CHAPTER II

THE POLITICAL SYSTEM: ITS IMPACT ON JAPAN'S WARTIME POLICIES
After the Japanese armed attack on Manchuria in 1931, the Japanese political system came to be dominated by the military. The nascent emergence of party politics during the short-lived era of Taisho democracy was wound up with the dissolution of political parties in 1940. In their place Imperial Rule Assistant Association was established to mobilize the entire nation on a one point programme of military action abroad.

What were the causes behind this sudden rise of military power in Japan and its belligerent policies abroad? Was it only a phenomenon of early thirties or it had its roots deeply entrenched in the socio-economic and political set-up of Japan? If its roots date back to its historical past then what were the factors responsible for its sustenance? From where did it get the support? A search for answer to these questions requires in-depth probing into the traditional political heritage and administrative structure of Japanese political system.

TRADITIONAL JAPANESE POLITY

THE INSTITUTION OF THE EMPEROR

The origin of the Japan date back to "mytho-religious" remote past which found its historical account in the official history of Japan entitled Kogiki (Records of

Ancient matters) and *Nihongi* (Chronicles of Japan) compiled in the second decade of the eighth century A.D. The emergence of Japan begins with the formation of an island, named Ono-goro-Jina. It is believed by the Japanese people to have been created by the God Izanagi no Mikoto and the Goddess Izanami no Mikoto through the jewel spear handed over to them by the Gods of Heaven. This land became the abode of the two heavenly descended deities. They got married and produced not only eight large islands of Japan but also the rivers, mountains, trees, and herbs. As the story goes, the heavenly deities after creating the land of Gods (Japan) came to the issue of "who shall be the lord of the universe." The lord of the land of Gods belonged to the family of heavenly descended deities who created such a land. Ninigi no Mikoto the grandson of the sun goddess Amaterasu-omi-kami was the first lord who received

2 There is a general impression that these histories were compiled with a view to maintain and legitimize the religious and political claims of the ruling families to rule over Japan. See: John M. Maki, *Japanese Militarism: Its Cause and Cure* (New York: Knopf, 1945), pp. 92-93; Kazuo Kawai, "The Divinity of Japanese Emperor", *Political Science* (Wellington, New Zealand), vol. 10, No. 2, September 1958, p. 7; and Morris, n. 1, p. 41.


5 Price, n. 4, p. 52.

6 Aston, n. 3, p. 18.

7 Ibid, p. 18.
imperial regalia to govern the land of Gods, to be followed by unbroken line of single imperial rule for ages eternal. Amaterasu-omi-kami commended her August Grandchild with the words:

This ... Land is the region which my descendants shall be lords of. Do thou, my August Grandchild, proceed thither and govern it. Go! and may prosperity attend thy dynasty, and may it, like Heaven and Earth, endure forever."

The first Emperor of Japan in the unbroken line for ages eternal was the great grandson of Ninigi no Mikoto the grand son of sun goddess who after conquering and pacifying all the tribes brought the whole country under his control and "solemnly proclaimed emperor on the 11th February B.C. 660." 10

These historical records are filled with legends after the legends revealing the mythical course of events relating to the establishment of the institutional set-up of the Emperor system. 11 Nevertheless, such legendary tales, irrespective of the mythical and whimsical overtones, have had direct or indirect impact on the various aspects of society in Japan. Such a legendary historical background of Japan combined with the divinity of the emperor sketched a unique picture of the Japanese

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8 The three sacred objects (curved jewels; sacred mirror; and the sacred sword) preserved and passed on from one emperor to the next as a symbol of authority and legitimacy. For details see H. Paul Varley, Imperial Restoration in Medieval Japan (New York and London: Columbia University Press, 1971), pp. 194-5; and Maki, n. 2, pp. 107-8.


11 Aston, n. 3, pp. 18-108.
state which denied the public any role in its development. Both Emperor and Japan trace their origin from divine sources. Accordingly, Emperor was the direct descendant of the heavenly God and Goddess. Emperor's links with the heavenly deities placed special prestige on him in the sense that his ancestors existed even before the establishment of the land over which the sovereignty was to be exercised.\textsuperscript{12} The claim to the throne lay in the "authentic genealogical descent from the divine founder of the line."\textsuperscript{13} This has been the practice since the first emperor Jimmu Tenno.\textsuperscript{14} Only a member of the imperial family as per the practice can become the emperor. This continuity has been maintained meticulously. Akihito is the 125th emperor of Japan.

The emperor of Japan was not "chosen and settled upon by the subjects on grounds of intelligence or virtues."\textsuperscript{15} He succeeded to the throne as the direct descendant of the sun goddess - embodiment of all virtues and righteousness. Hence he was the personification of all those virtues and above the do's and donot's of the


\textsuperscript{13} Ibid, p. 12.


terrestrial world." The emperor holds the supreme power not as his own inherent right but as an inheritance from his divine ancestor." The accession to throne was neither claimed on the basis of "divine right or the mandate of heaven", nor on the basis of wisdom of the claimant, "but by virtue of authentic genealogical descent from the divine founder of the line." This unique Japanese practice concerning the mode of enthronement was in sharp contrast to the Chinese theory of kingship where virtue rather than hereditary right is supreme." This was a mechanism to devoid the people any right to revolt against the emperor.

The person of the emperor was considered so sacred and divine that the administering of the governmental or secular function by him would amount to the desecration of the imperial throne and effect his divinity. Such functions of state were performed since "the earliest period known to the historian" by the persons upon whom

18 Smith, n. 12, p. 12.
19 Japan had been influenced to a significant extent by the Chinese political institution. But it did not opt for the principle of virtue as a claim to the throne (a well-established Chinese practice). For details, see Robert S. Ellwood Jr., An Invitation to Japanese Civilization (Belmont, California : Wadsworth Inc., 1980), pp. 88-89; Sansom, n. 1, p. 181; and Varley, n. 8, p. 4.
the royal powers were devolved. The sanctity and divinity of the emperor was used as a pretext by the oligarchy to wrung from him the authority to rule. His being divine was not as much religious as it was political. The practice of delegating powers to perform secular functions provided opportunities to different clans to accumulate significant powers even to the extent of overshadowing the throne. Moreover, the devolution of power on the selected few even took the form of dynastic rule based on the pattern of succession to throne where no other qualifications or virtue but hereditary link with the head of the ruling clan was the main criteria to achieve such rank. The Fujiwara, Taira, Minamoto, Hojo, Ashikaga and Tokugawa are all examples of families who managed to get imperial sanction to exercise powers to perform secular functions and "transmitted such political powers by blood inheritance, masking their rule behind a variety of offices, non of which literally signified kingship." The person who exercised political power were not accountable to the people. It was the emperor not the people from whom they draw such powers.


22 Maki, n. 2, pp. 91-92.

23 Webb, n. 21, p. 20.

24 Ibid.
Sovereignty lay in the emperor not with the people. Emperor was "the ultimate source of legitimacy for those who sought to wield that power in his name." The Kamakura, Muromachi, and Tokugawa Shogunates were established under his name. It was the emperor who gave them legitimacy in the eyes of people. The nineteenth century Restoration Movement which ultimately put an end to the military rule and wrapped Japan with a cloth of new era, was also launched in his name only. Even, the Supreme Commander for Allied Powers used tacitly his omnipotent image as the ultimate source of power to implement the occupational reforms in Japan. The legitimizing role of the emperor was so important that in 1336 when emperor Go-diago flew to Yoshino after an abortive attempt to establish direct imperial rule, a four year old child of the senior imperial family was enthroned as emperor to appoint Ashikaga Takauji as Shogun. Whether it was Fujiwara, Minamoto, Ashikaga or Tokugawa, no one dared to usurp the throne and disrupt its continuity. So much so while there were civil wars in Japan the political fabric was never disturbed to be called as a contest of sovereignty for the simple reason that there was never a war between an imperial and non-imperial power. While commenting on the continuity of

25 Smith, n. 12, p. 13.


the imperial line, Prof. Hall observes that, "it relates to some of the deepest realities of the Japanese political traditions." This provides a source of legitimacy to the autocratic and absolutist rule of court aristocracy from 645 A.D. to 1185 A.D. and of military oligarchy from 1185 A.D. to end of World War II. Moreover, the mythical notion of the divinity of the emperor, the superiority of the Japanese people, and their land mainly due to its divine origin provided a fertile ground for the emergence of "super-nationalism" and "Japanese chauvinism."

NATIONAL POLITY (KOKUTAI)

The most essential element of the Japanese state is the national polity or national essence (Kokutai) which had its roots in Shinto beliefs and overlaid with the confucian philosophy. It implied that an unbroken line of emperors of single blood relationship was to rule and reign over the inhabitants of the islands of Japan, who were also in some degree descended from the same line. Since the emperor and the people descended from the


29 For details see Maki, n. 2, pp. 12-58, 93 & 96-97.


31 Kawai, n. 27, p. 663; and Reischauer, n. 16, p. 24.
same heavenly deities they in essence constitutes a single family in which the emperor occupies the place of a father and the rest of the people were like his children. Thus Japan was "a great family nation" where the Imperial Household constituted "the head family of the subjects and the nucleus of national life." The importance of family or more precisely the "family system" in Japanese society, as a social unit, and its extension to the nation as a whole lies in its basic principle of 'Filial Piety'. In practice, the tenet of 'Filial Piety' functioned in the context of relationship between children and parents which realized itself in the broader context of "Japan as a single family" bearing ultimate loyalty to the emperor.

Japanese family was not "built around the conjugal unit of husband and wife", rather it "puts its emphasis on the continuity of family line from grandfather to father to son to grandson and so on." Its structure was hierarchical in a pyramidal posture, pinnacled with the patriarchal head of the family. He was considered as fountain head of the family and provided unity and

32 Kawai, n. 2, p. 3.


35 Ike, n. 34, p. 18.
harmony to it. The axial relationship of the Japanese family was the father son relationship. It had its roots substantiated in the confucian principle of social relationship which determined the overall structure of Japanese society. Father was the patriarchal head of the family and was the living representative of the ancestors of the family. The children in the family owed obligations and duties towards parents "for having been born into this world, for having been cared for through childhood and youth, and for having a spouse selected for him." These obligations of the children towards the patriarchal head are termed in Japanese language as on and to repay them involved what is called Ko or filial Piety. Filial piety implied that the children must obey their parents, to look after them in old age, venerate them after their demise, abandon the self interest for the sake of the family and use "polite language when addressing them" and take "care of to keep

36 Ibid.

37 These social relationships were comprised of sovereign and subjects; husband and wife; father and son; elder and younger brother or sister; and friends. See Halloran, n. 30, p. 223.

38 Fukutake, n. 33, p. 25.

39 The life of a family in Japan was not only limited to its present household comprised of living members. It was extended to its distance ancestors. The present life of a family was considered as a link between the past and the future. The head of the family household (ie) venerated his ancestors and handed over this tradition to his posterity. See : Ibid, pp. 25-28; Hall, n. 15, p. 87; and C. Takeda, "Family Religion" in Japan : Ie and its Religious Faith", in William H. Newell, ed., Ancestors (The Hague : Mouton, 1976), pp. 119-24.

40 Ike, n. 34, p. 18.
them in a good frame of mind." The principle of filial piety elevated the status of parents specially father to the highest level of respect and abundance goodness "deeper than the ocean, greater than the mountains . . . .".

The norms of filial piety were not only confined to the narrow boundaries of family but were also extended to the entire gamut of Japanese society, and constituted "the core elements of a personal ethic for the Japanese." In their personal relationship with the people outside the family, "Japanese follow somewhat the same pattern inside [their] families." Their relationship in society in general and in various social groupings, in particular have been based on what is called oyabun-kobun relationship patterned on the familial framework of relationship between father and son in confucian order. The oya is the senior, benevolent fatherly, virtuous and the one who commands, whereas the ko is the junior, obedient, submissive and revere his senior in the manner of son's behaviour towards his father. In the hierarchical order of the family system

41 Ibid.

42 Fukutake, n. 33, p. 46.

43 Ibid, pp. 42-43;

44 Ibid, pp. 46-47.

45 Halloran, n. 30, p. 228.


the identity of the individual found in the total existence of the family group. Group was given priority over the individual. Individual could not cherish any self interest. For him it was not his self being but the whole family which was of prime consideration.

From the above, we notice the immediate loyalty of the people first goes to the emperor, because ultimately they are the offspring of the emperor who is the living representative of their common progenitrix. All the individual are obliged to work and behave in accordance with the welfare of the imperial household and look upto "the emperor as the focal point from of old to the present." For the prosperity of the nation, they are obliged to contribute to the prosperity of the emperor and should be loyal to the emperor. "To be loyal to the emperor means nothing short of loving the country and striving for the welfare of the nation. Without loyalty their is no patriotism and without patriotism there is no loyalty." The "most sincere reverence for the emperor and the most sincere patriotism" are the medium through which subjects of the emperor can repay back the imperial blessings. The principle of filial piety and loyalty were linked together in the early decades of nineteenth century. This principle became the core of the national polity which made individual subservient to the state.

48 Hall, n. 15, p. 83.
49 Ibid.
50 Fukutake, n. 33, p. 47.
51 Ibid; and Hall, n. 15, p. 91.
This in turn ultimately provided background to ultranationalism and militarism.

THE POLITICAL SYSTEM BEFORE MEIJI RESTORATION

POLITICAL PROCESS IN JAPAN PRIOR TO THE GREAT (TAIKA) REFORM

The Japanese political system which emerged in the middle of the seventh century under the Great Reform was oligarchic in character. It was in line with the character of political process prevalent in Japan before such transformation. Before the advent of the Great Reform, the society in Japan was divided among a number of small, politically and economically autonomous clans which were accountable to none. These clans were built around a relationship of blood descended from a clan god. All affairs within each clan were conducted under the mythical guidance of the clan god who took care of its prosperity and safety. The entry into clan's power circles based on the sole determining factor of common blood and common descent from the clan god. 52 During that period the religious and secular functions within clans were fused in the single chieftain of the clan. The chieftain wield absolute authority over the members of clan and their serfs and servants, who lived under their

control. The basis of such an absolute authority of the head of clan was his proximity to the clan god, and he alone enjoyed the privilege to worship the deity and convey his will. Within the clan those who had close proximity to the chieftain enjoyed political and economic edge over others.

The clan administration was devoid of democratic elements and the principle of responsibility of the ruler to the ruled. The source of chieftain authority was the clan's deity rather than the members of the clan. The society was a confederation of different autonomous clans. Among the various autonomous clans the Imperial clan, which later developed into the Imperial family, was the only unifying factor owing to its military force. However, "its control was informal rather than formal."

But, what makes its authority absolute over the other clans was its religious supremacy of knowing the divine will of the deity of all clans.

In this way, the undemocratic principle of unquestioned obedience and loyalty which underlay the basis of clan administration was extended to that of the Imperial institution at the national level. Moreover, the families which managed to forge contacts with the Imperial Household and its head came to acquire


55 Ibid.

56 Ishii, n. 53, p. 8.
overwhelming influence over the rest of the clan. Just as few members of clan had more political and economic power because of their close association with the clan chief, at the national level the families which were close to the Imperial Household succeeded to establish their supremacy over others. This type of administrative set-up in the pre-unification period of Japan set in motion the rule of court (Imperial) aristocracy or civil oligarchy for many centuries to come. It also structured insurmountable hurdles in the way of emergence of democratic values and institutions in Japanese society.

THE GREAT REFORM AND ITS IMPACT

During the turbulent period of interclan rivalry over the issue of national supremacy vis-a-vis the imperial family between mid sixth century and the beginning of the eighth century, the major thrust of the political process in the domestic politics of Japan was to strengthen and centralize the Japanese state on the Chinese model.57 The move to centralize Japan was also in response to the external environment.58

Under the Great Reform, which began in A.D. 645, the then Japanese society, a confederation of clans loosely tied, transformed "into a tightly unified and integrated

57 Morris, n. 1, p. 41; and Varley, n. 8, p. 5.

centralized state (toitsu kokka) on the Chinese model."** The entire country brought under the direct control of the imperial throne. All land and people were declared belong to him. The clans set-up and their public authority was abolished.*** The emperor became the sole ruler of the country.

The system adopted to establish central rule in Japan came to be known as Taiho Code. It patterned after the ritsuryo system of government of the T'ang Monarchy in China. It consisted of both penal (ritsu) and administrative (ryo) law. This penal and administrative legal code system underwent various amendments since its adoption in A.D. 702."**** Under this system, the emperor was placed at the apex of the central government. Directly under his control were the Department of Religion (Jingikan) and the Great Council of State (Daijokan). The former concerned with religious affairs of the national cult, Shinto. The Council of state which formed the central office the government, was headed by the prime minister (Dajodaijin) who had no specific duties except to as an advisor to the emperor. Often this post remained unfilled.** The two leading officials of the council, who held the real power were the Minister of the Left (Sadaijin) and the Minister of the Right (Udaijin). However, the former had more powers than that

59 Ishii, n. 53, p. 19.
60 Ibid; and Maki, n. 2, p. 15.
61 Ishii, n. 53, pp. 17 & 22-23; and McNelly, n. 58, p.5.
of the latter. In addition, eight ministries were added to the Council to manage various fields of administration under its control. Below the central government was a system of local administration. It consisted of three administrative units: provinces, districts, and hamlets. These units were headed respectively by the governor, the district head, and hamlet headman.

The above description of the Japanese political system presented an altogether different picture of Japan from that of its pre-reform era. It "represented a distinct advance over the loose system of the clans." But in actual terms, it had only transformed the outer shell of power structure. The core of that structure remained intact. From the face value, it seems that Great Reform of the mid seventh century intended to establish a centralized bureaucracy in Japan based on the merit. But, the inability of the imperial forces to subdue the power of clans and to deprive them of their land and other vested interests had led to compromise with the real spirit of the reform. Accordingly, the old vested interests were to be accommodated in the new governmental set-up of Japan. Thus, the old aristocracy

63 Ibid.
65 Maki, n. 2, p. 17.
66 Ibid, p. 15.
took the form of new aristocracy in Japan. The core of the Great Reform, that was recruitment to bureaucracy on the basis of Chinese administrative pattern was not put into practice.

The new posts at the central as well as local level of administrative set-up were assigned to the traditional aristocracy. Moreover, the most complex and then sophisticated system of centralized bureaucratic set-up was less to provide an efficient administration than to carve a safe place for the entrenchment of old ruling elements in the new structure of political and economic power. The common people were virtually denied entry at every level in the political administration of centralized Japan. Thus the undemocratic set-up of clan oligarchy was carried out into the new system of administration. In fact, under this system the oligarchic rule assumed further importance in the sense that it had well-organized and integrated set-up of state machinery to control the nerves of the society and to implement its policies and programmes effectively. Hence, the form of the state which emerged under the rubric of Great Reform was essentially oligarchic and undemocratic which set the stage of such a rule for centuries to come until the rise of military oligarchy.

68 Maki, n. 2, p. 18; and Varley, n. 8, p. 8.
69 Ishii, n. 53, pp. 24 & 26; Maki, n. 2, p. 18; and McNelly, n. 58, pp. 6-7.
70 Maki n. 2, p. 17.
FUJIWARA ASCENDANCY AND THE SYSTEM OF DUAL GOVERNMENT

During the reform period one of the aristocratic families (Fujiwara) who were propagating the cause of central rule under the throne, "gradually emerged as a powerful new force at court." 71 Nakatomi Kamatori, on whom the name of Fujiwara was bestowed by the emperor Tenji, was a party to overthrow the Soga clan in A.D. 645 and setting up the pace for centralized Japan under the throne. Ironically, the ascendancy of Fujiwara family to the prominent position in the imperial court led to the abandoning of the system of central administration. 72 Fujiwara introduced private proprietorship known as Shoen 73, which led to the lowering the position of the emperor as the master of all land and people of Japan. It gave rise to "decentralization and patrimonialism in governmental affairs". 74

The method through which the Fujiwara family established its hold over the imperial court was to marry their daughters into the imperial family and to establish an imperial regency. The child born of them was enthroned as emperor. The leading member of the Fujiwara family (almost invariably the maternal grandfather of the Emperor) assumed the title of regent (Sessho) to

71 Varley, n. 8, p. 8.
72 Sansom, n. 64, p. 111.
73 For details see Ishii, n. 53, pp. 35-36.
74 Sansom, n. 64, p. 236.
administer the affairs of the throne on behalf of child emperor till he achieved majority. Even when the emperor had become of age, the power was exercised on his behalf by Fujiwara Civil Dictator (Kampaku). This system was known as Sekkan. It was through this system that the Fujiwaras assumed the actual control of the government. The emperor ruled in name only. The real power was exercised by someone else. Thus, under the Fujiwara regency, the system of diarchy or dual government was firmly established to continue effectively until 1185. The only exception was the rule of cloistered emperors (Insei System). Although after the establishment of the military rule in Japan in the middle of twelfth century the real power was exercised by the military oligarchy, the Fujiwaras continued to maintain their presence at least in the sacredotal affairs of the imperial court until the imperial restoration in 1868.

THE MILITARY RULE AND ITS ROLE IN JAPANESE POLITICAL SYSTEM

In the wake of the ascendancy of the Fujiwara regency a warrior class called bushi emerged in different provinces. The decline of the central rule under the

75 Ishii, n. 53, pp. 33-34; Maki, n. 2, p. 21; Morris, n. 1, p. 50; and Varley, n. 8, p. 9.
76 Ishii, n. 53, p. 33; and McNelly, n. 58, p. 8.
77 Ishii, n. 53, pp. 33-34.
78 McNelly, n. 58, p. 10.
emperor and the resultant prevailing insecurity at the provinces to safeguard the private holding could be attributed to the emergence of this class. This warrior class, as it was in the beginning to provide security to local community against brigands and bandits, assumed a significant role in the late eleventh and early twelfth century. It organized itself into large regional alliance consisting of small local warriors groups headed by powerful warrior chiefs - the erstwhile descendent of of imperial family or of aristocratic families. However, the power of the warriors was established at the Hogen (1156) and Heiji (1159) incidents where for the first time the dynastic dispute was resolved in the battle field through military forces and the subsequent triumph of warrior clans over the aristocratic families.

Unlike the Fujiwara clan, who achieved their ends not by violence but by the relentless use of political pressure, which they were able to apply because of their matrimonial relations with the throne or by means of their great wealth and consequent influence in the provinces, where their estates multiplied rapidly, the warrior class established its dominance over the court by military force. The rule by court nobility was abolished for ever and replaced with military oligarchy which dominated Japan for seven centuries from the second


80 Duus, n. 64, pp. 45-46; and Sansom, n. 64, pp. 239-41.

81 Sansom, n. 64, p. 311.

82 Thid. n. 139.
half of the twelfth century until the middle of the
nineteenth century. The establishment of the military
rule based on the customs and the institutions of the
warrior class after the end of the Gempi war 1180-1185,
set a new phase in the institutional history of Japan to
be continued until the Imperial Restoration of 1868.

The advent of the warrior class (says Maki) was one of the decisive facts of
Japanese history. This added the military element to the already established
classical pattern. Not only did the warriors dominate the Japanese economic and
political systems, but they created the conditions for the acceptance of modern
militarism in Japan.83

THE KAMAKURA MILITARY GOVERNMENT AND THE HOZO
REGENCY

The Kamakura bakufu or the tent government (1185-1333)
was the first military rule established by Yoritomo at
Kamakura—a fishing place at the shores of Tokyo Bay—
far from the imperial palace at Kyoto. It developed its
own mechanism to administer the state of affairs in the
eastern region in the beginning and then extended to the
entire nation. In 1192 Yoritomo succeeded to achieve the
title of Shogun or Sei-i-tai-shogun (barbarian
suppressing general) and established the precedent of a
warrior monarch "whose authority was derived from the
imperial government but whose effective power (based on
lord vassalage relationship) eclipsed it."84 The
leader-retainer relationship in bakufu deserved special
intention. It was through this system that the Shogunate

83 Maki, n. 2, p. 23.
84 Duus, n. 64, p. 54.
wrought many areas of the country under its control. The bakufu had complete authority over its direct vassals and their followers who by pledge of loyalty rendered unqualified obedience to him and were "not permitted to question his orders." It was a one-sided relationship of fidelity as against the reciprocal relationship between leader and retainer of the Western Europe feudalism. It also differed from the feudal system of Europe in the sense that there was no provision of appeal to the emperor in Japan. The chief of the warriors was the highest feudal leader in Japan. The allegiance of the retainers towards the bakufu was deep that during the Jokyu incident most of the Shogunate's vassals stood by him against the imperial forces of cloistered emperor Gotoba who issued an edict branding Yoshitoki (shogunal regent) a rebel.

Interestingly, the powers of the court were not bluntly snatched by the Shogun but they were achieved legally and tactically to which court agreed due to its weaker position verses the bakufu. To get the legitimacy among the general populace, Yoritomo was careful to pay due respect and obedience to the throne (a precedence set by the Fujiwaras). However, Yoritomo was well aware of the fact that his powers depended not upon the favours of the throne but upon the allegiance and subordination of vassals over whom he had established his might and who

85 Ishii, n. 53, p. 41.
86 Ibid, p. 42.
87 Varley, n. 8, pp. 23-24.
sided with him for the benefit they got in terms of land.88

The structure of the Kamakura administration like that of the earlier imperial bureaucracy was undemocratic and autocratic. Recruitment to various administrative posts were made on primordial basis, no importance was assigned to merit. The issue of people’s participation in the political process did not arise since it was a military rule established on the basis of force from above.

At the local level, Minamoto no Yoritomo had instituted two offices: Provincial Constables (Shugo) and Land Stewards (Jito). The provincial constables were appointed to convey the bakufu orders to its retainers (gokenin) to ensure annual guard duties at the imperial palace, to take measures to arrest and punish those who were found guilty of murder or traitor. It was through these constables that the bakufu had established a strict network of control over the entire nation to stamp out any revolt against its realm. The land stewards were appointed by the bakufu in various public and private estates. After the Jokyu incident of 1221, the system of land stewardship was extended throughout the country. The activities of Jito were related to facilitate the collection of rents from the estates. Both these offices (Shugo and Jito) were responsible to the lord of kamakura.

88 Sansom, n. 64, p. 317 & 364.
who appointed them from his vassals. In these affairs, the emperor had no control over them.

At the central level there were three offices presided over by the lord of the kamakura. The appointment to these offices again were made from the chief vassals of Yoritomo. These offices were: the Samurai Council, the Office of Administration, and Office of Inquiry. The Samurai Council was in charge of managing the affairs relating to the vassals of Yoritomo, and of the recruitment and assignment of military personnel. The Office of Administration handled the financial, legislative, and judicial matters as well as the affairs of Yoritomo’s house. The Office of Inquiry was "responsible for minor civil justice" and other legal affairs. In nutshell, the lord-vassal relationship between Yoritomo and his vassals provided the underpinnings of the kamakura administrative system. The administrative set-up at the national and local level provided the control mechanism in the shogunate which had lowered the position of the court and its patroned aristocratic families on the one hand and established warrior rule of undemocratic character on the other.


91 Murthy, n. 89, p. 5.
After the death of Yoritomo the Hozo family established control over the bakufu administrative structure, and exercised power as the guardians (Shikken) of shogun, until the demise of the shogunate in 1333. During this period, the status of the shogun was reduced to a nominal head of the bakufu. The real power was exercised the Hozo regency. Although, under the Hozo regency a system of consultative rule (Hyojo) was established in 1225 to provide wider representation to the warrior class, the autocratic and dictatorial character of the military administrative set-up of kamakura remained unaffected.

THE MUROMACHI MILITARY GOVERNMENT AND NATIONAL UNIFICATION

In the closing years of Kamakura an attempt was made by the reigning emperor to regain the lost power of the court. This event, popularly known as kemmu restoration, gave rise to another warrior house under the headship of Ashikaga Takauji, who first helped the emperor Go-Daigo to destroy the Hogo regency in order to bring back the lost power of the court and then grabbed the imperial power by expelling Go-Daigo forcefully from the imperial palace. Later he enthroned another emperor Komyo of the senior Jimyoin line to legitimize his position by

92 Hall, n. 90, p. 91.

acquiring the title of Shogun. The military rule established by Ashikaga Takauji was known as the Muromachi Shogunate. The administrative structure of the Muromachi Shogunate was modelled on that of the Kamakura shogunate. The appointments to various posts at the national and local level were made on the basis of family status. Here again no importance was assigned to merit. Common people were again like that in the Kamakura shogunate, were precluded from taking part in a highly bureaucratized clan based system of administration. Although, the Ashikagas had been able to establish military control over the throne and maintained a powerful and parallel seat of power it failed to extend their rule throughout the country. By now different power centres had emerged throughout the Japan which considered themselves autonomous of both shogun and emperor. For instance the shugo who were earlier used to be employed by the shogun "as police and revenue officers" and in turn responsible to him came to assume independent position. The land over which they were authorized to supervise, to collect tax, and maintain law and order was converted as their private property. In addition some of them


96 Murthy, n. 89, p. 11.

97 Duus, n. 64, p. 73.

98 Murthy, n. 89, p. 11.
constructed castles and organized their separate militiamen to provide security to their holdings. Such a trend towards autonomous power centres, reminiscent of the pre 'Great Reform' clan system, became a general feature of Japanese political process after the Onin War (1467-1477).

The beginning of Onin war set a new turbulent phase in the Japanese political history — known as sengoku (warring states) era (1467-1568). During this period of hundred years a state of complete disorder prevailed over Japan. The authority of the emperor, which had already been usurped by the military administration was not only further reduced but also the centralized military rule lost its grip over the nation. Local warrior called sengoku daimyo controlled in segments the state of affairs of Japan.

During the sengoku era the civil war raged throughout the Japan and every sengoku daimyo was trying to amass as much power as possible by using brute force to reach the highest level in comparison to his rival daimyo. Force had become the medium of political process. Dying for one's lord and unrestricted obedience to the war lords on the part of the masses was the core ethic of politics. There was no political institution to provide a platform to the ordinary man to voice his cause in any form. The pernicious tide of overall disorder created

99 Ibid, pp. 10-14; Duus, n. 64, pp. 73-79.

100 For details about Sengoku Era, see: G. B. Sansom, A History of Japan 1334-1615 (Stanford : Stanford
by the various autonomous centres of power in sengoku era was ultimately brought to an end during the national unification campaign period known as the Azuchi Momoyama epoch (1568-1600). The main driving force behind such national unification was again the brute use of military power under the stewardship of the throne grandiose hegemons: Oda Nobunaga, Toyotomi Hideyoshi, and Tokugawa Ieyasu. Under the leadership of Oda Nobunaga the office of the Shogun was replaced by a separate and supranovening polity known as tenka (realm) over which he presided himself. His realm was founded on power-command basis where the daimyo vassals were required to render total respect and obedience to him. The assignment of domains to vassals was entirely relied on the wishes of Nobunaga. He could disenfeoffed any daimyo simply on the ground that he lacked "fighting zeal and organization talent."

After the demise of Nobunaga, Hideyoshi took the lead for the unification of Japan. Unlike Nobunaga, he used the traditional source of legitimacy, lying in the throne, to substantiate his position. The title of Kampaku (Imperial regent) was conferred on him in 1565. In 1586, he became Grand Minister of state. He retired in favour of his adopted son Hideyori in 1592 and assumed the title of Taiko (ex regent). Like his predecessor

University Press, 1961), Ch. XIII to XV; and Ishii, n. 53, pp. 53-59.


102 Murthy, n. 89, p. 18.
occupants of these titles, he wanted to make this hereditary, and designed a council for this purpose. In his death-bed message to the council he said, "Again and again I beg you to take care of Hideyori." To strengthen the roots of his regime which was based on force he launched the famous sword hunts in 1588 to disarm the "rural and urban populace", exempting the warrior class (bushi). Three years later he issued another edict strictly categorizing the social structure into four non overlapping categories: Samurai, Peasants, artisans and merchants. Except the samurai rest of the social classes were excluded from taking part in the state affairs. During his rule authoritarian instructions were laid down for the daimyo. Accordingly all daimyos had to swear oaths of loyalty to him, they had to leave their wives, children and retainers as a token of loyalty in his famous Osaka castle. Moreover, the marital relationship were also decided by the prior approval of the Hideyoshi.

The above historical account of the national unification period proves that no place was given to the concepts of liberty, equality and freedom, the core principles of democracy. Instead the people of Japan were forced to yield to the dictates of the rulers.

104 Hall, n. 90, pp. 154-5.
THE TOKUGAWA MILITARY RULE AND POLITICS IN JAPAN

Toyotomi Hideyoshi's plan to maintain his supremacy in a hereditary fashion was failed after his death with the disruption of the Boards of regent (Gotairo) meant to help his son Toyotomi Hideyori to succeed him. In fact, his death again led Japan to war, between various competing clans to reach national supremacy through the use of brute power of sword. Tokugawa leyasu once a small daimyo and an ally of great unifiers Oda Nobunaga and Toyotomi Hideyoshi, emerged triumphant in the battle of Sekigahara in 1600 and subdued the loyal daimyos of the Hideyoshi's heir. His victory in the Sekigahara had vindicated his supreme position in the nation. In 1603 he legitimized his national leadership by achieving the title of shogun from the emperor, which neither Nobunaga nor Hideyoshi could able to acquire. The bestowal of shogun title elevated his position as the defender of throne and protector of peace. Furthermore, he became the real master of the situation and silenced his rivals.

The administrative set-up established by Leyasu was known as bakuhan, a unique of its kind in the Japanese history. It consisted of national administration, headed by shogun known as bakufu- and local or domain


administration—known as han—governed by daimyo.\textsuperscript{10} Although the Tokugawa bakufu extended over the entire country but it was no more an administration where all the daimyo in Japan got representation. Moreover the majority of the population confined within the strict boundaries of different domains denied to take part in it. The structure of the Tokugawa Bakufu was just a replica of Tokugawa's earlier house government that had served leyasu before the Sekigahara war when he was merely a daimyo in the Kanto region.\textsuperscript{10} Consequently the hereditary vassals (fudai) bannermen (Hatamoto) and direct retainers (Gokenin) who were the main functionary of the leyasu house-government assumed predominant position in the Tokugawa bakufu. Rest of the daimyo were excluded from the administration because of their opposition in the sekigahara war. In the Tokugawa Bakufu the principle of equal treatment to the daimyo was totally ignored; "status was fundamentally determined by birth and individual merit played only a subsidiary role."\textsuperscript{11} The daimyo were divided into three categories: hereditary vassal daimyo (fudai), and related or collateral daimyo (shimpan), and allied daimyo (Tozama). The fudai daimyo were considered as the only trustworthy,

\begin{itemize}
\item \textsuperscript{110} Duus, n. 64, p. 92; and Totman, n. 108, p. 1.
\end{itemize}
loyal and true vassals.\footnote{Totman, n. 108, p. 49.} They were assigned prominent role in the Tokugawa Bakufu because of their loyalty to the leyasu during the Sekigahara battle. Secondly they had also served in\footnote{Kodansha, n. 101, p. 187.} the earlier leyasu house government. The Shimpan daimyo were considered to be the closest of the Tokugawa head because of their descent from the Tokugawa main family. These daimyo headed by three houses (sanke) with their domains at owari kii and Mito were privileged to provide "an heir for the main family should shogun have no son"\footnote{Totman, n. 108, p. 37.}. The third group allied daimyo - consisted of these daimyo who had submitted to leyasu authority after the end of the sekigahara war or were his ally or neutral during the war. This group of daimyo because of their strong position and opposition to leyasu during the war, was treated with suspicion and caution, and kept out of the administrative set-up.\footnote{Duus, n. 64, p. 93; and Murthy, n. 89, p. 21.} The very foundation of Tokugawa administration was based on the premise of undemocratic house rule by a single clan who emerged victorious out of internecine war among various clans and who want to sustain his dominance upon others through his might and his close confidatory on whose loyalty he could rely. In such a system there were no chances for the people to participate in the realm of administration on the basis
of merit. Moreover, the electoral parties were not the mechanism by which access to office was regulated, some other means had to exist to determine who would get into office and thereby secure opportunity to make policy and enjoy perquisites.116

To assume the title of daimyo the followers of shogun were to have in their possession land worth of producing over 10,000 koku of rice.117 The other followers whose revenues were less than 10,000 koku were designated as bannermen. They were having direct access to shogun. Below them were the direct retainers of the shogun (gokenin) comprising "the bulk of the Tokugawa samurai."118 The recruitment policy adopted by the Tokugawa Bakufu for selecting officials in its hierarchical structure was entirely based on the loyalty to the Tokugawa house. All the important officials fulfilling various vacancies in the shogunate belonged to the most trustworthy loyal daimyo vassals (fudai) of the Tokugawa house. The posts at the lower level of the administrative were assigned to the direct retainers of the shogun, and the bannermen. At the top of the shogunate Council of State (Rōjū) constituted the highest powerful body. Its authority was extended throughout the nation.119 The members of this body were selected from among the hereditary vassals of Tokugawa house at the


117 Duus, n. 64, p. 92; and Totman, n. 108, p.32.

118 Murthy, n. 89, p. 22.

119 Ibid, p. 28.
exclusion of the rest of the daimyo. 120 Below the Roju, comes the Board of Junior Councilors or junior elders consisting of four to six officers to assist the senior councilors. They were also selected from among the fudai daimyo though of lower rank. Apart from these two main powerful central bodies, various other official at the national as well as at the grassroots level too were recruited on the basis of rank and status of the daimyo and retainers in terms of loyalty to the Tokugawa house. 121 The common people were excluded from participation in the government. 122 In nutshell the shogunate administration was dominated by the Tokugawa house and the rest of the daimyo were excluded from participating in the administrative set up. Similar pattern of administration was in operation in the other domains. The higher positions in the domain were assumed by important vassals and rest of the junior ranks were assigned to the lower level vassals.

With few exceptions such as village headmen or certain privileged merchants charged with financial duties, positions of administrative and political responsibility were limited to the members of the warrior class. 123

Thus all responsible positions in the bakuhan administration were monopolized by the warrior class. 124

120 Totman, n. 116, pp. XV-XVI.
121 For details about the organization of administrative structures see: Iwao, n. 95, pp. 568-71; and Ishii, n. 53, pp. 73-76.
122 Murthy, n. 89, p. 30.
123 Duus, n. 64, p. 100.
124 For details about the nature of the Tokugawa ruling class, see: Marius B. Jansen, The Ruling Class, in Marius B. Jansen and Gilbert Rozman, eds., Japan in
By the time of Tokugawa ascendancy to national supremacy, the Japanese society had already been divided into concrete classes confined strictly to their assigned patterns of occupation and status in the social hierarchy. The Tokugawa shogunate further institutionalized the social structure of society on the pattern of "confucian vision of society", dividing the people on the basis of occupation into four district classes. These classes were ranked in different positions depending on their importance to the Tokugawa bakufu. On the top of the hierarchy comes the warrior elite (samurai) followed by peasant (nomi) then artisan (konin) and finally the merchants (shonin) which stand at the lowest ebb. Artisan and merchants were clubbed together in a single category called (chonin). Under the undemocratic social system of Tokugawa bakufu each class was accorded a separate identity and given different treatment. The other classes - peasant no right to keep weapons considered as auxiliary class to provide them wit

Transition: From Tokugaw
Princeton University Press,

125 Duus, n. 64, pp. 103-5.
126 Murthy, n. 89, p. 25.
social distinction was made between the rulers and ruled. Thus the peasants and town men were excluded from taking part in the *bakuhan* on no other ground except that they did not happen to be samurai. The ruling class became the permanent class not to be replaced by commoners. Since the main criteria of entry into the governing body of *bakufu* was the status and rank in the social hierarchy. No one else was eligible to join it except the warrior class on whom the duty of maintaining social order and peace was placed. Although the problem of social order and peace had been resolved after the Osaka war 1615 and the purge of Christianity in Japan in 1637, the warrior class remained supreme in the *bakuhan* system. This warrior class which had subjugated commoners to their military needs during the turbulent period became the elite class in the pacified Japan by assuming the civil and administrative posts largely due to their overwhelming force.

From the inception of the military rule under the leadership of Minamoto Yoritomo in 1192 to the consolidation and pacification of Japan under the Tokugawa military dictator warrior class played predominant role. All these military rules were established from above without involving the general masses who were just subjected to the powerful military lords. In such a system, common people were given no role in the administration and were relegated to the
periphery. Power was concentrated by a few in both the military and civil administration. Moreover, political power and running the administration became a hereditary right of the few. Although in the bakuhan system various domains were governed by the daimyo and population of these domains were virtually put under the control of the head of the domains, but in practice various concrete measures had been taken to bring these daimyo under the central control of the shogunate. This was to prevent them from posing a challenge to the family rule of Tokugawa house. The daimyo were required to take an oath of complete obedience to the shogun; they should be ready to respond to the call of shogun for military service or any type of special assistance. In 1615 shogun passed a legal code to be further strengthened in 1635, known as the *buke shohatto*, to regulate and standardize the conduct of the private affairs of the daimyo and to foil any attempt on their part to form military cliques detrimental to the *bakufu*. Daimyo were warned to undertake the construction of new castles or the repair of the existing ones, since such acts were considered as military endeavours. Special efforts were made by the loyal daimyo of the shogun at the strategic places in Edo, the centre of shogunate power, to control and check the subversive attempts of the outside daimyo.


128 Murthy, n. 89, pp. 21-22.
Moreover, under the alternate residence system (*sankin-kotai*) the daimyo were required to keep their wives, children and certain retainers in the *Edo* as hostages in order to ensure loyalty to the shogun. Further, the daimyo themselves had to alternatively fix their residence between the capital and their domain headquarters for a certain period of time depending upon the distance between *Edo* and their headquarters. In addition, to keep a detailed account of the activities and conduct of the daimyo, central chief inspectors or censors (*O-metsuke*) were deputed to the domains especially to the outer daimyo. The direct retainers of the shogunate were watched over by the junior *O-metsuke*.

The exercise of power by the Shogun in this form over daimyo showed that he was the chief proprietor of the entire land of Japan. All the daimyo irrespective of their size and rank were considered as shogun's direct vassals. "The shogun retained the right to transfer a daimyo from one domain to another to reduce his domain or to confiscate it completely." Apart from daimyo, the various religious bodies were also brought under strict regulation of the Shogun, so that they could not play the disruptive role. This helped shogun in breaking the
traditional ties between the Buddhist establishments and the court.\textsuperscript{133}

In 1635 a central office was established under the tutelage of shogun to look into the matters relating to the religious establishments.\textsuperscript{134} Religion and rituals were "the most important means by which the Tokugawa legitimized their regime", and "transformed their coercive power into sacred authority ... ."\textsuperscript{135} Special efforts were made to restore the lost prestige of the imperial throne as a mechanism to win over the people.\textsuperscript{136}

But then, in reality, all policy matters relating to administration were kept out of the throne.\textsuperscript{137} Even the pristine honour of the court to grant titles of honour was usurped by the shogun.\textsuperscript{138} Continuous efforts were made to weaken the political influence of the court\textsuperscript{139} and to prevent it from the direct access of the samurai class so that it could not "become a rallying point for those who wanted to challenge the political authority of the \textit{bakufu}."\textsuperscript{140} Another measure employed by the shogun to legitimize its rule was the deification of Ieyasu to the

\begin{itemize}
\item \textsuperscript{134} Ibid, pp. 171-2.
\item \textsuperscript{135} Ibid, pp. 185, 193.
\item \textsuperscript{136} Ibid, pp. 165 and 170-1.
\item \textsuperscript{137} Ibid, p. 165.
\item \textsuperscript{138} Ibid, p. 185.
\item \textsuperscript{139} Ibid, pp. 163-73; and Webb, n. 21, pp. 54-64.
\item \textsuperscript{140} Murthy, n. 89, p. 29.
\end{itemize}
status of kamis (heavenly deity). First, the shogunate stripped the powers of the various religious cults and broke the traditional ties with the court and then remoulded them to the service of the bakufu like the one they were performing for the court.\footnote{141}

This supremacy of the shogun was such that the whole mythified paraphernalia of spiritualism and awe surrounding the emperor was imitated by it. leyasu was identified with sun goddess and to worship his spirit "the mausoleum shrine temple of Toshogu" was established on Mt. Nikko parallel to the ise shrine "meant to organize and concentrate worship of Amaterasu ..."\footnote{142} in 1645 the Nikko shrine, which located at the same distance from Tokyo as the Ise from Kyoto, was put on par with the Ise shrine by granting the rank of gu by the emperor. In fact Nikko was "signified as more important than Ise",\footnote{143} and the practice of sending imperial messages to Nikko was set up like that of to Ise. "The bakufu however did not reciprocate by sending its own messengers to Ise."\footnote{144}

The undemocratic character of shogunate is further evidenced by its conservative and reactionary policy of seclusion which kept Japan in dark from the outside world for more than two hundred years. Through this policy of seclusion Tokugawa bakufu tried to keep Japan oblivious

\footnote{141}{Ooms, n. 133, pp. 171-3, 175 & 181.}
\footnote{142}{Ibid, p. 183.}
\footnote{143}{Ibid.}
\footnote{144}{Ibid, p. 184.}
about the varied developmental aspects of life to ensure blind loyalty from the masses to its dictatorial regime by manipulating the age old customs traditions and legends which constituted a vital part of the political tradition of the Japanese society.

The rationale behind these various measures of control exercised by the shogunate was not to establish a centralized administration in Japan but to maintain and strengthen the military turned civil rule of the Tokugawa clan and to guard it against the various outerdaimyo. Such a rule was based on force, traditional myths and practices. In continuity to the earlier practice of playing the card of emperor by various clans to legitimize their position vis a vis rival clans, Tokugawa bakufu too adopted the same device of manipulating the throne as a strategy to legitimately vindicating its undemocratic rule established from above without the participation of the subjects.

THE MEIJI RESTORATION AND THE JAPANESE-political-SYSTEM

BACKGROUND

The rules of alternate attendance, national seclusion, and various tactics employed by the shogun to keep the economic standard of daimyos at a minimum level eventually led to the failure of the bakuhans system. This impoverished the warrior class and peasantry on whom the
scourge of economic burden was finally whipped. Among the warrior class the most effected were from the western clans who were totally excluded from the power circles of the shogunate. These factors along with the foreign influences formed the background of the anti-bakufu movement.\textsuperscript{14} The western clans of satsuma, choshu, Hizen and Tosa alongwith numerous headless samurai (ronin) and impoverished peasants were desperately waiting for an opportunity to hoist the flag of revolt against the decaying shogunate. The threat of 'barbarian' intrusion into the 'land of Gods' provided an outlet to the domestic crisis.\textsuperscript{14}

The shogun's inability to thwart the warships of Matthew C. Perry not only strengthened the forces of anti-bakufu and anti-foreigner but also brought into forefront the long obfuscated imperial throne and court nobility.\textsuperscript{147} The shogun was compelled to abandon the strictly adhered principle of not consulting various daimyo and court while deciding the several issues


\textsuperscript{146} Jansen, n. 124, p. 70.

\textsuperscript{147} Scalapino, n. 145, p. 29.
dealing with the internal and external concerns of the shogunate. The practice of seeking opinions of the daimyo and court, in reality, lowered the status of shogun and paved the way for striking deals directly with the court. The repercussion of this development led to a shift in the power position of the court and the shogunate. Shogun was despised and 'revere the emperor' became the cry of the later period of Tokugawa shogunate. The slogan of the restoration of imperial power (*Sonno*) was also accompanied by the expulsion of 'barbarians' (*Jo*). This "*Sonno Jo*", the four character Japanese slogan, had serious political underpinnings. Although the rival clans of south-western Japan knew that it was beyond their reach and that of shogun to expel the foreigners, they had to support this with no other intention but to oppose the shogunate. They were sticking to such a course of action mainly to get the patronage of the emperor, who himself was diehard to oppose the opening of Japan. The issue of opening of Japan to the foreigners is a case in point which relates to the impact of the foreign factor on the then internal configuration of forces in Japanese domestic politics. Thus the external threat had tremendously transformed the emerging configuration of Japan's domestic political forces. The new slogans like "honour the emperor and expel the barbarians" and "rich country; strong military" (*fukoku kyohei*) were the

148 Dower, n. 145, p. 146.

reflection of the political perspectives of these externally stimulated internal forces within the Japan, which were essentially conservative, reactionary, and undemocratic. In addition, their call for strong military manifested their militaristic orientation.

Thus the domestic crisis caused by the undemocratic family rule of the Tokugawa received a fillip in 1853 with the coming of Commodore Perry to be followed by a turbulent period until 1868 where it finally yielded to the restoration of the imperial rule movement spearheaded by south western clans.

THE ADMINISTRATIVE SET-UP

On January 3, 1868, a new administrative structure was established and the old military rule came to an end. Tokugawa shogunate was dismantled. The prestige of the imperial throne was restored and the emperor became the single centre of administration in whose sacred and inviolable person resided the ultimate source of sovereignty. However, like the earlier transformations in the Japanese political system right from the Great Reform of seventh century and establishment of military rule in the twelfth century, the Meiji restoration was also effected into the body politic of Japan from above. The movement for restoration of imperial rule was not a revolt against the oppressive regime of Tokugawa by the populace to overthrow it and to establish in its place a democratic rule. In fact it was a struggle for power among the outer-daimyo to whom Conard Totman addressed as
"lower samurai." 1\(^{50}\) This struggle was directed against the imbecile shogunate which had papurized the samurai. The powerful outer-daimyo were determined to remove the shogunate which had prevented them from taking part in the *bakufu* decision making process and this in fact relegated them to the periphery of the political system. 1\(^{51}\) "It was a civil war fought with both political and military weapons by one section of a dominant military class against another." 1\(^{52}\) Moreover, the ensuing struggle which culminated into the overthrowing of the *bakufu* was a struggle for power "between the contending samurai and not between contenders for and holders of power." 1\(^{53}\) However, one factor which united the contending samurai class was their abhorrence and grudge against the Tokugawa rule.

Thus the Meiji restoration, in nutshell, was simply a change in the clique of clans who were ruling in the name of emperor. In such a system, people were denied participation in the political process. Institutional structures and laws were also designed to ensure the dominance of the precursors of the restoration movement.

The administrative set-up in Japan that emerged after the Meiji Restoration was not based upon popular rule. On the contrary, it was meticulously structured to strengthen the hold of those clans who had dismantled the

150 Totman, n. 116, pp. XVI-XVII.
151 Jansen, n. 124, p. 73.
152 Sansom, n. 149, pp. 338-9.
153 Jansen, n. 124, p. 90.
Tokugawa rule and advocated strongly for the power of the imperial court. The resuscitated imperial court became a rallying centre for all those clamouring to strengthen their position. The south-western clans of Satsuma, Choshu, Tosa and Hizen confronted a herculean task of restoring domestic order in Japan, and to secure a respective place in the community of nations. They wanted to monopolize the power in their own hands in order to establish an oligarchic rule in Japan. "Return to the past" (fukko) and "rich country and a strong army" (fukoku kyohei) became their political manifesto. The seventh century old administrative set-up of traditional Japan was considered as the most suitable system for the nineteenth century modern Japan. It facilitated a central rule under the authority of the emperor where no daimyo could exercise absolute and autonomous power over domains. Emperor was the one and the only centre of authority.

Accordingly, on June 3, 1868, the Nara era's Grand Council of State was revived. Its authority was divided among the Legislative Assembly, Executive Administration and Judiciary. The legislative branch consisted of two Houses: Upper and Lower. The membership in the Upper House was drawn from princes, court nobles, daimyos and samurai who had worked for the imperial cause. The members of the old legislature (Gizo) and the council (Sanyo) provided membership to this chamber. The Lower House was composed of only those persons who paid high

154 Ishii, n. 53, p. 99; and Scalapino, n. 145, p. 54.
tax. They were elected from the domains and imperial territories. Thus, like in the Upper House, the representation in the Lower House was not extended to the common people. The Lower House was further weakened by its being subjected to the nonelectoral Upper chamber. Matters referred to it by the Upper House were discussed in it. In fact, legislative branch as a whole was dominated by the administrative oligarchy. The appointments to the various administrative offices were made on the basis of rank and status of the persons hailing from the south western clans. Imperial princes and court nobles who were sympathetic to the anti-bakufu forces were also taken into the executive. However, the real power within the executive was exercised by the samurai.

In 1869 the autocratic powers of the administrative oligarchy were further strengthened. The system of even nominal separation of power was discarded "in favour of a highly centralized bureaucratically controlled structure." The position of the Legislative Assembly was further retrenched. In fact "there had been no intention to establish an elected assembly co-equal in power with the administration." The reorganized administrative structure based on a new civil service

155 Scalapino, n. 145, p. 59.
156 Beasley, n. 145, p. 318.
157 Ibid.
158 Scalapino, n. 145, p. 54.
159 Ibid.
The top posts were of Minister of the Left, Minister of the Right, three (later four) Vice Ministers followed by several Councillors. Besides, there were six departments: Civil Affairs, Finance, Military, Foreign Affairs, Justice and Imperial Household. These six departments were under the direct control of the Grand Council of State (dazokan). Another development in the reorganized system of administrative set-up was the inclusion of the Ministry of Shinto affairs.

The above discussion amounts to an assertion that in the dazokan administrative system representation to the people was not ensured. No merit principle was followed in the recruitment process, power was concentrated in the hands of a few southwestern clans who led the restoration movement. In fact it was a change of power from one clan to the group of clans who had no intention to establish an egalitarian society.

This system of administration remained in effect until the adoption of the cabinet system in 1885. However, minor changes were made in its structure in the wake of abolition of the han in 1871, 1873, and 1875. The main motive behind the repeated restructuring of administrative set-up was to ensure complete centralization of state power in the hands of a few.

The Satsuma-Choshu ruling oligarchy was divided in 1873, over the issue of priority of belligerent foreign
policy or internal reforms. The defeat of the supporters of the offensive policy towards Korea led to their resignation from the councilors position. It left Okubo Toshimichi (of satsuma) and Kido Takayoshi (of choshu) to have a full control over the administration. After the resignation of Kido, Okubo became the monolith central figure.163

This undemocratic character of the Meiji regime was subjected to severe criticism by the splinter group. They were pressuring the sat-cho government to follow the imperial charter oath of April 6, 1868 and to introduce representative government. In response, the council of state (Dajokan) which had already changed many times was reorganized. The office of the Minister of Left and Right were abolished. A cabinet (Genorin) and supreme court (Daishin-in) were established.164 The establishment of the cabinet was simply a change in the nomenclature of the redundant legislative organ of the autocratic administrative structure. It was not a body elected by the people or representing them.

The member of the Senate were nobles and high officials or other persons who had rendered service to the state, and their appointments were made by the emperor. Their powers were circumscribed and ultimate authority resided in the council of state, which though nominally the sovereign's privy council, was in fact a small autocratic body determined to exercise absolute rule in the emperor's name and to concede as little as possible to the advocates of popular government.165

The clique government of Sat-Cho (Satsuma-Choshu) established another farce institution of the assembly of

163 For details see : Ibid, pp. 102-3
164 Samsom, n. 149, p. 341.
165 Ibid.
provincial officials as an eye wash to the demands of progressive group who "stood for freedom and the rights of the subjects." The composition of the assembly was such that it did not provide a channel of representation to the people. Its membership was drawn from the "governors of prefectures who owed their position to the central government and were under close supervision and control by the minister of Home Affairs." To quote Sansom in this connection

"It was quite clear that the ruling group had no intention of allowing the people to share in formulating the policy of the central government so long as they could prevent it; and far from encouraging local autonomy they saw to it that local government should remain in the hands of a bureaucracy taking its order from the capital and lacking discretion ary powers."

These nominal changes in the administrative structure "failed to win over the progressive forces demanding more rights to the individuals and the establishment of democratic set up. In order to suppress the voice of people for their rights the sat-cho government came out with repressive laws. In 1875, a law was enacted to suppress ruthlessly the medium of voice against the autocratic clique administration. In 1877, the Satsuma revolt headed by Saigo was crushed. It vindicated the might of the oligarchy, which "imprisoned hundred of dangerous opponents", and severely curtailed the freedom of press and speech." The oligarchy had

166 Ibid, p. 343.
168 Ibid.
169 Scalapino, n. 145, p. 61.
employed the strongest weapon of "imperial absolutism" in their tirade against forces demanding reforms. In the name of "imperial absolutism" the oligarchs of sat-cho entrenched its roots and unleashed repression against the forces advocating the cause of democracy.\textsuperscript{170} In 1880, the government passed another repressive measure (Law of public meetings) to prevent public meetings and formation of political bodies.\textsuperscript{171}

The traditional system of administration (\textit{Dajokan}) was replaced by a cabinet in 1885. It consisted of the Ministers of the several departments of state and put under the control of Prime Minister.\textsuperscript{172} Once again, this change in the administrative structure failed to provide representation to the people. The same ruling clique who was controlling the state of affairs in the \textit{Dajokan} came to control the newly established cabinet. Moreover, the position of the ruling oligarchy had not only remained intact but also strengthened.\textsuperscript{173}

Although the progressive group was critical of the undemocratic rule of the sat-cho clique but still it too was not in favour of introducing universal franchise and parliament representing the whole society.\textsuperscript{174} If the conservative group took the pretext of "imperial

\begin{enumerate}
\item[170] Ibid, p. 60.
\item[171] Dower, n. 145, pp. 435-64; and Sansom, n. 149, p. 344.
\item[172] Ishii, n. 53, p. 113.
\item[173] Sansom, n. 149, p. 358.
\item[174] Ibid, p. 348.
\end{enumerate}
absolutism" for strengthening and consolidating their autocratic rule, the progressive group adopted the facade of liberalism and democracy to challenge the hegemony of the former. Moreover, even the progressive group propounding the cause of liberalism could not get rid of the symbolism of the Imperial Will, which had carved a permanent place in the psyche of Japanese people.

THE CONSTITUTIONAL SET-UP AND THE ASCENDANCY OF THE MILITARY

The Meiji constitution was promulgated on February 11, 1899 and came into force on November 29, 1890. Public opinion was not sought on several issues at the time of drafting the constitution. It was the brain-child of the Sat-Cho clique who were bent upon to design such a legal document which could give them power to crush the voice of democracy and individual rights. The constitution was prepared under the leadership of Ito Hirobumi and released as 'a gift of the emperor' to his subjects. In fact, the adoption of the constitution was a tactical move on the part of the ruling clique of the Meiji regime, to prevent the progressive forces' attempt of introducing representative government, and to get recognition in the eyes of the western powers for their


regime as fulfilling the necessary requirements of a modern state." 177

From the very beginning the whole process of the formation of the constitution showed in abundance its undemocratic character. For instance, the structure of the Institutions Research Bureau assigned to the task of preparing the draft of the constitution was not representative of the Japanese society. Moreover, its proceedings were kept secret so as to prevent it from becoming a public discussion forum. 178 Similarly, the membership of the Privy Council, formed under the leadership of Ito Hirobumi in 1888 for the purpose of examining the draft constitution, was also drawn from the Sat-cho oligarchy at the exclusion of the whole populace. 179 Even the person - Ito Hirobumi - who was assigned to go abroad to study the western constitutions was highly influenced by the viewpoint of Iwakura Tomomi (the Udaijin) a staunch supporter of "a monarchical constitution like that of Prussia." 180 During his mission abroad, he was very "much attracted by the strong monarchical, anti-parliamentary principles of Bismarck ..." 181

177 Kawai, n. 2, p. 9.
178 Sansom, n. 149, p. 358.
179 Duus, n. 145, p. 113.
180 Ishii, n. 53, p. 113.
181 Sansom, n. 149, p. 362.
Following the oligarchy's inclination towards strengthening its power in the name of the emperor, special powers were conferred on him.

In his design of the emperor system, Ito used the mythologic substantiation of the emperor and defined the emperor's role in terms distinctively different from the traditional interpretation. During the shogunate eras, the emperor's position had been titular. From the Meiji era up until the end of World War II, the emperor had absolute authority over Japan's military, governmental and religious affairs. He derived this absolute authority from his ancestors, and not from the people, and would pass it, accordingly, to his blood heirs. The divinity of the imperial line unbroken from ages eternal, thus, was legally established.

Article-1 of the Meiji constitution states that "[t]he Empire of Japan shall be reigned over and governed by a line of Emperors unbroken for ages eternal." And "[t]he Emperor was sacred and inviolable." Article-4, declared "the Emperor is the head of the empire combining in himself the rights, sovereignty and exercises them according to the provisions of the present constitution." The provisions of the constitution, thus, established an absolute monarch. There was no provision in the constitution allowing the legislature to opt for amendments. "Only the emperor could initiate


184 Article 3 of the constitution, see Ibid, p. 417.

185 Ibid.
amendments. Not a single amendment was made until Douglas MacArthur summarily terminated the letter and spirit of the Meiji constitution in 1946. The undemocratic character of the Meiji constitution was further substantiated by the promulgation of the Imperial Rescript on education in 1890, which incorporated the Confucian ideology into the public education at the elementary level. This was introduced with the hope "that the Confucian emphasis on duty and order would curb the freedom and people's right movement, then at its heights." Filial piety and loyalty, the prime principles of the Japanese national polity, were given utmost importance. Moreover, these principles were extended to seek the people's respect for the constitution. Filial piety and loyalty were used as a device to curb opposition to rule by a clique.

As far as the promise of representative institutions was concerned only nominal representation was provided in the body of Imperial Diet. Imperial Diet was bicameral consisting of the House of Press (Upper House) and the House of Representative (Lower House). The former was dominated by the newly created aristocracy of five titles: prince, marquis, count, viscount and baron. It was a purely appointive body with the exception of insignificant members elected by the highest Tax payer


187 Kodansha, n. 101, p. 279.
Entry into the lower house, meant to be popular house, was also restricted to the small minority about one percent of total population, "who paid over fifteen yen in direct national taxes . . . " Moreover, the provisions for the equal powers of the both Houses, further lowered down whatever little representative character the House of Representative had. The session of the Diet was limited to only a period of three months a year, which was hardly sufficient to scrutinize the tedious business of administration. In reality, it had no control on the executive branch since the latter was accountable to the emperor. If the legislative branch refused to approve a new year budget the cabinet was empowered to put into effect the previous year's budget.

The armed forces were also beyond the control of the Diet. These forces enjoyed predominant position in both the government and politics of Japan. The Ministry of War and Navy were headed by a serving General or Admiral which provided them with effective control over the domestic and foreign affairs of the state. They could bring the recalcitrant government to its toes, simply either by withdrawing or by threat of withdrawing their ministers thus causing the fall of the government. The government was forbidden to fill the deserted posts from elsewhere. Moreover, their direct access to the emperor

188 Scalapino, n. 145, p. 84.
189 Duus, n. 145, p. 115.
190 Ishii n. 57, n. 115.
(who was their Supreme Commander not only to declare war and peace, but also to conclude and sign treaties) managed them to wield wide powers precisely because sovereignty was vested in the emperor. Such a predominant position of the armed forces led to military rule in Japan."

Since the formation of the first political party cabinet in Japan in 1898, the role of political parties in the Diet varied from time to time depending upon the configuration of political forces in the domestic affairs of Japan and its international environment. Before 1918, the political parties had no control over the formation of cabinets. The cabinets were organized under the control of 'elder statesmen' (Genro) and popularly known as 'transcendental cabinets'. However, from 1918 to 1922, and from 1924 to 1932 the majority party or majority coalitions in the Diet formed the cabinet. During this period of party-headed cabinets, a ray of hope for the flourishing of democratic rule twinkled over Japan. But the large scale involvement of political parties in corruption, and their close ties with the big business houses took them away from the common people. Another factor which led to their rout was their inability to rise above their factional make up character. They were more like "closed organizations" and "exclusive clubs"

rather than mass membership associations.192 The failure of party politics, world depression, military intrigues and centuries old tradition of oligarchic rule brought the end of the party politics in Japan in the early forties. In turn, militarymen became the virtual ruler of Japan who like their oligarchic predecessors manipulated the idea of the divinity of the emperor to provide legitimacy to their autocratic rule at home and aggressive policy abroad.193

THE POLITICAL HERITAGE AND ITS IMPACT ON THE FOREIGN POLICY

The aforesaid historical survey of the political system upto the advent of World War II highlights the main characteristics of political processes in Japan. It had developed its own modes and modalities of statecraft. The general public were not only precluded from participating in the political system but were made to believe that elites had a legitimate right to rule over them. This, in fact, developed a feeling with the masses to respect the rule of oligarchy. Moreover, it gave rise to a tradition


in the Japanese society where one class govern without being questioned by the governed. This provided a significant base to the upsurge of ultra-nationalism and militarism.

The principle of loyalty and obedience towards one's senior had taken a prime status in the life of the Japanese society through the centuries. The servility on the part of lower rung towards the higher ones' in the social hierarchy had been sanctified by the wide spread confucian philosophy of famous five relationship. The inculcation of such type of behaviour used to startd at childhood where a child was taught the principles of loyalty and filial piety toward the father in the family. The similar pattern of filial piety and loyalty was extended over into the various social groups of extra-familial relationships, and to the entire nation as a single family. Such a social pattern had generated a group consciousness among the society and the essence of the individuality was discarded. Individual was socialized to seek his identity only in a group. The "private or the self" carried no meaning. In such a system every member of the group had to surrender to the leaders representing the group. Group representative was considered as the embodiment of authority. Individuals had no rights. They were expected to be unconditionally obedient to those above them. The essence of individuality was checked and put under various beliefs and taboos at the very tender age. It blocked initiative
necessary for participation in a democratic political process.

People were kept away from the power ring of the politics through the wide scale dissemination of official ideology, which qualified the emperor as a supreme, virtuous, above the normal human being and free from committing any wrong. It was the emperor in whose sacred person the sovereignty was vested. Unlike the democratic political system, people were not the source of sovereignty. Thus the emperor and the persons on whom the power to administer political functions of the state was conferred were not accountable to the people. The people were required to follow the command of the emperor. They expected to be loyal and obedient by heart. They were the passive followers. The elementary education system of the Meiji era and the mythical and historical accounts of Japan were all directed to keep the affairs of state immune from the mass participation. Since, the emperor was "virtuous" and indeed divine entity, he could not be opposed or criticized. He was above everything. And people had no chance to evaluate the acts of the emperor. Moreover, they should not cultivate any bad intention toward the throne. The acts of the emperor were considered always as the public acts. He had no private interests. Hence, opposing the emperor was tantamount to oppose the public interest and giving importance to private interest. Private interests were severely condemned. Such a viewpoint widely familiar with the populace provided a blanket cover to the authoritative
regime of different clans who were ruling in the name of
the emperor to prevent resentment and political
participation.

The subservience of the governed to the governing
was further reinforced by the oligarchic form of
government that Japanese had throughout their long
journey of political developments from seventh century to
the end of the World War II. During this entire period of
ten centuries, government had been by the few. Even these
few were always from the upper crust of the society. The
rest of the people were to follow their commands.
Although the composition of the oligarchy varied from
time to time depending upon the changes in the power
structure of the social strata in the Japanese society
but its essence, i.e., monopoly of economic and political
power remained unchanged. The changes that took place in
the ruling circles of oligarchy were not the outcome of
struggle of the ruled against the ruling. On the
contrary, they were the result of factional rivalry
within the oligarchy itself. Every major political
change, whether it is the Great Reform of seventh
century, or the demise of court nobility and the
ascendancy of the warrior class in the twelfth century,
or the movement for the unification of the Japan and its
culmination into the military rule of the Tokugawa in the
seventeenth century, or the Imperial Restoration in the
nineteenth century, or even, the political re-orientation
of Japan under the U.S. led occupation in the twentieth
century, were all effected from above without the
involvement of common people. This thirteen hundred years of oligarchic rule (from 645 A.D. to 1945 A.D.), devoid of democratic traditions and absence of accountability of the ruling to the ruled, provided the foundation on which Japanese militarism and ultra-nationalism survived.

Another characteristic, rather a predominant one, of the pre-World War II Japanese domestic political system was the use of force as a medium to reach national supremacy. In fact, the use of force had become a predominant variable in the political process of Japan from the middle of twelfth century onwards when a rule by military oligarchy was established. Seven centuries of military rule was fairly a long period to get military rule firmly rooted in the political soil of Japan. Therefore,

It was inevitable that Japan, once emerged into the modern world, would adopt an authoritarian form of government and embark on a policy of military aggression.194

The description of the pre World War II Japanese political system clearly establishes that it was a case of undemocratic, oligarchic and absolutist rule, which owing to its very structure gave rise to militarism and ultra-nationalism and which in turn pushed Japan into the World War II. The involvement of Japan in earlier armed struggles can also be understood in similar terms. Such armed involvements include Sino-Japanese War of 1894-1895, Russo-Japanese War of 1904-1905 and Manchurian Incident of 1931. This, however, does not mean that there

194 Maki, n. 2, p. 23.
were no specific distinct causes leading to each of these involvements. But, the emphasis, here, is on the general and common factor of oligarchic, non-democratic rule in Japan making it possible for political leaders to launch their country on paths of armed confrontation. Thus, the factors of democracy and responsible government became central to political evolution and development of Japan after its defeat in the Pacific War and subsequent US-led Allied Occupation. This is how the situation was perceived by the Allied Powers and in their hour of triumph in 1945 they optimistically launched Japan on the road of domestic reconstruction under the control and guidance of the Occupation Administration.