

Is Japan No Longer a Law-Abiding Society?

By Inoguchi Takashi

FOR several years, I have been interested in the question of what kind of values are honored in society and what kind of standards are becoming generally accepted by the public at large. I am involved in conducting public opinion surveys in Asia and publishing the results of those surveys every year both in English and Japanese. It is often said that there are two problems when conducting such surveys in Asia.

First, some countries do not operate under democratic systems, and it is therefore necessary to be cautious about differences in the use of public opinion surveys as a method of academic study. My friends tell me that some countries may not produce useful results, citing the examples of Afghanistan, Bhutan, Brunei, China, Myanmar, Turkmenistan and Vietnam. In reality, however, surveys can also be conducted in these countries. I began conducting public opinion surveys in Asia in 2000 and I have been conducting them every year since 2003. The only Asian country where I have deemed it impossible to conduct a survey is North Korea, and I therefore have not even tried. Certainly, we often receive requests to remove a particular question. In response, we agree to leave such questions out, but ask that all the others be answered in the survey. This has allowed us to obtain permission to conduct the surveys in various locations. It is better to have some data than to have none at all. Because of the dearth of data, Asia is called "a desert of social scientific data." It has considerably less regionally shared public opinion survey data than all other regions of the world. The term "data desert" refers only to Asia.

The second problem is that, regard-

less of whether the country is democratic, public opinion surveys do not necessarily generate honest responses, therefore it is necessary to develop questions that are clear and easy to respond to. Carefully creating a questionnaire in English is the starting point for the whole effort. The questions are then translated from English into the local language, and then translated back into English to ensure that they have the original meaning. Some questions on public opinion surveys are difficult to get accurate answers because of generally accepted notions or cultural perceptions in a particular society.

I have explained these points because a failure to do so when studying the issues I am interested in would make it difficult to interpret the results obtained from public opinion surveys. I am interested in questions regarding the law-abiding mentality of society.

Question: What should a person who needs a government permit do if the response of the official handling the application is: "just be patient and wait?"

1. Bribe an official
2. Use connections to obtain the permit
3. Nothing can be done
4. Wait and hope that things will work out
5. Write a letter
6. Act without a permit
7. Don't know

The results of a public opinion survey conducted in 13 countries of East and Southeast Asia in 2004 yielded surprising results. There were many more respondents in the Philippines and Japan who selected #6 than other Asian

countries, though, this was not the most frequently selected answer in any of the countries. This article will examine the possible reasons for this.

The combined number of respondents in Japan who selected #3 or #4 accounts for more than half of the total. Both of these are passive responses. Though only a rough estimate, this percentage was probably around 70-80% before World War II. The combined numbers of respondents who selected #1, #2, #5 or #6 accounts for nearly half of the total. These would be considered more active. Among these, #1 and #2 would probably be viewed as traditional responses. Response #1 had the lowest number of responses in Japan, virtually close to zero. This stands in stark contrast to Cambodia, where more than 60% of the respondents selected #1. The number of respondents who selected #2 was exceptionally low in Japan. Japan can be contrasted with countries like the Philippines, South Korea and Thailand. Should this be seen as indicating different views of the process of using personal connections to exercise influence? Or is it simply that respondents would not answer in the affirmative because of the strong public perception that such an approach would be wrong? The same questions could be applied to #1. An exceptionally large number of respondents selected #5 in Japan. As symbolized by the increasing volume of request and letters from viewers to TV stations, the trend is for an increasing number of respondents to select #5. It is noteworthy that in the number of people who selected #6, Japan is vying for the number one or two position in Asia. Why is this happening?

One of the obvious interpretations is

that that law-abiding mentality and normative social behaviors are things of the past. From a legal perspective, it can be interpreted that people who commit crimes are less likely to be caught, as symbolized by the dramatic decrease in the rate of arrests. This interpretation may suggest that we have entered an era in which outlaws and thugs are roaming the streets. The stories in the newspapers and on Japanese TV over the past six months suggest that criminal activity abounds, and reports are continuously coming out on asbestos exposure, falsification of quake-resistance data by architects, sales of contaminated food products, murders among parents and children, kidnaps and murders, and massive stock acquisitions conducted without notice. The number of crimes reported by the police is decreasing, but people are cringing at behaviors that are not regulated by law and at phenomena that would never previously been permitted by social ethics. People no longer seem to be capable of the right actions. Given this, it seems that a small number of outlaws are keeping a low profile, but they are also becoming much more self-assertive. In addition, the general public's sense of justice and solidarity seems to have eroded considerably. Here is another question from the same questionnaire:

Question: If you saw somebody on the street looking lost, would you stop to help?

1. I would always stop to help
2. I would help if nobody else did
3. It is highly likely that I would not stop to help
4. Don't know

A rather large number of respondents in Japan, as compared with India, Myanmar and Uzbekistan, selected #3. They simply do not want to get involved. The responses were approximately equally distributed among #1, #2, and #3 in Japan. In the three countries mentioned above, where there are large numbers of devout followers of such religions as Hinduism, Islam, and Buddhism (Hinayana), an overwhelming number of respondents selected #1. This is probably because of the belief that doing good deeds everyday leads directly to happiness. Devout adherents of Mahayana Buddhism, however, although they largely agree that human nature is fundamentally good, did not seem to overwhelmingly choose #1. In South Korea, China and Vietnam, many responses derived from an agreement with the belief in the fundamental goodness of human nature, but an exceptionally large number of respondents selected #2. This clearly does not guarantee a strong correlation with specific actions under specific conditions, but there is a sense that the responses to this question by Japanese lend a certain degree of credibility to the above interpretation (loss of a sense of justice, weakening of a sense of solidarity).

From a completely different perspective, this makes the prominence of #6 to the previous question in the Philippines and Japan less surprising. Why? Among the 13 countries that comprise East and Southeast Asia, only a few societies are severely limited in terms of civil and political liberties. North Korea, China, Vietnam and Laos are tied up with the single-party dictatorship of the Communist Party. Myanmar is a mili-

tary dictatorship. From the viewpoint of civil liberties, Singapore also has strong components of another type of single-party rule, as does Malaysia. The domestic security laws, which go beyond Japan's 1925 Peace Preservation Law, are treated as imperative in both countries. Even in South Korea, the domestic security law is very strong. In Brunei, civil liberties are limited because of the country's authoritarian monarchy. Thailand, Cambodia and Indonesia, however, have considerable civil liberties. Those are even more evident in the Philippines. The level of effective power of the domestic security authorities is lower than that of civil liberties enshrined in the Constitutions in the Philippines and Japan. This may be a significant factor in the predominance of #6.

My answer to the question of whether Japanese society is losing its previous law-abiding mentality is half affirmative. Because we are still in the early stages of analysis, I will not describe here how this should affect policy making. However, I ardently believe that from the point of citizen education, greater emphasis needs to be placed on addressing issues of justice and solidarity in classrooms, practicing them in extracurricular activities, and encouraging people to discuss such issues with one another. **JS**

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