

FINDING THE FOUNDATION OF PROFESSIONAL ETHICS IN JAPAN: A SOCIOCULTURAL PERSPECTIVE

Teruya Nagao and Kiyoshi Murata

Abstract

Despite the urgent need to develop professional ethics regarding information behaviour, several obstacles exist in Japan. The greatest is the lack of individuals' ethics of responsibility. To overcome this difficulty, we must examine and reflect on the historical circumstances that led to the formation of Japanese core ethics and on the sociocultural context that compensates for the lack of individuals' ethics of responsibility.

Japanese core ethics were established in the Tokugawa era as an amalgam of Confucianism, Buddhism and Shintoism, providing the Japanese people with the idea that they were existential beings in society, and therefore, should carry out their social responsibility. However, the Japanese lost sight of these core ethics in the early Showa era, and to restore and maintain them are key to developing professional ethics that are effective in modern Japanese society.

1 Introduction

The rapid development and widespread availability of information and communication technology (ICT) have realized various types of information handling. Massive amounts of data are collected and stored in databases and flexible database management systems, and sophisticated software furnishes us with the ability to manipulate these data. Nationwide as well as worldwide broadband networks can transfer any type of data file, with lightning speed. Bulletin board systems, social networking services and blog services provide us with opportunities to easily publish our opinions.

However, the advent of the ICT-driven information society and the great convenience it offers requires us to carry out our social responsibilities for information behaviour. In particular, people working for organisations such as firms, governments, hospitals, schools, research institutes, and NPO/NGOs should develop and establish professional ethics concerning the collection, processing, transfer, and disclosure of information because the core activity of their work involves information behaviour, which affects the quality of life in a broad range of people.

However, it may be a real challenge in Japan to develop professional ethics regarding information behaviour in response to the development and spread of ICT. The main reason is that individuals' ethics of responsibility, which are a necessary component of professional ethics, have been lost in Japan. This is a tragedy for the modern information society because Japan is one of the leading nations in ICT development and usage. To overcome the difficulty and develop professional ethics, it is absolutely necessary to examine and reflect upon the historical circumstances regarding the formation of Japanese core ethical values and upon the sociocultural context that compensate for the lack of individuals' ethics of responsibility. This paper deals with this issue and attempts to propose an effective way to develop professional ethics that are appropriate for the information age in Japan.

The next section describes how the circumstances surrounding professional ethics in Japan, especially regarding information behaviour, are in a critical state. Section 3 examines how to develop professional ethics in Japan, by exploring the nature of professional ethics and discovering Japanese core ethics, with consideration of the history of sociopolitical thought in Japan.

2 A Crisis in Professional Ethics in Japan

2.1 Lost Professional Ethics

In Japan, recent series of cases have illustrated the lack of ethics among professionals. On 13 September 2005, four certified public accountants working for Chuo Aoyama Audit Corporation, one of the big four audit corporations in Japan, were arrested, along with the former members of upper management at Kanebo, a major chemical and cosmetic company established in 1887, on a charge of conspiracy to commit account rigging. One of the accountants in charge had conducted audits of Kanebo for 12 years and it was alleged that cosy relations among the accountants and Kanebo's former upper management members had developed. The accountants even gave lessons to Kanebo's management in committing the crime. Evidently, no autonomous accounting auditors were employed.

In November 2005, the Land, Infrastructure and Transportation Ministry announced that Hidetsugu Aneha, a first-class architect, had fabricated the structural calculation sheets of 21 apartment and hotel buildings. Eventually, the investigation revealed that more than 90 buildings in which he was involved in the structural calculations did not meet the standard earthquake-resistance strength required by the law. It was feared that these buildings could easily collapse in an earthquake, and that several of them would collapse under their own weight within 5–10 years. His motive for the crime was to gain economic profit by obtaining as many jobs as possible. Indeed, before the emergence of the scandal, he was renowned for his inimitable design technique, which resulted in substantially lower construction costs of buildings.

These cases were reminders that the development of professional ethics, along with enacting relevant legislation, is an urgent matter in Japan. Simultaneously, the cases were deeply related to ICT; the application software packages used for auditing and structural calculation made it easier for the professionals to conduct their crimes and made it harder for the crimes to be detected. In fact, work performed by auditors and architects produces information in the form of annual security reports and structural calculation sheets, respectively. This means that developing professional ethics regarding information behaviour is an urgent and crucial issue. In step with advances in ICT and its dissemination, various issues and problems in information ethics have developed.

2.2 Difficulties in Developing Professional Ethics in Japan

Despite the urgent need to develop professional ethics in information behaviour, several obstacles exist in Japan. First, although the importance of controlling the development, usage and dissemination of ICT in a socially favourable way has been broadly acknowledged, this is not necessarily the case in Japan. Many Japanese people believe that ICT is just a technological matter that does not relate to social and ethical issues. The

existence of the well organised codes of ICT professional conduct is not well-known, even among ICT professionals. Furthermore, ordinary Japanese people often believe that discussion of ethics is just for children; adults should internalise traditionally cultivated values, on which appropriate judgements are made—although this belief might be just an empty delusion, as shown in the previously described cases.

Disseminating education on computer/information ethics has not been well organised. In March 2001, IT Strategic Headquarters, the taskforce set up at the prime minister's office to propose national policies with respect to ICT, submitted the "e-Japan Priority Policy Program". According to this report, "information" was made a mandatory subject at Japanese high schools starting in 2003, creating big problems for Japanese education. To attain a teaching qualification in information, students have to acquire credits in subjects including "information society and ethics". At many Japanese engineering colleges or universities, however, the teaching staff did not know what educational content should be taught in this subject, or who would give lectures, because only a small number of Japanese researchers had engaged in the study of computer/information ethics. In fact, these circumstances have caused seemingly farcical, but socially serious, difficulties with respect to education on computer/information ethics. For example, the following conversation took place between two professors at an engineering college in Japan:

A: "Do you have any idea who will give the lectures on 'information society and ethics' in the next academic year?"

B: "Professor C is the right person. He has studied the works of Immanuel Kant, and Kant was one of the world's greatest ethicists."

A: "I don't agree with you."

B: "Why?"

A: "He's not familiar with computer technology, and besides, Kant had no experience using computers!"

In addition to these factors, in Japan, the greatest obstacle to the development of professional ethics in information behaviour, as well as professional ethics in general, is the lack of individuals' ethics of responsibility, which are a necessary component of professional ethics. Behind this lack is the fact that modern Japanese people have almost lost the rhetorical or narrative skill to discuss ethical issues. Even if well organised education programmes on computer/information ethics or codes of professional ethics are developed, the lack of ethics of responsibility in individuals would cripple their effectiveness.

To develop a practical code of professional ethics, the code has to be correlated with the core ethics or fundamental ethical values shared among people in the society at the time because the code can work well in practice only if it is endorsed by these core ethical values. In other words, the code should be designed by interpreting and rethinking the core ethics. While professional and core ethics are obviously not identical, to make a code of professional ethics efficacious, it is necessary that the code be accepted and supported by ordinary or nonprofessional people as well as by professionals in the society. This means that the code that is developed is inevitably ethnocentric; it may not be universally efficacious because it is developed based on the sociocultural context. In Japan, no clear conception of individuals' ethics of responsibility is evident. Thus, to develop and establish reliable and efficacious professional ethics that are completely endorsed by core ethics is a daunting task.

3 Development of Professional Ethics in Japan

3.1 Nature of Professional Ethics

Being recognised as a professional in a society requires not only professional knowledge but undertaking an appropriate professional oath. In other words, people who engage in professions are accepted as professionals only if the general public understands that they achieve their technological competence through a well developed standard education programme and that professionals are those who pledge to abide by a professional policy or code that has been developed through careful and longstanding discussion on the norms concerning the profession.

The realm of professional ethics is then, in a broad sense, part of the domain of legal norms. That is, the central issue of professional ethics is the establishment of appropriate codes of professional conduct and the creation of rules or mechanisms for finding, investigating and handling violations of the codes, rather than an inward covenant (Bellah, 1975) that causes people to behave according to their conscience.

A critical requirement of the democratic institutions under which our social life is organised is for a professional status to be validated by the relevant codes and rules that are endorsed by the core ethics. However, changing times and technology often outdate and deactivate existing codes and rules, which then must be revised in line with the times and technology through higher-level ethical discourse. In this regard, the lack of individuals' ethics of responsibility would be a major stumbling block to proper revision of professional codes and rules in Japan. Therefore, Japanese core ethics and fundamental ethical values must be revived and rediscovered, by examining and reflecting upon the historical circumstances that produced the Japanese sociocultural context. Some Japanese ethicists insist that ethical discourse should be conducted based on the ethical principles of freedom, fairness and justice (e.g., (Tatsumi, 2000)). However, each of these is just a fragmented representation of civil ethics. If these concepts are assumed as absolute principles, ethical discourse would plunge into chaos.

3.2 Core Ethics for Japanese

The allocation of rights determines the standard of behaviour for people in modern society. Bellah (1970) referred to this as an "outward covenant" because behaviour is controlled by publicly known promises, exchanged between people. He explained how the outward covenant for Americans, in particular the Declaration of Independence and the institutional arrangements stipulated in the U.S. Constitution, needed to be supported by the inward covenant, or the sociocultural context in America's first time of trial, when the United States was created. Bellah (1975: 14) quoted the sermon given by spiritual leader John Winthrop:

Thus stands the cause between God and us. Wee are entered into Covenant with him for this worke, wee have taken out a Commission, the Lord hath given us leave to draw our owne Articles, wee have professed to enterprise these Accions upon these and these ends,

Meanwhile, the Japanese experienced such difficult times during three periods in their history, and through these periods, Japanese ethical and sociopolitical traditions were built. In the eighth century, after losing the war with Tang and Silla allied forces in the

Korean Peninsula and concluding the domestic tribal war, Japan introduced the Tang legal scheme, upon which the establishment of the “Ten’no” (Japanese Emperor) Regime was promoted. After militarily bringing the age of provincial wars to an end in the seventeenth century, the Tokugawa government adopted Song Neo-Confucianism, which ideologically supported the Tokugawa Shogunate system, as the state thought. Under the political and military pressure given by great Western powers and in an atmosphere of military tension in Eastern Asia, Western political schemes were introduced from the late nineteenth century to the beginning of the twentieth century, which helped establish the Meiji constitutional state.

In each of these events, the original scheme or thought was “Japanised”, that is, was modified based on the Japanese sociocultural tradition to adapt it to Japanese conditions at the time. For example, Razan Hayashi, a strategist in the Tokugawa government, interpreted Song Neo-Confucianism as the basic philosophy of the samurai (warrior) rules. Actually, core ethics as an inward covenant for the Japanese were established based on his and his colleagues’ interpretation of Song Neo-Confucianism. Japanese core ethics were an amalgam of the doctrine of virtuous life with cordiality derived from Song Neo-Confucianism, the transcendency thought of Kamakura Zen Buddhism, and the traditional Japanese religion of Shinto (Ooms, 1985). The doctrine of virtuous life with cordiality is described in the Chinese classic, *Great Learning*, as follows:

Their thoughts being sincere, their hearts were then rectified. Their hearts being rectified, their persons were cultivated. Their persons being cultivated, their families were regulated.

The core ethics were also compatible with the East Asian doctrine of natural law, “follow the order of the universe and the nature”, which was a type of social equilibrium theory (Bellah, 1957). These characteristics of the core ethics provided the Japanese people with the idea that they are existential beings in society. Bellah (1957) stated that the core ethics motivated the people to carry out their social responsibility through their work:

Why are the farmers, artisans, and merchants like this? This is because they take as their mind the mind of heaven and earth; ... Developing out of theory of society is a very interesting concept of occupation. The word *shokubun*, which can be translated as occupation, has a somewhat different meaning than the English term. It implies that the occupation is not merely an end in itself but a part of society. One’s occupation is the fulfilment of what one owes to society, it is the part one plays which justifies one’s receiving the benefits of society (Bellah, 1957: 114-115).

On the other hand, the Japanese outward covenant evolved out of the core ethics at the time when Western political schemes were being introduced. The modern legal order or civil ethics with which citizens honour social contracts was established in Japan, through the incorporation of Japanese core ethics formed in the Tokugawa era into the imported Western political schemes. In general, civil ethics as well as social contracts are ineffective unless they are underpinned by individuals’ ethics of responsibility, and ethics of responsibility are accepted by individuals only if they perceive that each of them is an existential being. In reality, this kind of perception had been already developed and shared among the people of the Tokugawa era as a part of the core ethics of Japan.

In addition, the Japanese political scheme shaped through the creation of the Meiji

constitutional state and the movement of “Taisho democracy” fulfilled most of the conditions of democracy; the civil ethics which supported the Meiji political scheme were closely connected to Japanese core ethics. The leaders of Japanese modernisation and democracy at the time, such as Amane Nishi, Yukichi Fukuzawa, Sakuzo Yoshino and Tatsukichi Minobe, successfully harmonised the introduction of modern political theories with Japanese traditional values in theory and practice.

Although democracy, as well as constitutional politics, underpinned by the Japanese core ethics and the sociocultural context, had continuously progressed by repeatedly reaffirming the Japanese core ethics, this work shut down with the decline of democracy caused by the rise of the military and the penetration of totalitarianism in the early Showa era. After World War II, the process of restoring democracy and constitutional government in Japan did not touch on these issues. As a result, the Japanese are now faced with a democracy that is superficial and rootless. The Japanese have lost sight of their core ethical values and individuals’ ethics of responsibility.

3.3 Developing Professional Ethics Underpinned by the Japanese Core Ethics

The lack of individuals’ ethics of responsibility must be compensated for by the development of professional ethics appropriate for the modern information age in Japan. One way of doing this—perhaps the only effective way—is to look anew at the Japanese core ethics and revive them in the context of the present day, which poses a difficult task.

The leaders of Japanese modernisation and democracy mentioned above acquired and internalised Japanese core ethics through learning Chinese classics in the Japanese sociocultural context. Modern Japanese people generally have lost the opportunity to learn Chinese classics and about religions. In addition, because a reaffirmation of Japanese core ethics has not been conducted since the early Showa era, modern Japanese must modernise linguistic devices or rhetoric to engage in an ethical discourse on professional and information behaviour that is based on the Japanese core ethics. Nevertheless, it is clear that restoration and maintenance of Japanese core ethics is imperative for developing professional ethics that are effective in the modern Japanese society.

4 Conclusions

No doubt exists that the development of codes of professional conduct concerning information behaviour based on relevant technical knowledge and practical experiences is important in Japan. However, codes developed where individuals’ ethics of responsibility are lacking would become just a polite fiction. To compensate for the lack of individuals’ ethics of responsibility by restoring and maintaining Japanese core ethics, it is important to reflect upon the historical circumstances that led to the formation of Japanese core ethical values. Although this task is difficult, it is critical for Japanese people living in the modern information society.

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