *uji* as a kinship group existing to serve the emperor remained intact and was, in fact, adopted by the *ie*.<sup>8</sup> The difference was that in the case of the *uji*, service to the emperor was the “moment” that tied the group together while the *ie* needed no such tie because it was already bonded by its own structural principles (patrilineal and unilineal). The idea of imperial service was, however, significant in ensuring the continuity of the *ie* over generations.

Ironically, the government leaders of ancient Japan were more successful than they ever intended in establishing the principle of a clear and simple succession made on the basis of objective criteria without recourse to a physical power struggle. What is important to realize here is that it was the *ie* by which this principle was refined and applied.

The direct system of self-identification reflected in the *uji* names, which specified their service to the emperor, did not exist among the *ie*. But as I note, “. . . the kanji *ie* was at first added to whatever kanji described a *ka-gyō* or type and rank of service to the emperor. . . . And as the lineage involved in the *ka-gyō* expanded . . . , we see the formation of *ie* designated by proper nouns.”<sup>9</sup> I believe that this evolution in the names of the *ie* illustrates the process whereby the *uji* metamorphized into the *ie*.

Both the *uji* and the *ie* were groups that functioned to serve the emperor. The definition of position according to the kind of work performed to serve the emperor and the diversification of these positions represent the process by which division of labor and separation of function evolved in Japan. The co-existence of emperor and shogunate is frequently cited as the tangible manifes-

tation of Eisenstadt's "bifurcation between power and authority," but in actuality the shogunate or bakufu was the administrative organization of the primary *ie* to serve the emperor in a military capacity. The relationship between the emperor and shogunate, therefore, was essentially different from that of the equal standing enjoyed by Western emperors and the pope in Rome. There were always several candidates among the warriors of Japan competing for the privilege of defending the emperor. The question was who could most faithfully and effectively fulfill this function and this was a criteria by which the warriors of the day were constantly being judged. There were times, therefore, when the various warrior *ie* judged the leading *ie* of the day as being deficient in fulfilling its duties to the emperor, a judgment that invariably led to revolt.

"Might makes right" is a concept that is echoed in the Japanese saying, *kateba kangun*. The *ie* that was successful in taking advantage of the negative public sentiment against the incumbent leading *ie* could become the new leading *ie* after revolting against the old. By its very success, the *ie* that led the revolt was able to legitimize its appropriateness for the position of power. Perceived in this way, the co-existence of emperor and shogunate can be easily explained without having to resort to theories of "paradox."

Finally, I would like to conclude by posing a question to native speakers of English: Is it really appropriate to use the terms "power" and "authority" in conjunction with "emperor" and "shogunate"? I would be interested to know, too, what the French and German approaches are to this issue.

#### Notes

1. John O. Haley "Authority without Power — Law and the Japanese Paradox —", 1991.
2. Shmuel N. Eisenstadt "Japanese Civilization — A Comparative View —", 1996 The University of Chicago Press.
3. Sonoda, Hidehiro and S. N. Eisenstadt (eds.) (1999). *Japan in a Comparative Perspective* (International Symposium 12). International Research Center for Japanese Studies.
4. Eisenstadt, "Japanese Civilization", pp 377-378.
5. Id at p. 378.
6. Id. at p. 379.
7. in above cited " . . ."
8. Id at Section V
9. Id. at p. 123.