

Prehistoric Age

Nobody knows exactly where the first human beings on the Japanese islands came from. They maybe, so we assume, came from Siberia during the Ice Age (ca. 30 ~ 20,000 years ago). Indeed, Japanese language belongs to the Altai-Mongolian language family, and it is related to Mongolian, Korean, Tibetan languages, and so on. But the people on the Japanese islands must have been completely separated from the continent in a very early period because the Japanese language does not have any common vocabulary even with the Korean language. In this period, the people on the Japanese islands lived in a peaceful and primitive life style of Stone Age. In the following period since 400 BC., other groups of people immigrated to the Japanese islands from Southern China, Southeast Asia, and Polynesian islands. They brought rice cultivation and agricultural economy to the Japanese islands.

These economic changes deeply influenced social and political structures. The society became unstable and began to change dynamically and constantly. Many state-like organizations were probably founded and contested each other, but we do not possess any documentation about this period because the people did not use any characters yet.

The first report about Japan can be found in Chinese royal documents. According to these materials in the 1st c. BC., there were more than hundred small states in Japan. Rulers of some states regularly presented tributes to the Chinese dynasty. In 107 AD., the ruler of a Japanese state named “*Na*” offered 160 slaves to the Chinese dynasty and asked for audience with the Chinese Emperor. Japanese small countries were in a state of war against each other. So, the king of “*Na*” wanted to be supported by the Chinese dynasty. “Slaves” existed already in Japanese society. The Japanese people were probably divided into ruling families and subordinated unfree people, and one kind of class structure was built. Political system was maybe set up with kinship or clan (family) relation.

A Chinese document of the 3rd c. reported about a powerful state in Japan named “*Yamatai*” which was ruled by a queen “*Himiko*”. She was a shaman (religious leader). In the following century, smaller countries were occupied by bigger countries, and Japan was gradually unified. Some historian assume that powerful military groups from Korea invaded Japan in this period; the rulers let people (or slaves) construct huge tombs for them. Archaeologists found many weapons from iron, harness and other goods for horse riding in such ancient tombs. Moreover, ruling people began to use Chinese characters.

Yamato- and Asuka-Era (5th – 7th c. AD.): Establishment of Japanese Ancient State

In the 5th c., the first Japanese dynasty named “*Yamato*” was established. It ruled Southern and Central Japan. In the 6th c., rulers of this dynasty introduced Chinese culture and Buddhism into Japan. Official documents were written in Chinese. Presumably, many foreign experts were recruited from China and Korea. They worked for the *Yamato* Dynasty and educated Japanese staffs. Accordingly, subordinated people were reorganized to functionally specialized groups (servants for textile, ceramic ware and other artworks). The importance of slaves was maybe reduced through this social change.

However, *Yamato* Dynasty had to suffer from a crucial limitation because there were some powerful clans in the ruling class. They possessed own territories and own people (servants and slaves). *Yamato* Dynasty tried to wipe out such ruling clans from the regime in order to establish the sovereignty of the Dynasty and to put all population under its direct control. This attempt was realized in the “*Taika*”-Reform in 645.

Nara-Era (710 – 794): Introduction of Chinese State System

Through the introduction of the Chinese *Ritsu-Ryo* system (“*Ritsu*” means criminal law and “*Ryo*” means administrative law), the traditional clan system was completely dissolved, and the sovereignty of the Emperor, “*Tenno*”, was firmly established. Under this system, all people and land belonged to the state, or rather to the Emperor. Consequently, other dominant clans lost their domain, serves and slaves. The new imperial regime centralized the political power and, relying on the Chinese model,

organized an administrative system. Agricultural land was divided and shared equally to all adult persons. In return, they were obliged to pay tributes, to serve in the military, and to contribute to large construction projects. Their duties were very heavy. For this purpose, a new family register system was founded, and each household was controlled with it. However, the state authority did not possess any efficient administrative system yet, so it was very difficult to maintain such a large-scale state system correctly.

Background of “Ritsu-Ryo System”

This ancient system of the state power was based on a philosophical and political theory of China, which was a synthesis or combination of “**Confucianism**” and “**Legalism**”;

“Confucianism (儒家; Rújiā) is an ancient Chinese ethical and philosophical system originally developed from the teachings of the early Chinese philosopher Confucius (Kong Fuzi/K'ung-fu-tzu, lit. "Master Kung"). It focuses on human morality and good deeds. Confucianism is a complex system of moral, social, political, philosophical, and quasi-religious thought that has had tremendous influence on the culture and history of East Asia. Some consider it to be the state religion of East Asian countries because of governmental promotion of Confucian values. ...

Confucius (551 – 479 BC) was a sage and social philosopher of China whose teachings have deeply influenced East Asia, including China, Korea, and Japan for two thousand five hundred years. The relationship between Confucianism and Confucius himself, however, is tenuous. Confucius' ideas were not accepted during his lifetime and he frequently bemoaned the fact that he remained unemployed by any of the feudal lords.

As with many other prominent figures such as Jesus, Socrates, and Buddha, Confucius did not leave any writings to put forward his ideas. Instead, only texts with recollections by his disciples and their students are available. This factor is further complicated by the "Burning of the Books and Burying of the Scholars", a massive suppression of dissenting thought during the Qin Dynasty, more than two centuries after Confucius' death.”

(from <http://en.wikipedia.org/wiki/Confucianism>)

The Qin Dynasty of China (秦; 211 – 206 BC) was the first dynasty which has successfully unified the whole Chinese territory. Its founder called himself as “First Emperor (始皇帝; Qín Shǐ Huáng)”. But why did this regime suppress the Confucianism? Simply because the Emperor of Qin adopted a rival theory to Confucianism, namely “Chinese Legalism”. The Chinese Legalists helped the Emperor of Qin to reform his Empire from a backward state to a centralized powerful one. They insisted to sweep away all the nobles and feudal lords from the politics. Instead, they required to introduce well-trained bureaucrats and to formate a powerfully operating state mechanism. For this purpose, they used clearly written legal rules and taught that all the people under the ruler were equal before the law. Equal and stringent application of legal rules, especially heavy and pitiless punishments would keep all the subjects in order and obedience to the ruler. They hated their rivals, especially Confucian scholars who preferred “the rule of morality and virtue” to “the rule of law and power”.

The rule of the Qin Dynasty, however, could not be held for a long time. Due to its brutality and heartlessness, this dynasty was soon replaced by the second Empire of China, namely Han Dynasty (漢; 206 BC –220 AD). The Han Dynasty adopted the administrative and political system of the Qin Dynasty almost unchanged. Indeed, it was not possible to administrate the whole country without such a system of bureaucrats. On the other hand, this new regime rehabilitated the Confucian teachings (“the rule of morality and virtue”). The Confucianism was adopted as the orthodox theory of the

imperial rule and offered a philosophical basis for its legitimation. In this way, a new combination of Legalism and Confucianism was established. The positions of officials were, however, still occupied by the nobles and feudal lords and succeeded by their descendants. Under the rule of the Han Dynasty, Chinese society flourished and laid the foundation for today's Chinese culture.

The rule of the Han Dynasty was once interrupted by another regime (8 – 23 AD), but rebuilt soon. However, the authority of the later Han Dynasty gradually declined due to the deep corruption of its officials and the rise of feudal lords in provincial areas. At the beginning of the 3rd c., the later Han Dynasty fell down, the Empire was divided into several territorial states (三国; “Three Kingdoms”).

This warring states period of China lasted over 300 years until the Sui Dynasty (隋; 581 – 619), and then the Tang Dynasty (唐; 619 – 907) unified the Chinese Empire again and established a stable regime. These two regimes refreshed the Legalist tradition from the Qin Dynasty period and issued new legal codes as the principles of the imperial rule. These codes were called “Lù-Lìng (律令)”. Basically, the old Chinese word “Lù (律)” means penal law, and “Lìng (令)” administrative law. With these two legal tools, the Sui and Tang Dynasty implemented following four measures:

1. Sharing system of agricultural land among farmers
2. Charging system of taxes directly upon individual subjects
3. Military obligation system upon all adult male subjects
4. Direct control of individual subjects with a systematic and centralized local administration

Originally, the Sui and Tang Dynasty pursued to make the Confucian idealism true with these measures – the idea that every subject should be ruled directly by the Emperor with his superior morality, virtue and humanity. Their real aim was to centralize the political power and to deprive nobles and feudal lords of political and military influences.

Furthermore, the Sui and Tang Dynasty introduced a new recruiting system of administration officials, namely “Imperial Examination (科举; Kējǔ)”, in order to sweep away genealogical or personal influences from the official recruitment and to establish an efficient administration system. Everybody should be appointed to a suitable position in the government so long as he shows an excellent competence, just regardless of his social standing. Contents of the examination were Confucian teachings. With this examination system, the integration of Confucianism and Legalism was accomplished. Since that time, the Confucian teachings became deeply rooted in the Chinese mind. This system was maintained almost 1,400 years long (until the 19th c.). Later, this system was adopted also in Korea and Vietnam when these countries were subordinated and strongly controlled by Chinese dynasties. Confucian teachings have been deeply engraved also in the mentality of these two nations.

How about Japan? Confucian teachings were introduced also into Japan together with Buddhism in the 6th c.. However, such highly intellectual documents in a foreign language could not be translated into Japanese language probably because Japanese culture at that time was still too primitive and underdeveloped to assimilate Buddhism and Confucianism in their true meaning. Nevertheless, the Japanese regime in Nara-Era decided to introduce the Chinese “modern” state organization and administration system (“Ritsu-Ryo System”). It was “revolutionary” and successful. The Japanese regime tried to introduce also the “Imperial Examination”, but it was not successful. The nobles in the “Imperial Court” of the Japanese Emperor neither understood Chinese Confucianism, nor accepted “Imperial Examination”. This is one reason why the Japanese “Ritsu-Ryo System” could not be held for a long time. After all, the genuine Confucianism was not adopted in Japan. Later, Confucian teachings were officially adopted by the Samurai regime in the 17th c.. It was not the original Confucianism, but a “japanized” one.

RITSU (律)

5 Punishments (五刑)

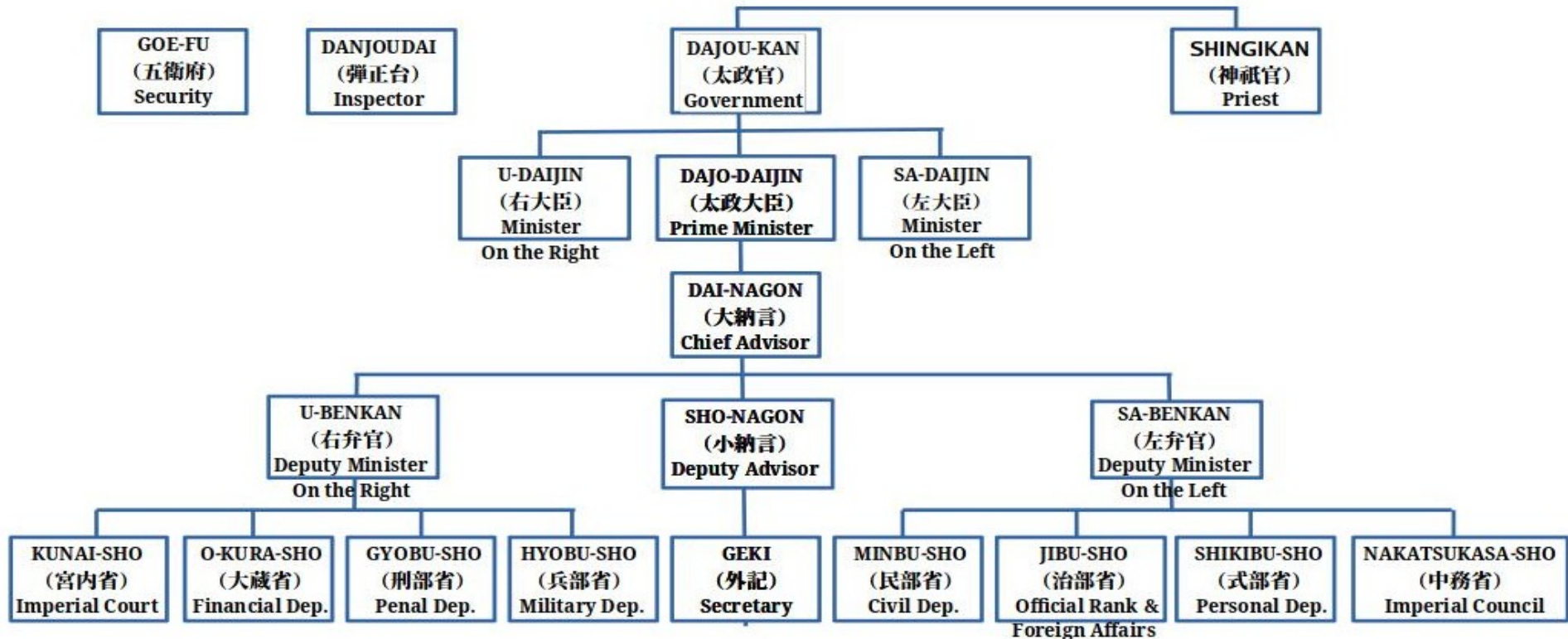
答: Whip	5 levels (10 - 50)
杖: Beat	5 levels (60 - 100)
徒: Servitude	5 levels (1 - 3 years)
流: Banish	3 levels (near, middle, far)
死: Death	2 levels (hanging, beheadal)

8 Sins (八虐)

謀 反: Crimes against Emperor
謀大逆: Destruction of Imperial Properties
謀 叛: Rebellion and collusion
惡 逆: Crimes against lineal ancestor
不 道: Crimes against others

大不敬: Religious crimes
不 孝: Immoral behaviours
不 義: Disloyalty

RYOU (令)



- 計帳 (山背国愛宕郡出雲郷計帳 神龜三年)
- 戸主大初位上出雲臣千依戸
- 去年帳定良賤口式拾貳人 男十六 奴一
- 帳後无損益
- 今年計帳定見良賤大小口式拾貳人 男十六 奴一
- 不課口拾柒人
- 男拾貳人 使部一 緑子一 廢疾一
 小子七 耆老一 奴一
- 女伍人 妻一 少女一 耆女一
 丁女一 小女一
- 課口伍人
- 見不輸卷人少丁
- 見輸肆人正丁
- 輸調錢參拾陸文
- ① Head of Family
- 戸主大初位上出雲臣千依, 年陸拾玖歲, 耆老 69
- ② 男勲十二等出雲臣嶋麻呂, 年參拾歲, 正丁 30
- 右類黒子
- 眉間黒子
- ③ 男出雲臣広主, 年貳拾伍歲, 正丁 25
- 眉間黒子
- ④ 男出雲臣小広, 年拾玖歲, 少丁 19
- 眉間黒子
- ⑤ 男出雲臣広長, 年拾參歲, 小子 13
- 左眉黒子
- ⑥ 男出雲臣広方, 年拾壹歲, 小子 无印
- ⑦ 女出雲臣麻志麻売, 年參拾參歲, 丁女 33
- 右類黒子
- ⑧ 孫出雲臣狩日佐, 年參歲, 緑子 3
- 嶋麻呂男
- ⑨ 弟少初位上出雲臣牛養, 年參拾柒歲, 正丁 37
- 右類黒子 右衛土府使部
- ⑩ 母出雲臣姉売, 年柒拾陸歲, 耆女 76
- 左類黒子
- ⑪ 男出雲臣佐比物, 年拾歲, 小子 10
- 左類黒子
- ⑫ 男出雲臣袁佐比, 年柒歲, 小子 7
- ⑬ 男出雲臣諸主, 年肆歲, 小子 4
- ⑭ 女出雲臣黒虫売, 年柒歲, 小女 7
- ⑮ 弟出雲臣人足, 年參拾肆歲, 正丁 34
- 和銅五年逃, 尾治国鮎市郡 (愛知)
- ⑯ 奴養麻呂, 年貳拾玖歲, 姉売奴 29
- ⑰ 戸出雲臣族果安, 年伍拾參歲, 一支廢疾, 63
- 右類黒子
- ⑱ 妻素高椅悅売, 年肆拾捌歲, 丁妻 48
- 鼻於黒子
- ⑲ 男出雲臣族東人, 年貳拾參歲, 正丁 23
- ⑳ 男出雲臣族小東人, 年拾參歲, 小子 13
- 右類黒子
- ㉑ 男出雲臣族真東人, 年拾歲, 小子 10
- 類疵
- ㉒ 女出雲臣族刀自売, 年拾捌歲, 少女 18
- 右眉黒子
- 左目後黒子
- in military service

A household (726 AD)

- 22 persons { 16 persons in the main house
 6 person in a small house (正倉院文書)
- with tax duties : 5 persons
- without tax duties : { 12 men
 5 women
- slave : 1 person

Heian-Era (794 - 1182)

In the Imperial Court in *Kyoto*, a new noble class developed, and some powerful noble families dominated in the politics and the culture. They were entrusted with the administration of rural areas and allowed to rule such areas like their own territories. They enjoyed a wide range of privileges and immunity (*manorial system*). Large Buddhist temples and Shinto shrines were allowed to possess manors, too. Peasants who could not fulfil their heavy duties under the *Ritsu-Ryo* system ran away from their villages and fled into such manors. They were accepted as serfs, i.e. privately owned peasants (formation of *serfdom* or *bondage*). The nobles stayed in the Royal Court in *Kyoto* and sent their private servants to their manors for the administration. The nobles organized also private military troops for the security of the manors. This was the beginning of Japanese warrior class (*Samurai*).

The warrior class was founded outside of the *Ritsu-Ryo* system. However, they developed an original relationship among them independently from the official social system. They were bound with a contract-like relationship among each other. The master had to protect their retainers and pupils, the latter had duties to loyalty and military services for the master. They were gradually accepted in the Royal Court and finally took over the political leadership. Also in the rural areas, manors were laid under the rule of warriors, and they founded their territories. Such territories were militarily organized with the warrior-relationship. The rule of the Royal Court in *Kyoto* lost its political meaning. It was the end of *Heian-Era* (classic age of Japan).

Kamakura-Era (1182 - 1333)

At the end of *Heian-Era*, there were two large groups of warriors, *Heike*-clan and *Genji*-clan. At first, *Heike* achieved the ruling position in the Royal Court. But they were attacked by the *Genji* troops and completely removed from the Royal Court. The head of the *Genji* was appointed to "*Shogun* (Marshal)" by the Emperor, but they left *Kyoto* and founded their own "*Bakufu* (headquarter)" far from *Kyoto*, in *Kamakura*. They began to rule the country according to their own political principles (law of Samurai-warriors). The *Genji* was condemned for the breach of the *Ritsu-Ryo* system. The tension between the Imperial authority in *Kyoto* and the *Kamakura Shogunate* gradually escalated to the military conflict. In 1221, the Samurai-warriors who supported the Imperial Authority attacked the *Kamakura Shogunate* ("[Jōkyū War](#)"). However, the Samurai-warriors on the side of the Shogunate defeated the Imperial army. After this first battle between the Imperial authority and the Shogunate, the latter set up a new security agency in *Kyoto* and strictly controlled the activities of the Imperial authority ("[Rokuhara Tandai](#)"). The superiority of the Shogunate was established in the military way. Nevertheless, the *Kamakura Shogunate* did not have any intention to abolish the Imperial Court or to take over its authority. The Shogunate rather tried to justify its own rule with the argument that they did not act against the *Ritsu-Ryo* system; the sovereignty of the Emperor stayed untouched, they wanted only to control internal relations of warriors and to settle troubles among them, these were purely private matters of warriors, their law was a *private law* which had effect only to warriors. In 1232, the Shogunate promulgated the first legal code for the whole Samurai-warriors ("[Goseibai Shikimoku](#)"). It was the declaration of the private law tradition (class laws) in Japan.

Japanese Buddhism in Kamakura-Era

New religious consciousness was shaped out through criticism against Esoteric Buddhism of *Heian-Era*. In *Kamakura-Era*, several important sects of Japanese Buddhism were founded and became widespread under warriors and normal people (merchants, manufacturers, peasants).

- *Jōdo-Shinshu* was founded by a monk named "*Shinran*" based on *Jōdo-shū* in *Heian-Era*. He denied the meaning of personal efforts to reach "*Nirvana*" completely, and taught to trust the great charity of *Amitabha* Buddha because everybody is so sinful that nobody can enter Heaven (*Jōdo*) by himself. He said "Wrongdoers will be *of course* rescued by the great *Amitabha* Buddha because *even* honest people may be allowed to enter Heaven". He denied also the holy status of monk and priest and married a woman. A wide range of solidarity and cooperation arose among members of

his sect beyond discrepancy of social classes.

- A monk named "*Dōgen*" went to China and studied Zen-Buddhism. After his return home, he founded his own temple "*Eiheiji*" and taught to restore the original form of Buddhism. He said "Meditation is only way for genuine Buddhists". It did not matter for him which social status people had. He indeed recommended ascetic training of meditation for everybody, but it was not any absolute condition to become monk or nun. He denied also luxurious decoration and grandiose ceremonies in Buddhist temples. Even Buddha statue was not necessary for him. He divided religion and secular life clearly and avoided any close contact with political authorities.
- There was one more important figure for Japanese Buddhism. It was "*Nichiren*". He insisted that Buddhist should not believe in any visual image or fantasy of Buddha and Heaven, but in a holy sutra, namely "*Lotus Sutra*". He drew also a vision of Buddhist state. *Shinran* was an outsider, and *Dōgen* avoided politics, but *Nichiren* never hesitated to contact politics. He was politically very active. He tried to convince political authorities and mobilized people in order to realize his vision of Buddhist state.

Kamakura Buddhism was, so to say, "*Evangel*" for normal people. In Nara- and *Heian*-Era, Buddhism was monopolized by the state authorities and the noble class. In Kamakura-Era, Buddhism was for the first time opened for "sinful wrongdoers" like warriors, and uneducated poor people could realize a genuine religious world. It was an unavoidable destiny for warriors to kill enemies and to be killed in battle, but now such warriors knew that they could enter Heaven. They also tried to overcome terrible fear of death through ascetic meditation. Analphabetic peasants could not offer any donation to temples, but now they knew that they had only to call the name of *Amitabha Buddha* or *Lotus Sutra* for forgiveness and charity. Through such religious experiences, a transcendental horizon beyond the unequal, cruel and miserable world was opened for everybody.

In these religious movements, normal people became actively committed to politics. In the sect of *Shinran*, warriors and peasants cooperated, and in the following warring states period, they founded their own republics. *Nichiren* brought people directly into political activities. Therefore, these two sects were hardly hated by the ruling power.

Contributions of Zen-Buddhism were rather cultural. Warriors discovered their own cultural values in this religion, and it protected them from regression to the culture of the nobles in *Heian*-Era even when they reached a ruling position. Such cultural independence and value consciousness probably enabled warriors to interpret Confucianism suitably to the political situation in Japan.

Ashikaga-Era (1333 - 1477) and Warring States Period (1477 – 1600)

The rule of the *Genji* could not be held for a long time. The leadership of the warrior class was taken over by another family "*Ashikaga*". The head of *Asikaga* showed his loyalty to the Emperor and set up his headquarter in Kyoto again. But He could not keep the whole warriors together, and lost his control over the country. Japan was split in many territories ruled by warring lords. They began to battle against each other in order to achieve a ruling position over the whole warriors and to found a new political order. This period lasted one and a half century.

Development in the Warring States Period (16th c.)

In the middle of the 15th c., the *Ashikaga* Shogunate lost almost completely the control over the land, and the warring state period began. The land split into many territories which were ruled by territorial lords (leading warriors; *Daimyo*). They fought against each other 100 years long.

In the meantime, foreign ships arrived from Portugal and Spain. They brought Christianity and guns to Japan. Japanese merchants began with international trade, and the productivity of Japanese manufacturing increased. Territorial lords who pursued their military ambitions needed financial and industrial supports from merchants and manufacturers. They encouraged commerce and industry in

own territories and granted economic freedom to merchants and craftworkers (manufacturers). Such “*pre-modern citizens*” organized *guild*-like associations and governed own branches by themselves. Some cities enjoyed even political autonomy. On the other hand, warriors and peasants who belonged to the Buddhist sect of *Shinran* joined together and founded republics in some territories. Such religious territories were difficult hindrance for powerful lords who aimed to unify the whole country.

In 1582, Lord *Nobunaga Oda* took the most part of the land under his control. He did not hesitate to attack against the private army of Buddhist temples and Buddhist republics. After he destroyed them, he entered *Kyoto* in order to ask the Emperor for the official acknowledgement of his power. But he was killed by one of his own retainers.

Lord *Hideyoshi Toyotomi*, another retainer of *Nobunaga*, succeeded to a leading lord and unified the land completely. Soon after his victory, he organized a nationwide survey of agricultural fields and their productivities in order to establish a rigid taxation system. In 1587, he issued "Anti-Christian Edict" to expel all Christian missionaries from Japan. In 1588, he prohibited peasants from possession of weapons, and fixed four classes absolutely (warriors, peasants, craftworkers and merchants).

Establishment of Tokugawa Shogunate (17th c.)

But the rule of *Hideyoshi Toyotomi* did not last for a long time. After the unsuccessful mission in Korea (1592 and 1597), Lord *Ieyasu Tokugawa* defeated the troops of *Toyotomi* (1600), and founded his Shogunate in a small fisher village in East Japan, *Edo* (today's *Tokyo*). In general, *Tokugawa* Shogunate took over the political strategy of *Hideyoshi*. All territorial lords swore obedience and loyalty to the Shogunate. In return, it granted protection and autonomy to subordinated territorial lords. However, the control of the Shogunate was so powerful that subordinated lords sometimes had to move from one region to another. The Shogunate could even confiscate territories of other lords. In this way, the Shogunate nationwide rearranged the positions of lords for the security reason.

The strength of each lord was measured in amount of rice which was collected as annual tribute from peasants in his territory. Lords distributed such rice to each of their retainers according to his rank as compensation for their services. It was only earning for warriors. It was officially prohibited and even thought as a dishonour for warriors to involve themselves into agriculture or mercantile business. Warriors had to sell their earning to rice merchants in order to get money. In this sense, peasants who were tightly bound to the agricultural fields were primary resource and basis of political power of Samurai-warriors. Land was not an object of private property, and commercial transaction of agricultural fields was strictly forbidden (1643, except in city-regions). On the other hand, merchants and craftworkers classes enjoyed economic freedom and limited self-government of their own branches. Indeed, Samurai-warriors paid their attention only to the productivity of peasants and underestimated the economical importance of commerce. They disrespected merchants as those who produced nothing. But merchants played a significant role for the economic development as “*organizers of market and industry*”. In the 18th c., a nationwide rice market was organized through commercial activities of rice merchants, and a complex commercial mechanism was gradually established in Japan. This development led to a crucial result for the ruling class in the 19th c..

Legislations and regulations by the Shogunate

After the establishment of a new regime, the *Tokugawa* Shogunate promulgated several “laws” – but not in the modern sense, they were “military laws” – and declared main principles of a new political order:

- "*The Law on Military Households of Warriors*" (1615 -) provided basic moral principles and regulations for the warrior class.
- "*The Law governing the Imperial Court and Nobilities*" (1615) prohibited the Emperor and all the nobles in the Imperial Court from political activities and provided that they should dedicate

themselves exclusively to arts and academic research. In other words, the Shogunate subordinated the Imperial Court and the noble class, and took them completely under its control. They were isolated in a small area in *Kyoto* and separated from the real world. In the 14th c., as General *Yoritomo Minamoto* founded his Shogunate in *Kamakura*, he had justified his regime with the argument that the Shogunate controlled only internal matters of the warrior class and its regulations could be seen as private law. But now, the positions of the Imperial Court and the Samurai-warrior regime turned over. The household of the warrior class was declared as "Public Order", and the Imperial Court lost its actual meaning even though the sovereignty of the Emperor was officially maintained until Modern age.

- "*The Law governing Buddhist Temples*" (1665) excluded also Buddhist monks and temples from political activities and prohibited them from founding any new sect or school. At the same time, the Shogunate intensified its persecution of Christians, and forced everybody to belong to a temple as Buddhist. However, the Shogunate was not interested in contents of religious teachings. It used temples merely for administrative purposes, and instructed temples to keep family registers of the people.

Moreover, the Shogunate even tried to control everyday life of normal people, especially peasants, and gave them many detailed instructions, for example, what they should wear or eat, when they should wake up or go to bed, and so on. But the regime did not intend to govern each matter of normal people. Such regulations aimed merely to fasten the class structure. Everyday life and social relations among normal people were governed mostly by customary rules of each class or each branch. In Japan, normal people were not forced to any military service (it was a main business of warriors). In this sense, they were excluded from "*Public Order*" of the warriors and lived in "*Private Sphere*" – it means "outside of the military order". Peasants lived in village communities and had a different family system as warriors. Merchants and craftworkers organized guilds and developed customary laws of merchants for own business (for example, sale for account, book keeping, limited companies, futures contract, bill of exchange and so on, even if they were still in a primitive stage). Business conflicts were arbitrated by seniors or councils of guilds. Only serious conflicts and crimes were adjudicated in the court of territorial lords or the Shogunate.

In general, Japanese warriors were not only disinterested in religion as legitimation of their rule over the nation, but they almost ignored also jurisdiction as political instrument. Accordingly, Samurai-warrior regime possessed neither legal professions, nor developed legal procedures. Japanese feudalism was depending simply upon ethical binding force of loyalty and good faith.

Introduction of Confucianism

For the moral discipline of the warrior class, the Shogunate authorized the Confucian theory of Ming-Era in China as official moral discipline, and obliged all warriors to study it. However, they had to interpret its contents according to Japanese political situation. The original Confucianism was a moral teaching for civilian officials, and military servants could not attain any respected position in China. Therefore, they had to compare the family order (this was a basic social principle for the Confucian in China) to the feudal relation of loyalty between a lord and retainers (household of warrior class). Accordingly, normal people in villages and cities did not have anything to do with Confucianism.

Financial difficulties of Warrior class and Tokugawa Shogunate (18th c.)

In the 18th c., the economy and culture of the merchant class flourished, and Japanese economy reached a the stage of money economy. Some dominant merchant houses accumulated capitals more and more while the warrior class, including powerful territorial lords and the Shogunate, became heavily dependent on financial support from rich merchant houses. Their expenditure in money increased so rapidly that they could not cover it with their only earning in rice from peasants. All warriors fell into debt deeply. The Shogunate had to announce "*Edict of debt relief*" several times in order to rescue official authorities and warriors, otherwise they would not be able to maintain the

feudal class order. On the other hand, the merchant class developed own civilian culture and life style with their wealth. Under the isolation policy, the market was limited to the narrow domain of Japan, and they did not have any opportunities to invest their capitals to oversea markets or even to a new industry. The culture of merchant class in *Edo-Era* was therefore very wasteful. “*Ethics of Capitalism*” could not be established in Japan.

Splitting of peasant class into landlords and tenant farmers (18th c.)

Also peasants had to be involved into money economy, and merchant houses stretched their economic influence to rural areas. They organized reclamation projects for new agricultural fields and gained profits. As result of this development, the peasant class began to split into rich families and poor farmers. Agricultural fields were not transferable, but powerful farmers obtained factual possession of fields from poor farmers by way of “*pledge*”. In this way, a new social structure of landlords and tenant farmers was gradually built in rural areas.

Revolt of peasants and political confusion (19th c.)

The majority of peasants was tenant farmers as the lowest stratum of the society. They suffered from the dual exploitation, namely exploitation by the territorial lords and exploitation by landlords. The warriors class who fell deeply into debt to merchants collected tributes more and more hardly from peasants, and these fell into more and more deeply into debt to landlords. They often had to offer their children as servants for merchant houses or “sold” their daughters to so-called “*Geisha houses*”. Sometimes, they escaped villages and became beggars or outlaws, or even rose in revolt against territorial lords. In the 19th c., the warrior class gradually lost its control over the country. They possessed neither necessary knowledges to understand the economic and social development, nor they were competent to manage it. Japan stood suddenly without any powerful leaders or rulers as Western powers neared the Far East.

Rise of a new consciousness among young warrior leaders (mid 19th c.)

In this period, some people learned about Western civilization and modern science, and were deeply convinced of its superiority. They claimed to modernize Japanese society, but other people asserted to strengthen the traditional isolation policy and to rebuild the ancient Imperial Rule instead of the rule of the warrior class. The latter opinion found intensive support especially under younger warriors. In several territories in Western Japan which were former enemies of *Tokugawa* family, such young leaders attained decision making positions in their territories. They tried to build a new alliance under the supreme command of the Emperor and prepared it for a war against Western countries. However, they threw away this naive political vision at once as they have really fought against fleets of Western countries. They recognized the military superiority of Western powers and decided to follow them. The new aim of the Imperial Alliance was set up on “Defeat of *Tokugawa* Shogunate” for the modernization of Japan – especially in a military way. After all, the new leaders were still warriors.

Dominant merchant houses like *Mitsui* and *Sumitomo* financially supported this Imperial Alliance. They were looking for freedom from feudal restrictions and new opportunities to expand their business. However, they did not possess any own political vision or concept. This combination of the military ambition and the desire for economic expansion decided the political and social development of the following century in Japan.