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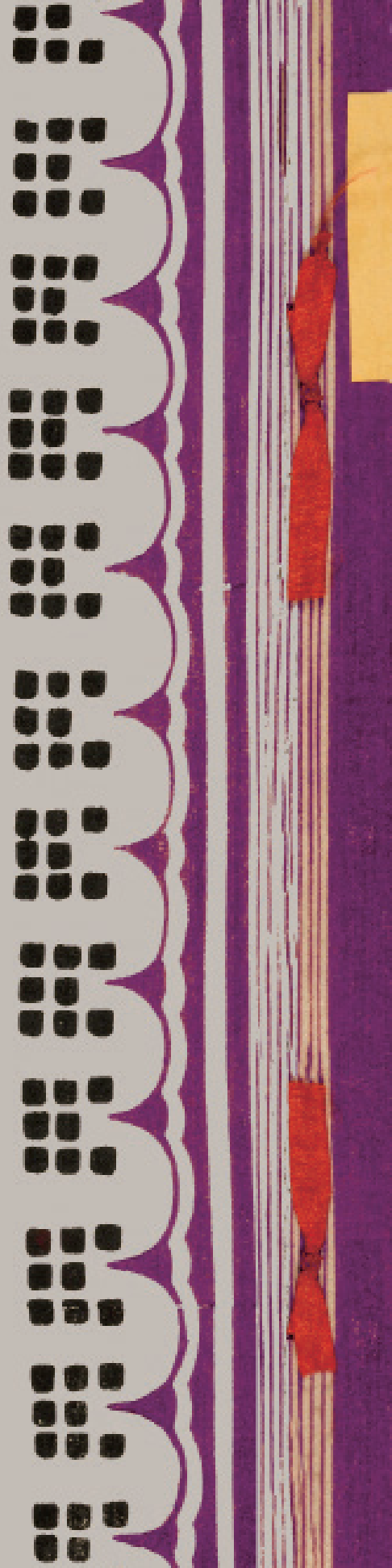

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KOKUGAKUIN UNIVERSITY

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Contents

Editorial Intent

Special Issue: Thinking Through / From Concepts

We are pleased to present the seventh issue of KJS. The journal was founded to disseminate, in English, the research achievements of scholars at Kokugakuin University. Over the previous six issues, we have published articles addressing "Japanese culture" from a variety of perspectives; however, these were translations of studies originally published in Japanese academic journals.

By contrast, the lead article in this issue, by Sasō Mamoru, was written specifically for KJS and appears here for the first time. In recent years, the Organization for the Advancement of Research and Development, an affiliated institute of Kokugakuin University, has been promoting a research project known as Kami Studies (kamigaku カミ学). This initiative seeks to revisit the history of phenomena associated with these deities of Japan by incorporating perspectives from cognitive science and cultural evolution. Sasō's article presents this approach through a concrete case study. Future issues will likely continue to feature research emerging from this project.

Against this backdrop, the present issue adopts the theme "Thinking Through / From Concepts" and includes two related articles.

Anzai's article focuses on the work of Tawada Yōko 多和田葉子, an author highly acclaimed both within and beyond Japan. It examines the short story "The Woman Who Doesn't Throw Things Away" (Sutenai onna 捨てない女), widely included in Japanese high school textbooks, and develops an analysis from its depiction of garbage to consider Japanese society at the time of the work's composition (1999) and how that society grappled with waste. In this sense, the article thinks through/from the concept of garbage. Higuchi's article examines the Human Rights Protection Law (Jinken hoshōhō 人権保障法) enacted in Manchukuo to investigate the meaning assigned to the concept of freedom within the state's structure in Manchuria. Focusing on the historical setting of Manchukuo—long the subject of diverse scholarly debates—the article considers concepts such as "human rights," "state," and "freedom" by thinking through/from them. Building on these contributions, this issue also adopts the theme "Reflecting on the Past." This theme is intended to signify more than simply taking up past events; it also raises the question of consciously reexamining past modes of perception and how the past itself has been viewed.

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Just as Kami Studies seeks to reconsider the nature of kami rather than treating them as self-evident, KJS aspires to provide a forum that reexamines the concept of "Japan" and encourages thinking from that concept. We hope that the three articles presented here will stimulate further discussion and inquiry.

KJS Editorial Committee

Included Articles

- Sasō Mamoru 笹生衛 (Professor, Department of Shinto Culture, Faculty of Shinto Studies), "Nihon bunka no keisei to shukyō: Bunka shinkaron kara mita kodai tōgoku no chiiki shinkō to sono hen'yō" 日本文化の形成と宗教―文化進化論から見た古代東国の地域信仰とその変容―, 書き下ろし
- Anzai Shinji 安西晋二 (Associate Professor, Department of Japanese Literature, Faculty of Letters), "'Gomi' no akuchuariti: Tawada Yōko 'Sutenai onna' o torimaku shakai jokyō"「ゴミ」のアクチュアリティ―多和田葉子「捨てない女」を取り巻く社会状況―," Kokugakuin daigaku kyōikugaku kenkyūshitsu kiyō 國學院大學教育学研究室紀要 58 (2024), pp. 19–31.
- Higuchi Hidemi 樋口秀実 (Professor, Department of History, Faculty of Letters), "Manshū koku ni okeru 'kokka' to 'jiyū': 'Jinken hoshō hō' no seitei o megutte" 満洲国における「国家」と「自由」―「人権保障法」の制定をめぐって―, Kokugakuin zasshi 國學院雑誌 123, no. 3 (2022), pp. 1–22.

The Evolution of Japanese Culture: Religion's Transformation in the Ancient Eastern Provinces†

Sasō Mamoru

Keywords: settlement sites (*shūraku iseki* 集落遺跡), clan (*shizoku* 氏族), ink-inscribed pottery (*bokusho doki* 墨書土器), transgressions (*tsumi* 罪), Buddhism (*bukkyō* 仏教), intergroup networks (*shūdan kan nettowāku* 集団間ネットワーク)

Author's Statement

Joseph Henrich has argued, from the perspective of cultural evolution, that the formation of a distinctive psychological orientation in Western Europe was closely connected with the world religion of Christianity. Was this phenomenon limited to Western Europe alone? What was the case in the geographically distant Japanese archipelago at the eastern edge of Asia? This paper examines the conditions there from the fifth through the eleventh centuries. Adopting analytical perspectives similar to Henrich's—namely, the transformation of ancient clans, the presence of a literate stratum, and contact with a world religion—it analyzes archaeological evidence from excavated ancient settlements to clarify one aspect of the formation of Japanese culture.

Introduction

Humans have created diverse cultures and societies across the globe as groups form and expand. Over the course of this long history, they have repeatedly made cultural choices in response to changing circumstances, eventually giving rise to the complex societies of today. In recent years, it has been argued that religion was closely involved in these processes of cultural and social transformation.

From the perspective of cultural evolution, Joseph Henrich argues that, from the ninth century onward, the diffusion of Christian doctrine in Western Europe led to the

† This article is a translation of Sasō Mamoru 笹生衛, "Nihon bunka no keisei to shukyō: Bunka shinkaron kara mita kodai tōgoku no chiiki shinkō to sono hen'yō" 日本文化の形成と宗教―文化進化論から見た古代東国の地域信仰とその変容―, 書き下ろし. Translated by Dylan L. Toda.

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formation of a distinctive psychological orientation that emphasizes individual rights and responsibilities and universal law. He describes this process as follows. First, from the late eighth to the early ninth century, during the reign of Charlemagne, the Carolingian Frankish kingdom adopted a form of state closely allied with the Christian Church. As Christian doctrine spread, marriage norms based on monogamy and the prohibition of consanguineous marriage—what Henrich terms the Marriage and Family Program (MFP)—became entrenched. As a result, in territories under Frankish rule, ancient clans grounded in kinship were dismantled, and major transformations occurred in clan structures. Second, with the dissolution of ancient clans, human groups became more fluid, market economies developed, and cities emerged and flourished as voluntary associations. Third, the spread of the Bible following the Reformation in the sixteenth century rapidly increased the literate population and promoted the development of the corpus callosum in the human brain. Through this process of cultural evolution from the ninth century onward, Henrich argues, Western Europe's distinctive psychology—characterized by an emphasis on individual rights and responsibilities and universal law—was formed.[1]

Was this situation unique to Western Europe alone? Or was the situation entirely different in the far-removed Japanese archipelago of East Asia? Unfortunately, there has been almost no historical research that analyzes the relationship between cultural formation and religion in the Japanese archipelago from the perspective of cultural evolution. This article primarily considers archaeological evidence to do so, looking back to antiquity and adopting perspectives similar to Henrich's—namely, the stability and fluidity of human groups, the presence of a literate stratum, and the relationship between local religious beliefs/practices and world religions.

This undertaking is not limited to a simple comparison between Japanese and European cultures. Rather, it also seeks to elucidate and test the mechanisms by which humanity has formed adaptive cultures in response to environmental and social change. In what follows, I aim to present one pattern of cultural formation in East Asia.

1. Analytical Perspectives Based on Group Size, Group Character, and Intergroup Networks

Group Size and Character

An important indicator for considering the relationship between cultural formation and religion is the size and character of human groups, as well as the configuration of networks between groups. Robin Dunbar has pointed out that "there is a natural

[1] Henrich, *The WEIRDest People in the World*.

progression from informal religions in small-scale societies to formal religions in large-scale societies involved."[2]

When human groups are classified by size and character, the most natural and fundamental form is the clan or kinship group bound by blood ties. Formed through biological reproduction between males and females and strongly united by altruistic behavior within the kin group, such groups can be regarded as the basic unit of human society. At the opposite extreme are large, artificial, and ideational groups—such as states and cities—bound together by shared religions, values, or ideologies. Religion plays a particularly significant role in the formation of ancient states,[3] and the relationship between the Carolingian Frankish kingdom and Christianity highlighted by Henrich fits squarely within this pattern.

Between these two extremes lies the settlement (village). While settlements are grounded in clans and kinship groups, as multiple kin groups come together and grow in scale, they acquire aspects of artificial and ideational groups that share religion and values. In archaeology, settlement sites provide the most basic data for understanding the size and character of human groups. Moreover, in considering what binds individuals together to form groups, it is also necessary to examine the influence of the natural environment on human subsistence and production.

Intergroup Networks

Large-scale societies cannot form without networks connecting different human groups, and how these networks are structured fundamentally determines what kind of society emerges. It has been argued that, in the ancient Japanese archipelago, the polity of Wa 倭 functioned as a network of allied chieftains during the early stage of state formation. In this network, the political entity centered in the Kinki 近畿 region—the Yamato kingship—and its paramount leader integrated and coordinated the groups organized by local chieftains.[4]

With respect to the directionality of such intergroup networks, one may distinguish between networks characterized by unidirectional, dominating, and prescriptive control, and those characterized by bidirectional, freer interactions between groups. The selected form appears to be influenced by natural and geopolitical conditions. In the polity of Wa, the chieftain alliance network gradually underwent organizational development: by the fifth century, the title of "Great King who rules all under Heaven" (*ame no shita shiroshimesu ōkimi* 治天下大王) and an early bureaucratic system known as *hitosei* 人制

[2] Dunbar, *How Religion Evolved and Why It Endures*, p. 191.
[3] Torrey, *Evolving Brains, Emerging Gods*.
[4] Mizoguchi, "Okinoshima saishi no kinō to hen'yō."

had been established,[5] and by the latter half of the seventh century, a *ritsuryō* 律令 state centered on the emperor (*tennō* 天皇) had come into being. Within the archipelago, this marked a transition to a dominating and prescriptive network with the imperial court at its apex. This transformation corresponded to changes in the East Asian international order following the establishment of the powerful unified Tang 唐 empire on the Chinese continent in 618, after which regional politics came under strong Tang influence.

How, then, did religion act upon human group size and character, and intergroup networks, to form "culture" as a set of norms governing human behavior? To explore this question, this study examines the case of the southern Kantō 関東 region—specifically, the area from the former provinces of Kazusa 上総 and Shimōsa 下総 (present-day northern Chiba Prefecture). Since the late twentieth century, large-scale excavations associated with land development have been conducted successively in this region, clarifying the relationships among settlements, government offices, and temples. At the same time, a substantial accumulation of written materials—most notably ink-inscribed pottery—has advanced our understanding of ancient regional structures.

2. Settlements and Buddhist Networks in the Ancient Eastern Provinces

State Formation and Buddhism

In the latter half of the seventh century, the Yamato kingship introduced the Tang dynasty's legal system, known as the *ritsuryō* codes, initiating a new phase of state formation. The title of the ruler shifted from *ōkimi* to *tennō*. A wooden tablet excavated from the north–south ditch (SD05) at the Asukaike 飛鳥池 site in Nara Prefecture bears the inscription "天皇聚□〔露カ〕弘寅□," and based on associated wooden tablets, its date falls within the reign of Emperor Tenmu 天武.[6] This indicates that by the 670s, during Tenmu's reign, the title *tennō* was already in use. By the early eighth century, the country name "Nihon" (日本) had been established,[7] and a *ritsuryō* state encompassing the Japanese archipelago had taken shape. The ancient *ritsuryō* state adopted Buddhism to spiritually protect the state (*chingo kokka* 鎮護国家). From the late seventh through the eighth century, temples serving as centers of Buddhist beliefs and practices were constructed inside the capital and elsewhere. From the late seventh to the early eighth century, district officials (*gunji* 郡司) established ritual spaces and early district temples adjacent to district offices (*gūke* 郡家), conducted lectures on the *Golden Light Sutra* (*Konkōmyōkyō* 金光明経), which preached the merits of protecting the state, and performed rites of releasing living beings (*hōjō* 放生) based on the *Sutra of the Merits of the*

[5] Tanaka, "Wa go-ō to rettō shihai."
[6] Nara Bunkazai Kenkyūjo, *Asuka/Fujiwara-kyū hakkutsu chōsa shutsudo mokkan gaihō (13)*.
[7] Ōtsu, *Tennō no rekishi 10*.

Former Vows of Master of Medicine, Beryl Radiance Tathāgata (Yakushi rurikō nyorai hongan kudoku-kyō 薬師瑠璃光如来本願功徳経; below, *Medicine Master Sutra*), praying for the peace and stability of the state. By the mid-eighth century, the *ritsuryō* government further advanced policies of state protection through Buddhism by constructing provincial temples for monks (*kokubun sōji* 国分僧寺) and nuns (*kokubun niji* 国分尼寺) adjacent to provincial capitals. Early district temples and provincial temples across Japan were closely integrated with state administration and functioned as bases for protecting both the state and local communities from the likes of natural disasters and warfare through Buddhist beliefs and practices.[8]

Interregional Networks in the Eighth and Ninth Centuries

Analyses of settlement and temple sites suggest that from the mid-eighth century—when provincial temples came into existence—through the ninth century (from the Nara period into the early Heian period), Shimōsa Provincial Temple and early district temples were linked by networks along which monks, nuns, and local officials traveled in the Kantō region's Shimōsa Province (present-day northern Chiba).[9] These inter-temple connections can be confirmed through the distribution of round eaves tiles (*nokimarugawara* 軒丸瓦) of the same lineage. The eaves tiles with a palmette motif (*hōssōge-mon nokimarugawara* 宝相華文軒丸瓦) and flat eaves tiles with a mirroring arabesque motif (*kinsei karakusa-mon nokihiragawara* 均整唐草文軒平瓦) used at Shimōsa Provincial Temple are also found at a small former temple at the site of Ōtsukamae 大塚前 temple in Inba 印幡/印旛 District and at Ryūshōin 龍正院, an early district temple in Katori 香取 District. Conversely, the Yamada-dera 山田寺 style (single-petaled, eight-lobed lotus; *tanben hachiyō rengemon* 単弁八葉蓮華文) *nokimarugawara* used at Ryūkakuji 龍角寺, an early district temple in Hanyū 埴生 District, are also found at the site of Yōkaichiba-Ōdera 八日市場大寺 in Sōsa 迊嵯/匝瑳 District.[10] Roof tiles of the same lineage are thought to have been produced either by the same group of artisans possessing specific molds or by groups sharing those molds, suggesting mutual assistance and cooperation between temples in construction and repair. At the Tsunodadai 角田台 site (Inba District), settlement excavations have yielded ceramic bowls used by monks for alms (*gahatsu* 瓦鉢) inscribed in ink with *senbutsu* 千仏 and *hachi* 鉢, ink-inscribed pottery bearing the character *tera* 寺 (temple), and ink-inscribed pottery bearing the name "Mononobe no Kuromaro 物部黒麻呂 of Sōsa District." These date to the first half of the ninth century.[11] Given the alms bowls, it can be concluded that monks visited this settlement. Moreover, the inscription of the name of "Mononobe

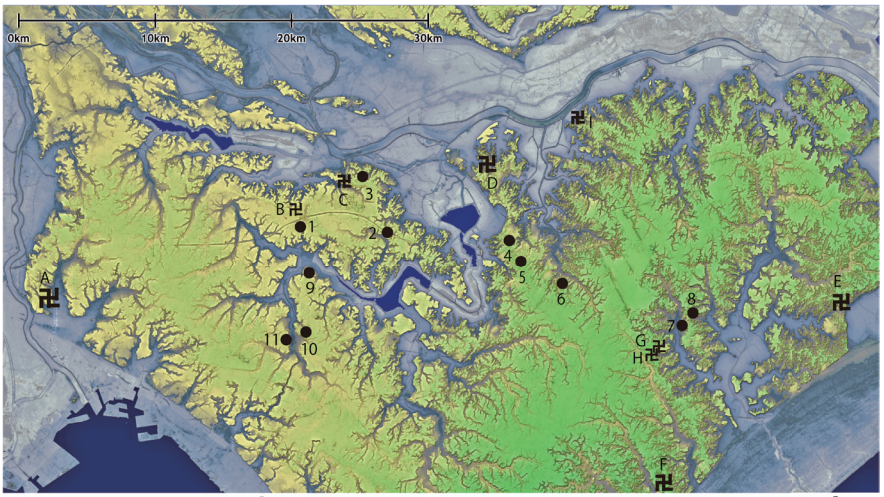
[8] Sasō, "Gunga shūhen no keikan to sono shinkō-teki haikei."
[9] Sasō, "Ritsuryōki no saishi, girei to kanga, jiin, shūraku."
[10] Yamaji, "Yōkaichiba Daiji haiji."
[11] Chiba-ken Kyōiku Shinkō Zaidan, *Chiba Nyūtaun maizō bunkazai chōsa hōkokusho XVIII*.

no Kuromaro" appears on the body of a Jōsō 常総-type *haji* ware jar (*hajikigame* 土師器甕) from the first half of the ninth century. The full inscription reads as follows:

> 迊嵯郡物部黒万呂〔代奉カ〕　女〔神奉カ〕／〔公申御益方代カ〕／〔麻　田部官万呂方代カ〕／〔无似道カ〕

Although many characters remain difficult to decipher and much of the content is unclear, the inscription appears to indicate that an individual named Mononobe no Kuromaro, whose home district was Sōsa District at the eastern edge of Shimōsa Province, visited the Tsunodadai settlement located in Inba District in central Shimōsa and inscribed his own name on a Jōsō-type *haji* ware jar produced in southern Hitachi Province to northeastern Shimōsa.

From these circumstances, it is possible to posit the existence of a network linking Shimōsa Provincial Temple and early district temples, as well as an interregional network within Shimōsa Province connecting Inba and Sōsa districts. The Tsunodadai case shows that Buddhist monks moved within this network. In settlements within this network, from the latter half of the eighth through the ninth century, small-scale Buddhist facilities resembling temples or halls, along with Buddhist implements and ink-inscribed pottery related to Buddhism, begin to appear. **Figure 1** illustrates the inter-temple and intra-settlement networks centered on Shimōsa Provincial Temple during this period.[12]



A. Shimōsa Provincial Temple. B. The Ōtsukamae site. C. The site of Kioroshi Bessho. D. Ryūkakuji. E. The site of Yōkaichiba-Ōdera. F. The site of Shingyōji. G. The site of Koganedai. H. The site of Yamada. I. The site of Ryūshōin.
1. The Narukamiyama site and the Nishine site. 2. The Tsunodadai site. 3. The Magome site. 4. The Yamaguchi site. 5. The Gonbu site. 6. The Kunō-takano site. 7. The Shōzaku site. 8. The Ōtsukadai site. 9. The Mukaisakai site. 10. The Murakami Komenouchi site. 11. The Shirahatamae site.

Fig 1. Locations of sites associated with Buddhist proselytization networks in the Hokusō 北総 region

[12] Sasō, "Ritsuryōki no saishi, girei to kanga, jiin, shūraku"; and materials for my presentation given at the "Kamigaku" カミ学 research meeting held at Kokugakuin University on 15 Feburary 2025.

Routes from Shimōsa Provincial Temple to Ryūkakuji and Ryūshōin

Traveling eastward from Shimōsa Provincial Temple across the Shimōsa Plateau leads to the Ōtsukamae site, located in Inba District at the boundary between the water systems of Lake Tega 手賀 and Lake Inba. Excavations here have identified a building with an unenclosed, eaves-protected veranda on all four sides (*shimen-bisashi* 四面庇) thought to have served as the central Buddha hall. The base ridge tiles (*irakamune* 甍棟) appear to have been the palmette motif and mirror arabesque motif ones used at Shimōsa Provincial Temple.[13] Although small in scale, the structure likely possessed the outward appearance of a Buddhist hall belonging to a temple connected to the provincial temple. The *shimen-bisashi* structure, which provided a large covered space, would have made it possible to hold Buddhist rituals such as repentance rites (*keka hōe* 悔過法会).

Proceeding east from the Ōtsukamae site leads to the site of Kioroshi Bessho 木下別所, an early Inba district temple. This is a fully developed temple site with three platform buildings, using single-petaled, eight-lobed lotus *nokimarugawara* of the same lineage as those at Ryūkakuji, an early district temple founded in the latter half of the seventh century. Ryūkakuji is located to the east of Kioroshi Bessho, on the other side of what appear to have been waters that in antiquity connected to the "Sea of Katori" (*Katori no umi* 香取の海; Kasumigaura 霞ケ浦/Kitaura 北浦 and the Kinugawa 鬼怒川 River).

From Ryūkakuji, crossing the lowlands of the Nekona 根木名 River to the northeast leads to Ryūshōin 龍正院, an early Katori district temple. At both the Ryūshōin site and the Ryūshōin kiln site, single-petaled, eight-leaf lotus *nokimarugawara* from the latter half of the seventh century have been found, along with the eave tiles featuring the palmette and mirroring arabesque motifs also found at Shimōsa Provincial Temple. Tile artisans from Ryūshōin may have been dispatched to participate in the construction of Shimōsa Provincial Temple.[14]

Buddhist-related artifacts have been found at multiple settlement sites along the route from Shimōsa Provincial Temple to Ryūshōin. At the Magome 馬込 site, a settlement located east of the Kioroshi Bessho site between it and Ryūkakuji, two tile pagodas (*gatō* 瓦塔), reconstructable as seven-tiered structures, and a ceramic bowl used by monks for alms have been excavated. Between the Ōtsukamae site, the Kioroshi Bessho site, and Ryūkakuji lies the Tsunodadai site, where "Mononobe no Kuromaro of Sōsa District" ink-inscribed pottery and alms bowls have been recovered.

From the Ōtsukamae Site to the Shirahatamae Site

By traveling south from the Ōtsukamae site, crossing Lake Inba, and following the

[13] Imaizumi, "Ōtsukamae haiji."
[14] Suda, "Ryūshōin ato, Ryūshōin kawara kama ato."

Shinkawa 新川 River upstream, one reaches the Shirahatamae 白幡前 site. Here, from the late eighth to the first half of the ninth century, there existed a small-scale temple complex centered on a *shimen-bisashi* building (serving as the main Buddha hall) and enshrining tile pagodas and a tile miniature hall (*gadō* 瓦堂). Alms bowls and ritual ewers (*jōhei* 浄瓶), possessions of monks, have also been recovered. These finds indicate the presence of resident monks and suggest that Buddhist rituals were able to be performed in the Buddha hall.

Buddhist-related artifacts from the same period as this small temple have been recovered from multiple archaeological sites located between the Ōtsukamae and Shirahatamae sites. From the Narukamiyama 鳴神山 site, a settlement south of the Ōtsukamae site, excavations yielded ink-inscribed pottery bearing the phrase "Hata-dera" 幡寺・波田寺, as well as an alms bowl marked with *butsu* 佛 (buddha). Nearby, from the Nishine 西根 site—situated along the former course of a small stream in the neighboring valley—pottery inscribed in ink with *butsu* has also been recovered. South of Lake Inba lies the Mukaisakai 向境 site, another settlement from which artifacts such as ink-inscribed pottery reading *tera* 寺 (temple) and *sanbō* 三宝 (Three Jewels: Buddha, Dharma, and Sangha), together with alms bowls and three-color censers (*sansai kasha* 三彩火舎), have been excavated. Further upstream along the Shinkawa River lies the Murakami Kominouchi 村上込内 site, a key settlement site from which a tile pagoda has been recovered. Excavations in the upper reaches of the Shinkawa River have revealed a cluster of settlements centered on the Shirahatamae site, including the Idomukai 井戸向 site to its north, where a bronze seated image of a *nyorai* 如来 has been found. Farther north, from the Hokkaidō 北海道 site, ink-inscribed pottery reading Shōkōji 勝光寺 has been recovered.

Taken together, the distribution of these Buddhist-related artifacts suggests that monks traveled between the Ōtsukamae temple and the small-scale temple at Shirahatamae, visiting intervening settlements along the way to disseminate Buddhist beliefs and practices and to proselytize.

From Ryūkakuji to the Site of Yōkaichiba-Ōdera

Settlement sites yielding Buddhist-related structures and artifacts dating from the latter half of the eighth to the ninth century are also distributed along the route connecting Ryūkakuji and the site of Yōkaichiba-Ōdera. Following the Nekona River—which flows east of Ryūkakuji—southward, one arrives at the Kōzu 公津 sites. Among them are the Gōbu 郷部 and Yamaguchi 山口 sites, settlements in which small-scale temples once stood featuring a *shimen-bisashi* building as their central Buddha hall. Continuing southward along a tributary of the river leads to the settlement site of Kunō-takano 久能高野, from which ink-inscribed pottery bearing the inscription Sōdenji 桑田寺 has been recovered,

indicating that Buddhist beliefs and practices had entered the settlement.[15] Proceeding even farther south to the uppermost reaches and then heading east, one quickly reaches the drainage basin of the Takaya 高谷 River, which flows into the Pacific Ocean. Located on the plateau in the Takaya River basin is the Obaraku 小原子 archaeological complex, including the Shōzaku 庄作 settlement site, from which ink-inscribed pottery reading *butsushu* 佛酒, as well as alms bowls and tile pagodas, have been recovered. From the Ōtsukadai 大塚台 settlement site to the northeast, ink-inscribed pottery marked Baheiji 馬閉寺 and *butsu* 佛, along with alms bowls and three-colored censers, has also been excavated.[16] In each case, the presence of alms bowls indicates that monks visited these settlements. From the Ōtsukadai settlement, traveling eastward across the broad lowlands of the Kuriyama 栗山 River basin and then proceeding east along a tributary of the Kuriyama-gawa, one eventually reaches the site of Yōkaichiba-Ōdera.

Networks of Monks and Government Officials

As seen in the foregoing examples, in Shimōsa Province (present-day northern Chiba Prefecture), networks linked Shimōsa Provincial Temple with district-level early temples, and there is no doubt that monks visited the settlements that lay between them. Within some of these settlements, small-scale temples equipped with *shimen-bisashi* Buddha halls, as well as tile pagodas and tile miniature halls, were constructed, serving as bases from which monks performed repentance and other Buddhist rites while proselytizing in order to secure donations and other benefits. This pattern aligns with the monastic activities described in proselytization texts of the period—most notably the "Tōdaiji fuju monkō" 東大寺諷誦文稿 and the *Nihon ryōiki* 日本霊異記—which were compiled from the late eighth to early ninth century. In other words, the routes linking Shimōsa Provincial Temple to early district temples appear to have operated as Buddhist proselytization networks connecting settlements.[17]

Furthermore, fittings from *katai* 銙帯 (belts of Tang-dynasty style used by government officials under the *ritsuryō* system) have been excavated in considerable numbers from these settlement sites. Since provincial temples were located adjacent to provincial capitals and early district temples were situated beside district offices, the same networks likely served as routes for government officials traveling between provincial capitals and district offices. Monks' dissemination of Buddhist scriptures and government officials' *ritsuryō* documents-based administrative work likely contributed to the expansion of a literate stratum within settlements. In the next section, I examine this literacy in ancient

[15] Inba Gunshi Bunkazai Sentā, *Chiba-ken Inba-gun Tomisato-machi Kunō iseki-gun hakkutsu chōsa hōkokusho*.
[16] Chiba-ken Kyōiku Shinkō Zaidan, *Shutoken chūō renraku jidōsha-dō maizō bunkazai chōsa hōkokusho 38*.
[17] Sasō, *Shinbutsu to murakeikan no kōkogaku*.

settlements by analyzing ink-inscribed pottery.

3. Individual Religious Beliefs and Practices and the Character for "Transgression" on Ink-Inscribed Pottery

Development of Individual Religious Beliefs and Practices

Within settlements located along Buddhist proselytization networks in Shimōsa, not only are ink-inscribed vessels bearing inscriptions such as *tera*, *butsu*, and temple names found, but also ink-inscribed pottery believed to have contained food or other offerings dedicated to the likes of deities, accompanied by the donor's personal name, place of residence, and date. Included within this category are vessels depicting what appear to be human or Buddhist figure faces in ink. Representative examples from western Inba District are presented in Table 1 and **Figure 2**.[18] Almost all settlement sites where this type of vessel has been recovered have also yielded Buddhist-related artifacts. The exceptions—Kamiya 上谷 site and Gongen'ushiro 権現後 site—lack Buddhist objects yet are adjacent to the Mukaisakai and Hokkaidō sites, which have produced such artifacts. (Table 1)

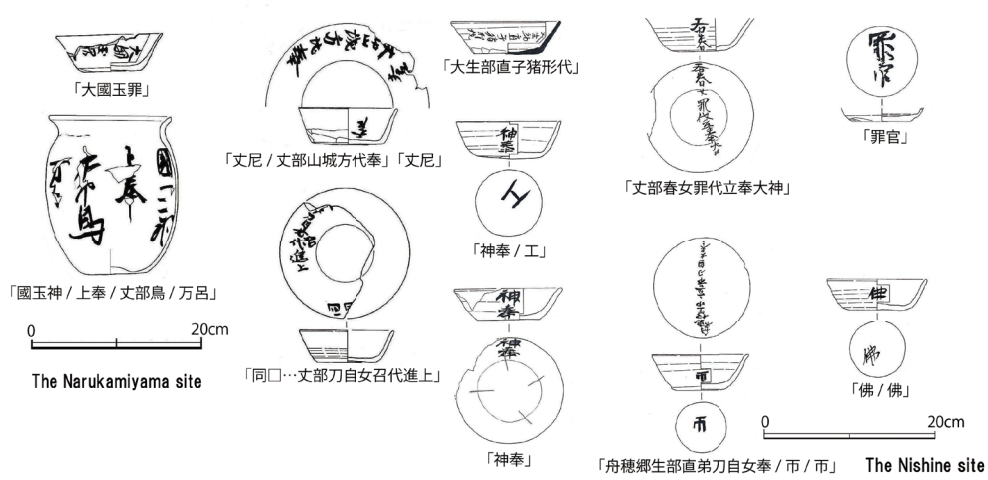


Fig 2. Measured drawings of ink-inscribed pottery from the western Inba District

A key feature of offering ink-inscribed vessels is the explicit recording of personal names, often accompanied by characters such as "召代," "方代," or "形代," which can be interpreted as indicating a dedicatory substitute in place of oneself.[19] In some examples, the date and the deity receiving the offering are also included. Personal names attested

[18] Based on Sasō, "Ritsuryōki no saishi, girei to kanga, jiin, shūraku."
[19] Hirakawa, *Bokushodoki no kenkyū*.

Table 1. List of artifacts related to Buddhism and religious artifacts in the Western Part of Inba District, Shimōsa Province
(S refers to *sue* ware, and H refers to *haji* ware. The Arabic numerals attached to the artifact names indicate the number of items of the same type that were excavated.)
pottery from the western Inba District

	Human-faced ink-inscribed pottery	Offering ink-inscribed pottery	Ink-inscribed pottery related to Buddhism	Artifacts related to Buddhism	Date range of religious artifacts
The Kitashita site (adjacent to provincial temple in Shimōsa Province)	H-jar 3, H-cup 13	H-cup「阿豆古刀自女身替」, H-cup「財田部□成女」	H-cup. Ink-inscribed pottery 1 with Buddhist figure face		Mid-eighth century to ninth century
The Narukamiyama site		H-jar「國玉神上奉丈部鳥万呂」, H-cup「大國玉罪」, H-cup「同□…(丈部)刀自女召代進上」, H-cup「丈尼/丈尼/丈部山城方代奉」, H-cup「弘仁九年九月(廿)」	H-cup「波田寺」, H-cup「幡寺」	Tile pagoda, 1 H-ceramic bowl「佛」, H-ceramic bowl 1	End of eighth century to mid-ninth century
The Nishine site		S-cup「大生部直猪形代」, H-cup「丈部春女罪代立奉大神」, H-cup「市・舟穂郷生部直弟刀自女奉」, H-cup「神奉・工」, H-cup「神奉」, H-cup「罪官」	H-cup「佛・佛」		Late eighth century to mid-ninth century
The Kamiya site	H-cup with a human face incised using a spatula 1, H-jar「(Human face) / 下総國印播郡村神郷丈部廣刀自咩召代進上 / 延暦十年十月廿二日」, H-cup「廣友進召代　弘仁十二年二月 / (Human face)」, H-jar「下総 / 村神 / □□ / (human face ?)」	H-cup「丈部千総石女進上 / □」, H-cup「物部真依□ / 延暦十年十一月七」, H-cup「丈部稲依身召代二月十五日」, H-cup「丈部真里刀自女身召代 / 二月十五日」, H-cup「丈部阿(公)身召代二月十五日 / 西」, H-cup「丈部麻□女身召代二月□(日) / 西」, H-cup「野家立馬子 / 召代進 / 承和二年十八日進」			End of eighth century to mid-ninth century
The Mukaisakai site			H-cup「寺」7, H-cup「三寶」	S-ceramic bowl 1/S-plate 1, Alms bowls and three-color censers 1	Late eighth century to mid-ninth century
The Shirahatamae Site	H-small jar「(Human face)/丈部人足召代」		S-lid「佛」, H-cup「佛」, H-cup「寺/奉」, H-cup「大寺」	two or more sets of tile pagoda, a set of tile miniature halls, H-ceramic bowl「佛」, H-ceramic bowl 1, S-ritual ewer 1, S-water ewer 1	Late eighth century to mid-ninth century
The Idomukai site			H-cup「寺/寺杯」	a bronze seated image of a *nyorai*, H-cup lamp plate「佛」	End of eighth century to early ninth century
The Hokkaido site	H-cup「(Human face)/承和五年二月十」	H-cup「丈部乙刀自女形代」	H-cup「勝光寺」, H-cup「尼」2		Early ninth century
The Gongenushiro site	H-cup「(Human face)/村神郷丈部國依甘魚」	H-cup「神/神」			Early ninth century

include those with Hasetsukabe 丈部 (丈部廣刀自咩, 丈部鳥万呂, 丈部山城) and others (大生部直猪, 物部真依, 野家立馬子). "Mononobe no Kuromaro," whose name was inscribed on a vessel from the Tsunodadai site, was from Sōsa District, demonstrating that such individuals were not necessarily from Inba District alone but may have come from a wider area spanning multiple districts.

The widespread distribution of ink-inscribed pottery indicates the presence of a literate stratum within settlements during this period. The fact that individuals recorded their names and performed acts of prayer suggests that Buddhist beliefs and practices introduced by monks into settlements manifested at the level of the individual. Moreover, traditional local deities were the ones receiving the offerings: Ōkunitama 大國玉, Kunitama gami 國玉神, and Ōkami 大神. Such deities were incorporated into individual-level religious beliefs and practices.

Purification and the Extinguishing of Transgressions

Some of these ink-inscribed vessels bear the character for "transgression" (*tsumi* 罪), indicating its close relationship with this category of pottery. An example from the Nishine site, inscribed "丈部春女罪代立奉大神," can be interpreted as an offering to Ōkami in place of one's own transgression. Similarly, a vessel from the Narukamiyama site inscribed with "大国玉罪" suggests that food offerings were made to the deity Ōkunitama to atone for transgressions. The act of dedicating valuable items in substitution for one's own transgressions accords with traditional notions of purification (*harae* 祓).

From the Nishine site also comes ink-inscribed pottery reading "佛" and "罪官." The latter can be read as *tsumi no tsukasa* 罪のつかさ, an official who judges transgressions. A similar meaning is found on a late eighth-century *haji* 土師 pottery vessel bearing the inscription "罪司進上代" from the Kunō-takano site. The first two characters can likewise be read the same way. These vessels represent offerings made to such officials in place of one's own transgressions.

Additionally, from the Shōzaku site come vessels inscribed "罪ム国玉神奉" and "[滅罪□]" (see **Figure 3**).[20] The character "ム" can be interpreted as an abbreviation of "弗" based on examples in the *Hokke shuhō ippyakuza kikigakishō* 法華修法一百座聞書抄 (1110 AD).[21] Since "弗" is used for "祓" in cases of phonetic borrowing,[22] this inscription can be read "罪弗（祓）国玉神奉". Like the Nishine site's "丈部春女罪代立奉大神," it can be understood as grounded in traditional purification beliefs and practices, in which

[20] Sanbu Kōkogaku Kenkyūjo, *Obaraku iseki-gun*. Regarding the reading of "滅罪" on these vessels, see Sasō, "Ennin to 'Butchō-sonshō darani-kyō', soshite kodai Nihon no metsuzai shinkō."
[21] In this text, we find "舎利弗" written as "舎利ム." Yamagishi, *Hokke shūhō ippyakuza kikigakishō*.
[22] Per *Shuowen tongxun dingsheng* 説文通訓定聲 as quoted in Morohashi, *Daikanwa jiten*, p. 691.

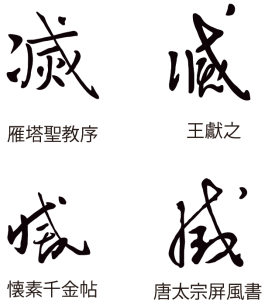
(Traced from the measured drawings in Note 20)

The orthography of " 舎利弗 " in the
Hokke shūhō ippyakuza kikigakishō
(Quoted photo plates from Note 21)

Ink-inscribed pottery with "罪ム（弗）国玉神奉" excavated from Pit Dwelling No. 25 at the Shōzaku site

(Traced from the measured drawings in Note 20)

Ink-inscribed pottery from Pit Dwelling No. 67 at the Shōzaku site:
photographs and outline drawings of the inscriptions
(Photo by author; collection of the Shibayama Kofun and Haniwa Museum)



Examples of the character "滅" in Chinese inscriptions
(Traced from the rubbings in Fushimi Chūkei, ed.
Kadokawa shodō jiten, Kadokawa Shoten, 1977)

Ink-inscribed pottery with "[　滅罪□]" excavated from Pit Dwelling No. 67 at the Shōzaku site

Fig 3. Ink-inscribed pottery with the word "罪" excavated from the Shōzaku site

offerings were made to a traditional deity (Kunitama gami) to remove transgressions.

In contrast, the inscribed pottery reading "[　滅罪□]" directly records the "extinguishing transgressions" (*metsuzai* 滅罪) beliefs and practices as taught in texts such as the *Lotus Sutra*, namely, that one could annihilate one's own transgressions through Buddhist merit. In other words, at the Nishine and Shōzaku sites, the following existed side by side: (1) transgressions that could be removed through the traditional purification ritual of offering material goods as substitutionary atonement, (2) transgressions incurred by violating Buddhist precepts, and (3) the Buddhist belief in "extinguishing transgressions" through the accumulation of Buddhist merit. In the villages of the eastern provinces at that time, the traditional purification grounded in indigenous deity beliefs and practices and the Buddhist beliefs and practices centered on extinguishing transgressions appear to have been understood as compatible. Furthermore, if we consider that purification shifted to repentance rites,[23] then such rites, too, may have been accepted alongside the belief in extinguishing transgressions.

Transgression-Judging Officials and the Medicine Master Sutra

As noted above, a compound referring to a deity who acts as an official judge of transgressions is found at the Nishine and Kunō-takano sites. A comparable being appears in the *Medicine Master Sutra* in the figure of Dharma King Yama (Enma Hōō 琰魔 [閻魔] 法王). In Xuanzang's aforementioned translation, it states that "Dharma King Yama examines and punishes in accordance with the gravity of the transgressions,"[24] describing how, at the time of death, he confirms the deeds performed in life and judges transgressions and merit. In other words, he is a transgression-judging official. This suggests that the conceptual foundation of these ideas found at the Nishine and Kunō-takano sites lies in the cult of King Yama found in this sutra.

Within the monk–official network of Shimōsa Province, the Nishine site lay on the route leading south from the Ōtsukamae site—situated at the branch-point of the network linking Shimōsa Provincial Temple and Ryūkakuji—to Shirahata-mae. The Kunō-takano site lay on the route connecting Ryūkakuji to the site of Yōkaichiba-Ōdera. Both can thus be assumed to have been linked to Ryūkakuji, the early temple of Hanyū District. Ryūkakuji can be dated to the latter half of the seventh century based on its Yamada-dera–style eaves tiles, and preserves a bronze seated *Yakushi Nyorai* 薬師如来

[23] Kawaguchi Eryū 川口恵隆 argues that in the *Nihon Ryōiki*, "Ancient people's ideas about purifying transgressions and defilement shifted to the format of Buddhist repentance, which then shifted to the purely Buddhist beliefs and practices of scripture recitation and copying." It appears that the coexistence of purification with repentance/transgression-eliminating beliefs and practices indicates the transition period from the former to the latter recorded in the *Nihon Ryōiki*. See Kawaguchi, "'Ryōiki' no Hokke-kyō."

[24] Izumi and Tajima, *Kokuyaku issaikyō Indo senjutsu-bu kyōshū-bu 12*.

(Medicine Master) statue from the Hakuhō 白鳳 period. Given that the stylistic features of the head resemble the buddha head at Kōfukuji 興福寺 in Nara (formerly the main icon of Yamada-dera's lecture hall, dated 685), the statue at Ryūkakuji was probably the principal icon at the time of its founding in the latter seventh century.[25] If *Yakushi Nyorai* was the principal object of veneration, then naturally the foundation of Ryūkakuji's religious beliefs and practices in the latter half of the seventh century would have been the *Medicine Master Sutra*. It follows that the religious beliefs and practices surrounding the Dharma King Yama, as expounded by the sutra, must also have been transmitted to Ryūkakuji at an early stage. The sutra teaches that "committing unfilial conduct (*fukō* 不孝) and the five heinous offenses (*gogyaku* 五逆), reviling the three jewels, destroying the laws of ruler and ministers, and violating belief and the precepts," and, alongside this, religious beliefs and practices surrounding Dharma King Yama, who adjudicates and punishes transgression according to its gravity. It may be inferred that this belief system spread through a network of monks and government officials based at Ryūkakuji into a wide range of settlements within Shimōsa Province. One imagines that, as a result, ink-inscribed pottery bearing the characters for "transgression-judging official" was produced, offerings were placed inside them, and individuals prayed that judgment might be rendered even slightly more lenient. This, too, illustrates a form of individual religious belief and practice introduced into settlements alongside Buddhist teachings.

In this way, from the latter half of the eighth to the ninth century, within the settlements of the eastern provinces, religious beliefs and practices centered on personal salvation spread via Buddhist proselytization networks through which monks circulated. These beliefs interacted with shifts in the consciousness of "transgression," and likely brought about major transformations in views of the afterlife. The relationship between Dharma King Yama and transgression seen here also became an important narrative theme in the *Nihon ryōiki*. Buddhist beliefs and practices that promised salvation from punishment for an individual's transgressions appear to have penetrated the populace on an individual level.

4. The Characteristics of Settlements and Religious Beliefs and Practices

Settlements of the Obaraku Archaeological Complex

Did Buddhism and individual religious beliefs and practices spread evenly across ancient settlements in the eastern provinces? To examine this, I will compare the trajectories of several neighboring settlements at the Obaraku archaeological complex, which includes the Shōzaku Site—a node along the Buddhist proselytization network. This archaeological complex is situated on a plateau at an elevation of 30–40 meters, on the left bank of the

[25] Chiba-ken Shiryō Kenkyū Zaidan, *Chiba-ken no rekishi tsūshi-hen kodai 2*.

Takaya River, a tributary of the Kuriyama River that flows into the Pacific Ocean. Along the section facing the Takaya River, the settlement sites of the Tōnodai 遠野台/Nagatsu 長津 and Jōraku 上楽/Tanikubo 谷窪 sites are aligned from north to south. North of the Tōnodai site lie the Ōsato 大里 and Ōtsukadai 大塚台 *kofun* 古墳 groups, while hillside hole graves (*yokoana* 横穴) have been found on the slope of the plateau to the northwest of the Jōraku/Tanikubo sites. The Shōzaku site is located on the plateau that faces the head of a tributary valley on the east side of the Jōraku/Tanikubo sites (**Figs. 4–7**).[26] First, I will review the changes and characteristics of the settlements at the Jōraku/Tanikubo and Shōzaku sites, which developed adjacent to each other from the Kofun period through the Heian 平安 period, and then examine the religious beliefs and practices at each. The scale of each settlement is as follows:

Jōraku site: 105 pit (*tateana* 竪穴) dwellings, 6 post-in-ground buildings.
Tanikubo site: 68 pit dwellings, 0 post-in-ground buildings.
Shōzaku Site: 83 pit dwellings, 11 post-in-ground buildings.

Although the Shōzaku site has a not-insignificant number of post-in-ground structures, pit dwellings are central in all three settlements. Therefore, I am going to trace changes in settlements by reviewing the number of pit dwellings for which dates can be determined from excavated pottery (**Figure 5**).[27]

Fig 4. Location of the Obaraku archaeological complex (adapted from Fukuma 1998; see Note 26)

[26] Sanbu Kōkogaku Kenkyūjo, *Obaraku iseki-gun*; Fukuma, "Obaraku iseki-gun."
[27] For the dating of pit dwellings, I relied on the below publications' pottery timelines: Ozawa, *Bōsō kofun bunka no kenkyū*; Bōsō Rekishi Kōkogaku Kenkyūkai, *Bōsō ni okeru rekishijidai doki no kenkyū*.

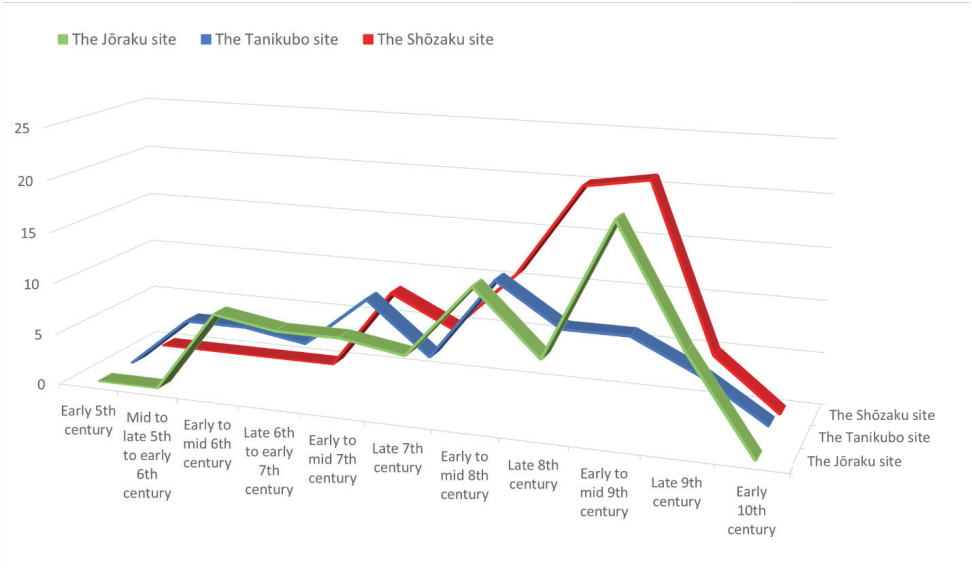


Fig 5. Changes in the number of pit dwellings

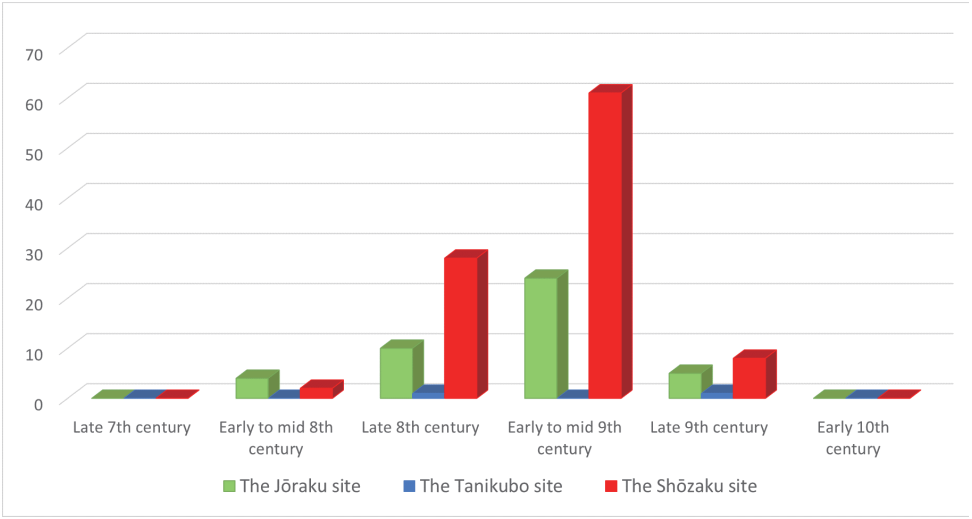


Fig 6. Changes in the number of ink-inscribed pottery excavated

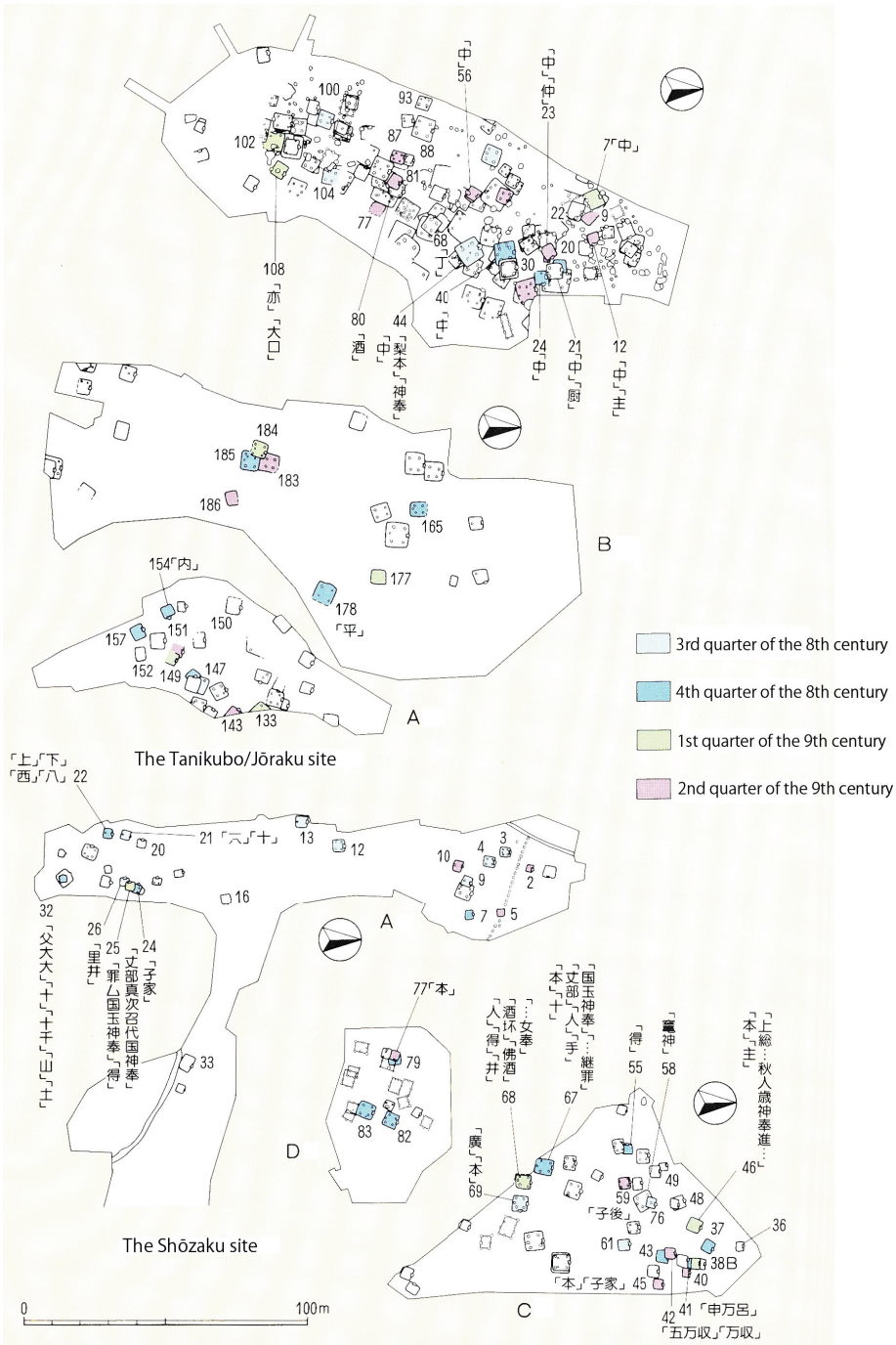


Fig 7. The Obaraku archaeological complex structures and ink-inscribed pottery distribution map (adapted from Fukuma 1998; see Note 26)

Settlement Changes and Character at the Jōraku/Tanikubo Sites

The Tanikubo site was established between the mid-fifth and early sixth century with five pit dwellings, the first of these settlements. In the early and middle sixth century, it continued to have five pit dwellings (average 2.5 dwellings per phase). At the Jōraku site, eight pit dwellings (average four per phase) were constructed during the first and middle sixth century, forming a settlement. From the late sixth to the late seventh century, a total of twenty pit dwellings appear; divided across the four phases of the late sixth and early/middle/late seventh centuries, this averages to five dwellings per phase. At the Tanikubo site, a total of seventeen pit dwellings appear from the late sixth to the late seventh century, averaging 4.25 dwellings per phase. At the Jōraku site in the mid-sixth century, a large pit dwelling measuring 9.8 × 9.4 meters was constructed. Iron sickles, knives, iron arrowheads, and iron slag have been found, indicating that this was a hub-like settlement capable of ironworking.

In the early and middle eighth century, the number of pit dwellings increased to thirteen (average 6.5) at the Jōraku site and twelve (average 6) at the Tanikubo site. In the late eighth century, the Jōraku site had seven pit dwellings and the Tanikubo site eight. In the early and middle ninth century, the Jōraku site had twenty pit dwellings (average 10 per phase), while in the late ninth century, this fell to nine. At the Tanikubo site, eight dwellings appear in the early to middle ninth century (average 4), and five in the late ninth century. However, by the early tenth century, the number of pit dwellings plummeted, leaving only one at the Tanikubo site, after which the settlement disappeared entirely.

Turning to excavated artifacts, a fragment of *sue* 須恵 ware repurposed as an inkstone has been found at the Jōraku site, dating to the late eighth century, suggesting the presence of a literate stratum. Additionally, gray-glazed ceramics such as wide-mouthed jars (*hirokuchi tsubo* 広口壺), small bottles (*shōhei* 小瓶), and long-necked bottles (*chōkeihei* 長頸瓶) dating into the ninth century have been recovered, alongside iron "goose-foot" arrowheads (*karimata-zoku* 雁股鏃), iron spindle whorls (*bōsuisha* 紡錘車), Kinai-type *haji* ware cups from the early eighth century (used in the capital region of Heijō-kyō 平城京), copper belt fittings for government officials (*junpō* 巡方) from the early ninth century, and stone belt fittings for government officials (*marutomo* 丸鞆) from the late ninth century. At the Tanikubo site, gray-glazed long-necked vessels and copper fittings worn at the tip of officials' belts have also been found (*dabi* 鉈尾). From the presence of Kinai-type *haji* ware, high-grade gray-glazed ceramics, and belt fittings for government officials, it is possible to infer the presence of such officials linked to the capital who were engaged in *ritsuryō* local administration. Thus, from the eighth century onward, the Jōraku/Tanikubo sites likely functioned as hub-like settlements positioned at the lowest tier of the *ritsuryō* provincial administrative system.

The Jōraku/Tanikubo sites were situated facing rice paddies in the lowlands along the Takaya River, and there are indications that they had the character of traditional settlements in existence from the fifth and sixth centuries. The seven hillside hole graves discovered on the northwest slope of the plateau above the Jōraku site,[28] though undatable due to not having yet been surveyed, are likely the burial area associated with the settlement due to their spatial proximity. The Jōraku/Tanikubo sites may therefore be understood as traditional kinship settlements bound by a sense of genealogical descent from ancestors buried in the tombs. Given such strong kinship ties, it is likely that the traditional settlement structure established in the fifth and sixth centuries was maintained until the ninth century.

Settlement Changes and Character at the Shōzaku Site

At the Shōzaku site, a settlement was established in the early seventh century, slightly later than at the Jōraku/Tanikubo sites. During the early, middle, and late seventh century, the settlement maintained an average of roughly four pit dwellings. In the early and middle eighth century, the number rose to eleven (average 5.5), making it somewhat smaller than the Jōraku/Tanikubo Sites. However, in the late eighth century, the number of pit dwellings surged to twenty, roughly a fourfold increase. In the early and middle ninth century, there were twenty-one dwellings (average 10.5), followed by a decline to five in the late ninth century. By the early tenth century, the settlement had disappeared.

The Shōzaku site is notable for a roughly fourfold increase in pit dwellings during the late eighth century. The site lies near the border between Musa 武射 District of Kazusa Province and Sōsa District of Shimōsa Province. The lowlands along the Takaya River likely consisted of arable land by the late Kofun period, when the hub-like settlements of the Jōraku/Tanikubo sites formed. The Shōzaku site is situated on a plateau facing the head of a tributary connected to that lowland. The rapid expansion of the settlement in the late eighth century suggests a large influx of people, likely driven by development in the tributary valley and on the surrounding plateau. Consequently, the Shōzaku site likely transformed into a settlement composed of people of varied origins, characterized by fluid social relations.

Ink-Inscribed Pottery and Religious Artifacts

Did differences in religious and spiritual life exist between the Jōraku/Tanikubo sites—traditional clan-based settlements that may have housed figures involved in *ritsuryō* administration—and the Shōzaku site, which seemingly expanded rapidly in the late eighth century and likely became a fluid community composed of diverse groups? To

[28] Sanbu Kōkogaku Kenkyūjo, *Obaraku iseki-gun*.

explore this, I will examine the distribution of ink-inscribed pottery and religion-related artifacts.

Figure 6 summarizes changes in the number of ink-inscribed pottery samples at the Jōraku/Tanikubo sites and the Shōzaku site. In the early eighth century, ink-inscribed pottery is found only at the Jōraku site, with three pieces bearing the single character "酒." Two of these are inscribed upon special dish-shaped vessels (*banjō tsuki* 盤状坏) modeled after capital tableware. At this time, Kinai-type *haji* ware cups also appear at the Jōraku site, probably used in ceremonial banquets linked to *ritsuryō* administration. No ink-inscribed pottery has been found at the Tanikubo site for this phase, and only a single illegible piece appears at the Shōzaku site.

In the late eighth century, however, ink-inscribed pottery at the Shōzaku site dramatically increased to twenty-eight samples, greatly surpassing the Jōraku site (ten samples) and Tanikubo site (one sample). At the Shōzaku site, ink-inscribed pottery reaches a quantitative peak in the early and middle ninth century, totaling sixty-one samples. Although twenty-four samples also appear at the Jōraku site, this is less than half the Shōzaku total. At the Tanikubo site, where the aforementioned inkstone suggests the presence of a literate stratum in the late eighth century, none have been found.

This contrast is also reflected in the inscriptions' content. At the Jōraku Site, most examples are one or two characters—such as "中," "仲," "夜子," "厨," or "丁"—and no multi-character inscriptions from which sentence meaning can be reconstructed have been found. Only a single fragment reading "神奉" has been recovered.

In stark contrast, at the Shōzaku site, multiple multi-character inscriptions have been found that identify both an individual and the object of the rite. Examples include: "□□女奉" from the late eighth century; "人面墨書＋丈部真次召代国神奉," "上総［　秋人歳神奉進," "人面墨書＋国玉神奉," and "人面墨書＋罪厶（弗）国玉神奉" from the early ninth century. These inscriptions can be read as offerings to Kunitama gami, Kunigami 国神, and Toshigami 歳神, and they clearly record personal names such as "丈部真次" and "秋人," demonstrating that these were individual, rather than communal, practices.

The distribution of religion-related artifacts likewise differs sharply between the Jōraku/Tanikubo sites and the Shōzaku site. At the Jōraku site, clay *magatama* 勾玉 beads have been found dating to the sixth century, and hand-formed and miniature vessels appear from the eighth century. These are ritual implements dating from the Kofun period, likely used in traditional rites to traditional deities. The "Kunitama gami" appearing on ink-inscribed pottery from the Shōzaku site probably refers to the deity of the spirit (*tama* 玉) of the land (*kuni* 国), an indigenous tutelary deity, that was the object of religious belief and practice for many generations. Such rites to the land deity likely employed traditional ritual implements such as clay *magatama* beads and hand-formed vessels, in prayers for

the well-being of the entire settlement. However, aside from lamp cups used for votive oil lamps (*tōmyō-tsuki* 灯明坏), no artifacts suggesting Buddhist religious beliefs and practices have been found at the Jōraku/Tanikubo sites.

By contrast, at the Shōzaku site, artifacts clearly related to Buddhist devotion have been recovered. These include a small ceramic pagoda as well as ceramic begging bowls used by monks. This indicates that a small Buddhist hall once stood at the site, housing the pagoda and visited by monks. Among the ink-inscribed vessels, we find "［　滅罪□," as well as "佛酒," with the latter written on *Haji* ware—likely alcohol offered to Buddhist objects of veneration.

Characteristics of the Communities and Their Religious Beliefs and Practices

Buddhist beliefs and practices are not clearly attested at the Jōraku/Tanikubo sites, but at the Shōzaku site there was unmistakably both a facility that functioned as a Buddhist center and monks. This difference can be understood as having been shaped by the character of the human communities that inhabited these respective settlements. At the Shōzaku site, the settlement expanded rapidly in the late eighth century, suggesting the influx of a large number of people. As a result, the settlement became a community characterized by fluid human relationships, unlike the tightly knit kinship groups and clans of traditional settlements. It was precisely under these conditions that Buddhist beliefs and practices at the individual level—Buddhism that preached individual salvation—resonated. These beliefs and practices introduced a new view of transgression (as arising from the violation of Buddhist doctrine) to the traditionally conceived notion of transgression (which, alongside defilement, was treated as an object of purification). In communities composed of mobile populations of diverse origins, Buddhist beliefs and practices that taught personal salvation from the calamities and punishments brought about by such transgressions functioned as an adaptive form of religion.

At the same time, indigenous beliefs and practices remained deeply rooted in the region in the late eighth and early ninth centuries. Thus, even as individual-level Buddhist beliefs and practices were accepted, traditional deities such as Kunitama gami and Kunigami remained as objects of devotion and came to be the object of individual beliefs and practices. These widely worshipped local deities were likely perceived as interchangeable with Dharma King Yama and the aforementioned transgression-judging officials described in the *Medicine Master Sutra*. The ink-inscribed vessel from the Shōzaku site bearing an inscription about an individual's offering to Kunigami ("丈部真次召代国神奉) shows this configuration in concrete form. The religious artifacts from the settlements of the Obaraku archaeological complex thus reveal the process by which Buddhist doctrine promoted the transformation of local society that had continued since the Kofun period, and by which traditional clan rites were reshaped through individual-

level beliefs and practices.

5. Changes at the End of Ancient Times and the Formation of Japanese Culture

The Dissolution of Ancient Settlements and Clans

In the tenth and eleventh centuries, phenomena similar to those seen in the settlements of the Obaraku archaeological complex—namely, the rapid contraction and disappearance of ancient settlements—can be observed widely across the Japanese archipelago.

For example, the group of ancient settlements in the Oyumino area of Chiba City (the southwestern part of Shimōsa Province), on the eastern shore of Tokyo Bay, shows a comparable pattern. There, in the late fifth century, a core settlement was established at the Ariyoshi 有吉/Takazawa 高沢 sites, and around it a cluster of *kofun* (a cemetery area) took shape (**Figure 8**). At the head of this *kofun* group stands Kami-Akatsuka 上赤塚 Tumulus No. 1, constructed in the early fifth century. This circular mound, with a diameter of 31 meters and a height of 3.3 meters, contains two wooden coffins buried at its summit. Grave goods include stone pillows on which the heads of the deceased rested, iron swords, iron sickles, iron hoe blades, axes, stone ritual replicas of axes and sickles, and *magatama* beads. It was the first fully developed *kofun* in this area.[29]

From around the end of the fourth century, just before the construction of Kami-Akatsuka Tumulus No. 1, we can infer that the scale of the settlements in the vicinity of the Akatsuka 赤塚 tributary valley extending south from this tumulus expanded, iron agricultural implements and tools, together with blacksmithing, were introduced, and the development of arable land within the tributary valley progressed. It is reasonable to think that the leader who introduced this technology at the beginning of the fifth century and promoted the development of the valley was buried in Kami-Akatsuka Tumulus No. 1. Shortly thereafter, in the late fifth century, the settlement at the Ariyoshi/Takazawa Sites came into being. The leader who introduced new techniques around the beginning of the fifth century and advanced development in the tributary valley would have been remembered as a special ancestor who laid the foundation for the area, and the *kofun* in which his body was buried would have been maintained as a monument symbolizing his personhood. It can be inferred that the settlement at the Ariyoshi/Takazawa sites was composed of a clan that regarded the leader buried in Kami-Akatsuka Tumulus No. 1 as its common ancestor, and that this configuration of settlement and cemetery landscape was preserved until the ninth century (**Figure 9**).[30] The character of this settlement was that of a traditional hub-like settlement continuing from the late fifth century,

[29] Chiba-ken Bunkazai Sentā, *Chiba tōnanbu nyūtaun 13*.
[30] Sasō, "Keikan keisei to kami, reikon-kan."

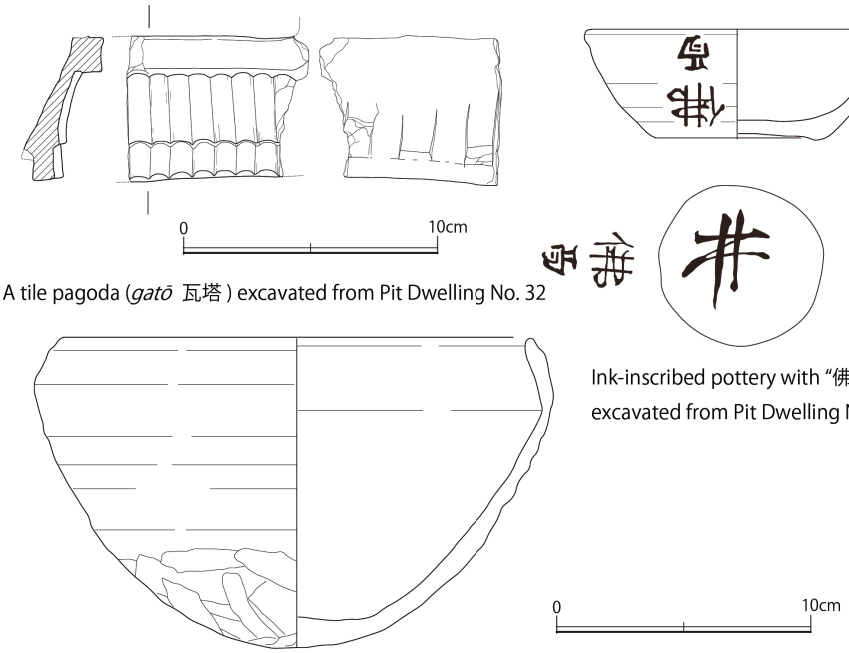


Fig 8. Buddhist-related artifacts excavated from the Shōzaku site (traced from the measured drawings in Obaraku Iseki-gun; see Note 20)

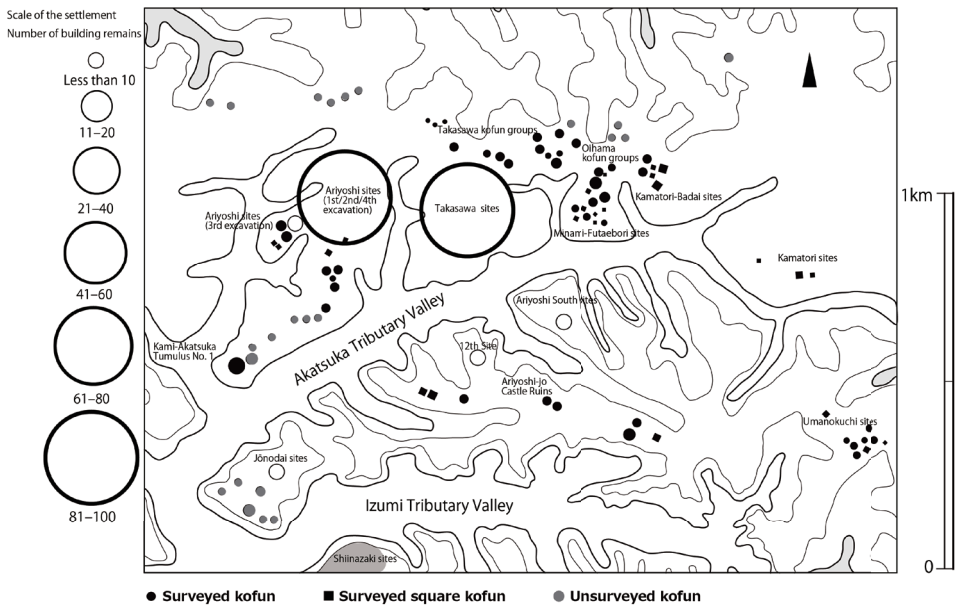
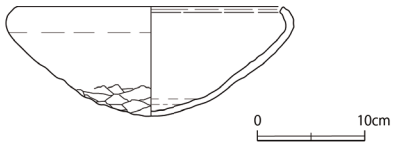


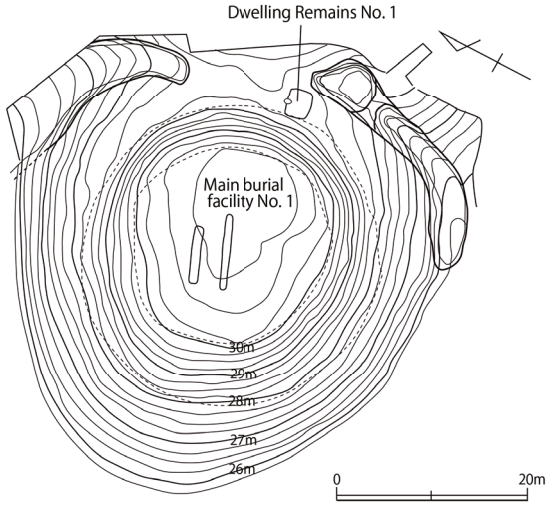
Fig 9. Location map of settlement sites and *kofun* in the Oyumino area (9th century)

comparable to the Jōraku/Tanikubo sites' settlements at the Obaraku archaeological complex. In the early tenth century, however, the settlement at the Takazawa/Ariyoshi sites shrank rapidly in scale, and by the latter half of the tenth century it had completely disappeared.

Around the end of the ninth century—just before the Ariyoshi/Takazawa settlement disappeared—a significant change can be observed at the Kami-Akatsuka 上赤塚 Mound No. 1. A pit dwelling was constructed inside the peripheral ditch (moat demarcating the mound) of it. Alms bowls have also been recovered. This all suggests the residence of monks (**Figure 10**). By this point, it is likely that Buddhist memorial practices for the mound's deceased (ancestors) had been introduced. A similar situation is seen at the Shiinazaki sites in the same area, where the settlement is adjacent to the Nishihara Kofun group. On the peripheral ditch of the fifth-century Nishihara 西原 Mound No. 2, a pit dwelling was constructed in the tenth century, and a gray-glazed ritual ewer (a container for drinking water and a monastic possession) was recovered.[31] By the first half



A ceramic bowl used by monks for alms excavated from Pit-dwelling Remains No. 1



Kami-Akatsuka Kofun mound and Dwelling Remains No. 1

Fig 10. Measured drawings of the mound of the Kami-Akatsuka kofun, Dwelling Remains No. 1, and an excavated ceramic bowl used by monks for alms

[31] Chiba-ken Bunkazai Sentā, *Chiba tōnanbu nyūtaun 6*.

of the tenth century, the Ariyoshi/Takazawa settlement disappeared, and by the first half of the eleventh century, the Shiinazaki sites also ceased to exist. Even in these traditional hub settlements, from the end of the ninth into the tenth century, Buddhist beliefs and practices concerning personal salvation penetrated ancestor veneration, contributing to the dissolution and dispersal of the ancient settlements that were based on fifth-century clan structures and corresponded to burial areas (*kofun* clusters).

Changes in the Tenth and Eleventh Centuries

The dissolution and dispersal of settlements cannot be attributed solely to the influence of Buddhist beliefs and practices. According to climate reconstruction data derived from oxygen isotope ratios in tree-ring cellulose by Nakatsuka Takeshi 中塚武, the period from the latter half of the ninth through the tenth centuries was characterized by unstable climatic conditions marked by pronounced summer aridity—peaking in AD 948 (Tenryaku 天暦 2)—alongside frequent humid years.[32] Consulting the *Nihon kiryaku* 日本紀略 (Abridged Chronicle of Japan) and *Honchō seiki* 本朝世紀 (Chronicle of Japan) reveals that natural disasters associated with climatic fluctuations—droughts and floods—occurred frequently and with increasing severity. Major earthquakes also occurred; diseases repeatedly broke out in the capital of Heian-kyō, causing large numbers of deaths. Flood events altered river courses, and sediment accumulated in downstream and coastal areas. This reshaped irrigation networks, paddy fields, harbors, and other productive and transportation infrastructures.[33]

In particular, in the Oyumino area of present-day Chiba City, the southwestern lowlands stabilized as coastal sand ridges developed, and at the Ichihara Jōri 市原条里 System site located there, paddy fields expanded after the tenth century. The Ariyoshi/Takazawa settlement—dependent on *yatsu* 谷津 rice paddies—had reached production limits, making relocation toward areas facing plains with expanded arable land more advantageous.[34] Moreover, by the end of the ninth century, Buddhist beliefs and practices centered on personal salvation began to affect traditional ancestor veneration, which had previously served as the binding mechanism for settlements. The interaction between environmental and psycho-spiritual change contributed to the dissolution and disappearance of traditional settlements based on ancient clan (blood-kin) groups from the tenth through the eleventh centuries.

In the latter half of the tenth century, in 985 (Kanna 寛和 1), Genshin's *Ōjōyōshū* 往生要集 (Essentials of Rebirth in the Pure Land) was compiled—a work that systematized the

[32] Nakatsuka and Tamura, *Kikō hendō kara yominaosu Nihonshi 4.*
[33] Sasō, *Matsuri to kamigami no kodai.*
[34] Sasō, "10-seiki no kikō hendō ga motarashita mono."

complex Buddhist views of the Pure Land and the afterlife.[35] At its foundation lay beliefs and practices for personal salvation, profoundly altering ideas concerning the dead and the afterlife. However—as demonstrated above—such personal salvation-based practices and beliefs did not emerge only in the tenth century among citizens of Heian-kyō due to the transformation and disintegration of the *ritsuryō* system. By the late eighth century, they had already penetrated communities in the eastern provinces situated along Buddhist proselytization networks linking provincial temples and early district temples. To this, from the latter half of the ninth century onward, were added increasingly frequent and severe natural disasters and environmental changes. The interaction between acute awareness of existential risk and the desire for individual salvation brought society and religion to a major turning point in the tenth century. As a result, settlements grounded in ancient clans dissolved and dispersed, and by the twelfth century were reorganized into new medieval settlement and cemetery landscapes.

The tenth century also saw changes in the economic sphere. In the Japanese archipelago, rice and cloth came to function as substitute currencies, marking the dawn of a monetary economy. In parallel, the Japanese archipelago was incorporated into the broader East Asian trading sphere centered on the Northern Song. By the twelfth century, currency-based market economies using Chinese coins were fully operational.[36] In this context, indigenous deity beliefs and practices (*jingi* 神祇) were incorporated into Buddhism—a world religion corresponding to trans-East-Asian trading networks—and the *honji suijaku* 本地垂迹 beliefs and practices, which saw the original forms of Japan's deities as buddhas and bodhisattvas, spread rapidly. A new religious view developed in which Japanese deities were enshrined (*kanjō* 勧請) through Buddhist rites.[37] The prototype of Japanese culture commonly called the "national style" (*kokufū* 国風)—together with views of deities and the physical landscape of shrines that continue to the present—was formed in response to the developments of the tenth and eleventh centuries.

Conclusion: Elements of Cultural Evolution in Ancient Japan

The findings of this study may be summarized as follows:

(1) From the eighth through the ninth centuries, the organizational relationship between Buddhism—a world religion—and the state persisted. Beliefs in personal salvation, together with the Buddhist conception of "transgression," penetrated even settlements of the eastern provinces. Combined with the influence of *ritsuryō* document-based administration, this led to a rapid expansion of the literate stratum.

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[35] Hayami, *Jōdo shinkō-ron*.
[36] Itō, *Nihon chūsei no kahei to shin'yō/ryūtsū*.
[37] Sasō, *Matsuri to kamigami no kodai*.

(2) From the latter half of the ninth through the tenth centuries, warfare and natural disasters (floods, droughts, epidemics, earthquakes, etc.) heightened social anxiety and strengthened desires for personal salvation. In addition, environmental changes prompting the reorganization of productive and transportation systems contributed to the dissolution of ancient settlements based on traditional clan (kin) groups. By the twelfth century, these were reorganized into new medieval villages.

(3) From the tenth through the twelfth centuries—when the above conditions unfolded—circulation networks inside and outside the Japanese archipelago were reconfigured, and the archipelago was incorporated into the broad East Asian exchange and distribution sphere centered on the Northern Song.

(4) In the case of the Japanese archipelago, between roughly the eighth and twelfth centuries, conditions (1) through (3) converged, allowing the formation of the foundational shape of Japanese culture as it continues to the present.

At the same time, even amid such transformations, traditional sacred spaces and deities of indigenous deity beliefs and practices were preserved. In Fujiwara no Michinaga's 藤原道長 Edict of Chōhō 1 (*Chōho gannenrei* 長保 1; Chōho 1 is 999 AD), it is stated that the interruption of rites and the destruction of shrines directly lead to disasters, clearly articulating a policy mandating the performance of rites and prohibiting shrine damage. It has been suggested that this served as an impetus for the establishment of the *nagare-zukuri* 流造 architectural style, which became the standard form of shrine main halls.[38] In the diverse natural environments of the Japanese archipelago and its insular geography distant from the continent, a view that intuitively perceives agency in natural processes and treats that agency as divine, and rituals offering precious goods and food to maintain and enhance desirable divine workings, were adaptive. As such, rites (*matsuri*) continued after the tenth century and became a defining feature of Japanese culture.

While rites—*matsuri* as a set of ceremonial acts—were preserved and developed in varied forms, the deities toward whom these rites were directed became incorporated into Buddhist belief. At the Shiotsu 塩津 Port site in Shiga Prefecture, from shrine remains, wooden plaques with oaths to Buddhist and indigenous deities (*kishōmon* 起請文) have been recovered. The oldest datable example is from Hōen 保延 3 (1137). In it, a person engaged in Lake Biwa shipping swears by Buddhist deities such as Indra, Brahmā, and the Four Heavenly Kings, as well as Japanese deities such as Kamigamo 上賀茂 and Shimogamo 下賀茂, Hachiman 八幡, and Sannō 山王, vowing to perform his work faithfully and stating explicitly that divine punishment would follow if the oath were broken.[39] It is significant that, within the transport system sustaining the Heian-

[38] Maruyama, *Kodai no jinja zōei*.
[39] Hama, "Shiotsu kishōbun no sekai"; Shigeta and Hama, *Shiotsu-kō iseki 2*.

kyō market economy, Buddhist and Japanese deities served as supernatural monitors. The Shiotsu Port site, where these oath plaques were found, was a logistical hub linking Tsuruga—an important Japan Sea–side port visited by Northern Song merchants—with the capital. In the twelfth century, the port expanded its functions,[40] and increased shipping to Heian-kyō probably activated the market economy. This situation corresponds with the development of coin-based market economies at the same time. The wooden oath plaques from Shiotsu Port were created in such an environment. Together with Buddhist deities, Japanese deities came to possess the character of "big gods"—entities important for contract enforcement—within wide-area trading networks.[41]

In the process by which Western Europe's distinctive psychology formed, Joseph Henrich identified the following elements: the linkage between world religion and the state, the expansion of the literate stratum, the dissolution of ancient clans, and the activation of market economies. Comparable elements can be observed in the Japanese archipelago in roughly the same period. At the same time, the two regions differed substantially in terms of natural environmental change, especially disasters. Examining these similarities and differences from multiple perspectives and reconsidering the formation of Japanese culture from a broad vantage point is necessary to situate it within world history. It is my hope that this paper contributes, however modestly, to that endeavor.

Postscript: This article is a revised and expanded version of a research presentation delivered at the "Kami Studies" Workshop of the Organization for the Advancement of Research and Development, Kokugakuin University, on 15 February 2025. My analysis and interpretations of the Obaraku archaeological complex site group are based on a forthcoming article (Sasō, "Kodai Tōgoku ni okeru 'tsumi' ishiki to shizoku shūdan no kaitai).

(Translated by Dylan L. Toda)

[40] Yokota, "Hakkutsu sareta Shiotsu-kō iseki."
[41] Norenzayan, *Big Gods*.

References

Bōsō Rekishi Kōkogaku Kenkyūkai 房総歴史考古学研究会, ed. *Bōsō ni okeru rekishijidai doki no kenkyū* 房総における歴史時代土器の研究. Bōsō Rekishi Kōkogaku Kenkyūjo, 1987.

Chiba-ken Bunkazai Sentā 千葉県文化財センター, ed. *Chiba tōnanbu nyūtaun 13: Kami-Akatsuka 1-gōfun, Kitsunezuka kofun-gun* 千葉東南部ニュータウン13－上赤塚１号墳・狐塚古墳群. Chiba-ken Bunkazai Sentā, 1982.

———. *Chiba tōnanbu nyūtaun 6: Shiinazaki kofun-gun* 千葉東南部ニュータウン６－椎名崎古墳群. Chiba-ken Bunkazai Sentā, 1979.

Chiba-ken Kyōiku Shinkō Zaidan 千葉県教育振興財団, ed. *Chiba Nyūtaun maizō bunkazai chōsa hōkokusho XVIII: Motono-mura Tsunodadai iseki (Yayoi jidai ikō)* 千葉ニュータウン埋蔵文化財調査報告書ⅩⅧ―本埜村角田台遺跡(弥生時代以降)―. Chiba-ken Kyōiku Shinkō Zaidan, 2006.

———. *Shutoken chūō renraku jidōsha-dō maizō bunkazai chōsa hōkokusho 38: Tako-machi Ōtsukadai iseki (1)–(3)* 首都圏中央連絡自動車道埋蔵文化財調査報告書38―多古町大塚台遺跡(1)～(3). Chiba-ken Kyōiku Shinkō Zaidan, 2021.

———. *Chiba-ken no rekishi tsūshi-hen kodai 2* 千葉県の歴史 通史編 古代 2. Chiba-ken, 2001.

Dunbar, Robin.*How Religion Evolved and Why It Endures*. Oxford University Press, 2022.

Fukuma Hajime 福間元. “Obaraku iseki-gun” 小原子遺跡群. In *Chiba-ken no rekishi Shiryōhen Kōko 3 (Nara/Heian jidai)* 千葉県の歴史 資料編 考古 3(奈良・平安時代). Chiba-ken, 1998.

Hama Osamu 濱修. “Shiotsu kishōmon no sekai” 塩津起請文の世界. In *Yomigaeru minato Shiotsu: Hokkoku to Kyō o tsunaida Biwako no jūyōkō* よみがえる港・塩津 ―北国と京をつないだ琵琶湖の重要港, ed. Mizuno Shōji 水野章二, pp. 105-147. Sanraizu Shuppan, 2020.

Hayami Tasuku 速水侑. *Jōdo shinkō-ron* 浄土信仰論. Yūzankaku, 1978.

Henrich, Joseph. *The WEIRDest People in the World: How the West Became Psychologically Peculiar and Particularly Prosperous*. Farrar, Straus and Giroux, 2020.

Hirakawa Minami 平川南. *Bokusho doki no kenkyū* 墨書土器の研究. Yoshikawa Kōbunkan, 2000.

Imaizumi Kiyoshi 今泉潔. “Ōtsukamae haiji” 大塚前廃寺. In *Chiba-ken no rekishi Shiryōhen Kōko 3 (Nara/Heian jidai)* 千葉県の歴史 資料編 考古 3(奈良・平安時代). Chiba-ken, 1998.

Inba-gun shi Bunkazai Sentā 印旛郡市文化財センター, ed. *Chiba-ken Inba-gun Tomisato-machi Kunō iseki-gun hakkutsu chōsa hōkokusho* 千葉県印旛郡富里町久能遺跡群発掘調査報告書. Inba-gun shi Bunkazai Sentā, 1988.

Itō Keisuke 伊藤啓介. *Nihon chūsei no kahei to shin'yō, ryūtsū* 日本中世の貨幣と信用・流通. Yoshikawa Kōbunkan, 2024.

Izumi Hōkei 泉芳璟 and Tajima Tokune 田島徳音. *Kokuyaku issaikyō Indo senjutsu-bu kyōshū-*

bu 12 国訳一切経 印度撰述部 経集部12. Daitō Shuppansha, 1932.

Kawaguchi Eryū 川口恵隆. "'Ryōiki' no Hokke-kyō"『霊異記』の法華経. *Indogaku Bukkyōgaku Kenkyū* 印度學佛教學研究 20: 2 (1972), pp. 148–149.

Maruyama Shigeru 丸山茂. *Kodai no jinja zōei* 古代の神社造営. Chūō Kōron Bijutsu Shuppan, 2021.

Mizoguchi Takashi 溝口孝司. "Okinoshima saishi no kinō to hen'yō: Kodai higashi Ajia no kōkai/kōryū ni okeru saishi/shinkō e no apurōchi no kanten kara" 沖ノ島祭祀の機能と変容：古代東アジアの航海・交流における祭祀・信仰へのアプローチの観点から . In *"Kamiyadoru shima" Munakata-Okinoshima to kanren isan-gun tokubetsu kenkyū jigyō seika hōkokusho*「神宿る島」宗像・沖ノ島と関連遺産群 特別研究事業 成果報告書. "Kamiyadoru Shima" Munakata-Okinoshima To Kanren Isan-Gun Hozon Kyōgikai, 2023.

Morohashi Tetsuji 諸橋轍次. *Daikanwa jiten* 大漢和辞典, vol. 4. Taishūkan Shoten, 1989.

Nakatsuka Takeshi 中塚武 and Tamura Noriyoshi 田村憲美 et al., eds. *Kikō hendō kara yominaosu Nihonshi 4: Kikō hendō to chūsei shakai* 気候変動から読み直す日本史 4 気候変動と中世社会. Rinsen Shoten, 2020.

Nara Bunkazai Kenkyūjo 奈良文化財研究所, ed. *Asuka/Fujiwara-kyū hakkutsu chōsa shutsudo mokkan gaihō (13)* 飛鳥・藤原宮発掘調査出土木簡概報（13）. Nara Bunkazai Kenkyūjo, 1998.

Norenzayan, Ara. *Big Gods: How Religion Transformed Cooperation and Conflict*. Princeton University Press, 2013.

Ōtsu Tōru 大津透. *Tennō no rekishi 10: Shinwa kara rekishi e* 天皇の歴史10 神話から歴史へ. Kōdansha, 2010.

Ozawa Hiroshi 小沢洋. *Bōsō kofun bunka no kenkyū* 房総古墳文化の研究. Rokuichi Shobō, 2008.

Sanbu Kōkogaku Kenkyūjo 山武考古学研究所, ed. *Obaraku iseki-gun* 小原子遺跡群. Obaraku Iseki-gun Chōsakai / Shibayama-machi Kyōiku Iinkai, 1990.

Sasō Mamoru 笹生衛. "10-seiki no kikō hendō ga motarashita mono: Tōgoku no shūraku to suiden no keikan henka kara" 10世紀の気候変動がもたらしたもの―東国の集落と水田の景観変化から. In *Kikan kōkogaku 168: Kōjikan bunkainō ko kikougaku no shinten to kōkogaku* 季刊考古学168 高時間分解能古気候学の進展と考古学, ed. Nakatsuka Takeshi 中塚武, pp. 38-41. Yūzankaku, Tokyo, 2024.

———. "Ennin to 'Butchō-sonshō darani-kyō', soshite kodai Nihon no metsuzai shinkō" 円仁と『佛頂尊勝陀羅尼経』、そして古代日本の滅罪信仰. In *Ennin to sekkoku no shiryōgaku* 円仁と石刻の史料学, ed. Suzuki Yasutami 鈴木靖民. Koshi Shoin, 2011.

———. "Gunga shūhen no keikan to sono shinkō-teki haikei: Hōjō, ōharae to gunga, jiin, saishi/girei no keikan o tegakari ni" 郡衙周辺の景観とその信仰的背景―放生、大祓と郡衙、寺院、祭祀・儀礼の景観を手がかりに―. In *Nihon kodai no kōkogaku ronshū* 日本古代の考古学論集, ed. Suda Tsutomu 須田勉. Dōseisha, 2016.

———————. “Keikan keisei to kami/reikon-kan: Nihon rettō tōbu, 3-seiki–10-seiki no jirei bunseki kara” 景観形成と神・霊魂観―日本列島東部、3 世紀～10世紀の事例分析から―. In *Shutsu-Yūrashia purojekuto dai jusshū shin gakujutsu ryōiki kenkyū (kenkyū ryōiki teian gata) 2019 nendo-2023 nendo “Shutsu-Yūrashia no tōgōteki jinruishi-gaku: Bunmei sōshutsu mekanizumu no kaimei”* 出ユーラシア・プロジェクト第10集 新学術領域研究（研究領域提案型）2019 年度～2023 年度「出ユーラシアの統合的人類史学―文明創出メカニズムの解明―」, 2024.

———————. “Kodai Tōgoku ni okeru ‘tsumi’ ishiki to shizoku shūdan no kaitai: Tamoji bokusho doki no shinkou teki haikei to kodai shūraku” 古代東国における「罪」意識と氏族集団の解体―多文字墨書土器の信仰的背景と古代集落―, In *Kenkyū Kiyō 29: 50 shūnen kinen ronshū*, Kōeki zaidan hōjin Chibaken kyōiku shinkō zaidan bunkazai sentā, 2026

———————. “Ritsuryōki no saishi, girei to kanga, jiin, shūraku: Shinkō kanren ibutsu kara mita harae no saikentō to shinkō no chiiki nettowāku” 律令期の祭祀・儀礼と官衙・寺院・集落―信仰関連遺物からみた祓の再検討と信仰の地域ネットワーク―. In *Kodai higashi Ajia no bukkyō kōryū* 古代東アジアの仏教交流, ed. Satō Nagato 佐藤長門. Benseisha, 2018.

———————. *Matsuri to kamigami no kodai* まつりと神々の古代. Yoshikawa Kōbunkan, 2023.

———————. *Shinbutsu to murakeikan no kōkogaku: Chiiki Kankyō no henka to shinkō no shiten kara* 神仏と村景観の考古学―地域環境の変化と信仰の視点から. Kōbundō, 2005.

Shigeta Tsutomu 重田勉 and Hama Osamu 濱修, eds. *Shiotsu-kō iseki 2* 塩津港遺跡 2. Shiga-ken / Kōeki Zaidan Hōjin Shiga-ken Bunkazai Hogo Kyōkai, 2021.

Suda Tsutomu 須田勉. “Ryūshōin ato, Ryūshōin kawara-kama ato” 龍正院跡・龍正院瓦窯跡. In Chiba-ken no rekishi Shiryōhen Kōko 3 (Nara/Heian jidai) 千葉県の歴史 資料編 考古 3（奈良・平安時代）. Chiba-ken, 1998.

Tanaka Fumio 田中史生. “Wa go-ō to rettō shihai” 倭五王と列島支配. In *Iwanami kōza Nihon rekishi dai 1-kan: genshi/kodai 1* 岩波講座 日本歴史 第1巻◆原始・古代 1 . Iwanami Shoten, 2013.

Torrey, E. Fuller. *Evolving Brains, Emerging Gods: Early Humans and the Origins of Religion*, Columbia University Press, 2017.

Yamagishi Tokuhei 山岸徳平, ed. *Hokke shūhō ippyakuza kikigakishō* 法華修法一百座聞書抄. Benseisha, 1976.

Yamaji Naomitsu 山路直充. “Yōkaichiba Daiji haiji” 八日市場大寺廃寺. In *Chiba-ken no rekishi Shiryōhen Kōko 3 (Nara/Heian jidai)* 千葉県の歴史 資料編 考古 3（奈良・平安時代）. Chiba-ken, 1998.

Yokota Yōzō 横田洋三. “Hakkutsu sareta Shiotsu-kō iseki” 発掘された塩津港遺跡. In *Yomigaeru minato Shiotsu: Hokkoku to Kyō o tsunaida Biwako no jūyōkō* よみがえる港・塩津－北国と京をつないだ琵琶湖の重要港, ed. Mizuno Shōji 水野章二, pp. 15-55 Sanraizu Shuppan, 2020.

Garbage and Social Context: Tawada Yōko's "The Woman Who Doesn't Throw Things Away"†

Anzai Shinji

Keywords: Garbage; Waste Disposal Act; 3Rs; actuality; Tawada Yōko 多和田葉子; "The Woman Who Doesn't Throw Things Away" (Sutenai onna 捨てない女)

Author's Statement

As educational environments become increasingly diversified with the spread of ICT and digital technologies, instruction in contemporary Japanese literature must help students become aware of how they acquire the meanings of the words necessary for reading comprehension. This need becomes particularly evident in the case of Tawada Yōko's "The Woman Who Doesn't Throw Things Away." While this work is closely connected to the real waste disposal problems of Japanese society at the time of its publication (the late 1990s), between then and now (2020 onward), for learners, there exists a considerable difference in awareness—in meaning—even with regard to something as simple as "paper waste." I wrote this article with the view that interpretation of the story should attend to the historical and social background of garbage, while also taking regional differences and related factors into account.

I. Garbage in Textbooks

"Shince the Everyday Waste Disposal Act was revised, my life has changed considerably." This is the opening sentence of Tawada Yōko's 多和田葉子 "The Woman Who Doesn't Throw Things Away."[1] The narrator—a writer—recalls

† This article is a translation of Anzai Shinji 安西晋二, "'Gomi' no akuchuariti: Tawada Yōko 'Sutenai onna' o torimaku shakai jokyō"「ゴミ」のアクチュアリティ—多和田葉子「捨てない女」を取り巻く社会状況—," Kokugakuin daigaku kyōikugaku kenkyūshitsu kiyō 國學院大學教育学研究室紀要 58 (2024), pp. 19–31. Translated by Dylan L. Toda.

[1] Published as "Sutenai onna" 捨てない女, Tokyo shinbun 東京新聞, 27 November 1999. All translations of the story in this paper are based on the Japanese text as it appears in Tawada, *Hikari to zerachin no Raipuchihhi*.

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that she used to be able to bundle up botched drafts and take them to the neighborhood garbage collection point each Monday as "burnable trash." After the revision of the disposal law, however, she hesitates to throw anything away once she learns that "even the smallest piece of garbage costs one hundred yen per one hundred grams to dispose of." Since the "garbage" in question consists primarily of paper—specifically, her drafts—what is at stake in the choice of whether to discard or keep it is the words on those pages. At the most basic level, then, "The Woman Who Doesn't Throw Things Away" can be understood as a narrative that articulates a writer's feelings toward words.

This work was included in textbooks issued in the 2023 academic year, including *Bungaku kokugo* 文学国語 (Chikuma Shobō, January 2023) and *Seisen bungaku kokugo* 精選文学国語 (Sanseidō, March 2023). In the case of the latter, the "Aims of the Unit" section in Teaching Materials II explains that "The Woman Who Doesn't Throw Things Away" is intended to have students "follow the development of the narrative in order to understand the narrator's emotions, while also paying attention to the distinctive features of diction and expression, and to consider the issues that the work's fictional world poses to the contemporary moment." The "distinctive features of diction and expression" here likely refer to discourse related to the act of writing as consciously reflected upon by the writer-narrator, as well as to the playful, word-centered discourse scattered throughout the text. Teaching Materials II pays particular attention to these aspects, and the questions included in *Seisen bungaku kokugo* likewise appear to focus largely on the narrator's emotions and on language within the short story.[2] Accordingly, the "issues that the work's fictional world poses to the contemporary moment" concern the impact that the writer-narrator's emotions and the short story's distinctive use of language have on

[2] In Sanseidō's *Seisen bungaku kokugo*, p. 179, the "Task A" questions accompanying the story are as follows:

(1) The narrator says, "I've never been able to like the word 'disposal' (*shori* 処理)" (p. 174, lower, line 1). Why is that? Think about it.
(2) The text states, "Even to write a single short story" (174, bottom, line 2). What kinds of garbage are produced in the process of writing a short story, and what methods does the narrator come up with to avoid putting out garbage? Organize your thoughts on each.
(3) What does the narrator think is necessary in order to improve "the quality of a short story"? Consider this using the following expressions as clues.
  • "If you put out garbage, you're a worthless novelist." (p. 176, lower, line 14)
  • "If no garbage comes out, I can't keep thinking." (p. 177, lower, line 9)
(4) The passage reads, "I brought a large curry pot to a boil ... When spring comes, what kind of flowers would bloom if I sowed seeds here?" (p. 178, lower, lines 1–9). What kind of feelings on the part of the narrator are expressed here? Discuss.

In addition, "Task B" asks: "In 'The Woman Who Doesn't Throw Things Away,' words and characters themselves play an important role in the development of the short story. Identify expressions that left an impression on you, and discuss their function." This question strongly foregrounds the "distinctive features of diction and expression" emphasized in the "Aims of the Unit" (p. 179).

readers (students), or more broadly, the relationship between words and people. Given that Teaching Materials II also suggests an awareness of and a dismantling of what it calls the "institutional" dimensions surrounding language,[3] it is clear that "distinctive features of diction and expression" are treated, from a textbook perspective, as the most important issue to be emphasized.

Although the influence of such "institutional" aspects of language is enormous, it is not easily recognized in everyday life. Reading with an awareness of this influence can certainly be framed as one of the "issues that the work's fictional world poses to the contemporary moment." It is also a legitimate learning aim when teaching "The Woman Who Doesn't Throw Things Away." I have no objection whatsoever to a lesson plan for the story that involves close reading with an awareness of how the short story is written or narrated.

Turning to textbooks published by Chikuma Shobō, "The Woman Who Doesn't Throw Things Away" has been continuously included from *Gendaibun B* 現代文Ｂ (January 2014), through *Gendaibun B kaiteiban* 現代文Ｂ 改訂版 (January 2018), to *Bungaku kokugo*. In contrast to the Sanseidō textbook, in the accompanying teacher's manual, entitled *Gakushū shidō no kenkyū* 学習指導の研究, lesson introductions consistently mention the need to consider the issue of garbage in a concrete, real-world sense. The "Points for Instruction" section of the manual asks about the nature of the "Everyday Waste Disposal Act" mentioned at the beginning of the short story. The explanation adds, "We should note that the starting point for the excessive growth of imagination in this work is imagining what would happen if the current situation—where garbage disposal incurs costs—were taken to more extreme lengths."[4] In Chikuma Shobō's textbooks, then, garbage in the real-world, generally accepted social sense is strongly foregrounded as a lens through which to read this story. Practical issues such as "the current situation—where garbage disposal incurs costs" are also deeply connected to the "issues that the work's fictional world poses to the contemporary moment" discussed in Sanseidō's Teaching Materials II. Indeed, many students may feel the problem of garbage disposal is a more

[3] In the section "Considerations Surrounding the Work" in Teaching Materials II (p. 193), it is stated that "the short story 'The Woman Who Doesn't Throw Things Away' unfolds around the extremely real-world problem of how to deal with the 'garbage'—spoiled drafts—that arises in the process of writing fiction." The relationship between "institutional" structures and "The Woman Who Doesn't Throw Things Away" is explained as follows:

> We readers who live within institutional structures (that is, we who are habituated to viewing language as a means of transmission) constantly seek something central—meaning or value—within words. As a result, we do not hear the voices of what is hidden behind that meaning or value. Precisely for this reason, the narrator ("I") of "The Woman Who Doesn't Throw Things Away" covers over the "central thing" (the finished work), and by covering it over, renders visible the splendor of words hidden in its shadow and the lively presence of the "characters" that dissolve in the pot (p. 194).

[4] The quotation is from Shimizu Yoshinori's 清水良典 discussion of the story in *Gakushū shidō no kenkyū*, p. 112.

immediate contemporary issue than questions about language itself.

That said, it is understandable that some might raise doubts about an instructional policy like that of Chikuma Shobō's textbooks. While "there is certainly value in having students think about social problems," one might argue that "the essential task in reading fiction is first to grasp the expressions of the text itself carefully, and that what one can think about after reading the short story should come at a later stage."[5] In Japanese language classes, it is indeed important to begin with a close reading of the short story itself. At the same time, however, contemporary classrooms increasingly involve students learning while consulting devices, making it easy to look up word meanings in external sources. The aforementioned textbooks position the "Everyday Waste Disposal Act" as a "fictional" law.[6] Readers (students) might quickly look up Japan's actual "Act on Waste Management and Public Cleaning" (*Haikibutsu no shori oyobi seisō ni kansuru hōritsu* 廃棄物の処理及び清掃に関する法律; commonly known as the "Waste Disposal Act" or *Haikibutsu shori hō* 廃棄物処理法) and begin to wonder what, precisely, is meant by calling the law in the short story "fictional." From there, it would take little time to arrive at the issue of costs in real-world garbage disposal. In a situation where elements that can easily disrupt close reading of the short story itself are present, a lesson plan like that found in Chikuma Shobō's textbooks—one that begins by asking students about real-world garbage and then has them attend to the differences and distance between that reality and the "garbage" within the short story—can hardly be called unnatural. Even within Sanseidō's instructional approach, which emphasizes the "institutional" dimensions surrounding language, such questioning ought to be treated as important.

The concrete realities of garbage and its disposal differ by country or region (the municipality the reader belongs to), and the meanings that emerge from them will likewise vary. Garbage, like language, is an entity that is part of everyone's daily life. Precisely for that reason, there is significance in reading the discourses surrounding garbage in "The Woman Who Doesn't Throw Things Away" while keeping in view real-world, socially shared understandings of garbage and garbage disposal.

II. Garbage in Historical Context

At the beginning of "The Woman Who Doesn't Throw Things Away," the revision of the "Everyday Waste Disposal Act" is explained as follows:

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[5] Inoue, "Tawada Yōko 'Sutenai onna' no kōzōteki dokkai," pp. 51-60.

[6] With regard to the "Everyday Waste Disposal Act" and its "revision," *Seisen bungaku kokugo* identifies it as a "fictional law" (p. 175). Likewise, the *Gakushū shidō no kenkyū* for Chikuma Shobō's textbooks from *Gendaibun B* onward explain in the "Points for Instruction" that it is "a fictional law" (p. 112). Inoue, "Tawada Yōko 'Sutenai onna' no kōzōteki dokkai"—based on *Gendaibun B kaiteiban*—also states that "as the teacher's guide indicates, this revision is fictional" (p. 53).

> Over the last ten years, garbage has increased too much, and disposal costs have reached the point where they can no longer be covered by tax revenue alone. As a result, not only bulky waste but even the smallest piece of garbage must be collected in exchange for a disposal fee of one hundred yen per one hundred grams.

The name of the aforementioned real-world Japanese law does not include the word *seikatsu* 生活, translated here as "everyday." Moreover, the "revision" of the "Everyday Waste Disposal Act" in the story entails a pay-per-weight system—"one hundred yen per one hundred grams"—for disposing garbage. Needless to say, in contemporary Japan, ordinary household garbage does not incur such a cost. These discrepancies in both the law's name and the costs are likely why textbooks such as *Seisen bungaku kokugo* treat the law as fictional. Describing the law as "fictitious" presupposes the reality of contemporary Japanese society. From the standpoint of the reader's everyday experience, of course, a legal revision that imposes such disposal fees can only be described as fictional. Yet the question of the gap between this fictional scenario and real-world garbage disposal is not one to be dismissed lightly.

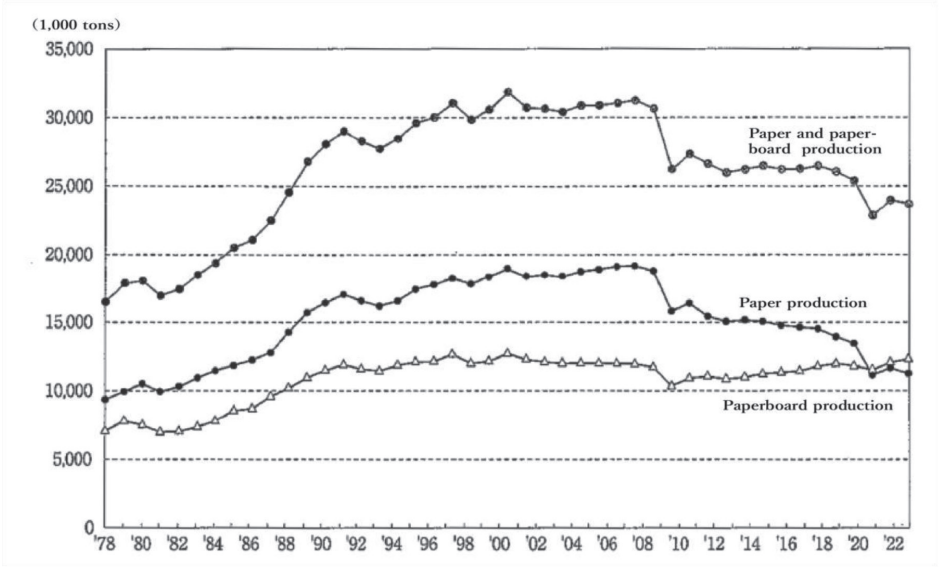

Figure 1. Trends in Paper and Paperboard Production (graph)

For example, if we count backward from 1999, the year the story was published, the "last ten years" in which "garbage has increased too much" corresponds to the late 1980s onward. The late 1980s were the years of Japan's bubble economy and a period of

population growth, and garbage did indeed increase. At the time, Ōsawa Masaaki 大澤正明 notes, there was both a shortage of incineration facilities and a sharp rise in paper consumption.[7] As **Figure 1**[8] shows, per capita it rose steeply from around 1986 through 1991; after peaking around 2000, by 2022 it had returned to a level not dramatically different from the pre-increase period. As paper consumption increases, so does paper waste. The phrase "the last ten years" in the story appears to correspond to precisely this real-world situation. Yet contemporary readers (students), living at a time when paper use itself is on the decline in tandem with the proliferation of digital media, may well have difficulty imagining paper waste when they encounter the line "Over the last ten years, garbage has increased too much"—even if they readily call to mind bulky waste or plastic waste. To ignore this gap in historical context and simply subsume the issue under the single label of a "fictional" legal revision seems somewhat heavy-handed.

It is also worth recalling that the "Act on Waste Management and Public Cleaning" was first enacted in 1970, as a sweeping revision of the earlier Cleaning Act (*Seisō hō* 清掃法). Since then, the law has been revised repeatedly up to the present. Changes in society and people's lifestyles are directly connected to waste disposal, making repeated revisions inevitable. Tokyo, for instance, first introduced fee-based semi-transparent garbage bags in 1993.[9] At the time, the semi-transparency raised privacy concerns, and the fact that the bags were not free also provoked substantial backlash among Tokyo residents. Yet today, paid garbage bags have become the norm in many municipalities. Even before "The Woman Who Doesn't Throw Things Away" was published, the disposal of not only

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[7] While noting that "during the ten years of the high economic growth period, per-capita daily waste increased by as much as 533 grams, in contrast to only 139 grams around the bubble era, he states the following about increase during the latter period:

> During the high economic growth period, incineration facilities had not yet been sufficiently developed, so a simple logic prevailed: if garbage increased, one could simply build more incinerators. At that time, opposition movements against incinerator construction were not yet significant. By contrast, during the bubble era, incineration infrastructure had largely been completed, making it difficult to imagine simply building another facility in response to increased waste. Opposition movements against incinerator construction also grew serious, and this was around the time when the term "NIMBY" (Not in My Backyard) began to be heard. Even more troubling was the sharp rise in the cost of constructing incineration facilities during the bubble era. …
>
> Even though the increase was only a little over 100 grams, why did waste increase during this period? Most likely because paper consumption rose sharply.

Ōsawa further points to "the increase in cardboard due to the spread of home delivery services" and "the spread of copy machines" as major factors behind the rise in paper consumption. Ōsawa Masaaki, *Kyōkasho de wa wakaranai gomi no sengo-shi*, pp. 149-151.

[8] Figure 1 is based on Koshi Saisei Sokushin Sentā, *Koshi handobukku 2023*, p. 37.

[9] In November 1993, the Tokyo metropolitan wards introduced a designated garbage bag system (paid garbage disposal). See Table 5 on major waste disposal systems and garbage policies since the enactment of the waste disposal act in Taguchi, *Gomi shakaigaku kenkyū*, p. 185.

bulky waste but also other general household waste (such as "trash to be burned") was not free. While some municipalities in Japan still do not charge households for the cost of doing so, this may simply reflect the fact that costs have not (yet) risen to the level of "one hundred yen per one hundred grams." One might also recall the recent shift to paid plastic shopping bags at supermarkets and convenience stores as part of efforts to reduce plastic waste. Items that were once free (or inexpensive) become paid services (or expensive), provoking backlash—a scenario we have witnessed repeatedly in reality. As stated in Chikuma Shobō's aforementioned teaching manual, "one hundred yen per one hundred grams" does represent imagining what would happen if "the current situation were taken to more extreme lengths." However, there is no guarantee that the costs of real-world waste disposal will not increase in the future. Even if "one hundred yen per one hundred grams" is a radical idea, it may nevertheless be one possible future. The society depicted in "The Woman Who Doesn't Throw Things Away" can be read not simply as a "fictitious" world, but as a possible present that might have been, and a possible future that could yet come to pass, in relation to waste disposal.

The opening section of "The Woman Who Doesn't Throw Things Away" has been analyzed in teaching guides and pedagogical discussions as focusing on the narrator's emotions and linguistic sensibility—her observation that the term "burnable trash" seems to express "the burning passion of those being discarded," her dislike of the word "disposal," and her desire to burn up "as garbage" her "life force" and "continue to drift through the air as a fireball even after death." These passages cannot be overlooked in deepening our understanding of both the narrator's inner life and the acts of writing and language use. They also relate to the narrator's attitude and emotions toward writing fiction that continue throughout the story. At the same time, the writer-narrator states that after the legal revision imposing "one hundred yen per one hundred grams," she "can no longer casually change the plot of a short story." The narrator, who perceives "the burning passion of those being discarded" in "burnable trash" and rejects the "bland" quality of the repeated act of "disposal" in everyday life, comes to find value in the writing mistakes (i.e., "garbage") that arise in the process of writing fiction. Yet even so, "one hundred yen per one hundred grams is expensive." The problem of garbage disposal becomes inseparable from the narrator's imagination and the act of writing fiction. Creative work is also the foundation that supports the narrator's livelihood as a writer. Consequently, the legal revision that raises disposal fees becomes a pressure on the narrator's life. This situation evokes for readers not only the contemporary circumstances of the story's publication year, but also the social conditions surrounding waste disposal that have persisted to the present day. In other words, the very real issue of garbage disposal that exists in the background to describing the setting as "fictional" presses heavily upon the act of reading as well.

III. "Not Throwing Away" = Reducing Garbage

The second paragraph of the story describes the narrator's stance and feelings toward writing fiction. Even when "writing a single short story," the narrator explains, "jotting down ideas" and "doing research at the library" means "using up about thirty sheets of paper," and "writing one piece as a warm-up" produces "another thirty sheets of garbage." Furthermore, "writing one preliminary prevention draft" creates "another thirty sheets of garbage," and "then when I write the real thing all at once, it rarely works out well on the first or second try." The creative process of writing fiction (or rather, the method of creation) is inseparable from generating "garbage." This second paragraph begins with the sentence: "Even so, one hundred yen per one hundred grams is expensive." The production of such "garbage" that accompanies the act of writing thus also suggests the narrator's feeling that, because the cost is high, she can no longer "casually change the plot" (or "casually" throw things away).

It is in this context, where the issue of disposal fees increasingly comes to the fore alongside the narrator's creative method, that the story continues with the episode: "Along with a letter, an advertisement for a big furniture sale arrives. … This single sheet of advertisement paper is already going to become garbage. So I took out scissors and tried cutting out photographs of chairs, tables, chests of drawers, cupboards, and so on." The development may feel somewhat abrupt, but because it is narrated within the same paragraph, the narrator's writing method, furniture, and advertisement paper are treated as continuous elements in the problem of how to deal with the high cost of trash disposal—the pressing issue for her. Furniture, too, "becomes bulky garbage once it gets old," at which point one has no choice but to pay expensive disposal fees. The narrator goes so far as to cut out the advertisement photos, "line them up on the table," and "cut out two women wearing aprons from the same advertisement." Here, the narrator says that "it's no fun playing alone." So she "invites the sisters from next door, the Kawamoto family," to play. Cutting out and arranging advertisement photos is a kind of play akin to playing house. The narrator says, moreover, "I was secretly pleased that garbage had become a toy." In other words, the advertisement, which would otherwise have been garbage destined for disposal, is regenerated into a toy for playing with children. The narrator devises ways to reduce garbage and recycles the advertisement as a new resource.
In Japan, "government administration-led waste reduction and recycling began to be developed in earnest only after the collapse of the bubble economy, from the 1990s onward."[10] The Basic Act on Establishing a Sound Material-Cycle Society (*Junkangata shakai keisei suishin kihonhō* 循環型社会形成推進基本法)—which introduced the priority

[10] Kojima, Gomi no hyakka jiten, p. 61. This encyclopedia summarizes early 1990s waste reduction and recycling campaigns as follows (pp. 61-62):

ordering of the so-called 3Rs (Reduce, Reuse, Recycle)—was promulgated in 2000. If we situate "The Woman Who Doesn't Throw Things Away"—where the likes of writing and wrapping paper are the primary forms of garbage—in this context, it is also significant that the Container and Packaging Recycling Act (*Yōki hōsō risaikuru hō* 容器包装リサイクル法), which governs the recycling of paper-based waste such as cardboard boxes, paper boxes, and paper packaging, was enacted and reached full implementation in the period from 1995 through 2000.[11] The "last ten years" leading up to 1999—the year the story was published—was thus also a period in which issues surrounding garbage disposal advanced with particular intensity. Whatever one might think about the desirability of such legal revisions in reality, the succession of "recycling laws," including the Container and Packaging Recycling Act, can be regarded as a defining feature of the 1990s.[12] Since the narrator's actions resemble reducing and recycling—undertaken with the intention of reducing garbage—this historical background cannot be ignored. It becomes possible to say that the narrator, who must confront high disposal fees, is also articulating an intensely real-world problem: how to reduce garbage, alongside the question of how to write fiction.

The mother who comes to pick up the sisters can be positioned in the same context. When she hands the narrator "a box about the size of a pillow wrapped in department

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Against the backdrop of heightened concern for global environmental issues following the 1992 Earth Summit and the worsening waste problem, the 1991 revision of the Waste Disposal Act and the enactment of recycling laws gave momentum to government-led waste reduction and recycling initiatives. Municipalities across Japan launched a wide range of campaigns focusing on the likes of not using product packaging, bringing one's own shopping bags, the 3Rs (reducing, reusing, recycling), reducing trash by 10% or 100g per person per day, and not creating, not buying, and not putting out trash. In September 1992, under the leadership of the Ministry of Health and Welfare (Kōseishō 厚生省) and the Japan Waste Management Association (Zenkoku toshi seisō kaigi 全国都市清掃会議), the National Association for the Promotion of Waste Reduction (Gomi genryōka suishin kokumin kaigi ごみ減量化推進国民会議) was established in order to promote waste reduction and recycling through cooperation among citizens, businesses, and government, leading to nationwide campaigns.

[11] The Ministry of the Environment's webpage "What Is the Container and Packaging Recycling Act?" explains its implementation history as follows: "In 1995, the government enacted the Container and Packaging Recycling Act (officially, the Act on the Promotion of Sorted Collection and Recycling of Containers and Packaging [*Yōki hōsō ni kakaru bunbetsu shūshū oyobi saishōhinka no sokushin tō ni kansuru hōritsu* 容器包装に係る分別収集及び再商品化の促進等に関する法律]) to construct a general waste recycling system for container and packaging waste from households. This system was partially implemented in 1997 and fully implemented in 2000" (Kankyōshō, "Yōki hōsō risaikuru hō to wa").

[12] Taguchi, *Gomi shakaigaku kenkyū*, p. 184, states the following regarding the succession of recycling laws in the 1990s:

> As evidenced by the frequent revisions of the Waste Disposal Act after 1990, the enactment of the Recycling Act (*Risaikuru hō* リサイクル法) in 1991, the Container and Packaging Recycling Act in 1995, the Home Appliance Recycling Act (*Kaden risaikuru hō* 家電リサイクル法) in 1998, and the Food Recycling Act (*Shokuhin risaikuru hō* 食品リサイクル法) and Construction Recycling Act (*Kensetsu risaikuru hō* 建設リサイクル法) in 2000, as well as the October 2000 enactment of the Basic Act for Establishing a Sound Material-Cycle Society, the waste-related legal system after 1990 stands in sharp contrast to the relatively simple system that existed prior to that decade.

store wrapping paper," the narrator says, "Oh no, I thought—but it was too late." Sweets nearing their expiration date are nothing more than objects on the verge of becoming garbage. When the narrator opens the wrapped box, "wrapping paper from a Japanese confectionery shop appears," and inside that there is even "a square tin" ("metal garbage"). The narrator, who cannot take the mother's act as a simple courtesy, surmises that she "must have been secretly waiting for a chance to shove this garbage onto someone else." Since it is garbage, a disposal fee will be incurred. To avoid this, the narrator comes up with the idea of eating the sweets and "cutting the two outer layers of wrapping paper into postcard-sized pieces, and writing sentences on each one." She then explains the solution: once she eats "one rice cracker and its small bag is empty," she will "fold one sheet of paper with writing on it and slip it in, then put the bag back in the tin." After placing writing in every small bag, she closes "the lid with the silica gel still inside so the papers won't go stale," attaches a title, and brings it to the publisher, thinking to herself, "Since this is not garbage but a fine short story, surely they won't say they don't want to take it."

Wrapping paper, tin (and, for that matter, silica gel)—everything that would have become garbage—is regenerated into a new value (resource): a short story. The narrator's thought can thus be read as a continuation of recycling ideas aimed at reducing garbage, beginning with the advertisement episode. The third paragraph then begins: "If you put out garbage, you're the dregs of a novelist. What accumulates are ideas, fragments, memories, garbage." The first "garbage" here is something that, if one "puts it out," makes one "the dregs of a novelist." That is, it is garbage for which there is no path other than disposal. The narrator, however, refuses—or refuses to try—to put out such garbage. In that sense, the narrator is not "the dregs of a novelist." The second "garbage," by contrast, is listed among what accumulates alongside "ideas, fragments, memories." This garbage is presented as a value (resource) indispensable for writing fiction. Although the same word "garbage" is used in both cases, the meanings are markedly different. Given that the context is grounded in fiction writing, both instances of the word perhaps could be replaced with "words" or "characters." Yet the first "garbage," which would produce "the dregs of a novelist," has no path other than disposal. In seeking to avoid that outcome, the narrator converts garbage into something valuable—something that stands alongside "ideas, fragments, memories." The third paragraph vividly expresses precisely this stance:

> If you put out garbage, you're the dregs of a novelist. What accumulates are ideas, fragments, memories, garbage. What accumulates is what has value. Rather than polishing rusty things (*sabi-ta mono* 錆びたもの), you build an aesthetics of rust-like imperfection (*sabi no bigaku* サビの美学); with mold (*kabi* カビ), you make it bold splendor (*kabi* 華美); you gather together dirt, collapse, dust, oxidized things, and draw the face of the world.

Through this wordplay-driven prose that uses homophones, the narrator effects a striking transformation of value not only for garbage but also for things like rust and mold, which would ordinarily be destined only for disposal. What is more, she proposes to "draw the face of the world" (the center or symbol of society) using "dirt," "collapse," "dust," and "oxidation"—things that society generally shuns. Here, then, the narrator's stance is vividly on display: in order "not to throw things away," she generates new value. The fourth paragraph, too, begins with value-shifting homophones: "Speaking of garbage (*gomi* ゴミ), one thinks of the five tastes (*gomi* 五味) the tongue perceives—and within the phrase 'bulky garbage' (*sodai gomi* 粗大ゴミ) is contained the word 'supreme pleasure' (*dai-gomi* 醍醐味). Furthermore, exploring new possibilities of value, the narrator remarks that things normally disposed of as waste—"carrot peels," "pepper stems," "potato sprouts," "onion skins," "pumpkin seeds," "green bean strings"—could produce striking photographs by "noticing their colors, varied like flowers" and using those colors "to create negatives." The third and fourth paragraphs describe this flexible thinking about how to rescue garbage from the "bland" practice of disposal and give it value and meaning so as to "not throw it away." When we read with garbage as the focus, the short story's overall structure becomes clearer. The narrator is trying to transform garbage that must be disposed of into something with different value and meaning.

The fifth paragraph introduces "Stardust," a program that "collects only the sentences discarded while writing a short story and then reorganizes them." From the perspective of waste reduction, this too is a form of reuse. The narrator is then encouraged by a friend to write using a word processor, but says, "I tried it, but I can't get the work to move along. If no garbage comes out, I can't keep thinking." With the creation and deletion of data, the narrator cannot write fiction as she wishes. As she has already said in the second paragraph, for her, writing fiction and producing garbage (in the material sense) remain inseparable.

The narrator produces garbage and transforms it into something valuable (a new resource). This is also her creative method, which a word processor is not compatible with. She continues: "Because I can't pay the garbage disposal fees, this is illegal, but yesterday I secretly burned last week's spoiled drafts in the backyard." In the real world as well, open-air burning of waste is prohibited.[13] The narrator's emotions here, however, derive less from illegality than from an Okinawan Obon お盆 custom (*uchikabi*) rooted

[13] According to Kojima, *Gomi no hyakka jiten*, p. 104, "Household incineration of waste was once common, but due to dioxins becoming a social problem, such practices have been discouraged or prohibited. Open-air burning using the ground or drums is prohibited under the Act on Special Measures Against Dioxins (*Daiokishinrui taisaku tokubetsu sochi hō* ダイオキシン類対策特別措置法)." This act was enacted and promulgated in July 1999 and came into force in January 2000. An article from January 2000 notes that bans on open-air burning prompted by dioxins and foul odors were implemented by prefectures such as Hiroshima and Miyazaki as early as March 1999

in the idea that "burned paper goes to the other world," and that "paper money is burned and sent so that the dead won't have trouble with money in the next world." The narrator imagines: "That means the dead are reading my botched drafts. I don't want the dead to read such failures." This appears to be why she feels it left "a bad aftertaste." The narrator's botched drafts, i.e., garbage, are burned and imagined as being read by the dead; this is similar to reuse. Since she is attending more to the dead (the story's readers) over the legal status of her actions, the narrator even says she might "burn and send a finished book" to them. In other words, even if the physical manuscript paper or books undergo a material transformation by being burned and going to the other world, the narrator still desires that her work be read by others (that it be reused).

In the final scene, the narrator describes a method she learned from "a friend who does botanical dyeing": "If you simmer spoiled manuscript paper for about fifteen minutes in hot water with salt and vinegar, the characters dissolve into the water, and the manuscript paper turns white again. If you stick it on the wall and let it dry, you can use it again." This is clearly a form of reuse of the paper used for her drafts. She boils the paper in a pot; hiragana, katakana, and kanji float up in the water; she "scoops them up with a ladle and tosses them out the kitchen window into the backyard." The narrator then imagines: "The crumpled characters seeped into the soil and disappeared. When spring comes, what kind of flowers would bloom if I sowed seeds here?" The image of characters (words) sprouting into flowers (new life) suggests recycling.[14] The act of conferring new value upon what has lost its value was also the narrator's creative method. In that sense, "The Woman Who Doesn't Throw Things Away" can be read as a story that, against the background of the social conditions surrounding garbage in its own time, overlays the reduction of garbage with a method of writing fiction, and narrates these in figurative terms.

IV. Imagining Beyond the Classroom Through Garbage

Behind the narrator, who repeatedly speaks of waste reduction and recycling, we can discern the broader trends of the time and society surrounding waste disposal. Certainly,

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("Noyaki, chiiki o towazu kinshi: Akushū bōshi hō kaisei shi kisei kyōka, bassoku mo kentō—Kankyōchō" 野焼き、地域を問わず禁止―悪臭防止法改正し規制強化、罰則も検討―環境庁, *Chihō gyōsei* 地方行政, 2000.1.31). Subsequently, outdoor burning of waste was prohibited nationwide through the September 2000 revision of the Waste Disposal Act, not the Offensive Odor Control Act (*Akushū bōshi hō* 悪臭防止法). It can thus be said that, following the emergence of the dioxin problem in the 1980s, the 1990s saw a clear shift toward discouraging and regulating the burning of garbage in private spaces such as gardens.

[14] In Chikuma Shobō, *Gendaibun B: Gakushū shidō no kenkyū*, p. 118, the passage beginning "I scooped them up with a ladle and tossed them out the kitchen window into the backyard" is annotated as follows: "Characters are transformed into an image of living beings that constitute the source of rich flavor, and are further recycled as nutrients within the soil"; "the spoiled characters converge into an image as though they had been incorporated into the recycling of life in the natural world." However, it can be argued that in this story, the 3Rs are embedded throughout the text, not only in this passage.

close reading of the text is essential in Japanese language classes. Yet in the case of a work like this, turning one's attention to the social conditions that surround it should not be neglected either.

According to data released by the Ministry of the Environment in March 2022, "as of March 2019, 63.5% of municipalities have user fees for household burnable waste (including municipalities that have introduced user fees only in some areas ...)."[15] Year by year, the number of municipalities implementing paid garbage disposal has increased. At the same time, there are, of course, regions where this is not the case. Conversely, there are municipalities such as the town of Kamikatsu 上勝, in Katsuura 勝浦 District, Tokushima Prefecture, which declared "zero waste"[16] in 2003—the first in Japan to do so—and sorts garbage into forty-five categories, the most in the country. Attitudes toward garbage differ by region. In recent years, many municipalities have also shifted from writing "burnable trash" to "trash to be burned." If even the former phrase ceases to be taken for granted by readers, then disparities in interpretation—by region, and by time period—will only widen. By 2023, with ideas such as recycling widespread, the overall volume of garbage has been trending downward compared to the 1990s. Given these conditions, pedagogical questioning that annotates the social circumstances and historical developments connected to real-world garbage disposal will only become more necessary.

The historical background of "The Woman Who Doesn't Throw Things Away" includes the social situation in which the issue of waste disposal developed into the concept of recycling. This cannot be ignored when reading it in 2023 (and thereafter). Indeed, compared to 1999, it should be easier for contemporary readers to grasp the narrator's operating principle of reuse and recycling. If the idea of "zero waste" becomes even more widespread, readings that foreground resource recovery alongside real-world social conditions surrounding garbage may become more prevalent. In that case, the narrator's behavior could even be reevaluated as a resource-conscious stance aimed at eliminating waste. Both the time in which the story was published and the time in which it is read—and the social and historical backgrounds of each—serve as keys to unlocking "The Woman Who Doesn't Throw Things Away." Even though the setting is fictional, the story world remains closely in contact with real social conditions.

Speaking of "fictional," we must also return to the Stardust program, described as "a program ... that collects only the sentences discarded when writing a short story and then reorganizes them." In Sanseidō's *Seisen bungaku kokugo*, it is annotated as a

[15] See the section 1.3 on the introduction of waste fees in Kankyōshō Kankyō Saisei Shigen Junkan-kyoku Haikibutsu Tekisei Shori Suishin-ka, "Ippan haikibutsu shori yūryōka no tebiki."

[16] Teramoto, "Chiiki shakai no dezain to zero weisuto no keizaigaku," pp. 12-13, argues that "eliminating 'waste' is the origin of zero waste, not 'zero garbage,'" and explains that "zero waste does not simply treat outputs as unnecessary objects, but instead understands them as products or reproduced goods within biological and technological cycles."

"fictional computer program." It is fictional in the sense that no program with such a name and function appears to be circulating in the real world. Yet for readers (students) encountering the story in 2023 and beyond, it is not necessarily something wholly outside their own reality. The emergence of generative AI, such as ChatGPT—systems that automatically generate text based on accumulated data—is recent enough to remain vivid in memory. AI that learns and generates not only text but also a wide range of content has capacities that exceed those of Stardust. Setting aside for the moment the question of whether generative AI is good or bad, or the quality of its writing, contemporary high school students would likely find it easy to understand Stardust by mapping it onto technologies that are currently in use. In 1999, when "The Woman Who Doesn't Throw Things Away" was published, smartphones were scarce in Japan, and the internet had only just begun to spread. The technology and social conditions surrounding readers today are thus profoundly different from those of that time. And yet, unintentionally, the story even depicted a future linked to reality. Of course, this is a perspective grounded in 1999. If one pays close attention to technological aspects, however, Stardust can no longer be said to be straightforwardly fictional. It bears a resemblance to present-day technologies. The disposal fee of "one hundred yen per one hundred grams," "Stardust," and content that calls to mind the 3Rs—this topical arrangement of discourse that takes garbage as a point of departure constitutes the core of this story. It becomes nearly impossible to interpret the story while bracketing out real-world conditions. This is precisely why, through "The Woman Who Doesn't Throw Things Away, " we ought to ask how the reality closely bound up with readers' daily lives relates to the short story, and to demand a mode of thought that moves outward, beyond the space of reading.

As teaching guides and pedagogical discussions have already argued, this is a short story in which the narrator articulates powerful feelings toward words. The narrator's will to never let go of words suggests her own method of writing fiction. Yet it would be a mistake to overlook the point that the narrator's methodology of recycling words is linked to the very real waste disposal problems of the 1990s, including recycling. When viewed through the lens of real-world waste disposal problems, the story brings to the surface the narrator's principle of transforming and regenerating the value of words and garbage.

Just as garbage issues change along with social conditions, the meanings evoked by the discourses surrounding garbage within the short story are not universal. Readings of "The Woman Who Doesn't Throw Things Away" may shift along with time and with social circumstances. The same is true of Stardust. Interpreting the story requires a gaze directed both toward the 1990s, when the short story was published, and toward the contemporary moment in which it is read—toward each era and its social conditions. If we are to become more consciously aware of why we are reading it as educational material now, we require knowledge and imagination that widen our field of vision beyond the

classroom. Readers, too, may come to recognize—like the narrator—the importance of transforming values and resources through practices of reducing, reusing, and recycling. Tawada's short story overflows with ideas that reject the conceptual habit of too easily declaring words and things to be unnecessary and that seek to regain new value and meaning.

(Translated by Dylan L. Toda)

References

Bungaku kokugo 文学国語. Chikuma Shobō, 2023.

Gendaibun B 現代文Ｂ. Chikuma Shobō, 2014.

Gendaibun B: Gakushū shidō no kenkyū 現代文Ｂ 学習指導の研究, vol. 4. Chikuma Shobō, 2018.

Gendaibun B kaiteiban 現代文Ｂ改訂版. Chikuma Shobō, 2018.

Inoue Akiyoshi 井上明芳. "Tawada Yōko 'Sutenai onna' no kōzōteki dokkai: Danpen no shūseki" 多和田葉子「捨てない女」 の構造的読解—断片の集積. *Kokugakuin Daigaku kyōikugaku kenkyūshitsu kiyō* 國學院大學教育学研究室紀要 55 (2020), pp. 51–60.

Kankyōshō 環境省. "Yōki hōsō risaikuru hō to wa" 容器包装リサイクル法とは. https://www.env.go.jp/recycle/yoki/a_1_recycle/ (accessed 1 December 2023).

Kankyōshō Kankyō Saisei Shigen Junkan-kyoku Haikibutsu Tekisei Shori Suishin-ka 環境省 環境再生・資源循環局 廃棄物適正処理推進課. 2022. *Ippan haikibutsu shori yūryōka no tebiki* 一般廃棄物処理有料化の手引き. https://www.env.go.jp/recycle/waste/tool_gwd3r/ps/psR403.pdf (accessed 1 December 2023).

Kojima Toshinori 小島紀徳, Shimada Sōhei 島田荘平, Tamura Masamitsu 田村昌三, Nitagai Kamon 似田貝香門, and Yorimoto Katsumi 寄本勝美, eds. *Gomi no hyakka jiten* ごみの百科事典. Maruzen, 2003.

Koshi Saisei Sokushin Sentā 古紙再生促進センター. *Koshi handobukku 2023* 古紙ハンドブック 2023. Koshi Saisei Sokushin Sentā, 2023.

Ōsawa Masaaki 大澤正明. *Kyōkasho de wa wakaranai gomi no sengoshi* 教科書ではわからないごみの戦後史. Bungeisha, 2020.

Seisen bungaku kokugo 精選 文学国語. Sanseidō, 2023.

Taguchi Masami 田口正己. *Gomi shakaigaku kenkyū: Watashitachi wa gomi mondai to dō mukiatte kita ka?* ごみ社会学研究—私たちはごみ問題とどう向き合ってきたか？ Jichitai Kenkyūsha, 2007.

Tawada Yōko 多和田葉子. *Hikari to zerachin no Raipuchihhi* 光とゼラチンのライプチッヒ. Kōdansha, 2000.

Teramoto Hiromi 寺本博美. "Chiiki shakai no dezain to zero weisuto no keizaigaku" 地域社会のデザインとゼロ・ウェイストの経済学. In *Junkangata chiiki shakai no dezain to zero weisuto* 循環型地域社会のデザインとゼロ・ウェイスト. Izumi Shoin, 2007.

The State and Freedom in Manchukuo: On the Enactment of the Law for the Protection of Human Rights†

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Keywords: Manchukuo, the Law for the Protection of Human Rights, state structure, conceptions of freedom, Yamaguchi Jūji

Author's Statement

This article examines the nature of the Manchukuo state by looking at both the legal character and the historical context behind the enactment of the Law for the Protection of Human Rights. How states position the concept of freedom has been a key factor in shaping their character, particularly in the modern era. Taking Manchukuo as a case study, this article analyzes that character from this perspective, aiming to reassess Manchukuo—long regarded as a Japanese "puppet state"—through the lens of both historical and political scholarship.

Introduction

The Law for the Protection of Human Rights (*Jinken hoshō-hō* 人権保障法; below, Human Rights Protection Law) was one of the earliest statutes promulgated in Manchukuo. On 9 March 1932, the day Aisin Gioro Puyi 愛新覚羅溥儀 assumed the position of chief executive (*shissei* 執政), it was issued as Directive No. 2 (*Kyōrei dai ni gō* 教令第二号), alongside his other orders: Directive No. 1, the "Government Organization Law" (*Seifu soshiki-hō* 政府組織法), and Directive No. 3, "Provisional Adoption of Previous Laws and Ordinances" (*Shibaraku jūzen no hōrei o en'yō suru no ken* 暫ク従前ノ法令ヲ援用スルノ件). Together, these became some of the "fundamental laws concerning the organization and functions of the state."[1] Although no constitution was ever enacted in Manchukuo, the Human Rights Protection Law was counted as one of the country's "basic laws,"[2] and in the early years of the state's founding the three

† This article is a translation of Higuchi Hidemi 樋口秀実, "Manshū koku ni okeru 'kokka' to 'jiyū': 'Jinken hoshō hō' no seitei o megutte" 満洲国における「国家」と「自由」—「人権保障法」の制定をめぐって—, Kokugakuin zasshi 國學院雑誌 123: 3 (2022), pp. 1–22. Translated by Dylan L. Toda.

[1] Hidaka, *Manshūkoku kōhō taii*, p. 25. Hidaka Minoo 日高巳雄 was at the time an Army secretary and legal officer.

[2] According to Tejima Tsuneyoshi 手島庸義, councilor (*sanjikan* 参事官) in the Legislative Section (Hōseisho 法制処) of Manchukuo's General Affairs Agency (Sōmuchō 総務庁), "basic law" (*kihon-hō* 基本法) refers to "fundamental

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directives mentioned above were regarded as "a de facto constitution."

As Historical Source 1[3] below shows, the Human Rights Protection Law "guaranteed the freedoms and rights of the people of Manchukuo and set forth their obligations."[4] At the same time, however, the contents of the law were abstract. According to Rōyama Masamichi 蠟山政道, professor at Tokyo Imperial University, who participated in the "Consultative Conference on Legal Systems and Economic Policy in Manchuria and Mongolia" (Manmō ni okeru hōsei oyobi keizai seisaku shimon kaigi 満蒙に於ける法制及経済政策諮問会議) convened by the Kwantung Army's Government Affairs Department (Tōchibu 統治部) in January 1932, many of its provisions were imitations of Western "human rights declarations" of "modern individualist states," and its wording also resembled that of the Constitution of the Empire of Japan and the Provisional Constitution of the Republic of China.[5] Hence, "the immediate aim" of the Human Rights Protection Law "lay more in the political than in the strictly legal realm." It had the character of "a statement of policy or program regarding rights established by means of legislation," and "most of the public rights it sets forth do not, on the basis of this law alone, produce direct legal effects. Only once the various systems related to these public rights have been fully developed can individuals, for the first time, lodge negative or positive claims against the state."[6] For example, Article 6 of the Human Rights Protection Law recognized the right of the people of Manchukuo to petition the state. However, for state organs to accept such petitions required the specification of the "procedures prescribed by law," and without this, there was no means to actually file them.[7]

With the above in mind, this article examines the Human Rights Protection Law in Manchukuo. As far as I have been able to determine, research on the history of Manchukuo has produced virtually no studies that actively take this law itself as an object

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laws concerning the composition of the state, the structure of governance, and the operations of government" (Tejima, *Manshūkoku kihon-hō gaisetsu*, pp. 10–11).

[3] Manshūkoku Hōrei Shūran Kankōkai, *Manshūkoku hōrei shūran*, 2:6–7. Following the adoption of the imperial system on 1 March 1934, Imperial Edict No. 12 revised the preamble of the Human Rights Protection Law to read: "The emperor, who governs Manchukuo, shall—except in time of war or extraordinary emergency—safeguard the freedom and rights of the people and define their duties in accordance with each article of this law, without deviation." See Hase, *Manshū teikoku shuyō hōrei kaisetsu*, 71–72.

[4] Hidaka, *Manshūkoku kōhō taii*, pp. 49–50. In this paper, "the people"/"person" (*jinmin* 人民) follows Tejima's definition: "Natural persons who, as constituent members of the state, permanently belong to it." While Tejima notes that "the people are also referred to as 'nationals' (*kokumin* 国民)," Manchukuo in fact lacked a nationality law in the strict sense. According to Tejima, however, even without a nationality law, "who counts as a Manchukuo person is determined entirely by unwritten customary law," and especially after the promulgation of the Provisional Civil Status Law (*Zankō minseki-hō* 暫行民籍法) on 1 August 1940, this customary conception of "nationality" (*kokuseki* 国籍) took concrete form: an individual's status as a Manchukuo person was thereafter officially certified through registration in the civil-status registers prescribed by that law. Tejima, *Manshū teikoku kihon-hō shakugi*, pp. 105–7.

[5] Rōyama, "Seiji," p. 104.

[6] Tejima, *Manshū teikoku kihon-hō shakugi*, pp. 112–13.

[7] Onoe, *Manshūkoku kihon-hō taikō*, pp. 129–30; Takahashi, *Manshūkoku kihon-hō*, pp. 108–10.

of analysis. This neglect is likely due to the preconception that a "puppet state" such as Manchukuo could not possibly guarantee the freedoms and rights of its people. Yet the Human Rights Protection Law is more important for its political than for its legal value. We must not only look at the literal meaning and interpretation of its provisions or its level of social realization; we must also pay attention to the law's political aims and political effects. In what follows, I trace the process by which the law was drafted as well as the broader historical context surrounding its promulgation, and clarify its significance from the standpoint of political history.

The ultimate aim of this article is to analyze the structure of the Manchukuo state by examining how the concept of freedom was defined and positioned through the Human Rights Protection Law.

In nineteenth-century Western Europe, as J. S. Mill defined it, liberty was understood as the opposite of power. He interpreted it in terms of the principle of self-protection: "one very simple principle, as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control, whether the means used be physical force in the form of legal penalties, or the moral coercion of public opinion."[8] In the twentieth century, however, scholars emerged who criticized as "nineteenth-century" the "binary structure" of the state—made up of oppositions such as freedom and power, state and society, society and the individual. One such figure was Carl Schmitt, professor at the University of Berlin and one of the theoretical supporting pillars of Nazi Germany. Schmitt advanced a totalitarian conception in which "the state of the twentieth century" should be a political unity based on a "threefold structure." In his 1933 work *Staat, Bewegung, Volk: Die Dreigliederung der politischen Einheit* (State, Movement, People: The Three Elements of the Political Unity), he writes as follows:[9]

> The liberal conception of the state and constitution proceeds from a simple and immediate opposition between the state and the private individual. Only on the basis of this opposition does it appear natural and meaningful to build an entire edifice of legal-protection measures and institutions designed to shield the helpless, defenseless, poor, isolated individual from the powerful Leviathan called 'the state.' … The fundamental and freedom-rights of the liberal-democratic system of state and constitution are, in their meaning, essentially rights of the private individual.

[8] Mill, *On Liberty*, p. 223. In this paper, "liberty" corresponds to Mill's definition: "not the so-called Liberty of the Will, so unfortunately opposed to the misnamed doctrine of Philosophical Necessity; but Civil, or Social Liberty (p. 217).

[9] Schmitt, *Gesammelte Schriften* 1933– 1936, pp. 74–95. Maruyama Masao 丸山眞男 published a translation of this text in July 1939, the foreword of which bears reading. See Maruyama, *Senchū to sengo no aida: 1936–1957*, pp. 36–42.

> And solely for this reason can they be regarded as 'non-political.' … Most of the institutions for legal protection in the so-called constitutional state have a rationale only insofar as they serve to safeguard the poor individual. All of this, however, becomes utterly meaningless once strong collective associations or organizations occupy the non-state, supposedly 'non-political' sphere of freedom, and once these non-state (but by no means non-political) 'self-organizations' gather isolated individuals ever more tightly together on the one hand, and on the other confront the state … They become the real and effective bearers of political decisions and the wielders of the instruments of state power. Yet they rule from out of the sphere of the individual that is free of state and constitutional constraint, a sphere that is not 'public,' and thereby escape every form of political responsibility and danger. … Within the constitutional order of the liberal-democratic Rechtsstaat, they can in legal terms never appear as what they actually are in political and social reality, because the liberal two-part schema has no place for them.

As this makes clear, how one defines the concept of freedom, and how one situates it within the state, is closely tied to how the state itself is structured. It is for this reason that this article takes up the Human Rights Protection Law as a lens through which to examine the distinctive features of Manchukuo's state structure.

1. The Plan to Build a "Manchuria-Mongolia Free State"

The drafter of the Human Rights Protection Law can be presumed to have been Matsuki Tamotsu 松木-侠. Matsuki was born in 1898 in Tsuruoka 鶴岡 City, Yamagata Prefecture, graduated from the Faculty of Law at Tokyo Imperial University in 1922, and in May of the same year entered the South Manchuria Railway Company (Minami Manshū Tetsudō Kabushiki Kaisha 南満洲鉄道株式会社, hereafter Mantetsu).[10] During his time at Mantetsu he published works on issues such as commercial lease rights in Manchuria and the Pact of Paris, showing that he already possessed a strong command of law and treaties.[11] After the Manchurian Incident began, Matsuki was commissioned by the Army Ministry (Rikugunshō 陸軍省) to serve as international law adviser to the Kwantung Army. Around 10 October 1931 he visited Itagaki Seishirō 板垣征四郎, the Kwantung Army's senior staff officer.[12] At that meeting, Itagaki requested that he "draft a blueprint for the new state to be built in Manchuria." Matsuki later recalled that he then "devoted all his energy to the government organization, the founding declaration

[10] For Matsuki's biography, see Matsuki, "Kōkyōsho-an daiichian."
[11] Matsuki, *Shōso mondai ni tsuite*; Matsuki, "Roshi kan no funsō to fusen jōyaku narabi ni Kokusai renmei."
[12] Matsuki, "Manshū kenkoku no rinen to sore o meguru hitobito."

and foreign policy declaration, and the basic legal system that would underpin them." As a result, "the Government Organization Law and the Human Rights Protection Law took shape in this way, and the central and local administrative structures and basic legal system were also completed." Staff officer Katakura Tadashi 片倉-衷 likewise recognized Matsuki's achievements, praising him as "the foremost contributor to the founding of the country, with many of the various laws and declarations having been drafted by his hand."[13]

On 22 January 1932, a meeting was held at the Kwantung Army Headquarters attended by Chief of Staff Miyake Mitsuharu 三宅光治, Itagaki, staff officers Ishiwara Kanji 石原莞爾 and Katakura, and Dohihara (Doihara) Kenji 土肥原賢二, head of the Fengtian (Shenyang) Special Service Agency (Hōten tokumu kikan 奉天特務機関). At this meeting, "they discussed Advisor Matsuki's draft proposals concerning the supreme organ of the new Manchuria-Mongolia state, the Human Rights Protection Ordinance, and the exchange memoranda, and so on, and decided on their general outlines." In response, Matsuki accelerated preparations for the new state's legal system, and at the 27 January meeting at Tanggangzi 湯崗子, the "Outline of the Order of the Steps for Founding the State" (*Kenkoku junjo no yōkō* 建国順序の要綱) was adopted.[14]

This "Outline" is the document "Steps for Constructing the New Manchuria-Mongolia State" (*Manmō shinkokka kensetsu junjo* 満蒙新国家建設順序), dated 27 January 1932 and preserved in the Ishiwara Kanji Papers in the Modern Japanese Political History Materials Room of the National Diet Library.[15] It proposed forming a "Central Political Affairs Committee" (Chūō seimu iinkai 中央政務委員会) chaired by Zhang Jinghui 張景恵, former administrative director of the Special District of Eastern Provinces (Dongsheng tebiequ 東省特別区), with the chairs (governors) of the three provinces of Fengtian (Zang Shiyi 臧式毅), Jilin (Xi Qia 熙洽), and Heilongjiang (Ma Zhanshan 馬占山) as members, to prepare for the establishment of the new state. As matters requiring preparation, it listed, alongside the national name, national flag, and central and local administrative systems, two legal instruments: a "State Organization Law" (*Kokka soshiki-hō* 国家組織法) and a "Human Rights Protection Ordinance" (*Jinken hoshō jōrei* 人権保障条例). By this point, the first and second drafts of the Human Rights Protection Law—titled "Human

[13] Katakura, "Mōshiokuri jikō"; Katakura, "Shokan hikae."
[14] Manshūkoku-shi Hensan Kankōkai, *Manshūkoku-shi: Sōron*, pp. 199–200.
[15] "Ishiwara Kanji kankei monjo," R3–46.
[16] Ibid., R3–31.
[17] Ibid., R3–40. A document believed to be the third draft of the Human Rights Protection Ordinance survives in the National Archives ("Shōwa zaiseishi shiryō," vol. 5, no. 185; JACAR A09050414900). Compared with the Second Draft, it contains only slight differences in wording; however, its preamble differs in the following way. Most notably, the designation of the head of state is changed from "president" to "chief executive" (*daishissei* 大執政): "Relying upon the trust of the entire nation to govern the Free State of Manchuria-Mongolia, the chief executive hereby

Rights Protection Ordinance" (Historical Sources 2 and 3)[16, 17]—appear to have already been prepared. What is striking about both drafts is that throughout their full text they use "Manmō Jiyūkoku 滿蒙自由国" ("Manchuria-Mongolia Free State") as the name of the new state. What sort of state concept did this "Manchuria-Mongolia Free State" proposal embody? And what meaning was attached to "freedom" in this context? To consider these questions, let us go back slightly in time.

The "Manchuria-Mongolia Free State" proposal was based on two earlier documents: Matsuki's own "Outline of a Constitution for the Republic of Manchuria and Mongolia" (*Manmō Kyōwakoku tōchi taikō-an* 滿蒙共和国統治大綱案), dated 21 October 1931,[18] and the "Program for the Construction of a Northeastern Provinces Free State" (*Tōhoku jiyūkoku kensetsu kōryō* 東北自由国建設綱領; hereafter, Kanai Proposal), dated 23 October and submitted to Kwantung Army Headquarters under the name of the chair of the Manchuria Youth League by Kanai Shōji 金井章次, head of Mantetsu's Health Section (Eiseika 衛生課).[19] In the former, Matsuki envisioned the new state as a constitutional polity, with the central administrative system consisting of four chambers—legislative, judicial, executive, and supervisory—under a president (*daisōtō* 大総統). For the local administrative system, he wrote that "the scope of direct government administration should be kept as small as possible, and the number of officials limited, with administration carried out on an autonomous basis." The "local self-governing bodies" he had in mind here were cities and counties, while the "provincial governments" would be "responsible for supervising and guiding the local self-governing bodies (cities and counties)," thus limiting the role of the provinces.

The Kanai Proposal, by contrast, was drawn up less by Kanai alone than in the context of debates over the creation of a Self-Government Guidance Department (Jichi shidōbu 自治指導部). After the beginning of the Manchurian Incident, public order collapsed across Manchuria and public peace maintenance associations were formed at city and county levels. In Fengtian (Shenyang), the Liaoning Public Peace Preservation Association was formed earlier than elsewhere, on 24 September 1931, with Yuan Jinkai 袁金凱 (member of the Northeastern Political Affairs Committee [Dongbei Zhengwu Weiyuanhui 東北政務委員会]) and adviser at the headquarters of the Northeast Border Defense Army [Dongbei bianfangjun 東北辺防軍]) as chair and Kanai as adviser.[20] The Kwantung Army, however, was particularly concerned with maintaining public order

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pledges to the entire nation that, except in time of war or extraordinary emergency, he shall safeguard the freedom and rights of the people and define their duties in accordance with the following:"

[18] "Ishiwara Kanji kankei monjo," R1–295.

[19] See the second attachment to "Jichi shidōbu kankei nisshi."

[20] Shibutani, "'9.18' jihen chokugo ni okeru Shenyan no seijijōkyō." Regarding Kanai before and after the outbreak of the Manchurian incident, see also Mori, "Manshūkoku kenkoku kōsaku to Kanai Shōji."

outside Fengtian and securing the cooperation of these localities for the new state. To address this problem, to Itagaki Kanai recommended Nakanishi Toshikazu 中西敏憲, who had previously served as head of Mantetsu's Local Affairs Section (Chihōka 地方課) and in other posts.

On 22 October 1931 Nakanishi visited Itagaki.[21] Itagaki told him, "At present it is difficult to foresee when a new regime will be formed. Until a unified new regime can be firmly established, I would like you to think of some method by which each county can continue to function smoothly and live like an organic cell."[22] That same night, Nakanishi drafted a document titled "Policy and Outline for Establishing a Local Self-Government Guidance Committee" (*Chihō jichi shidō iinkai setchi hōshin oyobi yōryō* 地方自治指導委員会設置方針及要領). It proposed that the Self-Government Guidance Department created in the new state dispatch guidance officers to the various counties along the Mantetsu lines, who would then implement county self-government, and that "influential individuals or organizations" should be made to form "county self-government executive committees"[23] capable of carrying out that self-government. On the basis of this policy and earlier proposals such as the "Republic of Manchuria and Mongolia" plan long advocated within the Manchuria Youth League (Manshū Seinen Renmei 満洲青年連盟),[24] the Kanai Proposal was drafted. From the standpoint that "in order for the Guidance Department to send guidance officers and make it truly easy for them to do their work and produce results smoothly, it is essential, in light of common conceptions of the state, that they be granted rationality or legality as soon as possible,"[25] it argued for the necessity of creating a new state.

The Kanai Proposal set out the structure of local self-government and, on that basis, the form of rule in the new state as follows. A governor would be appointed in each county, and that governor would be required to follow the resolutions of the county self-government council on important matters. The representatives of the county self-government councils would then form a provincial executive committee, which would take over the functions of the provincial public peace preservation associations. The representatives of these associations would, in turn, organize the "Northeast Free State Central Executive Committee" (Tōhoku jiyūkoku chūō shikkō iinkai 東北自由国中央執行委員会). The head of state, or "president" (*sōtō* 総統), would be chosen by resolution of

[21] "Jichi shidōbu kankei nisshi," entry for 22 October 1931. While no author is listed, comparison with Nakanishi's recollections (Nakanishi, "Jichi shidōbu sōsetsu no kaiko,"pp. 63–65), suggests that he is the principal narrator.
[22] Nakanishi, "Jichi shidōbu sōsetsu no kaiko."
[23] "Chihō jichi shidōbu setchi yōryō" 地方自治指導部設置要領, in "Ishiwara Kanji kankei monjo," R1–6.
[24] Mori, "Manshūkoku kenkoku kōsaku to Kanai Shōji." Regarding the league's activities during this time, see also Okabe, "Shokuminchi fashizumu undō no seiritsu to tenkai."
[25] Nakanishi, "Jichi shidōbu sōsetsu no kaiko."

this central executive committee.

On 31 October, Nakanishi visited Kwantung Army Commander Honjō Shigeru 本庄繁 and, based on the circumstances up to that point, explained the "future policy and methods of the Guidance Department" as follows:[26]

> The aim is to grasp the broad outlines of county administration and guide it in accordance with the principle of good government through non-action, proceeding gradually. The first objective of good government is the stabilization of popular feelings and the winning of the people's willing acceptance. The stabilization of popular feelings lies in the maintenance of public order. Special effort must be devoted to strengthening small-scale self-defense measures, such as the *baojia* 保甲 system and other means. For the people's acceptance, we aim to break with the old warlord regimes to eliminate unjust exactions and reform and reduce taxes. As for officials, we aim to improve their treatment and suppress corruption. By doing so, we will make the people concretely feel that they benefit from Japanese guidance. Although we speak of self-government, we do not envision electoral self-government in a nation under the rule of law, but entirely mean good governance through consultation of those with local reputation and virtue.

On 1 November, the Self-Government Guidance Department was formally established. As a result, even before the central government of the new state was created, guidance officers were successively dispatched to counties along the Mantetsu lines. In November alone, county self-government councils were formed in seven counties—Changtu, Benxi, Andong, Kaiyuan, Huaide, and Tieling. In December, guidance officers went to another eleven counties, including Fengcheng, and after the fall of Jinzhou on 3 January 1932, they were also dispatched to eight counties in western Liaoning, such as Jin and Fushun.[27]

A problem soon emerged, however, in the radical development of self-government in some localities under certain guidance officers. For example, Kai Masaharu 甲斐政治, dispatched to Tieling County, carried out what he called "a shock therapy that would overturn existing conceptions" in order to win the trust of the local public peace preservation association, which had shown no reaction to the visit of the guidance officer. On 25 November he promulgated the "Constitution of the Self-Governing County of Tieling" (*Tetsurei jichi-ken kenpō* 鉄嶺自治県憲法), declaring that "the county is a fully self-governed body," and abolished the existing Tieling County Self-Government Council, establishing instead a self-government executive committee with Wang Minggui

[26] "Jichi shidōbu kankei nisshi," entry for 31 October 1931.
[27] Manshūkoku-shi Hensan Kankōkai, *Manshūkoku-shi*, pp. 158–59.

王名貴, a local "man of virtue and reputation," as chair.[28] Alarmed by the overhaul of the county government, the Fengtian provincial government (which had been created on 10 November when the Liaoning Public Peace Preservation Association was dissolved) appointed a new county magistrate and sent him to Tieling. Kai, however, returned to Fengtian and directly appealed to Kanai—by then an adviser to the provincial government—who rescinded the appointment.[29]

Such moves by the self-government guidance officers were liable to conflict with efforts to establish a central government for the new state. From late October 1931, the Kwantung Army, with Dohihara at its center, had been carrying out operations to bring Puyi out of Tianjin and install him as head of the new state. On 13 November Puyi arrived at a hot spring inn in Tanggangzi and began preparations for state-building.[30] On 17 November his close aide Zheng Xiaoxu 鄭孝胥, who would later become Manchukuo's first prime minister, submitted to him a general outline of the administrative system, proposing the creation of a Privy Council as the central military organization, a National Treasury Bank for financial administration, and Provincial Supervision Offices for administrative oversight, all premised on the establishment of a centralized state.[31]

Under these circumstances, it appears that Matsuki drew up his "General Outline for the Establishment of the Manchuria-Mongolia Free State" (*Manmō Jiyūkoku setsuritsu-an taikō* 満蒙自由国設立案大綱), dated November 1931, with the aim of preventing contradictions between the center and localities in the state-building operations.[32] This outline likewise discussed the form of the "Manchuria-Mongolia Free State" and the steps for its establishment. As the principles of the new state, it proposed "eliminating warlord politics on the basis of civilian government," and "entrusting as much of national administration as possible to the self-government of the people and reducing the scope of direct administration by officials." Regarding city and county self-government in particular, it stated that this would be "a special feature of the Manchuria-Mongolia Free State, based on China's native conception of self-government, whereby each county and city is governed by the free discretion of the people and at their own expense." At the same time, the outline also addressed the policy for establishing the central government. While acknowledging that "state-building consists, on the one hand, of consummating the self-government of the lower-level political organs—that is, the counties and cities—

[28] "Kyōwakai-shi shiryōshū" 1.
[29] Manshūkoku-shi Hensan Kankōkai, *Manshūkoku-shi*, pp. 160–61.
[30] Zhongguo Lishi Bowuguan, *Zheng Xiaoxu riji*, vol. 4, entry for 13 November 1931.
[31] Ibid., entry for 17 November 1931.
[32] This draft is attached to Kantō Army Staff Chief Miyake Mitsuharu's communication no. 33 (19 November 1931; entitled "Manmō jiyūkoku settei-an sōfu no ken" 満蒙自由国設定案送付ノ件; to Vice Chief of Staff Sugiyama Gen 杉山元), in "Shōwa shichi-nen Man-mitsu dainikki."

and, on the other hand, of establishing the independence of the upper-level organ—that is, the provinces—and gradually moving toward the creation of a central regime, and that both must be carried out while maintaining full coordination and control between upper and lower organs," it argued that, ideally, "it would be best to first establish a strong central government for state-building and unify the provinces under it." Yet as this was difficult to realize immediately, it would instead be preferable for "each province or region to declare its independence from the central government of China," then "form a central government on a federated-province self-government basis, and only thereafter gradually expand the powers of the central government."

In the process of constructing the new state and, after its founding, in shaping its structure, the key issues thus became how to allocate powers between the central and local governments, where to draw the line between direct administration and self-government, and how to coordinate and control the relationship between the two. These issues were discussed in the Kwantung Army's newly established Government Affairs Department, which replaced the Third Section (Daisanka 第三課) on 15 December 1931. This department was created to advance preparations for state-building while inheriting administrative, economic, and other operations previously handled by the Third Section.[33] Its head and staff were military civilian employees, with former Mantetsu employees such as Department Chief Komai Tokuzō 駒井徳三, Deputy Chief Takebe Jiemon 武部治右衛門, Administrative Section (Gyōseika 行政課) Chief Matsuki Tamotsu, Transportation Section (Kotsūka 交通課) Chief Yamaguchi Jūji 山口重次, and General Affairs Section (Shomuka 庶務課) Chief Koreyasu Masatoshi 是安正利 placed at its core.[34]

From 15 to 26 January 1932, in order "to gather the wisdom of specialists to serve as reference in deciding the basic principles for constructing the new Manchuria-Mongolia state," the Government Affairs Department convened the aforementioned "Consultative Conference on Legal Systems and Economic Policy," inviting university professors such as Rōyama and leading figures from chambers of commerce and industry.[35] Rōyama participated in the Legal System Committee (Hōsei iinkai 法制委員会) organized by the Administrative Section. Minutes survive for three sessions of this committee, held from the 16th to the 18th.[36] Alongside the new state's national defense and foreign policy, the central and local administrative systems and the relationship between both were taken up as important agenda items.

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[33] Manshūkoku-shi Hensan Kankōkai, *Manshūkoku-shi*, pp. 195–196.
[34] Matsuki, "Manshū kenkoku to Mantetsu shain."
[35] Manshūkoku-shi Hensan Kankōkai, *Manshūkoku-shi*, p. 201.
[36] Kantōgun Tōchibu Gyōseika, 関東軍統治部行政課, "Hōsei iinkai shingi jikō gaiyō" 法制委員会審議事項概要, in "Shōwa zaiseishi shiryō" (JACAR A09050414400).

Rōyama was the only external member of the Legal System Committee. Komai served as chair, and the other members were drawn largely from the Government Affairs Department and the Kwantung Army staff.[37] As a result, the main speakers in the discussions were Matsuki and Rōyama. At the outset of the first meeting, Matsuki raised the issue of establishing a central government. As a major principle for the new state, he expressed the desire "to proceed in accordance with the spirit of autonomous freedom, that is, self-government," but pointed out that the various provinces of Manchuria were in "mutually antagonistic positions," and that in Fengtian Province "each county has self-government under the Guidance Department." Under such circumstances, he asked the attendees whether there might be any concrete means "for achieving unification as quickly as possible." In response, Rōyama asked, "What is the Self-Government Guidance Department's relationship to the provincial organization and the unified framework?" suggesting that it might be possible to achieve unification by extending the activities of the Guidance Department beyond Fengtian Province. Takebe supplemented this by noting that "it is unacceptable to leave in place the current situation in which the fall of the Zhang 張 regime has left the provinces isolated and in opposition," while Matsuki explained that if the situation were left unattended, there was a risk that one or another province might "side with the Nanjing government," and that it was therefore necessary to make the new state a "unified and independent" one.

At the second meeting, Matsuki stated that the powers of the provincial governors should be weakened and that the provinces should be made into "merely relay organs for transmitting orders from the central government to the various counties." At the third meeting he added, "What degree and scope of functions should be allowed for the county self-governing bodies?" and suggested that the authority over policing and taxation should be granted to the counties. Rōyama answered that if a Ministry of Civil Administration (Minsei-bu 民政部) or similar organ were created at the center to unify and supervise orders from the central government, this would pose no problem.

Based on the Legal System Committee's deliberations, the "County Administration (Draft)" (*Kensei (an)* 県政（案))[38] and "Provincial Office System (Draft)" (*Shō kōsho kansei (an)* 省公署官制（案))[39] appear to have been included as the proposals for the local administrative system in the "Steps for Constructing the New Manchuria-Mongolia State" of 27 January 1932 mentioned above. The former stated in Article 1 that "the county is a juridical person under the supervision of the state," thereby clarifying the relationship of coordination and control between the center and the counties. It also

[37] "Manmō ni okeru hōsei oyobi keizai seisaku shimon kaigi (an)" 満蒙ニ於ケル法制及経済政策諮問会議(案), in "Ishiwara Kanji kankei monjo," R3–32.
[38] "Shōwa zaiseishi shiryō," JACAR A09050414300.
[39] Ibid., JACAR A09050414800.

provided that county governors would be appointed by the chief executive upon the recommendation of the minister of civil administration (Article 21). The existence of county self-government councils was recognized, and councilors were to be appointed by the county governor from among men over thirty years of age who had resided in the county for more than two years, on the basis of their tax payment amount, knowledge, experience, and reputation (Article 6). The county budget and accounts, as well as the collection of county taxes, were to require resolutions of the self-government council (Article 11). The latter draft limited the powers of the provincial governor over county governors to "direction and supervision" (Article 5). However, it also established police bureaus within the county public offices, while having police affairs within provinces being handled by their respective governments (Article 11).

As this shows, the "freedom" posited in pre-foundation visions of the Manchukuo state corresponded to "local self-government" in the sense of separation from the government of the Republic of China and from the existing regimes of the Three Eastern Provinces. It did not refer to individual freedom as one of the natural rights that developed in modern Western thought—in other words, as a divinely endowed human right—but rather to the collective autonomy of grassroots governments at the level of cities and counties and the free discretion exercised within that sphere. In the state-building operations following the outbreak of the Manchurian Incident, at a time when there was no prospect for establishing a central regime or securing the cooperation of former high-ranking officials of the Three Eastern Provinces or provincial-level politicians with Japan, the Kwantung Army sought to utilize existing city and county-level structures of reputed people, granting them discretionary authority in order to secure both public order and cooperation with Japan. Once prospects for establishing a central regime became clearer, it then sought to chart a course toward the construction of a unified state by curbing the intermediate provincial powers while strengthening coordination and control between the center and the county self-governing bodies.

At this point, however, another question arises. As far as the above developments are concerned, recognizing the discretionary authority of local self-governing bodies and drafting a Human Rights Protection Law that recognizes the full range of individual rights appear to involve somewhat different purposes. Then, for what reasons, and through what process, was the Human Rights Protection Law itself drawn up? And how did it relate to the issue of state-building?

These are the questions I will examine in the next section.

2. The Enactment of the Human Rights Protection Law

On 26 January 1932, the day before the above-mentioned "Steps for Constructing the New Manchuria-Mongolia State" was decided, the Kwantung Army drew up a document titled "Concept of the New Manchuria-Mongolia State" (*Manmō shinkokka no gainen* 満蒙新国家ノ概念).[40] It set out five items as the basic policy for constructing the new state. The first three read as follows:

> 1. On the basis of the principle of the kingly way (*ōdō shugi* 王道主義), remove the evils of warlord tyranny and, in particular, adopt the principle of separating military and civil administration to sweep away the evils of local warlord strongholds.
> 2. Adopt centralization in order to consolidate the foundations of the new state, but in light of the abuses of bureaucratic politics in the past, respect existing customs and establish a system of local self-government.
> 3. Take the maintenance of public order as the foremost element of good government and seek thereby to stabilize popular sentiment; by law and ordinance guarantee the rights of the people, lighten the burdens on the masses, and in so doing promote the welfare of their livelihoods.

The first and second items reflect the course that state-building efforts had taken up to that point. What deserves particular attention is the third. In other words, apart from the granting of collective autonomy, a move to guarantee the full range of individual rights emerged somewhat later, and more slowly, than the activities of the Self-Government Guidance Department during the state-building process. In its "Propaganda Guidelines" (*Senden yōryō* 宣伝要領), also dated 26 January,[41] the Kwantung Army likewise listed, among the points to which "special attention should be paid" in the propaganda up to the establishment of the new state, the claim that "the guarantee of the people's rights cannot be sought under warlord rule," and used this to argue for the "necessity of constructing a new, independent state" to replace the regime of the Three Eastern Provinces. Put differently, the Human Rights Protection Law was drafted with an eye to its propaganda effect: by emphasizing the difference between the old regime of the Three Eastern Provinces and the new state, it was meant to enhance the latter's centripetal force.

Under what historical conditions, then, did this emphasis on differentiating old and new regimes through the enactment of the Human Rights Protection Law arise? This is connected to the fact that, following the clash on 4 November 1931 between the Kwantung Army's subordinate Nenjiang Detachment and the Heilongjiang Provincial

[40] "Ishiwara Kanji kankei monjo," R3–44.
[41] "Senden yōryō," 26 January 1932, ibid., R3–45.

Army, the Kwantung Army launched operations to occupy Northern Manchuria. On 19 November the Second Division took Qiqihar. Furthermore, late January 1932—when the "Concept of the New Manchuria-Mongolia State" and the "Steps for Constructing the New Manchuria-Mongolia State" cited above were drafted—was just before the capture of Harbin the following month (the city fell on 5 February). The occupation of Northern Manchuria made it necessary to extend guidance in self-government beyond the counties along the Mantetsu line—to the counties along the Chinese Eastern Railway and those along the Shenhai 瀋海, Datong 打通, Huhai 呼海, Taosuo 洮索, and Qike 斉克 lines constructed under the regime of the Three Eastern Provinces. In January 1932 the Self-Government Guidance Department issued its "Letter to the Thirty Million People of the Four Northeastern Provinces" (*Tōhoku yonshō sanzenman minshū ni tsuguru no sho* 東北四省三千万民衆ニ告グルノ書),[42] declaring that it had "dispatched guidance officers to more than twenty of the fifty-eight counties … in Fengtian Province and is working hard to implement good government, and that it now seeks to extend this to the whole province by expanding its scope." According to Kasagi Yoshiaki 笠木良明, head of the department's Liaison Section (Renrakuka 連絡課), guidance officers were dispatched in that same month to seventeen counties along the Shenhai line.[43]

However, regions outside the Mantetsu line area—particularly Northern Manchuria—had not been within Japan's sphere of influence prior to the Manchurian Incident. Rather, they were in a situation in which "as an empire, Japan had previously exercised no national control there and had left the area alone, with the result that even guarantees for the lives and property of Japanese subjects (Japanese nationals and Koreans) were far from sufficient."[44] Accordingly, as Yamaguchi Jūji, who played a central role in these efforts, put it, what was required in Northern Manchuria was less self-government guidance in the strict sense than work that had the character of "local security operations" and "political pacification in the course of military operations." In his words, "We had no idea whether the county magistrates and officials would side with us or not, and yet they had armed police forces of between five hundred and two thousand men. We had to plunge into their midst, win over the hearts and minds of officials and people alike, maintain order in the counties, and, as they were, turn them toward the new state"[45]

Yamaguchi began his activities in Northern Manchuria after the capture of Qiqihar. On 18 November 1931 he, together with Koreyasu Masatoshi and others, was ordered by the Third Section of the Kwantung Army Staff Office to form a "Political Operations

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[42] "Kyōwakai-shi shiryōshū" 1.
[43] Kasagi, "Manshū shinkokka kensetsu to jichi shidōbu no shimei."
[44] Satō Yūsuke 佐藤勇助, "Hāshi o chūshin to suru Hokuman sangyō kaihatsu hōsaku-an" 哈市ヲ中心トスル北満産業開発方策案, December 1931, in "Kantōgun sanbōbu dai-sanka tsuzuri."
[45] Yamaguchi, "Jikyoku shori to Manshū jihen"; Yamaguchi, "Manshū kenkoku to Ozawa Kaisaku," p. 303.

Group" (Seiryaku-han 政略班) and "devote himself to postwar arrangements" in Qiqihar after its capture. This group consisted of an Industrial Section—Koreyasu, Akasegawa Yasuhiko 赤瀬川安彦, Gotō Tōru 後藤亨, and Suzuki Teruyuki 鈴木輝行—and a Railway Section—Yamaguchi and Hamamoto Kazuto 浜本一人. For its activities, the Kwantung Army set forth the following policy: "Because in Northern Manchuria, unlike in Fengtian, everything is to be made autonomous on the Chinese side, you are to refrain from interference and limit yourselves to investigation and supervision."[46] Within the Political Operations Group, the three members of the Industrial Section—Koreyasu, Akasegawa, and Gotō—had previously served on a committee (with Koreyasu as chair)[47] that had been tasked with seizing and disposing of Zhang Xueliang's 張学良 assets, which included not only his personal property but also the public property of the regime of the Three Eastern Provinces and enterprises jointly operated by the state and private capital. It is therefore likely that the Industrial Section was expected to conduct surveys aimed at seizing public property in Qiqihar and, more broadly, in Heilongjiang Province. The work of the Railway Section, by contrast, was to take over, rehabilitate, and fully reopen the Qike Railway.[48]

What is noteworthy here is the meaning of "autonomous on the Chinese side" mentioned in the above-quoted policy. In practice, this meant that, in a situation where it was difficult to dispatch self-government guidance officers to the various counties of Northern Manchuria and form political self-governing bodies such as those being created in Southern Manchuria, the aim was to elicit cooperation with Japan from local chambers of commerce and agricultural associations independently of the will of provincial and county governments or local military forces. This was because "organizations such as agricultural associations, chambers of commerce, and federations of the executives of banks and railways" focused "their goals on the revival of commerce and the reopening of railways."[49] Moreover, in Northern Manchuria "the principle remained, above all, that public order came first," so that operations were accompanied by danger, while the number of agents that could be dispatched was limited: "a handful of operatives, with only minimal funds, had to continue their struggle in remote areas across the whole of Manchuria."[50] This too became a factor in arousing the autonomy of Chinese people. In fact, Akasegawa and others carried out surveys of four figures—Wang Yutang 王玉堂, vice

[46] Yamaguchi, *Manshū kenkoku: Manshū jihen seishi*, p. 200.
[47] "Gakuryō gyakusan seiri iinkai" 学良逆産整理委員会 in "Dai-sanka tsuzuri."
[48] Yamaguchi, *Manshū kenkoku: Manshū jihen seishi*, pp. 204–09.
[49] Ibid., p. 214.
[50] Koyama, *Manshū Kyōwakai no hattatsu*, p. 39. In the counties of southern Manchuria, a total of 107 autonomy instructors had been dispatched to 37 counties by March 1932 (Fujikawa, *Jitsuroku Manshūkoku ken sanjikkan*, pp. 190–91.)

chair of the Heilongjiang General Chamber of Commerce (Heilongjiang zongshānghui 黒龍江総商会), Wang Xiangxian 王向賢, a standing committee member, and executive committee members Qu Wentan 曲文潭 and Han Xinglou 韓星楼—for "investigating the circumstances of commercial and industrial circles and the populace in the Heilongjiang Provincial Capital."[51]

The Agricultural Associations and Chambers of Commerce "each had organizational networks in every county." In the case of the agricultural associations, "the basic unit of organization was the *tun* 屯, which were then grouped into townships and counties in a pyramid structure; they even took care of public works and security in the counties on their own."[52] Thus, even without formal self-government guidance, it was comparatively easy to obtain cooperation from the farmers and merchants under their umbrella. Yamaguchi, who was himself also an executive of the Self-Government Guidance Department, later reflected on the differences between their activities in Southern and Northern Manchuria:

> In Northern Manchuria as well as in Southern Manchuria—in Southern Manchuria it was a matter of county administration reform. Under the guidance of the Self-Government Guidance Department, we turned the existing bureaucratic county administration into self-government of the nation. In Northern Manchuria, we transformed Zhang Xueliang's feudal warlord autocracy into county-level self-governing bodies. From these experiences we came to realize clearly that within civil society there existed the chambers of commerce and agricultural associations—solid self-governing, national self-governing organizations with no equivalent in Japan. … From the *tun* head to the township head—what in Japan would be the county-level—these organizations, together with the county chambers of commerce, had well-ordered systems extending from the county down to the smallest village unit. … So we … had the idea of "getting hold of" the chambers of commerce and agricultural associations. Rather than gathering individual members one by one, [it was enough] if we could bring the chambers of commerce and agricultural associations over to our side.[53]

Activities in Northern Manchuria intensified in May 1932. The immediate trigger was the anti-Manchukuo, anti-Japanese movement that became increasingly active in Northern Manchuria in response to the defection of Ma Zhanshan 馬占山—who had

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[51] Akasegawa Yasuhiko 赤瀬川安彦 and Ishikawa Den 石川傳, "Kokuryōkō sōshōkai chōsa hōkoku no ken" 黒龍江総商会調査報告ノ件 23 November 1931, in "Dai-sanka tsuzuri."
[52] Yamaguchi, "Manshū kenkoku to Ozawa Kaisaku," p. 164.
[53] Yamaguchi and Ōminato, *Manshū jihen / Manshū kenkoku hidan (1)*.

initially compromised with the Kwantung Army to become Minister of Military Affairs (Gunseibu 軍政部) in the Manchukuo government and governor of Heilongjiang, but then broke away little more than a month after the state's founding. These operations were commonly referred to as the "Special Operations in Northern Manchuria" (*Hokuman tokubetsu kōsaku* 北満特別工作), and their stated aim was "to disseminate the founding spirit of the state in various parts of Northern Manchuria, to initiate a movement for harmony, and thereby to contribute to the suppression of rebels."[54] The body responsible was the Manchuria Concordia Party (Manshū kyōwa-tō 満洲協和党), founded on 15 April 1932 as the predecessor of the Manchukuo Concordia Association (Manshūkoku kyōwa-kai 満洲国協和会). After the dissolution of the Self-Government Guidance Department, Yamaguchi, together with long-time comrades from the Manchuria Youth League such as Ozawa Kaisaku 小澤開作, formed this party as an organization "for fostering the founding spirit of the state and facilitating the implementation of government policies."[55] On 2 May the Kwantung Army entrusted the Concordia Party with actual responsibility for operations in Northern Manchuria.[56]

In the Special Operations in Northern Manchuria, sixty-four operatives—thirty-two Japanese and thirty-two Chinese—were divided into sixteen teams of four. While attached to the Kwantung Army or Manchukuo Army, they "carried out various internal and external operations against the enemy."[57] The mention of "against the enemy" here reflects the fact that operations in Northern Manchuria included not only work among ordinary farmers but also efforts to induce the defection of organizations and armed forces engaged in anti-Manchukuo, anti-Japanese movements. That is, the aim was "to make the local troops and populaces understand the basic aims and course of the new state, to strive to eliminate and refute rumors, baseless allegations, schemes, and plots, and thereby bring them into obedience to the new state."[58]

One glimpse of the activities of a special team can be obtained from the report of the "Nehe Team," which was dispatched to Nehe County, Heilongjiang Province.[59] The team stayed in Nehe for about a week, from 20 to 27 June 1932. The county lay in a remote area, reached only after a journey of about eight hours from Qiqihar. On the evening of the 20th, upon arriving in the county, the team first paid a visit to the county government office. Concrete operations began the next day. They designated the week from the

[54] "Manshū Kyōwakai Hokuman tokubetsu kōsaku shōhō."
[55] Yamaguchi, *Manshū kenkoku no rekishi*, p. 29.
[56] Yamaguchi, "Manshū kenkoku to Ozawa Kaisaku," p. 259.
[57] "Manshū Kyōwakai Hokuman tokubetsu kōsaku shōhō."
[58] "Gyakuto chintei senden kōsaku yōryō," pp. 74–85.
[59] "Manshūkoku Kyōwakai Hokuman tokubetsu kōsaku shōhō" 満洲国協和会北満特別工作詳報 no. 32 (2 July 1932), in "Yamaguchi Jūji Monjo," 51.

21st as a "week of celebrations for the founding of the state" and had the national flag raised at every household. They also visited the county's various institutions, distributing propaganda leaflets and pamphlets and explaining the founding spirit of Manchukuo. The local military, public security organs, police, and self-defense groups, however, "did not harbor deep goodwill toward the new state"; if anything, "until recently the atmosphere had been rather strongly opposed." Although the troops had been reorganized as the Fourth Infantry Brigade of the Manchukuo Army and its commander, Xu Baozhen 徐宝珍, had declared his obedience, some of the soldiers even tore down the slogans in support of the new state that the Nehe Team had posted in the town. The team subsequently held round-table talks with the county magistrate and leading figures in the agricultural and commercial associations, as well as lecture meetings for the general populace and a celebratory march for the founding of the state. At these events, they not only distributed propaganda leaflets to county residents but also handed out free medicine and rice.

What emerges from these activities is the importance placed on propaganda within the Special Operations in Northern Manchuria. For their propaganda work there, the Manchuria Concordia Party brought with them pamphlets, leaflets, posters, photographs, films, and phonographs.[60] Among these materials was the pamphlet "All Patriots of the Nation, Join Hands!" (*Zenkoku no aikokusha yo te o nigire* 全国ノ愛国者ヨ手ヲ握レ), which Yamaguchi had prepared as a propaganda brochure when founding the Concordia Party and which was also taken along for the Special Operations in Northern Manchuria.[61] According to his recollections, around one hundred thousand copies in Japanese and Chinese were printed and distributed.[62] Noteworthy is that this pamphlet propagandized for Manchukuo while explicitly referring to the Human Rights Protection Law. It asserted that, with the outbreak of the Manchurian Incident as a turning point, "warlord-ruled Manchuria became overnight an independent state of the kingly way and democracy," and then, in explaining what "democratic politics" meant, it quoted specific provisions of the Human Rights Protection Law: "freedoms have been established" (Articles 1 and 8), "property rights are guaranteed" (Articles 2 and 9), "political rights have been established" (Articles 4 and 5), and "the people are equal without discrimination" (Article 4).

If, then, the Human Rights Protection Law was enacted with propaganda operations in Northern Manchuria in mind, which parts of the law had the greatest propaganda effect? In the "Guidelines for Propaganda Operations for Suppressing Traitors" (*Gyakuto chintei senden kōsaku yōryō* 逆徒鎮定宣伝工作要領) that Yamaguchi prepared for the operatives,

[60] "Gyakuto chintei senden kōsaku yōryō."
[61] "Kyōwakai-shi shiryōshū" 2.
[62] Yamaguchi Jūji, "Igi mōshitate riyū genkō" 異議申立理由原稿, in "Yamaguchi Jūji monjo," 223.

there is a passage stating: "List the unjust policies of the former warlord regime and compare them with the policies of freedom and equality in the democratic politics of the new state. However, toward a populace strongly imbued with an exclusionary spirit, do not initially preach a doctrine of harmony; simply foster a broad sense of dissatisfaction with the old politics."[63] In other words, merely appealing in general terms to the guarantee of universal human rights, modeled on Western law codes, would have little effect; what was needed were distinctive provisions that would highlight the differences between the old and new regimes in Manchuria.

From this perspective, the revisions made in the second draft of the "Human Rights Protection Ordinance" are particularly significant. The most striking difference between the first and second drafts lies in the fact that Articles 10 to 12—"the only three provisions in the Human Rights Protection Law worthy of attention," as Rōyama put it[64]—appeared for the first time in the second draft. Whereas the first draft made broad reference to universal human rights such as bodily and political freedoms and the protection of private property, Articles 10 to 12, introduced from the second draft onward, concentrated on economic rights. These three provisions, therefore, were key articles in clarifying the differences between the old and new regimes.

Let us consider them one by one. Article 10 recognized "freedom of joint economic management."[65] Generally speaking, "in countries that recognize purely individual freedom, freedom of joint management is in fact prohibited, on the grounds that it hinders individual freedom." This is because joint management leads to cartels and trusts and gives rise to "the evils of capitalist monopoly." In contrast, Manchukuo explicitly recognized the freedom of such joint management. As explained by Tejima Tsuneyoshi 手島庸義, councilor (*sanjikan* 参事官) in the Legislative Section (Hōseisho 法制処) of Manchukuo's General Affairs Agency (Sōmuchō 総務庁), in his 1940 work *Commentary on the Fundamental Laws of the Manchurian Empire* (*Manshū teikoku kihon-hō shakugi* 満洲帝国基本法釈義), the aim was "to guarantee the freedom to form small and medium-sized enterprises to counter the pressure of large capital, associations of entrepreneurs to rationalize business operations, and workers' organizations to improve working conditions."[66] Article 10, then, appears to have been drafted with the existence of the agricultural and commercial associations—major targets of operations in Northern Manchuria—in mind.

Article 11, for its part, was grounded in the perception that "before the founding

[63] Yamaguchi, "Gyakuto chintei senden kōsaku yōryō," p. 81.
[64] Rōyama, "Seiji," p. 104.
[65] Takahashi, *Manshūkoku kihon-hō*, p. 101.
[66] Tejima, *Manshū teikoku kihon-hō shakugi*, p. 122.

of Manchukuo, the people suffered on the one hand under the warlords' oppressive extraction of taxes and levies by force, and on the other groaned under the economic exploitation of moneylenders charging usurious interest and of commercial capital."[67] The enactment of this article thus had "historical reasons prior to the founding of the state,"[68] and it lent itself well to emphasizing the contrast between the old and new regimes. A pamphlet by the Army Ministry's Investigation Group (Chōsahan 調査班), *On the Process of the Establishment of Manchukuo and Its State Structure* (Manshūkoku seiritsu no keii to sono kokka kikō ni tsuite 満洲国成立の経緯と其国家機構に就て; pub. 4 April 1932), likewise had this provision in mind when it remarked: "It is a striking new feature that cannot be overlooked that the Human Rights Protection Law has a modern, socially legislative character, for example in the provision that the people of Manchukuo shall be protected from high interest, profiteering, and all forms of unjust economic pressure."[69]

Article 12 stipulated that the people were entitled to use and enjoy the benefits of such state facilities as railways, parks, and postal services, and such local facilities as waterworks, hospitals, assembly halls, and libraries.[70] When the state builds a railway, for instance, the people gain the convenience of transportation. Yet Yamaguchi recalled his experience in September 1931, when he was involved in taking over and rehabilitating the Shenhai Railway, as follows.[71] The rehabilitation efforts were originally intended to restart operations on a railway previously managed by the regime of the Three Eastern Provinces by forming a new Railway Security and Maintenance Association with shareholders, railway employees, and the railway guard troops under the banner of "autonomous rehabilitation."[72] Yamaguchi explained that the Shenhai Railway

> was in origin a joint-stock company of twenty million yuan, with half the shares contributed by the private sector. We were not sure whether the shareholders would be willing to participate. Unexpectedly, however, they were delighted to do so. When we looked into it more closely, it turned out that these shareholders existed in name only; in fact, when the Shenhai line was built, each county along the route had been allocated a quota of shares through its Chamber of Commerce and compelled to put up money. ... The shareholders told us ... "We, too, were grateful that a railway was being built, but once it was completed ... the warlords' freight was given priority for freight cars, and moreover it was transported at half the regular rate, practically for

[67] Ibid., p. 131.
[68] Onoe, *Manshūkoku kihon-hō taikō,* p. 127.
[69] Rikugunshō Chōsahan, *Manshūkoku seiritsu no keii to sono kokka kikō ni tsuite*, p. 28.
[70] Takahashi, *Manshūkoku kihon-hō*, p. 111.
[71] Yamaguchi, "Manshū kenkoku no omoi de." p. 53.
[72] Yamaguchi, "Jikyoku shori to Manshū jihen."

> free, while our shareholders' goods were carried at the full normal rate, and even then we could hardly get any freight cars assigned to us. ... Because the political merchants enjoyed these advantages in railway transport ... we were no longer able to compete with them once the railway was built. ... There would be nothing that would please us more than if management were reformed on a fair basis."

Article 12 was drafted in light of such cases, on the premise that "the people should be guaranteed the right to share in these facilities without distinction based on unreasonable grounds such as race, religion, family status, or wealth."[73]

Conclusion

In Manchukuo, the meaning of "freedom" corresponded to forms of local autonomy positioned in opposition to the Chinese National Government and the regime of the Three Eastern Provinces. Yet its meaning diverged somewhat between Southern and Northern Manchuria. In Southern Manchuria, "freedom" referred to political autonomy: county-level communities, while making use of existing elite networks, were induced to form self-government associations, which were granted discretionary powers and made responsible for part of county administration. In Northern Manchuria, by contrast, it referred to the autonomy of local economic organizations. Because Japanese influence in the north was weaker than in the south, and public order unstable, it was difficult to dispatch guidance officers from the Self-Government Guidance Department and have political autonomy function in the same manner as in Southern Manchuria. For that reason, efforts focused on engaging the existing agricultural and commercial associations, securing public order through their cooperation, and thereby also drawing support from the farmers and merchants under their umbrella.

Manchukuo's Human Rights Protection Law was drafted with a view to its propaganda value for maintaining order and winning cooperation in Northern Manchuria. As Rōyama perceptively observed, maintaining public order required "a certain degree of acceptance on the part of the residents," and thus it was necessary "to satisfy the natural sense of justice possessed by the governed, as well as their simple notions of freedom."[74] Accordingly, the Protection Law did not merely offer a broad guarantee of universal human rights, in the manner of analogous modern Western statutes; it also inserted provisions protecting economic rights in a way that took account of Manchuria's distinctive characteristics and historical conditions.

When one considers Manchukuo's state structure in light of the nature of "freedom"

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[73] Hidaka, *Manshūkoku kōhō taii*, p. 61.
[74] Rōyama, "Seiji," p. 101.

in the country and the political significance of the Human Rights Protection Law, it appears that in its early years the state assumed a form of national corporatism. Within the Manchukuo Concordia Association, too, many believed that the country should adopt a cooperative, corporatist structure. A document written by individuals close to Yamaguchi, titled "Manchukuo Concordia Association Construction and the Necessity of Establishing an Industrial Control Bureau" (*Manshūkoku kyōwakai kensetsu to sangyō tōseikyoku setchi no hitsuyō* 満洲国協和会建設ト産業統制局設置ノ必要)[75] listed among the "main points of Manchukuo's governance" the "advancement of rural autonomy," and, as necessary efforts toward that end, it advocated "guiding county self-government," "promoting the founding spirit of the state and the movement for ethnic concord," and achieving the "completion of rural cooperatives." This indicates that the Manchukuo central government sought to extend state power by bringing under its control indigenous intermediate self-governing bodies—whether county self-government associations in Southern Manchuria or agricultural and commercial associations in the north.

Yet, as seen in Nazi Germany and Fascist Italy, national corporatism readily turns toward authoritarianism. This is because interest groups such as labor unions and employers' associations become subject to state supervision through laws and regulations in exchange for their participation in national politics. From this perspective, a problem arises from the fact that the freedoms recognized in the Human Rights Protection Law were not rights wrested by the people themselves through confrontation with state power, but were granted as part of Manchukuo's good-government ideology. Interpretations of freedom in Manchukuo were shaped according to state priorities and were susceptible to change at the discretion of those in power. In *Commentary on the Fundamental Laws of the Manchurian Empire*, Tejima contrasted pre-nineteenth-century conceptions of freedom with that of Manchukuo, explaining:[76]

> The freedom guaranteed by the Human Rights Protection Law is neither the "freedom of human beings"—that is, the supranational, natural rights endowed at birth of the so-called eighteenth-century type—nor the "freedom of the people" of the so-called

[75] "Ishiwara Kanji kankei monjo," R7–135. On the cover there is a note regarding "Yamaguchi's proposal" to establish the Kyōwa Bank. In addition, Koyama Sadatomo 小山貞知, former director of the Manchuria Youth League and later a member of the Central Secretariat of the Kyōwakai, similarly stated: "The new state of Manchukuo should, as far as possible, leave rural villages in a state of self-governance and promote the spread of rural cooperatives. Industries that the villages cannot handle should be placed under state control, and the profits from them should be used to insure against losses to agriculture and animal husbandry caused by natural disasters, thereby ensuring the livelihood of the people" (Koyama, "Kyōwa undō no konpon seishin"). Also, note that here, I am using "corporatism" to refer to "a particular mode by which the interests of civil society, organized into groups, are linked to the structure of state decision-making." "State corporatism" denotes a system in which such structures of interest representation are formed under the initiative and direction of the state. (Schmitter, "Still the Century of Corporatism?" pp. 7–48).

[76] Tejima, *Manshū teikoku kihon-hō shakugi*, p. 111.

> nineteenth-century type, which stands in opposition to the state and is guaranteed by the constitution, such that some aspects may not be infringed except by 'laws' enacted with the participation of an elected assembly, and others may not be infringed even by such laws unless the constitution itself is amended. Rather, it is a freedom that, by being recognized, encourages the manifestation of individual initiative and contributes to realizing the national ideal and promoting the development of the state as a whole. In other words, the freedom recognized for the people of Manchukuo is freedom within the limits of service to the state as a whole—a freedom under state control, the so-called twentieth-century freedom.

Tejima, however, had not always held the above interpretation. In the preface to the same work, he candidly acknowledged the influence of Carl Schmitt, stating: "At present, all the states of humanity—regardless of East or West, and regardless of whether they desire it or not—are facing a transitional moment as they shift from the old liberal order to the new totalitarian order, that is, from the dualistic state to the tripartite state as described by Carl Schmitt; accordingly, theories of the state and other fundamental doctrines of constitutional law exhibit unprecedented confusion and instability."[77] The content of Manchukuo's concept of freedom appears to have gradually changed from the moment of its founding, in tandem with transformations in its state structure.

Through what process of transformation, then, did Manchukuo ultimately arrive at its final form? Addressing that question is a task for subsequent papers.

Historical Source 1: Human Rights Protection Law

Relying upon the trust of all the people to administer the governance of Manchukuo, the chief executive hereby pledges to all the people that, except in time of war or extraordinary emergency, he shall safeguard the people's freedoms and rights and shall define their duties in accordance with the following articles:

Article 1

The people of Manchukuo shall not have their personal liberty infringed. Restrictions by public authority shall be as prescribed by law.

Article 2

The people of Manchukuo shall not have their property rights infringed. Restrictions justified by the public interest shall be as prescribed by law.

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[77] Ibid., p. 1.

Article 3
Regardless of race or religion, all people of Manchukuo shall enjoy equal protection of the state.

Article 4
The people of Manchukuo shall have the right, as prescribed by law, to participate in the public affairs of the state or of local bodies.

Article 5
The people of Manchukuo shall have, as prescribed by law, the equal right to be appointed as officials and public employees, and shall bear the duty to assume other honorary posts.

Article 6
The people of Manchukuo may submit petitions in accordance with procedures prescribed by law.

Article 7
The people of Manchukuo shall have the right to receive adjudication by judges established by law.

Article 8
When the rights of the people of Manchukuo are infringed through unlawful dispositions of administrative offices, they may request redress in accordance with provisions prescribed by law.

Article 9
The people of Manchukuo shall not, except pursuant to law, be subjected to taxation, requisition, or fines under any pretext.

Article 10
The people of Manchukuo may, so long as it does not contravene the public interest, organize cooperatively in order to protect and promote their economic interests.

Article 11
The people of Manchukuo shall be protected from high-interest lending, profiteering, and all other forms of unjust economic oppression.

Article 12
The people of Manchukuo shall equally have the right to enjoy various facilities established at public expense by the state or local bodies.

Article 13
This Law shall come into force on the ninth day of the third month of the first year of Datong (9 March 1932).

Historical Source 2: First Draft of the "Human Rights Protection Ordinance"
Relying upon the trust of the entire nation to govern the Free State of Manchuria-Mongolia, the president hereby pledges to all the nation that, except in time of war or extraordinary emergency, he shall safeguard the freedom and rights of the people and define their duties in accordance with the following:

1. The people of the Free State of Manchuria-Mongolia shall not be arrested, detained, interrogated, or punished except pursuant to law.

2. The people of the Free State of Manchuria-Mongolia shall not be subjected under any pretext to taxation, requisition, or fines except pursuant to law.

3. The people of the Free State of Manchuria-Mongolia shall not have their property rights infringed. Restrictions or dispositions justified by the public interest shall be established by law, and except in special cases, shall be accompanied by appropriate compensation.

4. The people of the Free State of Manchuria-Mongolia shall have freedom of residence, movement, travel, and business within the country; provided, however, that restrictions may be imposed by law when harmful to public order or good morals.

5. The people of the Free State of Manchuria-Mongolia shall have freedom of religion; however, this shall not apply to matters harmful to social life.

6. The people of the Free State of Manchuria-Mongolia shall not have their freedoms of assembly, association, publication, and expression curtailed; however, this shall not apply to cases harmful to public order or public morals.

7. The people of the Free State of Manchuria-Mongolia may freely travel, migrate, and communicate and trade with foreigners; restrictions thereon must be established by law.

8. Except in special cases prescribed by law, the secrecy of letters and other communications of the people of the Free State of Manchuria-Mongolia shall not be violated.

9. Except as prescribed by law, the people of the Free State of Manchuria-Mongolia shall not have their residences entered.

10. The people of the Free State of Manchuria-Mongolia shall be eligible, in accordance with provisions of law, to be appointed as officials and public employees.

11. The people of the Free State of Manchuria-Mongolia shall have the right to the equal protection of the state before all laws and ordinances.

12. The people of the Free State of Manchuria-Mongolia shall have the right to receive trial by judges established by law.

13. The people of the Free State of Manchuria-Mongolia shall have the right to petition the president in accordance with procedures prescribed by law.

14. When the rights of the people of the Free State of Manchuria-Mongolia are infringed through unlawful dispositions of administrative organs, they may request redress in accordance with provisions prescribed by law.

15. The people of the Free State of Manchuria-Mongolia shall bear the duty to assume honorary posts as prescribed by law.

16. The people of the Free State of Manchuria-Mongolia shall bear the duty to undertake all public burdens equally, as prescribed by law.

Historical Source Source 3: Second Draft of the "Human Rights Protection Ordinance"

Relying upon the trust of the entire nation to exercise the governing authority of the Free State of Manchuria-Mongolia, the president hereby pledges to the entire nation that, except in time of war or extraordinary emergency, he shall safeguard the freedom and rights of the nation and define their duties in accordance with the following:

1. The people of the Free State of Manchuria-Mongolia shall not have their personal liberty infringed. Restrictions by public authority shall be as prescribed by law.

2. The people of the Free State of Manchuria-Mongolia shall not have their property rights infringed. Restrictions justified by the public interest shall be as prescribed by law.

3. Regardless of race or religion, all people of the Free State of Manchuria-Mongolia shall enjoy the equal protection of the state.

4. The people of the Free State of Manchuria-Mongolia shall have the right, as prescribed by law, to participate in the public affairs of the state or of local bodies.

5. The people of the Free State of Manchuria-Mongolia shall have, as prescribed by law, the equal right to be appointed as public officials, and shall bear the duty to assume other honorary posts.

6. The people of the Free State of Manchuria-Mongolia may submit petitions in accordance with procedures prescribed by law.

7. The people of the Free State of Manchuria-Mongolia shall have the right to receive trial by judges established by law.

8. When the rights of the people of the Free State of Manchuria-Mongolia are infringed through unlawful dispositions of administrative offices, they may request redress in accordance with provisions prescribed by law.

9. Except pursuant to law, the people of the Free State of Manchuria-Mongolia shall not be subjected under any pretext to taxation, requisition, or fines.

10. The people of the Free State of Manchuria-Mongolia may, so long as it does not contravene the public interest, organize cooperatively in order to protect and promote their economic interests.

11. The people of the Free State of Manchuria-Mongolia shall be protected from high-interest lending, profiteering, and all other forms of unjust economic oppression.

12. The people of the Free State of Manchuria-Mongolia shall equally have the right to enjoy educational and cultural facilities established at public expense by the state or local bodies.

(Translated by Dylan L. Toda)

References

Akasegawa Yasuhiko 赤瀬川安彦 and Ishikawa Den 石川傳. "Kokuryōkō sōshōkai chōsa hōkoku no ken 黒龍江総商会調査報告ノ件." 23 November 1931. In "Dai-sanka tsuzuri 第三課綴." Bōeishō Bōei Kenkyūjo 防衛省防衛研究所.

Rikugunshō Chōsahan 陸軍省調査班. *Manshūkoku seiritsu no keii to sono kokka kikō ni tsuite* 満洲国成立の経緯と其国家機構に就て. 1932.

Fujikawa Yūji 藤川宥二. *Jitsuroku Manshūkoku ken sanjikan: Dai Ajia shugi jissen no shito* 実録・満州国県参事官—大アジア主義実践の使徒. Ōminato Shobō, 1981.

Hase Shizuhiro 長谷鎮広. *Manshū teikoku shuyō hōrei kaisetsu* 満洲帝国主要法令解説. Shimizu Shoten, 1940.

Hidaka Minoo 日高巳雄. *Manshūkoku kōhō taii. Daiichibunsatsu: Kenpō hen* 満洲国公法大意 第一分冊 憲法篇. Matsuyamabō, 1933.

"Ishiwara Kanji kankei monjo" 石原莞爾関係文書. Kokuritsu Kokkai Toshokan Kensei Shiryōshitsu 国立国会図書館憲政資料室.

"Jichi shidōbu kankei nisshi" 自治指導部関係日誌. In "Kyōwakai-shi shiryōshū" 協和会史資料集, 1. Bōeishō Bōei Kenkyūjo Toshokan 防衛省防衛研究所図書館.

Kantōgun dai-sanka tsuzuri" 関東軍第三課綴. In "Sumitani Teishi shiryō" 住谷悌史資料. Bōeishō Bōei Kenkyūjo 防衛省防衛研究所.

Kasagi Yoshiaki 笠木良明. "Manshū shinkokka kensetsu to jichi shidōbu no shimei 満洲新国家建設と自治指導部の使命." *Nihon oyobi Nihonjin* 日本及日本人 246 (1932), pp. 24–26.

Katakura Tadashi 片倉衷. "Mōshiokuri jikō 申送事項." August 1932. In "Katakura Tadashi kankei monjo 片倉衷関係文書," R7–190. Kokuritsu Kokkai Toshokan Kensei Shiryōshitsu 国立国会図書館憲政資料室.

Katakura Tadashi 片倉衷. "Shokan hikae 書翰控." August 1932. In "Katakura Tadashi kankei monjo 片倉衷関係文書," R7–190. Kokuritsu Kokkai Toshokan Kensei Shiryōshitsu 国立国会図書館憲政資料室.

Koyama Sadatomo 小山貞知. *Manshū Kyōwakai no hattatsu* 満洲協和会の発達. Chūōkōronsha, 1941.

———. "Kyōwa undō no konpon seishin" 協和運動の根本精神. *Manshū hyōron* 満洲評論 2, no. 22 (1932).

"*Kyōwakai-shi shiryōshū*" 協和会史資料集. Bōeishō Bōei Kenkyūjo Toshokan 防衛省防衛研究所図書館.

Manshūkoku Hōrei Shūran Kankōkai 満洲国法令輯覧刊行会, ed. *Manshūkoku hōrei shūran* 満洲国法令輯覧. Manshūkoku Hōrei Shūran Kankōkai, 1932.

Manshūkoku-shi Hensan Kankōkai 満洲国史編纂刊行会, ed. *Manshūkoku-shi: Sōron* 満洲国史 総論. Manmō Dōhō Engokai, 1970.

"Manshū Kyōwakai Hokuman tokubetsu kōsaku shōhō" 満洲協和会北満特別工作詳報 no. 1, 15 May 1932, in "Kyōwakai-shi shiryōshū" 協和会史資料集 2. Bōeishō Bōei Kenkyūjo Toshokan 防衛省防衛研究所図書館.

Maruyama Masao 丸山真男. *Senchū to sengo no aida: 1936–1957* 戦中と戦後の間―一九三六―一九五七. Misuzu Shobō, 1976.

Matsuki Tamotsu 松木侠. "Kōkyōsho-an daiichian 口供書案 第一案." 3 April 1947. In "Katakura Tadashi kankei monjo 片倉衷関係文書," R89–1223. Kokuritsu Kokkai Toshokan Kensei Shiryōshitsu 国立国会図書館憲政資料室.

———. "Manshū kenkoku no rinen to sore o meguru hitobito" 満州建国の理念とそれをめぐる人々. *Gaikō jihō* 外交時報 990 (1961), pp. 52–57.

———. "Manshū kenkoku to Mantetsu shain" 満洲建国と満鉄社員. *Kyōwa* 協和 273 (1940).

———. "Roshi kan no funsō to fusen jōyaku narabi ni Kokusai renmei" 露支間の紛争と不戦条約竝に国際連盟. *Shintenchi* 新天地 10, no. 1 (1930), pp. 19–32.

———. *Shōso mondai ni tsuite* 商租問題に就て. Dairen Shōgyō Kaigisho 大連商業会議所, 1927.

Mill, John. *On Liberty*. In *The Collected Works of John Stuart Mill, Volume XVIII - Essays on Politics and Society Part I*. University of Toronto Press, 1977.

Mori Hisao 森久男. "Manshūkoku kenkoku kōsaku to Kanai Shōji no minzoku kyōwa-ron" 満洲国建国工作と金井章次の民族協和論. In *Tainichi kyōryoku seiken to sono shūhen* 対日協力政権とその周辺, ed. Aichi Daigaku Kokusai Mondai Kenkyūjo 愛知大学国際問題研究所. Arumu, 2017.

Nakanishi Toshikazu 中西敏憲. "Jichi shidōbu sōsetsu no kaiko" 自治指導部創設の回顧. In *Manshū kenkoku sokumen-shi* 満洲建国側面史. Shinkeizaisha, 1942.

Okabe Makio 岡部牧夫. "Shokuminchi fashizumu undō no seiritsu to tenkai" 植民地ファシズム運動の成立と展開. *Rekishigaku kenkyū* 歴史学研究 406 (1974), pp. 1–16.

Yamaguchi Jūji 山口重次 and Ōminato Yoshihiro 大湊義博. *Manshū jihen / Manshū kenkoku hidan (1): Manshū Kyōwatō, Manshūkoku Kyōwakai setsuritsu no uchimaku* 満洲事変・満州建国秘談①―満洲協和党・満州国協和会設立の内幕. Ōminato Shobō, 1980.

Onoe Masao 尾上正男. *Manshūkoku kihon-hō taikō* 満洲国基本法大綱. Ikubunsha, 1940.

Rōyama Masamichi 蠟山政道. "Seiji" 政治. In *Manmō jijō sōran* 満蒙事情総覧. Kaizōsha, 1932.

"Shōwa shichi-nen Man-mitsu dainikki: Jūyon-satsu no uchi sono ichi" 昭和七年 満密大日記 十四冊ノ内其一. Bōeishō Bōei Kenkyūjo 防衛省防衛研究所.

"Shōwa zaiseishi shiryō" 昭和財政史資料. Kokuritsu Kōbunshokan 国立公文書館.

Schmitt, Carl. *Gesammelte Schriften 1933–1936: mit ergänzenden Beiträgen aus der Zeit des Zweiten Weltkriegs*. Duncker & Humblot, 2021.

Schmitter, Philippe C. "Still the Century of Corporatism?" In Schmitter, Philippe C., and Gerhard Lehmbruch ed. *Trends Toward Corporatist Intermediation*. Sage Publications, 1979, pp.7-52.

Shibutani Yuri 澁谷由里. "'9.18' jihen chokugo ni okeru Shenyan no seijijōkyō「九・一八」事変直後における瀋陽の政治状況." *Shirin* 史林 78, no. 1 (1995), pp. 138–158.

Takahashi Teizō 高橋貞三. *Manshūkoku kihon-hō* 満洲国基本法. Yūhikaku, 1943.

Tejima Tsuneyoshi 手島庸義. *Manshūkoku kihon-hō gaisetsu* 満洲国基本法概説. Edited

by Manshū Teikoku Kyōikukai Henshūbu 満洲帝国教育会編輯部. Manshū Teikoku Kyōikukai, 1939.

———. *Manshū teikoku kihon-hō shakugi* 満洲帝国基本法釈義. Manshū Gyōseigakkai, 1940.

Yamaguchi Jūji 山口重次. "Gyakuto chintei senden kōsaku yōryō" 逆徒鎮定宣伝工作要領, in Yamaguchi, *Manshū kenkoku no rekishi*,

———. "Jikyoku shori to Manshū jihen 時局処理と満洲事変." *Tōa renmei* 東亜聯盟 3, no. 10 (1941), pp. 53–70.

———. "Manshū kenkoku no omoide 満洲建国の思ひ出." *Tōa renmei* 東亜聯盟 4, no. 6 (1942), pp. 47–55.

———. "Manshū kenkoku to Ozawa Kaisaku" 満洲建国と小澤開作. In *Chichi o kataru* 父を語る, ed. Ozawa Seiji 小沢征爾. Ozawa Sakura, 1972.

———. *Manshū kenkoku no rekishi: Manshūkoku Kyōwakai-shi* 満洲建国の歴史—満洲国協和会史. Eikō Shuppansha, 1973.

———. *Manshū kenkoku: Manshū jihen seishi* 満洲建国—満州事変正史. Gyōsei Tsūshinsha, 1974.

"Yamaguchi Jūji monjo" 山口重次文書. Kokubungaku Kenkyū Shiryōkan 国文学研究資料館.

Zhongguo Lishi Bowuguan 中国歴史博物館, ed. *Zheng Xiaoxu riji* 鄭孝胥日記. Zhonghua Shuju, 1993.