MEIJI LAW AND THE SUPPRESSION OF COMMON CULTURE

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Abstract

This paper is one in an irregular series touching on the intersection of fandom and traditional culture in Japan. In this case, the author will be examining the first positive steps taken by the post-war academy and government to formalize protection of both tangible and intangible culture. In the previous papers in this series, the author examined how many different individuals, each with their own personal motivations, were able enter into a given specific cultural revival movement and negotiate the terms of its existence. In each the author demonstrated how it is always extremely difficult, if not actually impossible, for a single party to claim exclusive control over the right to define a specific cultural reality without the support of a substantial majority of the other participants. In this paper however, the author sets out to examine what happens to a cultural revival which has become fragmented due to disagreement as to which one of two surviving artistic traditions best represents the arts of the region. Essentially, what is being examined here is the nature of participant authority and just how far a given agent of negotiation can press demands to signify a property without actual reference to their fellows. The author also looks at the way in which different negotiators in this specific case react when presented with artistic agents who seem unable to work together within a negotiated reality. In this case, the author will be re-examining the work behind the first generation of modern cultural controllers, what motivated them and how their actions still have relevance to our own creation/consumption of all manner of culture.

Double Standards

In 1873, the Osaka puppet theatre of the Bunrakuken family, which had been operating in the city since 1811, opened its doors to the Meiji period as the Bunraku-za. It had been known as the Bunrakuken-za since its opening and had been re-named as a grand gesture to mark the fact that the term *bunraku* had largely been adopted to refer to Osaka puppet theatre in general. It was sponsored by the new Osaka city government which had granted the theatre a tax exempt plot of land in 1868, and by the Ministry of Education, which acknowledged Uemura Bunrakuken III as the nation's premiere *ningyō jōruri* master in 1872. With such support, the theatre soon became a popular attraction with both the foreign residents of one of Japan's most important cities and its own elite population.

However, while the Osaka authorities fêted and promoted the Bunraku-za, almost identical puppet theatres, which existed both on the fringes of urban society and in the rural environment, appear to have been labouring under a different kind of official attention, seemingly designed to pressure them into silence. For example, in September of 1869, the Tonda puppet troupe was paid a visit by a number of government agents from the regional capital of Otsu, as part of a tour of towns on and around Lake Biwa. It seems that

the purpose of this trip was to inform the local authorities and the populace about a ban on amateur theatrics or unlicensed festivals which had recently come into force. In the address, the officers apparently made many direct references to the closure of local theatres, Buddhist temples which used drama as a teaching tool, and Shinto shrines which employed sacred rituals as entertainment.[1] Much the same thing seems to have happened in Shikoku just over a decade later, in the winter of 1879, when officers from the Ministry of Civil Affairs visited the village of Saibata and subjected Mr. Yanagii Juzou, the leader of the recently established Saibata Folk Puppets troupe, to public ridicule and censure.[2] In both cases the agents of the authorities seem to have departed without taking any serious action against the troupes involved. On the one hand, as archivists for both troupes admitted, the companies at this period had no theatre buildings upon which an investigation could focus, and it is possible that the officials simply did not have the time to dismantle dozens of peasant properties in the hope of finding illicitly held material. However, these events clearly indicate that parties within some divisions of the Meiji government found something objectionable within folk performing arts, no matter that in many cases there was little difference, beyond scale, between these simple presentations and certain grand urban theatres, which were not only officially supported but considered necessary to the cultural redevelopment of the nation.

Yet, if these arts were so similar, what made urban theatres like the Bunraku-za necessary to Meiji society, and what made the likes of the Tonda theatre unnecessary? Both, after all, represented the “absurd” customs of the past and both were irrevocably attached to the culture of the Edo period. However, each represented a different approach to the place of art in society and it is this difference which immediately made one a part of the Meiji establishment and one ultimately a victim of it.

As Gunji Masakatsu writes on this question, urban puppet theatre in Japan was already on the verge of becoming anachronistic as the Edo period wound to a close. No successful plays had been added to the official canon since *Ehon Taikoki* in 1799 and the few halls that were still open relied more and more on a handful of nostalgia-bound wealthy sponsors such as the famous Eighteen Connoisseurs of Edo, the heads of the city’s wealthiest merchant families who, it is said, effectively owned both the Edo and Osaka theatre districts. Indeed, it seems that only in the provinces was there any small success to be had with puppet art, which required touring the places which had never lost touch with the rituals of the *kaki* as a vibrant, contemporary art.[3] In almost every sense of the word, Japanese urban puppet theatre was a dead art and would probably have quickly faded into obscurity had not the course of the Meiji Restoration required that the Osaka government secure the services of a number of theatres to stand as models of traditional city culture, according to Komiya Toyotaka, as part of an attempt to secure both foreign and native elite interest in the city by

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[1] Abe Sueko: Archivist, Tonda Puppet Theatre. Interview with the author, 18 June 2017.

[2] Ikehara Yukio: Director, Takenoko/Dekojuku Saibata Puppet Theatre. Interview with the author, 15 January 2007.

[3] Gunji, Masakatsu. (1956). *Kabuki to Yoshiwara*. (歌舞伎と吉原) [Kabuki and Yoshiwara]. Tokyo: Awaji Shobo. (p. 97).

restructuring several areas of the old town to make them appealing to the well-to-do of Meiji society. Chief of these was the relocated theatre district of Matsushima, where an example of the best traditional theatre types, many of which Osaka claimed to have given birth to, could be visited at leisure.[4]

That, in essence, is all the Bunraku-za was when it opened in this district in 1873 and even Uemura Bunrakuken III was aware of the fact that his theatre was being set up as something of a curiosity for the rich of the Kansai region. Yet, whether he minded or not, Bunrakuken III kept his thoughts to himself, probably because he knew full well that this deal was the best way for his theatre to survive in what was becoming a very uncertain environment for the traditional arts, something which few other commercial puppet theatres in the area could say honestly at that time. In brief, one might say that the Meiji authorities lauded traditional theatres such as the Bunraku-za because they provided a source of cultural validation for the state, while at the same time they did not posses any contemporary elements which might have been subject to unacceptable artistic re-signification in the plebeian areas of society. For folk puppet troupes such as the Tonda theatre however, the case was totally different.

These companies generally had no sponsors beyond local shrines or temples and no regular venues outside religious precincts or outcaste community holdings. As such, they were generally not professional concerns. Indeed, as Umazume Masaru points out, many folk theatres were little more than a gathering of itinerant entertainers, who happened to live in the same place during the time they were not touring their arts, and assembled their companies from willing local amateur players: Essentially people performed for their own amusement.[5] However, it was the nature of these folk customs as living forms of cultural expression that seems to have been the cause of their suppression at the hands of the Meiji leadership, as they were customs which glorified plebeian history and appeared to call into question the status of the increasingly elite cultural formations which were favoured by the powers.

Cultural Legislation: Office of Religious Affairs

The Office of Religious Affairs was a branch of the Ministry of the Imperial Household which existed to reform the religious practices of the country and reinforce the perceived position of the emperor as the supreme arbiter of both temporal and spiritual matters. At first glance, one might wonder why such an office would be necessary, for the native faith of the country had, for over a thousand years, held that the occupants of the throne were the scions of the descended god-emperor Jinmu and, thus, deified themselves. However, as Joseph Pittau points out, during that time, while the general view of the emperor-as-*kami* persisted, most people's daily worship was actually dedicated towards branches of the faith which paid little direct heed to the father of the nation. For example, the average person tended to believe that the most important figures in their daily prayers were the local *kami* and *hotoke* [the ancestors],

[4] Komiya, Toyotaka. Ed., with, Seidensticker, Edward. G. Tr., and Keene, Donald. Tr. (1956). *Japanese Music and Drama in the Meiji Period*. Tokyo: Obunsha. (pp. 102-103).

[5] Umazume Masaru: Former Director, Awaji Ningyō Jōruri Theatre. Interview with the author, 15 July 2017.

the worship of which tended to automatically invalidate the notion that the moral power of the faith resided in the central authority of the emperor.[6]

Moreover, for many centuries, various Buddhist sects had been working hand in hand with the larger native faith, with temples and shrines often sharing resources to the point that one could nearly always find one or more small temples in any important shrine, and vice versa. Initially a way for Asuka Period rulers to ensure that the authority of their government was not subverted by the incoming foreign religion, by the end of the Edo Period, long after the removal of the emperor from the daily lives of the people, the connection between the two began to appear more negative. The autobiography of the Meiji oligarch Fukuzawa Yukichi suggests that the authorities had come to view Buddhist sects as populist movements which did nothing but stir up trouble among the peasant communities and strangle the native religion of the land by placing mankind, morally, above the *kami*.[7] However, by the Meiji period, most Buddhist sects were actually very poorly supported by an increasingly impoverished population. Yet, his argument does reflect one of the most important thoughts prevalent among the governors of the time: That Buddhist faith had come to represent an unacceptable external influence on the faith of the nation by subverting the place of the emperor and encouraging the common population to view the gods as directly accessible. Anyone who could not accept the emperor's moral authority might not be able to accept the emperor's temporal authority, which was certainly not something to be encouraged by a people who seemed to draw much of their own power from appearing to support the newly restored throne. Thus, the breaking the of this relationship, called *shinbutsu bunri* [separating *kami* and Buddha], would certainly have sent a powerful message to the whole religious community about who actually controlled access to the gods of Meiji Japan – the emperor, or more accurately, his appointed ministers.

However, simply separating native faith from foreign was not enough to reverse the changes which many hundreds of years of joint development had created in the religious community. With the emperor so removed from the daily observances of most people, the native faith had largely fallen back on ancestor and spirit worship, with relatively little regard to the spiritual aspects of the emperor in many ways. What was required was a way to divert people from the rituals or *kami* they had come to directly rely on over the centuries and bring them to an acceptance of the emperor as the gatekeeper to the spiritual realm. Thus, *shinbutsu bunri* provided not only for the persecution of Buddhism but also for the suppression of many aspects of native religion, as the authorities strove to restructure the emperor's spiritual authority.

In this change, the Shinto cult of the emperor attempted to remove those aspects of the old faith which could not directly be appropriated by the authorities as a vehicle for this new notion of a national religion. Ritual entertainments such as *kagura*, *sekkyo-bushi*, and *ningyō jōruri* were very profoundly affected by this as the government decreed that such activities were largely irreligious and

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[6] Pittau, Joseph. (1967). *Political Thought in Early Meiji Japan*. Cambridge: Harvard University Press (p. 33).

[7] Fukuzawa, Yukichi. (1996). *Fukuo Jiden* (福翁自伝) [The Autobiography of a Grand Old Man]. Tokyo. Hokuseido Shoten. (pp. 144-45).

to be licensed or even banned where circumstances required. Surviving temples and shrines had to submit their rituals to the Office of Religious Affairs as well as to defend their right to employ “entertainments” in their work. This hit the performance of folk puppet arts particularly badly, as a large number of *kaki* and troupes were actually based in temples and shrines, funded by the organizations involved in return for assisting in the rituals of the places concerned. Moreover, according to Umazume Masaru, in order to limit the ability of unlicensed faiths to proselytise effectively, the 1868 law also provided for the outlawing of the work of itinerant priests such as *yamabushi*, *biwa hoshi*, *ebisu kaki* and other peddlers of religious sedition. [8] This was probably the part of the law which ultimately did the most damage to the oldest aspects of puppet theatre, for while some *kaki* rites were actually preserved more or less intact at those theatres which withstood the age – either legitimately, like the Bunraku-za, or surreptitiously, as with the Tonda Puppets – there was no way that the wandering ways of the *kaki* could be easily preserved without coming to the attention of the authorities.

The Jingikan might, or might not, have been intentionally attempting to destroy the folk arts it ultimately affected with the 1868 Control of Religions act, and it is possible to view the effects of the code as the unfortunate consequences of a country trying to establish a figurehead for the purpose of nation building. Yet, no matter how one looks at the situation, the fact remains that this law dealt a blow to the survival prospects of many aspects of native folk culture generally, and one which the country is still attempting to recover from, since the law’s repealing in 1947, under the freedom of religious expression clause of the current constitution. However, when the Ministry of Civil Affairs themselves inadvertently joined this campaign in 1871, as Iwasaki Toshio reminds us, many considered that the days of Japanese folk culture as a concept were over, not because the ministry attempted to outlaw aspects of the art as the Jingikan had done, but because they legislated against the core practitioners themselves.[9]

Cultural Legislation: Ministry of Civil Affairs

In 1870, minister Oe Taku proposed that the Ministry of Civil affairs be permitted to draft legislation that would do more than any single act before it to bring Japan the respect of the Western powers which the Meiji government so admired: The abolition of outcaste status and the repealing of all Edo period laws which had supported the suppression of these people.[10]

By the end of 1871, terms of address such as *eta* and *hinin* had been removed from official sources of information and their use made illegal. [11] Sumptuary laws, which had forced outcaste people to adopt prescribed dress codes, were repealed. Residential laws, designed to close down the ghetto-like *sanjō* districts and other outcaste communities were put onto the statutes. The degrading professions of these people, such as night-soil

[8] Under the law, such individuals were to be treated as beggars and, thus, criminals, as vagrancy and begging had also been outlawed by the Meiji government in 1868.

[9] Iwasaki, Toshio. (1995). *Yanagita Kunio no Mizokugaku* (柳田国男の民俗学) [Yanagita Kunio’s Folklore Studies]. Tokyo: Tanta Shoin. (p. 33).

[10] Including Britain’s first ambassador to Japan, Sir Harry Parkes (1828-1885).

[11] The law was instituted on 28 August 1871.

clearers and *kaki*, were either opened up to all or legally suppressed. Further, the bar on people descended from outcaste families applying for work normally reserved for Japanese citizens were lifted. However, as Yoshii Sadatoshi informs us, while this act might have been largely successful in ending many hundreds of years of state-sponsored social suppression, it also had some very unfortunate repercussions for the native folk cultural properties which were, as was explored above, already under severe pressure.[12]

Before the rise of the Tokugawa, outcaste people had not been universally regarded as the pariahs which they became under Edo law. A large number of different positions existed in the outcaste community and a good many of these – especially those relating to religious specialists – were actually highly prized by their respective communities. Sometimes feared, because of their associations with the *kami*, and sometimes isolated because of perceptions of the religious pollution which went with their work, the fact remains that in pre-Edo Japan specialists such as *kaki*, *yamabushi* and *onmyōji* were not the criminal outcastes which Tokugawa law made them in the following three centuries. Some among the contemporary *burakumin* rights community see the change which came about in the Meiji Period as a calculated attempt on the part of the Meiji government to retain a useful outcaste community – a replacement for the *eta* and *hinin* who had been the base of the Japanese population. Specifically, the argument runs that the Meiji government felt that, while it was important to superficially remove the near slave-like issue of outcaste status from consideration, it was also important to maintain an underclass which could be exploited much as *eta* and *hinin* had been in the Edo Period. Essentially, to dispense with outcaste people completely would have been, under this argument, to sweep away an entire social class and effectively lower the common man to the position of pariah within the national structure, which could not be allowed. It may be a prosaic way to frame the question, but as Kiritake Masako tells us:

> [K]nowing that the *burakumin* had things worse than we did made a real difference to our lives. […] Knowing we were not on the bottom of society made us feel a little better, especially if we could express that by being cruel to [*burakumin*] in the street, knowing that no one would care.[13]

This view is a popular one among the more politically modern *burakumin* groups, such as the Buraku Liberation Association, and this might be explained by the fact that *buraku* communities still face very real discrimination at the hands of "normal" citizens. However, leaving aside contentious modern social and political grievances concerning *burakumin* rights, is it fair, or even correct, to suggest that the Meiji government deliberately set out to re-create outcaste status in this way?

Certainly, from the point of view of this project, this "abuse" can be seen in the way in which the emancipation edict effectively destroyed the legal base for outcaste arts, including those of the *ebisu kaki*. With

[12] Yoshii Sadatoshi: Chief Priest, Nishi-no-miya Ebisu Shrine. Interview with the author, 16 April 2017.

[13] Kiritake Masako: Puppeteer, Shingi-za/Master, Kiritake Masako Otome Bunraku. Interview with the author, 9 December 2017

Buddhist temples and Shinto shrines effectively closed to wandering outcaste artists by the 1868 act on religions, the number of itinerant ritual entertainers had already begun to drop by the time that the emancipation edict was being drafted in late 1870. Those who remained tended to limit their work to the lands around old *sanjō* districts, and from the few shrines within outcaste areas which the authorities were as yet indifferent to, doing their best to preserve the rites of their *ekibyōgami* masters. However, when the emancipation edict was promulgated in 1871, abolishing outcaste status in general, it also abolished what was left of the *kaki*'s limited professional protection.

Sanjō districts, and the shrines within, were quickly closed, denying the *kaki* access to their most important performance spaces. Moreover, the law made a powerful statement concerning the ritual power of the *kaki*, in that, the return of the emperor to the position of supreme spiritual authority had rendered their ritual activities unnecessary, with the restored father of the nation assuming all responsibilities for the spiritual defence of the realm. Indeed, as Yoshii Sadatoshi, master of the Nishinomiya Ebisu Shrine, tells us:

> My master told me that when he was a boy in training, the [Nishi-no-miya] *sanjō* district was closed up and, shortly before, there had been some trouble about the shrine itself being dedicated to a *kami* like Ebisu. It seems that the government was concerned about rituals which allowed *eta* to effectively intercede with the *kami* to protect people, which, as the authorities said, only the emperor could license. My master told me that the shrine had to petition the emperor himself, sending the imperial charter we had as proof of our heritage, and only through [the emperor's] goodwill was the shrine and the Ebisu [dance] saved here.[14]

The *kaki*, along with all outcaste people, had seemingly become individuals without purpose, having lost their livelihoods to a law which was put in place to guarantee their rights as citizens.

> Pity the former *kaki* that could only stand and listen at the doors of the Bunraku-za whilst master Bungoro delighted crowds with dances which would, if performed by the same *burakumin* puppeteer, result in a term in jail. Here are the two faces of the *kaki*. One faithful to his calling; suppressed and denigrated by people whose opinions of truth and beauty found his ancient ways wanting. The other faithful only to himself and the conception of art he created in the minds of his patrons. […] The latter might even be called the dark mirror of the former, for while the true *kaki* allowed mankind to approach and appease the *kami* for the benefit of all, the false *kaki* forced the *kami* to approach and appease mankind to the glorification of the puppeteer.[15]

The folk arts of Meiji Japan may not have accorded with the leadership's notions of what

[14] Yoshii Sadatoshi: Chief Priest, Nishi-no-miya Ebisu Shrine. Interview with the author, 16 April 2017.

[15] Ikehara Yukio: Director, Takenoko/Dekojuku Saibata Puppet Theatre. Interview with the author, 15 January 2007.

was appropriate for an enlightened nation stepping into the world at large. However, it is hard to imagine that even Fukuzawa Yukichi, one of the hardest of the Meiji reformers, could have believed it possible to attempt such an extremely contentious plan. Thus, if one accepts that the idea of the Meiji elite intentionally attempting to set up a modern underclass – disguising the *eta* under another guise – as propagandist fiction, what then was the purpose of this law which certainly had a massively negative effect on already weakened outcaste arts in the Meiji period? The most likely solution is that the authorities simply did not care enough about outcaste culture concerns to worry about all the long term changes which the emancipation edict would have on things such as *ningyō jōruri*. Suggesting a planned political redefinition of outcaste status might be grossly unfair, but it is clear that many officers of the Meiji government had little love for outcaste culture and gave not a single thought to protecting it from the sweeping nature of the emancipation edict, which critically undermined many cultural properties by very effectively isolating their practitioners from them.

> It is one thing to accuse the elite Meiji leadership of indifference to aspects of Japanese folk culture which they probably did not understand, but quite another thing to think of them as the architects of a cruel process such as this – and in this regard you have certainly fallen foul of a degree of modern *burakumin* propaganda. You have to accept that this was an accident of history and one that had some serious long term consequences, but that does not mean you should be looking for someone to blame.[16]

Yet, accident of history or not, as Howard Becker reminds us, just as culture tends to define the individual, it is also true that as long as the individual persists so does the culture. And, despite everything, it should not be thought that the arts of the *kaki*, or the monkey trainer, or the *yamabushi*, died out completely in this turbulent period.[17] It is impossible to think of erasing a culture without destroying the people who hold to it, a thing which the oligarchs of the early Meiji period seemingly could not grasp.

Whether one believes that these codes came into being for altruistic reasons, or as another level of control, the fact remains that they did not stay effective for very long and they were openly being flouted around Japan almost before they had come into effect. Indeed, as the nineteenth century ran into the twentieth, it began to appear as if the policy makers of the land, perhaps confident in the Anglo-Japanese alliance of 1902, had completely let the matter of common culture go, if only beyond the confines of the urban environment which still retained the position of showcase for official culture and the face which the oligarchs of Japan preferred to present to the world. Inspired through the work of a group of German agricultural consultants, the Ministry of Agriculture was ordered, in 1901, to carry out a comprehensive appraisal of rural life with the aim of bringing the hitherto negatively signified '*inakappoi*'

[16] Ikehara Yukio: Director, Takenoko/Dekojuku Saibata Puppet Theatre. Interview with the author, 13 January 2007.
[17] Becker, Howard. S., with McCall, Michal, M. Eds. (1990). *Symbolic Interaction and Cultural Studies*. Chicago: Chicago University Press. (p. 5).

[rural] people of Japan into the modern age.[18] This task included a group of ministry officials who were especially interested in the cultural underpinnings of rural life, fresh from Japan's modern universities and bursting with the cultural teachings of Europe and America. Whether the leadership understood the implications of giving Japan's nascent social science academy free reign in this way has never been made clear.

However, the program not only gave a number of budding scholars an opportunity to examine the rural life of Japan in a very interesting context, but also exposed these young men to an environment which, as Kojima suggests, was culturally reminiscent of the rural world of early nineteenth century Europe, with all the attendant problems of cultural sterility which people such as William Thoms had fought so hard to correct.[19] One man in particular appears to have found this situation totally reprehensible and was willing to express this opinion as an attack on the way that Japan risked, in suppressing the customs of common society, losing touch with the cultural trappings which made her unique in the world. Yanagita Kunio (1875 - 1962) and a handful of like minded scholars took up the cast-off remains of folk culture and made it their own, turning suppression and neglect into preservation and interest. However, as we will now examine, the aims of the academy in this regard were not as clear cut as one might imagine.

[18] Who, according to Kojima Toshio, claimed that the Japanese rural environment was declining because of the way in which the urban centres of the country were attempting to isolate themselves from the heart of food production on almost every level, thus devaluing the and disheartening the people of the those regions; Kojima, Toshi et al. Ed. (1983). *Meiji Nosho Zenshu 1* (明治農書全集 1) [Meiji Agriculture: The Collected Volumes 1]. Tokyo: Nosan Gyoson Bunka Kyokai. (p. 34).

[19] Ibid. (p. 41).

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