

PEASANTS, SKINNERS, AND DEAD CATTLE: THE TRANSFORMATION OF RURAL  
SOCIETY IN WESTERN JAPAN, 1600-1890

BY

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## ABSTRACT

This dissertation traces the development of capitalism in Japan in the nineteenth century by focusing on the transition from status-based property to private property. Property is important to the capitalist transition because the separation of the laborer from the objective means of labor forms the necessary precondition for capitalist production. At the beginning of the Tokugawa period (1600-1868), property in Japan was directly tied to status. Status was a form of organizing production and political control via semi-autonomous social groups based on a shared trade or territorial space. Status groups provided status-specific service to the Tokugawa state in return for the official recognition of status-specific rights and privileges, which constituted the status-based property of that group. The establishment of modern, capitalist property relations emerged out of the dissolution of the status system, while the abolition of status marked the triumph of new property relations.

To trace these changes in status and property, I focus on the *kawata* (skinner) status group from the late medieval period to the end of the nineteenth century. The *kawata* were a group of skinners, knackers, and small holders who were responsible for disposing of dead draft animals in their local communities. In exchange for this service, these communities were granted ownership rights over all carcasses as a status-based right. When a bovine or equine died, it automatically became the property of the nearby *kawata* community with no compensation to the former owner. Using one village as a case study – Saraike Village of Kawachi Province, now Osaka Prefecture – I show how livestock carcasses transitioned from the status-based property of a single social group to the private property of individual households regardless of status. I argue

that this change was effected by forces from below, resulting in the emergence of capitalist property relations prior to the arrival of the West in 1853.

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## INTRODUCTION

“In the following pages an attempt is made to place the *eta* in their proper social setting and to indicate clearly their history which is a record of long suffering from the tyranny of social customs.”

— Shieaki Ninomiya, preface to “The Japanese *Eta*,” 1933

“The so-called historical presentation of development is founded, as a rule, on the fact that the latest form regards the previous ones as steps leading up to itself..”

— Karl Marx, introduction to the *Grundrisse*, 1857

Between 1600 and 2000, the Japanese archipelago experienced three great population explosions. The first occurred between 1600 and 1720, when peace and stability, as well as new farming technology, saw the population grow from around twelve million to thirty million.<sup>1</sup> Though the overall population stagnated after 1720 as the early modern polity hit its ecological limits, the beginning of industrialization in the 1870s ushered in a new era of growth.<sup>2</sup> By 1920, the Japanese population had doubled to sixty million and kept rising. Finally, the end of World War II brought a baby boom and the return of colonists from Korea and Manchuria, leading to a population that peaked around 128 million in 2008. Yet after 1870, as the population increased, the number of local municipalities decreased, as towns and villages were consolidated into ever larger units. Three great mergers in 1889, 1956, and 2005, along with a host of smaller mergers, reduced the number of autonomous villages and city wards from over 63,000 during the Tokugawa period (1600-1868) to less than 2,000 today.

Matsubara City is one product of these mergers. Matsubara is located in south-central Osaka Prefecture on the southern bank of the Yamato River (Figure 1 and 2). It lies just outside of Osaka City proper and due east of Sakai City. Though it lies in the cradle of ancient Japanese

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<sup>1</sup> Hayami 2009, p. 99.

<sup>2</sup> While the overall population of Japan remained level after 1720, western Japan saw a continued population increase, while some regions – the northeast in particular – saw a decline in population. Hayami 2009, pp. 103-5.

civilization in the Kinai plain (Figure 3), Matsubara City itself has no history prior to 1955, when it was created from the merger of five smaller townships and villages.<sup>3</sup> Yet these five townships were themselves the result of the first great municipal merger in 1889. During the Tokugawa period, what would become Matsubara City was home to twenty-four independent villages. These twenty-four were but a small percentage of the more than 63,000 villages across Tokugawa Japan. This dissertation is the story of one of these villages: Saraike, in Tanboku District, Kawachi Province, from its first appearance as an independent village in 1594 until 1889, when it was folded into greater Nunose Village (Figure 4).

More appropriately, it is a story focused on the *kawata* of Saraike Village. *Kawata* (also known as *eta*, or outcastes) were a status group of Tokugawa Japan made up of skimmers, knackers, and tenant farmers. Japanese society during the Tokugawa period was composed of various social groups defined by official state recognition of specific “feudal” privileges in exchange for duty and service. The *kawata* were in part defined by the duty and right to dispose of dead livestock from their local communities. They also performed a variety of other tasks deemed dirty or “polluting,” such as executions, purification rituals at local temples and shrines, and the manufacture and repair of leather goods. Most also engaged in agriculture to varying degrees, and lived lives in many ways no different from their peasant neighbors.

Earlier works on the *kawata* in English focus on their connection to the *buraku* minority group of modern Japan. Works of “*buraku* history” (*buraku-shi*) study the *kawata* of the Tokugawa period as the precursors to the *buraku* people, and focus on how the *kawata* were discriminated against and excluded from Tokugawa society.<sup>4</sup> While *buraku-shi* has contributed

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<sup>3</sup> For a discussion of this merger, see *Matsubara-shi shi*, v. 2, pp. 549-578.

<sup>4</sup> There are a staggeringly large number of works in this genre. For a brief overview see: Passin 1955, pp. 247-67, Devos and Wagastuma 1972, Ooms 1996, Groemer 2001, pp. 263-293, Hur 2007, and McCormack 2012. For a recent example in Japanese, see Nobi 2007.

much to our understanding of the legal regime constructed against outcasts, it has left us with an image of a homogenous, ahistorical community of outcasts whose whole history is that of oppression. In the search for the origins of discrimination against *buraku* people, we are left with a history of things being done to outcasts, as opposed to a history of what they did.<sup>5</sup>

This dissertation traces the history of one *kawata* community, Saraike Village in Kawachi Province, from the beginning of the early modern period until the late nineteenth century. My approach differs from earlier studies in English in two significant ways. First, I use village level documents to analyze the internal makeup of the *kawata* community and narrate *kawata* history in their own terms. Second, I show the place of the *kawata* in their local society and their relations with other status groups, and other *kawata* communities. If there is one fault that runs through older works of *buraku* history, it is the fixation on the *kawata* community at the near-total expense of their surrounding neighbors, unless those neighbors were actively discriminating against the *kawata*. My goal is to treat the early modern period in its own right instead of a mere prelude to the real story of *buraku* history, which is said to begin in the modern era.

That said, I do not narrate *kawata* history for its own sake or limit my argument to the claim that the *kawata*, too, had a history. Because of their unique position in Tokugawa society, the *kawata* present an excellent case study for the history of property and status in Japan. During the Tokugawa period, *kawata* communities owned draft animal carcasses as a status-based right. Whenever a farmer's animal died, it ceased to be the property of its former owner and instead became that of the nearby *kawata* village with no compensation to the former owner. This right – called *heigyūba shori* or *kusaba* – was recognized by the state in exchange for status-specific duties, especially the execution of criminals and provision of leather. The handling of carcasses,

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<sup>5</sup> Tsukada Takashi criticizes what he calls the “search for origins thesis” (*kigen ron*) for how it effaces the social history of outcast groups. Tsukada 2010, pp. 6-9.



as well as the purchase and sale of cattle hides, was restricted to *kawata* status, giving them monopsony control over leather. Though ownership of carcasses is strange from the perspective of modern property rights, it fit the logic of the status-system, wherein different elements of Japanese society were granted status-specific rights and privileges in exchange for status-specific forms of duty to the Tokugawa shogunate and daimyo domains.

To exercise property rights over carcasses, a household needed to be a member of a *kawata* village. Yet this right was not purely communal in the sense that all had equal access. Within the *kawata* village, only those households who held the traditional rights (*kabu*) could buy and sell carcasses or cattle hides. At the beginning of the Tokugawa period, ownership of these rights and the disposal of dead livestock were exercised by the same households. But the wealth generated by the consumer economy led to the separation of *kawata* property and the labor expended to acquire that property. The wealth gained from carcasses allowed elite families to delegate the responsibility for the dirty work to underlings, while these households continued to enjoy exclusive rights to sell the product of these subordinates' labor.<sup>6</sup> This was not initially a cause for unrest in the *kawata* community, as the practice of *kusaba* continued to benefit all in the village, even if those benefits were not enjoyed equally. Furthermore, the restrictions of the status system on the mobility of persons and capital ensured that the profits from the trade in cattle skins remained in the *kawata* village.

Two trends beginning in the mid-to-late eighteenth century served to gradually undermine *kawata* status-based property. First was a change in cattle holding practices in the Kinai region. This saw peasants shift from owning cattle until the animal died to a system of renting cattle from cattle traders. In doing so, a larger share of cattle were owned in fact by a

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<sup>6</sup> The disconnect between the property rights enshrined in the *kabu* and the actual performance of the labor entailed by the *kabu* was not unique to *kawata* villages. See Kigami 2015, pp. 43-140.

group whose livelihood depended on buying and selling cattle. Second was the growth of the leather trade centered on Osaka. This saw the value of leather, and by extension cattle skins, rise to new heights, drawing the Saraike *kawata* into a closer relation with the market. For many unlicensed *kawata* villagers, the temptation of the potential profits from selling a carcass lead them to circumvent the *kusaba* system. They began to collaborate with peasant cattle traders, who were eager to sell their dead or dying property, and purchased and sold cattle hides as their private household property. In the drive to acquire more cattle skins, some *kawata* began to secretly – and illegally – slaughter cattle for their hides. These skimmers were part of a broader trend by which the old status-based form of property and social organization was dismantled from below, leading to the development of capitalist notions of private property prior to Japanese society’s integration into an emerging global system of capitalism centered on the West.

Though the transition to capitalism has long fixated scholars of Japanese history working in the West, few have paid attention to the questions of status and property.<sup>7</sup> In Marx’s model, modern property rights are an essential component for capitalist production because they enable the production of surplus value and reproduction of the relation between capitalist and wage laborer.<sup>8</sup> In contrast, precapitalist property relations are characterized by some form of direct possession of the means of production by the laborer, mediated by a commune. For capitalist production to take place, the laborer needs to be liberated from the bonds of the feudal communal group and “liberated,” i.e. dispossessed, of their property. In this way, the dissolution

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<sup>7</sup> The issue of Japan’s transition to a modern industrial, capitalist nation has a long presence in the English-language historiography. Since the 1950, and scholars like Thomas Smith have shown how the economic and social transformations of the Tokugawa period paved the way for the Meiji transformation. More recently, historians like Edward Pratt focused on specific socio-economic groups to trace economic change from the eighteenth century to the late nineteenth. In *Capitalism From Within*, Howell demonstrated how capitalist relations of production arose in Japan prior to the arrival of the West in 1853. Howell eschewed quantitative standards of economic change during the Tokugawa period in favor of a focus on qualitative changes. See also Saito 1989, pp. 992-999, Toby 1991, pp. 483-512, Hanley 1997, and Francks 2009.

<sup>8</sup> Marx 1993, pp. 512-4.

of precapitalist property relations forms an essential element in the transition to capitalism. In the Tokugawa period, property was inextricably linked to status, making an analysis of one without the other impossible. Capitalist property relations developed out of, and in opposition to, status-based property, while the dissolution of the status system also marked the establishment of a regime based on modern private property rights.

### **Emergence of the *Kawata***

The *kawata* were a group of skimmers responsible for the disposal of dead livestock. Prior to the late medieval period, there was no single group that specialized in skinning animals like the early modern *kawata*.<sup>9</sup> In the Kansai region, the emergence of the *kawata* was due to two trends: the spread of notions of purity and pollution from the aristocratic culture of Kyoto out to the commoners of the provinces, and the growth of *hinin* organizations. During the medieval period, as poverty, famine, disease, unfavorable farming conditions, or a myriad of other factors forced groups or individuals to leave their homes and villages, they began to band together with other social outcasts for survival. These groups of *hinin* – non-persons – often formed connections with powerful temples, aristocratic households, or warrior families.<sup>10</sup> In exchange for sustenance or begging rights, these groups (*hinin-juku*) performed the most loathsome and dirty jobs, such as removing carcasses or performing purification rites at temples and shrines. Gradually, the various occupations performed by the *hinin* became specialized by groups or households within the larger *hinin* group.

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<sup>9</sup> Yokota 1988, pp. 286-7.

<sup>10</sup> During the early modern period, *hinin* was also the name of a distinct status group. However, there was no connection between these medieval outcasts and the *hinin* of the early modern period. In many cases, the *hinin* of the medieval period became the *kawata/eta* status group in the Tokugawa period. The early modern *hinin*, meanwhile, were composed of beggars and outcasts who fled to growing cities like Osaka and Edo in the late sixteenth and early seventeenth century. Tsukada 1987, pp. 11-17.

In the Kinai region, this social division of labor within the *hinin* groups proceeded at a much faster pace than in other regions due to the presence of (relatively) large urban centers, a cash economy, and a higher degree of market integration.<sup>11</sup> By the 1550s, a distinct group that disposed of dead cattle and horses had emerged from the larger *hinin* groups. But unlike the *kawata* of the Tokugawa period, the primary duty of these earlier skimmers was not the acquisition of raw materials to produce leather, but the cleansing of spiritual pollution from animal carcasses.<sup>12</sup> This was due to the influence of aristocratic ideas of pollution and purity spreading from the emperor's court in Kyoto out to the Kinai countryside. Indeed, many groups of late medieval *hinin* in the Kinai region were called "*kiyome*," or purification.

The principle of skinner control of dead draft animals became institutionalized in the late sixteenth and early seventeenth century as first Toyotomi Hideyoshi and then Tokugawa Ieyasu transformed from powerful warlords into the "public authority" (*kōgi*). In the Kinai, Hideyoshi effected two key changes. First was his land survey of 1594, which recorded villagers' status based on their status-specific ability to contribute to the state.<sup>13</sup> By recording the skimmers in Hideyoshi's territory – who had been known by a variety of titles – as *kawata*, it presupposed this groups' ability to provide a particular kind of duty specific to their status. Being recorded as *kawata* did not transform this group into skimmers. Rather, such a classification *presupposed* their actual status as skimmers, as households that earned a livelihood from skinning. *Kawata* were required to provide leather and act as executioners, but exempt from the land tax and corvée. Additionally, retainers of the Toyotomi brokered agreements amongst neighboring *kawata* villages and helped settle permanent territorial boundaries.<sup>14</sup> In doing so, the Toyotomi provided

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<sup>11</sup> Yokota 1988, pp. 295-9.

<sup>12</sup> Ibid, p. 292.

<sup>13</sup> Asao 2004, pp. 4-5.

<sup>14</sup> Mita 2009, pp. 1-4 and Doc.344 [1862; Bunkyū 2.11] in *SIMM*, v. 2, pp. 960-65.

a source of legitimacy for *kawata* ownership over carcasses that went beyond the local conditions in which this practice originally developed.

### “Outcaste” Historiography

The historiography of the outcasts in English and Japanese is directly connected to the movement for *buraku* rights. We can trace this history back to the “liberation edict” (*kaihō rei*) of October 1871. In this edict, the Meiji government abolished the pejorative titles like “*eta*” and “*hinin*,” and declared that former outcasts were to be considered commoners. Yet while the government could abolish legal barriers against former outcasts, it could not abolish centuries of custom that saw outcasts as a pariah class. Indeed, as historian Suzuki Ryō demonstrates, the Meiji government helped to perpetuate discrimination against former outcasts when it decided to rely on longstanding elite families to effect control in the countryside, essentially leaving a semi-feudal structure of control in place in rural Japan.<sup>15</sup> Only nominally equal to the rest of Japanese society, the descendants of outcasts found themselves despised and excluded from opportunities of employment, marriage, and education. The status society of the Tokugawa period had afforded the outcasts a degree of autonomy, but in the modern era, the protections of status were removed while the prejudice it engendered remained.

The experience of outcast groups during the Tokugawa period was not universal, and in many ways the historical trajectory of a community during the Tokugawa period determined its place in Meiji society.<sup>16</sup> Some outcast communities successfully disappeared into commoner

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<sup>15</sup> Suzuki 1985.

<sup>16</sup> For example, some *buraku* communities in Nagano prefecture that belonged to Sōtō Zen sect faced discrimination even after death. Zen priests would give deceased members of *buraku* areas discriminatory posthumous names (*kaimyō*) that indicated the “polluted” state of the deceased. Meanwhile, communities like Saraike Village did not have this problem, as their villages had their own temples and temple priests. Kobayashi 1987 and Bodiford 1996, pp. 1-27.

society, while other communities only became “*buraku*” districts after the Meiji Restoration, and thus had no real connection to Tokugawa outcast groups.<sup>17</sup> But historical accuracy was of little comfort to those communities that faced discrimination well into the twentieth century due to their perceived descent from early modern outcast groups. The struggle for *buraku* civils rights gained increasing visibility following the end of the First World War. Invited to the Paris peace conference as one of the victorious Entente Powers, the Japanese delegation proceeded to push for a racial equality proposal in the Treaty of Versailles. Though this proposal was defeated, the irony of the Japanese insistence for racial equality was not lost on *buraku* activists, some of whom founded the Suiheisha, or Levelers Society, in 1922.<sup>18</sup> The Suiheisha was the first large-scale, grassroots *buraku* rights organization to operate in Japan. Its activists sought to instill pride in the members of *buraku* communities and denounce individuals or organizations responsible for discriminatory practices.<sup>19</sup>

During the Second World War, the struggle for *buraku* liberation was forced underground, as activists were jailed by an increasingly authoritarian state. But following the end of the war, the *buraku* liberation movement returned with a vengeance.<sup>20</sup> The movement achieved a number of meaningful successes, such as government funding for the renovation of *buraku* ghettos and assistance with education. Public schools in areas where *buraku* discrimination was a problem instituted programs to combat prejudice by teaching non-*buraku* children about *buraku* history.<sup>21</sup> These political achievements were matched by the work of professional historians who created public archives for *buraku* history. By 2000, the Japanese

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<sup>17</sup> Amos 2011, p 46.

<sup>18</sup> Suzuki 2002, pp. 4-28.

<sup>19</sup> Amos 2011, pp. 44-45.

<sup>20</sup> Neary 1989, Bondy 2015, pp. 15-33

<sup>21</sup> For more on *buraku* issues in school, see Bondy 2015.

government ended payments to *buraku* programs after determining that the problem was over. In 2004, one of the two main organizations for *buraku* rights agreed with the government's assessment and declared the issue of *buraku* discrimination over. While the issue of *buraku* discrimination in twenty-first century Japan remains controversial, there can be no doubt that significant progress has been made in the postwar era because of the struggles of *buraku* rights activists.

The historiography of the Tokugawa outcasts is directly connected with the progress of the *buraku* struggle for human rights. In the 1960s and 70s in particular, many works of *buraku* history were produced in Japanese, and to a limited extent, English. However, these works were shaped by the political goals of the *buraku* rights movement that was raging as these histories were being written. Here I want to highlight three concepts that came out of this movement that are still present in works of *buraku* or outcast history today. The first is that the history of outcasts is a history of oppression, which is expressed in the epigraph opening this chapter.<sup>22</sup> The second point is that the history of *buraku*/outcast discrimination can be traced back in history in an unbroken line to at least the founding of the Tokugawa shogunate, if not earlier. Finally, the outcast groups of the early modern period – the *eta* and *hinin* especially – are said to be creations of the Tokugawa shogunate. Essentially, the shogunate singled out already-marginal groups and locked them into an inescapable caste at the bottom of society.

Of course, these three points are not entirely inaccurate. The outcasts of the Tokugawa period did indeed experience prejudice – their official name from the mid-seventeenth century on was *eta* (filth), for instance. Furthermore, it is indisputable that discrimination against *buraku* people is a legacy of the Tokugawa period. However, they all betray a modern bias that projects

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<sup>22</sup> Ninomiya 1933, p. 53.

the condition of *buraku* people in the twentieth century back on those of the early modern period.<sup>23</sup> Outcasts had a history besides that of their discrimination, and this history is central not only to understanding the historical trajectory of outcast/*buraku* people, but also to understanding early modern society generally. If the conditions of outcasts in the Tokugawa period were not necessarily “better” than those of their descendants in the modern era, they were certainly different.

In Japanese, scholars began to move away from the *buraku* history style in the 1980s. The most notable departure is the work of Tsukada Takashi. Tsukada’s first book, published in 1987, traced the establishment of outcast status groups in eastern Japan as part of his theorization of social groups in the Tokugawa period.<sup>24</sup> Instead of a homogenous group of discriminated outcasts, Tsukada provided a thorough analysis of the internal structure of outcast society including the hierarchies of outcast status. Outcast authority figures, like the powerful outcast leader Danzaemon, were central to the shogunate’s system of rule, but also acted as representatives of outcast interests. Rather than treating relations between outcasts and non-outcasts as strictly adversarial, Tsukada instead emphasized a functional relationship.

Another notable contribution is that of historian Hatanaka Toshiyuki.<sup>25</sup> While Tsukada was working on the structure of outcast status in eastern Japan, Hatanaka examined those in the west.<sup>26</sup> Though Hatanaka’s conception of the status system differed from that of Tsukada, he too sought to demolish the idea of a homogenous outcast status. Hatanaka focused on the leather trade in western Japan to show the economic contributions of *kawata* communities in the

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<sup>23</sup> For example, as I show in Chapter 1, it was never the intension, or within the ability, of the early modern state to impose a caste system on Japan with the outcasts located at the bottom.

<sup>24</sup> Tsukada 1987.

<sup>25</sup> Hatanaka 1997.

<sup>26</sup> This only applies to Tsukada’s earlier work. After moving to Osaka, his research focus changed to the *hinin* and *eta* of Osaka, among many other topics. Still, Tsukada’s focus has been on urban communities.



Tokugawa period, drawing attention to the vast wealth accumulated by *kawata* leather merchants and wholesalers in the nineteenth century. Where earlier scholars had painted a picture of *kawata* outcast villages as universally destitute and historically static, Hatanaka demonstrated that many of these communities were in fact quite dynamic and subject to the same class divisions as other non-outcast communities.

Several other scholars besides Tsukada and Hatanaka have worked on outcast history.<sup>27</sup> Most relevant for my work is the historian Mita Satoko.<sup>28</sup> Methodologically, Mita's most significant contribution is to study the *kawata* in their agrarian context. For Mita, the study of the *kawata* village is incomplete without a consideration of the nearby peasant communities. This includes not only moving beyond a model of peasant/*kawata* interactions are purely adversarial, but also analyzing the *kawata* village from the view of peasant villages. Because Mita's study is the closest inspiration for my own, I will discuss her contributions in more detail below.

In English, the early modern outcast groups attracted little attention from Anglophone historians until the 1990s. Instead, the overwhelming focus was, and is, on the *buraku* minority group of the modern period. Information on the "outcastes" of the early modern period was generally limited to a few pages, before the author moved on to discuss the *buraku* minority group of modern Japan. For example, *Japan's Invisible Race*, a seminal text on the *buraku* people first published in 1969, devotes only ten of its four hundred pages to the premodern era.<sup>29</sup> This despite the fact that the *buraku* problem is supposed to have originated in the Tokugawa

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<sup>27</sup> Of special note is Fujimoto 1997.

<sup>28</sup> See for example Mita 2009

<sup>29</sup> John Prince, "A History of the Outcaste: Untouchability in Japan" in *Japan's Invisible Race*, pp. 6-23.

period. For decades, scholars relied on Shigeaki Ninomiya's 1933 article for the history of the outcasts in the premodern era, itself a synthesis of existing Japanese scholarship.<sup>30</sup>

Herman Ooms' 1996 book *Tokugawa Village Practice* provides the most thorough analysis of the early modern outcasts since Shigeaki Ninomiya. Ooms did not rely exclusively on the writings of intellectuals or elites, but instead utilized some documents from the village level. His wide-ranging narrative also gave a more thorough picture of *kawata* status than had previously existed in English. Yet Ooms' study contains a number of issues that leave his arguments about the *kawata* fundamentally flawed. One problem is that relations between *kawata* and non-*kawata* are rendered entirely adversarial, much like earlier research in Japanese. Ooms' chapter on the *kawata* contains such subheadings as "Resisting Repression at the Village Level, 1856" or "Economic Suppression" which creates the impression of an outcast vs. non-outcast binary. The state is also given an outsized role in determining the place of *kawata* outcasts in early modern society. Ooms characterizes the discrimination against *kawata* as "state racism," a questionable characterization given the great differences between *kawata* in Tokugawa Japan, African-Americans in North America, and blacks in South Africa.

While Ooms does use local sources, these are drawn from a variety of localities across eastern and western Japan. In effect, we never see the *kawata* as anything other than a discriminated minority group who is always in the process of either being oppressed or resisting oppression. This also effaces important regional differences between outcaste villages in eastern Japan, to say nothing of the distinction among villages in the Kinai region. Finally, the historical narrative Ooms provides is only one of growing discrimination against the outcastes. Outcastes do not make history; instead, their history is the history of things that were done to them.

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<sup>30</sup> William L. Brooks' 1976 dissertation "Outcaste Society in Early Modern Japan" provided a much-needed update to Ninomiya's study, but was not widely read amongst Western historians. Brooks 1976.

Other studies in English provide a less problematic analysis, but are ultimately limited in their scope. For example, David Howell's chapter "Violence and the Abolition of Outcaste Status" examines the aftermath of the abolition of outcaste status and the violence this provoked amongst rural peasants.<sup>31</sup> Howell gives a detailed account of a riot in Mimasaka Province in 1871 that resulted in the deaths of eighteen former *kawata* at the hands of their peasant neighbors. He argues that this violence was in part motivated by peasant anxieties that the outcasts would no longer be legally subordinate to them now that the status system was abolished. Howell also points out the need to distinguish between outcaste daily life in the pre-Meiji and post-Meiji eras. However, Howell does not aim to give a total analysis of the *kawata* outcasts during the early modern period, but is instead focused on the effects of the end of the status system in the late nineteenth century.

Daniel Botsman's *Punishment and Power in the Making of Modern Japan* is another example.<sup>32</sup> Botsman provides a history of modernization in Japan through the lens of punishment and the prison system. He argues against the idea that punishment in Tokugawa Japan was gradually moving in a more humane, "modern" direction, and instead shows that the penal system of the Tokugawa period operated by very different logic from that of the modern era. As part of his analysis of the Tokugawa system, Botsman highlights the role played by outcast groups. Outcasts were utilized as executioners and prison guards, as their already-polluted state made them ideal to handle dead bodies. While his analysis highlights an important role of outcasts in Tokugawa society, Botsman does not aim to provide a history. Furthermore, his study is mostly focused on *hinin* in the city of Edo, while most *eta* outcast communities were rural.

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<sup>31</sup> Howell 2005, pp. 79-109.

<sup>32</sup> Botsman 2005, pp. 50-58.

The most recent work immediately relevant to the issues under discussion here is that of Maren Ehlers and John Porter.<sup>33</sup> Both Ehlers and Porter work on the *hinin* outcast group, and have produced the most rigorous scholarship on outcasts in English. Ehlers looks at the *hinin* fraternity in the castle-town of Ono, a small daimyo domain in central Japan, on the Japan Sea coast. She analyzes the role *hinin* status played in the administration of alms and famine relief in Ono, and how flexible the status system remained despite the economic and social upheavals of the Tokugawa period. Porter, meanwhile, has focused on the experience of *hinin* groups in large urban centers during and after the dissolution of the status system in the late nineteenth century. His work traces how *hinin* beggars, who were officially licensed to beg during the Tokugawa period, found themselves cut off from their livelihood in the early 1870s when the Tokyo city government outlawed begging.

Though my work draws on the contributions of Ehlers and Porter, we differ in the object of research. During the Tokugawa period, *kawata* and *hinin* served very different social functions, despite their being grouped together as “base people” (*senmin*). The *kawata* performed duties like the disposal of dead animals and the execution of condemned criminals, while also forming their own villages and subsisting by farming or other industries. Meanwhile, *hinin* were those who, whether through illness or financial instability, could no longer sustain themselves and were forced to resort to begging for alms for survival. Most *kawata* communities were rural, and had histories that stretched into the late medieval period. The *hinin* of the early modern period, meanwhile, originated at the beginning of the early modern period, when urban authorities were confronted with the problem of large numbers of displaced persons flooding into urban centers.<sup>34</sup> The authorities organized these individuals into confraternities and provided the

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<sup>33</sup> Ehlers 2014, pp. 55-101 and Porter 2012 and Porter 2016, pp. 219-256.

<sup>34</sup> For the history of the *hinin* see Tsukada 2001 and Porter 2012.

*hinin* with the right to beg in return for performing low-level police work and various other unenviable tasks. In western Japan, *hinin* and *kawata* had their own authority structures and very different modes of existence.

## Sources and Method

To trace the history of the Saraike *kawata*, I use the documents of the Tanaka Family.<sup>35</sup> The Tanaka Family served as village headman (*shōya*) then mayor (*kochō*) of Saraike from 1594 until 1889, when the village ceased to exist as a unit of administration. During the Tokugawa period, peasant villages were semi-autonomous corporate entities that were largely self-governing in day-to-day administration. The process by which this kind of village emerged is discussed in more detail in Chapter 1, but here I want to point out that this self-regulation depended on a literate village leadership.<sup>36</sup> The village headman was responsible for collecting tax payments, conducting population surveys, crafting petitions, and a myriad of other duties that required written communication with samurai authorities. This left a voluminous record of all aspects of life in the village over nearly three centuries. The records provide a window into a politics of daily life into which samurai and daimyo rarely intruded.

Most *kawata* communities did not enjoy the autonomy of their peasant neighbors. Rather than independent communities, most *kawata* were attached to a nearby peasant village, referred to as their “parent village.” Though they were in the same village territory, these were separate communities (Figure 4). Documents from the Tokugawa period referred to the peasant community as “Saraike Village,” while the *kawata* were “The *kawata* in the territory of Saraike

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<sup>35</sup> *Kawachi no kuni saraikemura monjo*, ed. Saraike-mura Monjo Kenkyūkai, 3 vols. (Osaka: Buraku Kaihō Kenkyūjo, 1975). Hereafter *SIMM*. For a short overview of Saraike Village’s history, see Asao 2004, pp. 4-35.

<sup>36</sup> Rubinger 2007, pp 9-43.

Village” (*Saraike-mura ryōnai kawata*).<sup>37</sup> This political subordination to the peasant community of Saraike resulted in a large number of documents related to the *kawata* in the archive of the Tanaka Family. The Tanaka headman managed crime and punishment for the *kawata*, and any lawsuits from the *kawata* needed to pass through the headman first.

Despite this political subordination, however, the *kawata* of Saraike were a distinct social group. They had their own internal regulations and community leadership, along with their own village temple and temple priest. The *kawata* leadership was subordinate to the peasant village headmen, but on a day-to-day basis the headman preferred to leave administrative responsibilities to this *kawata* leadership. Like the peasant headman, the *kawata* village leadership was literate and responsible for mediating between their community and the outside.

This peculiar fact of *kawata* existence, i.e. that there were a distinct community but also subordinate to the peasant headman of Saraike, creates a problem for the archive. Several matters particular to *kawata* status, for instance, never made it into the headman’s archive. For example, we have almost no information on which *kawata* households owned the rights to dead cattle from the *kusaba* territory. Such documentation certainly existed, but it was never relayed to the peasant headman. What we do know about this all-important right comes from episodic evidence. For example, Chapter 2 focuses on a *kusaba* territorial boundary dispute between neighboring *kawata* communities. The documentation from this dispute, while extensive and revealing, was only saved because the *kawata* were required to go through their village headman to petition any outside samurai authority. We also have almost no information on the other *kawata* status-specific duties, such as the performance of executions or purification rituals.

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<sup>37</sup> There were considerable variations beyond this, depending on the group that the *kawata* interacted with. The *kawata* referred to themselves as “Nunose Village” when dealing with other *kawata* villages. Nunose Village was a reference to the old sixteenth century name for a group of six communities which included Saraike.

These caveats aside, however, we are still left with a remarkable amount of information in the Tanaka Family archive. The 791 items published in the *Kawachi no kuni Saraike-mura monjo* and the nearly one thousand unpublished items in the Matsubara City archive touch on everything from water rights and land holding to inheritance and private quarrels. There are population registers, tax receipts, records of petitions and lawsuits. The nineteenth century especially has left us a wealth of documentation, including the headman's diary of official business (*kōyō nikki*). The five hundred pages of this diary go into incredible detail on everyday life in the village, recounting events like the flight of runaway villagers or the investigation of suicides.<sup>38</sup> No other study in English has made use of such an extensive archive concerning a *kawata* village.

Tracing the *kawata* from the late medieval period to the end of the nineteenth century also requires a different approach from previous Anglophone scholars, who relied overwhelmingly on top-down documents written by samurai administrators or intellectuals. Those who have employed village level documents have relied on single incidents without larger context. The historical actors in these texts are not situated in a lived environment, but picked up to play a role in whatever drama the historian is interested in telling.<sup>39</sup> To uncover the workings of the status system, its transformation, and its dissolution, it is necessary to situate the *kawata* of Saraike in their specific regional context.

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<sup>38</sup> Of course, the content of these documents is never self-evident. Leaving aside the great linguistic barrier between contemporary Japanese and the official language of the early modern period, understanding the content of these documents depends on an investigation of their form. The sentence subject is almost never clearly identified, which means the historian must rely on the use of honorifics to determine which party is doing what action. Because there was an established protocol for certain documents like petitions, an understanding of this protocol allows us to determine the actors discussed in the text.

<sup>39</sup> For instance, Herman Ooms only shows *kawata* enduring or resisting oppression without a broader investigation of the historical or regional contexts of the *kawata* villages involved in those disputes. Even David Howell's chapter on the *kawata*, which avoids many of the earlier issues of *buraku* history, only deals with the *kawata* at the village level as the victims of a riot. Ooms 1996, pp. 264-70, Howell 2005, pp. 92-98.

To develop the sources in the Tanaka family archive, I adopt the method of regional history (*chiikishi*) used by Japanese social historians like Yoshida Nobuyuki and Tsukada Takashi.<sup>40</sup> This approach emphasizes a close examination of one village and its place in the region – and indeed what constitutes a “region” – as well as considering how larger economic and social trends are expressed at the level of daily life.<sup>41</sup> Each study begins with the smallest possible abstraction and work outward; if an analysis of capitalist society begins with the commodity, then an analysis of early modern Japan (*kinsei*) begins with the social group (*shakai shūdan*).<sup>42</sup> Early modern Japan consisted of a multitude of corporate social groups organized on the basis of official duty and occupation. Social group refers to the smallest unit of organization, while status refers to multiple social groups of the same estate. The more than 60,000 independent peasant villages of Tokugawa Japan were all of peasant status, but each village as a social group distinct in their specific regional, social, and cultural manifestations, along with specific rights and privileges.

The study of the interactions between the various status groups of Tokugawa Japan follows the “layers and compounds” (*jūsō to fukugō*) model.<sup>43</sup> Layers and compounds refers to a method of analysis that reflects the multiple status groups of early modern Japan; layers refers to

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<sup>40</sup> See Machida 2004, Mita 2009, Yoshida 2015a, and Tsukada 2016a, pp. 1-22.

<sup>41</sup> Tsukada emphasizes both the state level (*seiji shakai reberu*) and local level (*chiiki seikatsu reberu*), and a consideration of events at the highest levels of political control (such as the Meiji Restoration) and how these events are simultaneously negotiated at the local level. This is not to insist – as others have – that localities operated at a different sense of time than the political center. Rather, it is to point out how ruptures at the level of national politics, like the overthrow of the Tokugawa shogunate, belie continuities in everyday life at the local level. Tsukada 1999, pp. 22-29

<sup>42</sup> “It seems to be correct to begin with the real and the concrete, with the real precondition, thus to begin, in economics, with e.g. the population, which is the foundation and the subject of the entire social act of production. However, on closer examination this proves false. ...if I were to begin with the population, this would be a chaotic conception of the whole, and I would then, by means of further determination, move analytically towards ever more simple concepts, from the imagined concrete towards ever thinner abstractions until I had arrived at the simplest determinations. From there the journey would have to be retraced until I had finally arrived at the population again, but this time not as the chaotic conception of a whole, but as a rich totality of many determinations and relations.” Marx 1993, p. 100.

<sup>43</sup> Tsukada 1987, pp. 341-361.



organizations of the same status group – like groups of peasant villages petitioning the shogunate – while compounds refers to the interactions between different status groups. In the status ideology of Tokugawa Japan, *kawata* were inferior to peasants, but from a practical day-to-day basis, peasants and *kawata* had functional relationships negotiated to the mutual benefit of both. Moreover, peasants and *kawata* had different modes of survival and their own status-specific regulations and concerns. The *kawata* of Saraike were the *kawata* (or *eta*) to their peasant neighbors, the village of Nunose to other *kawata*, and the “*kawata* within the territory of Saraike Village” to shogunal authorities. Interactions with non-*kawata*, and their (mis)understandings of the *kawata*, had a great impact on life in *kawata* villages.

I follow this method of analysis to trace the development of property rights from the status-based society under the Tokugawa to the emergence of capitalist property relations in the mid-to-late nineteenth century. Chapter 1 begins with the village, its internal structure, the relation between the *kawata* and the peasants, and the place of the Saraike *kawata* within the limited framework of their regional society in the seventeenth century. Each subsequent chapter builds outward from the village, and also uses the village as a site to examine how larger trends played out at the ground level. Shifts in ideas of property become overly abstract at a macro-level, while disputes between individuals over ownership rights over dead cattle reveal these changes in a more concrete way, making a village-level focus essential.

### **The Question of Capitalism**

A central goal of this study is to trace the development of capitalism in Japan through a focus on property. The issue of Japan’s transition from a feudal, agrarian society into a major industrial power during the second half of the nineteenth century has long occupied historians.

Scholars working in the model of the modernization school after the end of World War II located the origins of Japan's modernization in the Tokugawa period.<sup>44</sup> Their argument was that Japan was able to modernize and industrialize so quickly after the Meiji Restoration because of the developments of the Tokugawa period. These included a rise in literacy, national integration, economic development, a Japanese "Protestant work ethic," and other changes that placed Japan on the road to becoming a modern capitalist power like Great Britain or the United States. Though the perspective of the modernization school was teleological and overly sanguine, they did demonstrate that the Tokugawa period was more than a static period of feudal oppression.<sup>45</sup>

One of the most enduring studies to come out of the 1950s was Thomas Smith's *Agrarian Origins of Modern Japan*.<sup>46</sup> As the title suggests, Smith located the origins of Japan's modernization in agrarian change. The main force driving these changes was the market, which "More than any other influence...lifted economic life in the village out of the context of traditional social groupings."<sup>47</sup> This produced changes like the rise of the nuclear family unit, wage labor, and craft-industries, all which helped lay the groundwork for Japan's modernization in the late nineteenth century. Like Smith, I focus my study on the economic and social changes of agrarian Japan. However, I do not limit my time frame to the Tokugawa period.

More recent scholars have focused on issues like consumption or daily life, producing a bottom-up style history that treats ordinary Japanese as the locus of study.<sup>48</sup> But most have treated the question of economic development during the Tokugawa period from the standpoint of the transition to modernity or industrial production, not capitalism as a distinct mode of

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<sup>44</sup> For some examples of this school, see the chapters in Jansen 1965.

<sup>45</sup> Botsman 2005, pp. 6-11.

<sup>46</sup> Smith 1959.

<sup>47</sup> Smith 1959, "Introduction", p. 2.

<sup>48</sup> Hanley 1997 and Francks 2009.

production. In *Capitalism from Within*, historian David Howell takes up this exact issue, and uses the proto-industrial model to trace the transition to capitalism in Japan.<sup>49</sup> Howell uses Marx's definition of capitalism as a mode of production to trace the structural changes between the Tokugawa peasant economy and the capitalism of the Meiji period.<sup>50</sup>

Howell's analysis follows the proto-industrialization model, which he defines as "the development of rural regions in which a large part of the population lived entirely or to a considerable extent from industrial mass production for inter-regional and international markets."<sup>51</sup> He uses this model to study the transition to capitalism because, though proto-industrialization does not necessarily lead to industrialization, where industrialization does occur, it preceded and paved the way for it.<sup>52</sup> Howell's analysis focuses on the Hokkaido herring fisheries from the beginning of the Tokugawa period until the twentieth century. He demonstrates that production at the fishery took on capitalist characteristics by the end of the Tokugawa period, thus representing the emergence of an indigenous capitalism rather than one introduced from the West. In this way Howell discovers how economic forces during the Tokugawa period resulted in a qualitative shift in the mode of production, not simply a quantitative growth.

However, if we accept Marx's definition of capitalism as a mode of production, as Howell does, it is also worth considering Marx's method for the transition to capitalism. For

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<sup>49</sup> Howell 1995, pp. xi-xii.

<sup>50</sup> Howell states that "According to Marx, the key to capitalism – or any other mode of production, for that matter – is the organization of production. Under capitalism labor power becomes a commodity, bought and sold on the market just like any other, and for many people the sale of that labor power is their only source of livelihood." Howell 1995, p. 4.

<sup>51</sup> Kriedte, Medick, and Schlumbohm 1981, p. 6, quoted in Howell 1995, p. 9.

<sup>52</sup> One of the reasons that Howell locates his study in Hokkaido because that region developed proto-industry relatively quickly. In contrast to regions like the Kinai or Kanto plain, Hokkaido could not support highly developed agriculture, so the inhabitants needed to turn to craft industries. Howell distinguishes proto-industrialization from commercialized agriculture in that the former involves capital in the production process. In both cases, however, labor is usually provided by peasants who remain attached to their villages, rather than becoming proletarians. Howell 1995, p. 12.

Marx, the clearest indication of a shift from one mode of production was not necessarily wage labor, labor markets, merchant's capital, or the exchange of commodities, as all of these things can be present before capitalism.<sup>53</sup> Instead, Marx identifies property as the means to trace the evolution into different modes of production.<sup>54</sup> Capitalism requires wage laborers who are liberated, both from feudal bonds of dependency and from their property as their direct possession.<sup>55</sup> On the other side, capital accumulation requires private property that is transferable and protected by law. Surplus value can only be created when the propertyless worker encounters the alien property (capital) of his employer, which in the process of production alienates the product of his or her labor and reproduces the social relationship between capitalist and wage laborer.<sup>56</sup> Thus, a study of the transition to capitalism must include an analysis of the dissolution of old modes of property and the emergence of a notion of private property based on absolute ownership, transferability, and alienability with the consent of the owner. During the Tokugawa period, property was inseparable from status, and so our investigation of the origins of Japanese capitalism must begin with the status system.

### **Status in Tokugawa Japan**

Status (*mibun*) has been an often ignored subject in the English language historiography. Until the 1970s, the Tokugawa status system was classified as a four-tiered hierarchy made up of

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<sup>53</sup> Marx 1978, p. 114-18.

<sup>54</sup> "If the sale of one's own labour-power (in the form of the sale of one's own labour, or the wage form) is not an isolated phenomenon, but the socially decisive precondition for the production of commodities...this fact implies the occurrence of historical processes through which the original connection between means of production and labour-power was dissolved; processes as a result of which the mass of the people, the workers, come face to face with the non-workers, the former as non-owners, the later as the owners, of these means of production." Marx 1978, p. 116.

<sup>55</sup> Marx 1976, pp. 874-5 and Marx 1993, p. 504.

<sup>56</sup> Surplus value is created by the portion of the working day when the laborer no longer works for themselves but produce value for free for the capitalist, in contrast to "That portion of the working day which merely produces an equivalent for the value paid by the capitalist for his labor power..." Marx 1976, p. 429.

warriors, peasants, artisans, and merchants (*shi-nō-kō-shō*).<sup>57</sup> This model of the status system (*mibunsei*) was based on the assumption that the Tokugawa Ieyasu, or Hideyoshi before him, sought to impose an order on Japan based on Neo-Confucianism, the intellectual bedrock of Tokugawa ideology. In this model, the *kawata/eta* outcasts were lumped together with the *hinin* (non-person) outcasts as “base peoples” (*senmin*), relegated below the four classes of “good people” (*ryōmin*). As many scholars have shown since then, however, this four-tiered hierarchy was never an accurate reflection of the social realities of Tokugawa society.<sup>58</sup> Rather, it was an ideal formulated by Neo-Confucian scholars and limited to the pages of their moral tracts. Indeed, Neo-Confucianism itself was not a guiding ideology for the shogunate until the late seventeenth century at the earliest, making it a poor choice for the logic of a social system which emerged in the late sixteenth.

A better model for early modern Japanese society is John W. Hall’s “container society.”<sup>59</sup> For Hall, status (better translated as “estate”) was a system of rule based on legally defined groups, instead of the paternalistic style of rule characteristic of the medieval period.<sup>60</sup> The shogun and daimyo ruled through existing groups, like the peasant village or warrior group. Each group had their own status-based duties to perform and their own status-based legal codes to follow; these were the “containers” of the container society. But there still remains confusion over the precise meaning of “status” in English due to the slippage between status as a translation of the Japanese *mibun* and status as a Weberian social science concept based on social esteem.<sup>61</sup> Weber’s concept of status is relevant for the social history of early modern Japan, but it must not

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<sup>57</sup> This model of the status system is still used by more recent scholars. See Pratt 1999, Francks 2009, and McCormack 2012.

<sup>58</sup> Tsukada 2010, pp. 5-6.

<sup>59</sup> Hall 1974, pp. 59-84.

<sup>60</sup> The use of “estate” to translate *mibun* is found in Toby 2001, p. 210.

<sup>61</sup> This is how Herman Ooms uses status in *Tokugawa Village Practice*, for instance. See Ooms, pp. 125-8.

be confused with status/*mibun*, which is perhaps better translated as “estate.” Must also distinguish status group from social group.

To borrow E.P Thompsons’s phrase, status/*mibun* is not a thing.<sup>62</sup> It was not a static category of identity, but a social relationship. Tsukada Takashi developed a model of status by using Marx’s idea of pre-bourgeois society as expressed in “On the Jewish Question” and by reconciling the perspective of two earlier scholars, Takagi Shōsaku and Asao Naohiro.<sup>63</sup> Takagi saw status as a top down process initiated by the state. Social groups were defined by their particular kind of feudal duty (*yaku*) to the state. In this conception, a peasant village is recognized as such because it provided agriculture produce from the land in the form of taxes, in addition to corvée labor. Meanwhile, an urban based merchant organization was required to provision the lord’s castle town and monitor for any illegal trading activity. Asao Naohiro took the opposite approach, and pointed to the existence of self-governing villages in the late medieval period as evidence that social groups already existed before the Tokugawa period. Rather than an imposition from above, status was simply the state recognizing, and ruling through, already-existing social groups.

Tsukada’s model combines these two approaches. For him, status refers to the directly political existence of man in the premodern era. In contrast to the modern individual of capitalist society who has a dual identity as both unique individual and emancipated, legally equal citizen, social identity in the early modern period was directly political. In other words, a peasant farmer

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<sup>62</sup> Thompson 1966, pp. 9 -11.

<sup>63</sup> Tsukada, 1987, pp. 7-10. The relevant passage from Marx is “The old civil society had a *directly political* character; that is, the elements of civil life such as property, the family, and types of occupation had been raised, in the form of lordship, caste and guilds, to elements of political life. They determined, in this form, the relation of the individual to the *state as a whole*; that is, his *political* situation, or in other words, his separation and exclusion from the other elements of society. For this organization of national life did not constitute property and labour as social elements; it rather succeeded in *separating* them from the body of the state, and made them *distinct* societies within society.” Tucker, ed, 1978, p. 44.

was not just a peasant by occupation but also legally and socially. In this society, the “individual” does not yet exist; instead, the social group (*shakai shūdan*), e.g. the peasant village or merchant association, mediates between the individual and the state. Status/estate in the Tokugawa period is thus a dialectical relationship between these two entities. The state could not impose status-specific duty on groups that did not already exist in some form, while late medieval social groups could not possess status-specific rights and duties without a state that recognized their corporate status. When I refer to *kawata* status, it is to the general social category (or estate) of *kawata*, while the *kawata* of Saraike constituted a unique social group of *kawata* status.

### **Status and Status-Based Property**

Each status group had its own form of property specific to that status group. There was never a single form of “status-based property,” nor was it even property in the modern sense. Instead, status-based property refers to a broad system of rights and privileges that were specific to different status groups, and in some cases, within specific social groups. But what united all these various forms of status-based property was that they operated based on the logic of status (*mibun*). That is, they were rights and privileges recognized by the Tokugawa state in exchange for duty specific to each status group. The establishment of capitalism in Japan was effected by the dissolution of this form of property and social organization.

My definition of status-based property builds on the concept of precapitalist property explained by Marx in the *Grundrisse*, where he sets out a general theory of property relations in precapitalist societies.<sup>64</sup> He identifies two general characteristics: the first is that property is the direct possession of the objective means of labor by the laborer. This is appropriation of

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<sup>64</sup> Marx 1993, pp. 471-514. See also Hobsbawm, ed. 1965.

property, not through labor, but presupposed to labor. In other words, the farmer does not own his land because he has applied his labor to it, but because he is a farmer.<sup>65</sup> The second principle is that this property is not held on a strictly individual basis, but is mediated by the commune. That is, one has access to property only as a member of a village or guild; those outside the commune can appropriate the fruits of labor, but not the property itself.<sup>66</sup> Capital accumulation can only take place when the worker has been liberated, both from the bonds of feudal society – i.e. the dissolution of the commune and the legal emancipation of the individual from relations of dependency – and the liberation of his property, as the objective means of labor.

To apply this model to the *kawata*, their status-based property was the ownership of equine and bovine carcasses. Carcasses, as the objective means of labor, were the direct property of the *kawata* communities, as the laborers who produced commodities from the carcasses. The carcasses are what provided the *kawata* their particular title; when written, the first character normally used for “*kawata*” was “skin,” referring to the hides harvested from the carcasses.<sup>67</sup> All other status groups were prohibited from handling carcasses (aside from taking them to the flaying grounds), or buying and selling them. Non-*kawata* could only handle the body of the ox or horse after it had been transformed into leather. While this prohibition was not always obeyed,

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<sup>65</sup> “In all these forms – in which landed property and agriculture form the basis of the economic order, and where the economic aim is hence the production of use values...there is to be found: (1) Appropriation not through labour, but presupposed to labour; appropriation of the natural conditions of labour, of the *earth* as the original instrument of labour as well as its workshop and repository of raw materials. The individual relates simply to the objective conditions of labour as being his...the chief objective condition of labour does not itself appear as a *product* of labour, but is already there as *nature*;” Marx 1993, p. 485. This concept of ownership as presupposed to labor as opposed to appropriation through labor is in direct opposition to the Lockean notion of property as the application of labor to nature.

<sup>66</sup> “...but this *relation* to land and soil, to the earth, as the property of the labouring individual...is instantly mediated by the naturally arisen, spontaneous, more or less historically developed and modified presence of the individual as *member of a commune*...An isolated individual could no more have property in land and soil than he could speak.” Ibid.

<sup>67</sup> Marx calls the laborer’s property “the objective, nature-given inorganic body of his subjectivity.” Ibid. This was literally true in the case of the *kawata*, as the skin they collected provided the basis for their official title (皮多).



especially in the nineteenth century, it remained illegal for any non-*kawata* to handle, buy, or sell the status-based property of *kawata* status until the abolition of this right in May 1871.<sup>68</sup>

As to the second principle, ownership of carcasses was communal in the sense that ownership was mediated by the commune, or social group. Each *kawata* community had a territory within which it exercised ownership of carcasses, normally called *kusaba*. The boundaries of each *kawata* village's territory was determined on a village by village basis. No single *kawata* household could claim ownership rights over carcasses independent of the village community in which they lived. Any individual or household that left the village community – fleeing for one reason or another – abandoned any claim on property rights over carcasses. When boundary disputes occurred – for instance, if a villager from one community took possession over an ox that died within the territory of their neighbor – the dispute was handled by the village leadership, and the infringement seen as one against the village as a whole, rather than against the specific household that had rights over the carcass as the heart of the dispute. Now, rights over carcasses could be, and were, sold over village lines. However, such sales were rare, and required the consent of all *kusaba* rights holders in a given village.

For capitalist production to take place in Japan, status-based forms of ownership like the *kawata* control of livestock needed to be abolished. Officially, this was achieved with measures like the March 1871 edict that abolished *kawata* control over livestock carcasses. But my argument is that the process by which status-based forms of property gave way to modern

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<sup>68</sup> There is one wrinkle that must be added to this conception of property for the *kawata*: not all were skinners. Many, in fact, were landholding peasants. Indeed, as I show in Chapter 1, the *kawata* of Saraike owned more farmland than their “peasant” neighbors. But conspicuously absent was any duty laid on the *kawata* based on this landholding – *kawata* were exempt from land taxes and the *corvée*, and instead provided leather (or the equivalent in cash) and acted as executioners when necessary. As landholders, they were a part – albeit a distinct part – of the peasant communities that they inhabited, and from an administrative perspective, their landholdings were considered part of the peasant villages in which they existed. So while the landholding and agricultural labor of *kawata* was essential not only to their survival but also that of their local communities, it was not constitutive of their status

notions of property – transferable, alienable, and based on absolute individual (or household) ownership – was more gradual and less one-sided than an emphasis on such top-down process would suggest. In the case of the *kawata*, modern property emerged out of, and in opposition to, status-based property due to pressure by forces from below. Legally, status-based property remained in force until the abolition of the status-system in the late nineteenth century. But it would sustain several alterations as history progressed. The history of the developments and challenges to status-based property is taken up in the subsequent chapters.

### **The Dissolution of Status and Emergence of Capitalism**

Of course, the model Marx created was an abstraction for the general laws of production under precapitalist systems. It cannot represent every historical particularity of Tokugawa Japan, nor was it meant to. This includes the process by which capitalist forms of property and organization emerged out of the status system. Yoshida Nobuyuki identifies four types of early modern property: land, tools, money, and labor power.<sup>69</sup> The first two constitute the “orthodox” forms of early modern property and encompass the bulk of early modern society. This is the ruling samurai class that controls and taxes the land, the peasants who own the land in practice and pay taxes, and the artisans who own their tools. These two forms of ownership best correspond to the model of status-based property discussed above.

The latter two – money and labor power – represent the “margins” of early modern society, the wealthy merchant households that owned large reserves of accumulated wealth, and the proto-proletarian day laborers (*hiyōsō*) that sold their labor power.<sup>70</sup> Here, “marginal” does

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<sup>69</sup> Yoshida 2003, pp. 26-32.

<sup>70</sup> The *hiyōsō* were proto-proletarian in the sense that they owned no property and had to sell their labor power, yet were not involved in the production of surplus value. Though some of this group no doubt became the working class of modern Japan, there was not a direct transition from *hiyōsō* to proletariat.

not necessarily mean “marginalized;” while this term that can apply to the urban day laborers, it does not fit the powerful merchant households. But in a society in which capitalist relations of production were not yet established, or were only beginning to emerge, capital as a form of property deviated from the norm of early modern property relations.

Yoshida also points out that the direct possession of the objective means of labor by the laborer did not necessarily mean that the laborers held absolute ownership over their property. The land that a peasant community farms belongs to them, as their property, not to an outsider who seeks to valorize the land through the labor of others. This property is not accessible to others. Property of an artisanal organization – like tools – cannot be possessed by non-members; it was guild property.<sup>71</sup> But ownership rights were almost always dispersed. A peasant had use-rights over his land and owned the products of the land, at least after taxes were paid. But the shogunal or daimyo domains that held political control over the land in question also had a claim to the land and the taxes obtained therein. Moreover, they held the power of law and punishment in the lands of their territory.

Capitalist property relations emerged out of developments in the status system. Historian Tōjō Yukihiro argues that a kind of civil society had emerged by the 1840s, operating on a new conception of property that was defined by three characteristics: a mutual understanding of the inviolability of property; the freedom to dispose of one’s property; and the idea that forces outside the market cannot alienate one’s property.<sup>72</sup> This property was held not by individuals in the Marxist sense, but by households. This consciousness of property was shared amongst was shared amongst the members of “occupational groups” (*dōshoku shūdan*), organized around one trade. As I show in Chapter 5, by the late Tokugawa period peasant cattle traders, *kawata* cattle

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<sup>71</sup> Marx 1993, p. 505.

<sup>72</sup> Tojo 2005, pp. 45-73, 129-131.

traders, and members of the *kawata* village lower-class created a new network of circulating carcasses that did not depend directly on status. Carcasses were sold with the consent of the former owner and paid for by the buyer; the transaction was between private households without the mediation of the status group.

Until the abolition of the status system in 1871-72, however, these new property relations coexisted in an uneasy relationship with status-based property. Cattle traders and individual *kawata* could sell carcasses as their own private property, but always risked detection by the village authorities; this brought the confiscation of the “stolen” status-based property. More problematic from the government’s point of view, the endurance of *kawata* status-based property made the promotion and regulation of beef as food or as a commodity nearly impossible. As long as dead cattle remained the status-based property of the *kawata*, and so long as the corporate status group existed as a political entity distinct from the status – autonomous but dependent – beef production could not be effectively managed. For the *kawata*, the dismantling of the status system was synonymous with the establishment of a modern regulatory regime for beef production, which took as its object the now-distinct sphere of the social.

### **The Question of the Social**

A key feature of the status system was that it was a mechanism for political control. By ruling through status groups, figures like village headman and town elders could act as extensions of the shogunate’s ruling apparatus, even if these households sometimes acted against the samurai authorities in the interests of their fellow villagers. Under the Tokugawa, there was no demarcation between the social and the political. According to Tsukada, status was the directly political existence of the household as mediated by the status group. Indeed, the status

group was an extension of the political control of the Tokugawa state: village headmen or town elders formed an essential element of political control in country and in town. Meanwhile, the exercise of status-based property rights implicitly recognized the authority of the Tokugawa state as the “public authority” (*kōgi*).<sup>73</sup> *Kawata* recognized this authority when they expected carcasses to be turned over to them without compensation, as did the peasant farmer who surrendered his dead property to the *kawata*. The dissolution of status-based property and its replacement with modern notions of property thus also entailed the conceptual separation of the social from the political.

In *The Great Demarcation*, French historian Rafe Blaufarb deals with the issue of the social and political as he explores how modern notions of property, based on private ownership and transferability, arose during the French Revolution. He identifies two ways in which *Ancien Regime* property differed from modern conceptions.<sup>74</sup> First was the private holding of public power as “hereditary, vendible possessions” due to practices such as the sale of venal offices. The second was that most parcels of real estate had no single owner, but many partial owners, all of whom stood in hierarchical relations to one another. A farmer might own the rights to use his land while his lord maintained the right to collect dues from the land and the right to exercise a degree of political control over those who lived on the land. For the revolutionaries, both of these issues stood in opposition to the establishment of a republic of equal citizens where all sovereignty was vested in the nation. To solve this problem, the revolutionaries had to conceptually separate public power from private property and replace the system of hierarchical holding of property with absolute ownership by individuals. The “great demarcation” of

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<sup>73</sup> Asao and Jansen 1981, pp. 248-270, Sasaki and Toby 1981, pp. 271-294, and Yamaguchi 1993, pp. 49-60.

<sup>74</sup> Blaufarb 2016, pp. 1-14.

Blaufarb's refers to the "radical distinction between the political and the social, state and society, sovereignty and ownership, the public and private."<sup>75</sup>

There are obvious differences between *Ancien Regime* France and Tokugawa Japan. Notably, the household was the basis for property ownership in Japan even after the Meiji Restoration, not the individual. However, the broad similarities make Blaufard's study a useful point of comparison. Most property in Tokugawa Japan were not based on absolute ownership, with relationships of lordship and status standing between the household and its property. Nor was there a clear demarcation between the political and the social in Tokugawa Japan. Though I use terms like "social history" or "social relations" to broadly refer to interactions between the non-ruling rural population, there was in fact no discreet category of the "social" in Tokugawa Japan. Status was directly political, and while it remained a salient category, the political and the social remained linked. Until the abolition of the status-system, the collection and processing of livestock carcasses remained a political act. Blaufarb notes that the beginning of a modern property regime in France based on absolute ownership (as opposed to relations of tenancy and lordship) also marked the beginning of the modern, sovereign state. So too with Japan.

Where Blaufarb's study was one of intellectual and legal history, this is a social history. Blaufarb's protagonists are the lawyers of late eighteenth-century France that effected the great demarcation between private property and public power. In contrast, this dissertation focuses on rural peasants, skimmers, and cattle traders, whose actions over the course of decades served to divorce the reality of status and status-based property from its theoretical foundations.<sup>76</sup> If there

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<sup>75</sup> Ibid, p. 1.

<sup>76</sup> The circumvention of status-based property by *kawata*, peasants, and peasant cattle traders reflects Robert Ellickson's comments on the tendency of neighbors to cooperate, and not from established legal norms, but from "adaptive norms of neighborliness that trump formal legal entitlements." It is not clear to what degree any "neighborly" feelings existed between the *kawata* and peasants, but it is notable that their agreement came about through mutual need and without the intervention of the state. Ellickson 1991, p. 3-5.

was a “great demarcation” in Japan, it would have been the abolition of the status system, which was achieved through the establishment of the (*koseki* system) and abolition of status groups in 1871. These measures by the state were essential steps in establishing a regime of modern property relations in Japan. But it is my argument that such measures were made inevitable and necessary because of pressure from forces from below, which over the course of the Tokugawa period changed property relations and undermined the logic of the status system.

### **Cattle in Tokugawa Japan**

Inseparably tied to the transformation of *kawata* status-based rights were the social and cultural changes of practices towards cattle.<sup>77</sup> As a primarily agricultural society, Tokugawa Japan depended on the labor that draft animals provided. Along with the economic incentives for protecting draft animals was the cultural stigma surrounding killing cattle and beef eating. One enduring aspect of Japanese identity formed during the early modern period was that the Japanese did not eat meat.<sup>78</sup> Of course this was far from the truth, as Tokugawa-period Japanese did indeed consume the meat of four-legged animals such as wild boar or deer.<sup>79</sup> Yet, as Daniel Botsman and others have indicated, draft animals, and especially cattle, held a special place in the Japanese imagination.<sup>80</sup> Consuming the flesh of draft animals was in some cases compared to cannibalism.<sup>81</sup> One persistent source of discrimination against outcastes and their descendants

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<sup>77</sup> Animal history is a growing field within Japanese studies. For example, Pflugfelder and Walker 2005, Walker 2008, and Miller 2013

<sup>78</sup> Nobi 1998, pp. 21-23 and de Ganon 2011, pp. 6-30.

<sup>79</sup> Marcus 1992, pp. 7-25, Kramer 2008, pp. 33-62, Shimizu 2011, pp. 138-173.

<sup>80</sup> Botsman 2014, pp. 7-10 and Cwiertka 2006, pp. 24-312.

<sup>81</sup> De Ganon 2011, p. 120.

was that they handled dead or dying cattle.<sup>82</sup> Beef eating would not become widespread until the Meiji period, when it was associated with westernization and progress.

At the start of the early modern period, draft animals, like peasants, died not far from the village where they spent most of their lives. Cattle in western Japan were sold at markets to peasant families. Ownership of cattle was restricted to all but the wealthiest villagers. Families either owned cattle as a group of several households, or leased an animal from a wealthier neighbor. The configuration of the *kawata* control of dead livestock reflected this life cycle of the ox. *Kawata* territorial boundaries largely followed the boundaries of the villages with whom they had a longstanding relationship, which presupposed that cattle used in those villages would also die in the village.

Beginning in the eighteenth century, increasing share of farmers began “renting” cattle from cattle traders rather than buying them outright. Instead of owning an animal for life, farmers paid cattle traders an annual fee to lease the animal for a set period of years. At the end of this period, the cattle trader returned to the village to take possession of the old animal in exchange for a new ox. This maximized agricultural efficiency and allowed more farming households to utilize draft animal labor; those who could not afford to buy an animal could often afford to rent one. One consequence of this practice of rental cattle, however, is that a larger share of cattle were dying while under the legal ownership of cattle traders. An animal that died only one year into a seven-year rental contract would need to be replaced by the cattle trader. Such untimely deaths could prove ruinous to a cattle trader, especially since the carcass was turned over to the nearest *kawata* community with no compensation. In this way, the

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<sup>82</sup>Yoshida Sayuri, who was born and raised in the *buraku* area of Matsubara City where Saraike Village once stood, gave several interviews on the discrimination suffered by residents of the *buraku* and the connection between discrimination and the beef industry. Tanaka and Yoshida 1998.



development of the practice of rental cattle placed the interests of cattle traders in direct opposition to the *kawata*.

At the same time that peasant cattle traders were looking to circumvent the *kusaba* system from without, some unlicensed *kawata* – that is, *kawata* villagers who did not own *kusaba* rights – began to undermine it from within. These unlicensed villagers acquired sick or old cattle, slaughtered the animals in private, then sold the carcass as their own property. Slaughtering draft animals was illegal, however, and these *kawata* took great risk in their efforts to tap into the wealth of the leather trade. After a number of *kawata* were exiled for cattle slaughter, some of their fellow villagers tried a different tactic. *Kawata* cattle traders were legally permitted to handle sick and old cattle under the pretense of providing veterinary care. In the mid-nineteenth century, the *kawata* cattle traders of Saraike Village purchased large numbers of infirm cattle from willing sellers, then waited for the animal to die or simply hurried nature along. By the end of the Tokugawa period, enough cattle were being slaughtered that beef production actually became viable. When beef consumption became popular in the Meiji Period, the Saraike *kawata* were already producing this once-illegal foodstuff.

It is not my intention to write a declinist narrative where Japanese society gradually came to see oxen less as living creatures and more as tools to be utilized. Almost no documents attest to the attitude of peasants towards their animals in late Tokugawa period, making it impossible to speculate whether or not such a decline occurred. However, whatever peasants felt about their draft animals in the late Tokugawa period became increasingly irrelevant as the practice of rental cattle concentrated ownership rights in the hands of cattle traders. Cattle traders, who depended on their animal property for daily sustenance, had no time for sentimental attachments. An animal that died represented a loss of capital; if the animal could be sold before it died (or in

some cases, after it died), a cattle trader would gladly take the opportunity to recover some of its lost property. Cattle traders found such an opportunity in those disenfranchised *kawata* villagers who sought greater access to the profits generated from the leather trade. Together, these two groups developed a new route of circulating cattle carcasses that did not depend on status-based property and tacitly acknowledged the right of a former owner to receive compensation for their property. In this way, changes in property ownership over cattle contributed to the dismantling of early modern forms of property.

## Chapter Outline

In Yoshida Nobuyuki's model of rural history, the seventeenth century is defined by the single village as the smallest relevant unit for daily life.<sup>83</sup> This changes in the mid-eighteenth century, as the expansion of commercialized agriculture led to a spread of urban forms of social organization in the countryside. Several distinct villages and status groups became grouped into one larger "segmented society" controlled by a hegemonic force like a large landlord or merchant household.

As the relevant site for daily life becomes larger, so too must the scope of analysis. Each chapter that follows moves the narrative forward in time and widens the scope of the area under analysis. Chapter 1 is focused on the emergence of Saraike Village as a discrete unit in the late sixteenth and early seventeenth century. It ends in 1705 when control of the village was divided between the Akimoto Family of Kawagoe domain and the shogunate. I use records of land surveys, population registers, and tax receipts to reveal the internal makeup of the peasant and *kawata* community. I show how the *kawata* and peasant communities of Saraike emerged out of

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<sup>83</sup> Yoshida 2015a, pp. 22-64.

the same process in the early Tokugawa period, and explain why most *kawata* communities were never recognized as independent villages. Finally, this chapter establishes the context in which status-based property functioned in the first half of the Tokugawa period, setting the stage for the analysis of this form property in Chapter 2

Chapter 2 explores how the status-based property of the *kawata* functioned in practice under the circumstances discussed in Chapter 1. I rely on the records of two disputes over carcass ownership between neighboring *kawata* villages in the early eighteenth century to provide a close look at *kawata* status-specific property. In doing so, we see how *kawata* related to their non-*kawata* neighbors. I analyze the relationship between the Saraike *kawata* and other nearby peasant communities, and show how peasants' conception of space was instrumental in determining how *kawata* territorial boundaries were drawn. I show how forms of status-based ownership like *kawata* control of carcasses were institutionalized in the social context seen in Chapter 1.

Chapter 3 explore the effects of the commercialization of the Japanese economy in the second half of the eighteenth century. Just as Chapter 1 establishes the context in which status-based property functions in Chapter 3, this third chapter sets the stage for Chapter 4 by focusing on two key phenomena. First is the change in the form of social power in rural society as powerful commercial forces brought different social groups under their sway. This ended the preeminence of the village as the most relevant site for social life and brought urban forms of social organization to the countryside. I also show how economic growth led to greater mobility for lower class peasants and *kawata*, and how that mobility in turn made these groups more legible in the archive as objects of punishment and official concern.

Chapter 4 examines the development of capitalism in rural Japan and its effect on the status system by following the circulation of cattle, both living and dead. Between the late eighteenth century and the mid-nineteenth, the cattle economy was fundamentally altered by two trends: rental cattle and the popularity of *setta* (leather-soled sandals). Tracing these two trends touches on nearly all aspects of late Tokugawa life. In the Kinai, farmers preferred to lease draft animals for a period of years, rather than own an animal until death. For some, cattle become commodities rather than animals. New tanning techniques concentrated tanning in a select few locations as leather soled sandals become a popular consumer item. The *kawata* begin to slaughter sick or old animals to acquire more cattle hides, rather than wait for animals to die of natural causes. In some cases, raw materials (carcasses) were acquired through direct purchase from the former owner, not reliant (directly) on status. Meanwhile, the wealth generated from the leather trade was concentrated in the hands of village merchants, who supplant old village elite. This process also gives rise to a mass of poor, property-less wage laborers in *kawata* villages.

Chapter 5 focuses on the Saraike Village *kawata* cattle trader organization to chart the village through the late Tokugawa (*bakumatsu*) era and into the first three years of the Meiji period (1850-1871). The *kawata* cattle trader organization, which grew rapidly following the Tenpō Reforms, established an alternative route of circulation for cattle skins by buying large numbers of infirm animals under the pretense of providing veterinary care and slaughtering the animals in secret. Alternatively, these cattle traders simply purchased carcasses illegally. These practices not only undermined the status-based privileges of their fellow *kawata* villagers, but also left the cattle traders better prepared to make the transition to capitalist mode of production after the abolition of *kawata* status in 1871. Purchasing infirm or already dead cattle from their

former owners implicitly recognized the right of a former owner to sell their property, and did not directly rely on the status-based *kusaba* system for the acquisition of raw materials.

The final body chapter examines the dissolution of the status-system by tracing beef production from 1850 to 1890. As *kawata* increasingly acquired cattle skins from slaughtered animals in the late Tokugawa period, beef production became a viable option, though beef eating itself was largely taboo. But when beef consumption became popular in the 1870s as a sign of westernization, food safety became a public health concern for the Meiji government, making it necessary to separate the rendering of already-dead cattle from the slaughter of healthy animals. This resulted in the end of rendering in Saraike, which had once been the central occupation for many former *kawata*. In its place developed the slaughterhouse industry, which remained in Saraike until the late twentieth century. Instead of managing this trade on a village basis, as had been done in the Tokugawa period, the new social group was organized around the butchering trade.

**Figures, Maps, and Tables**



*Figure 1: Osaka Prefecture Within Japan.*

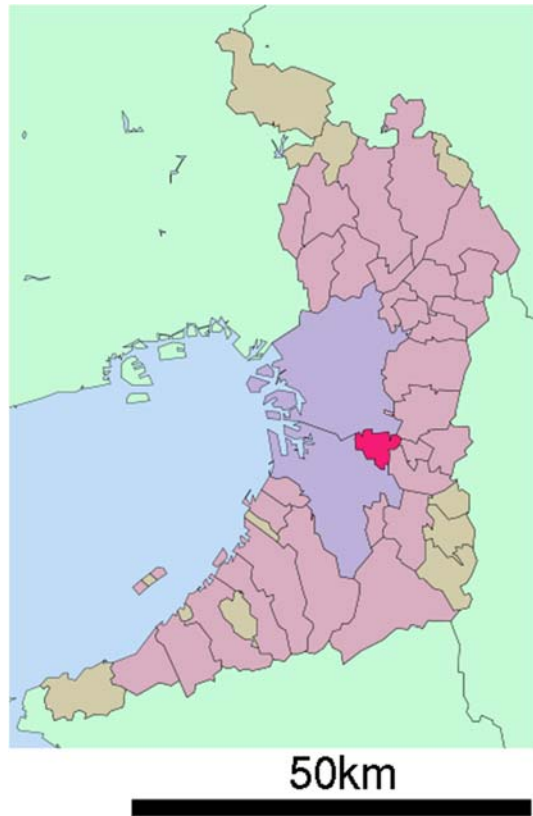


Figure 2: Matsubara City Within Osaka Prefecture.

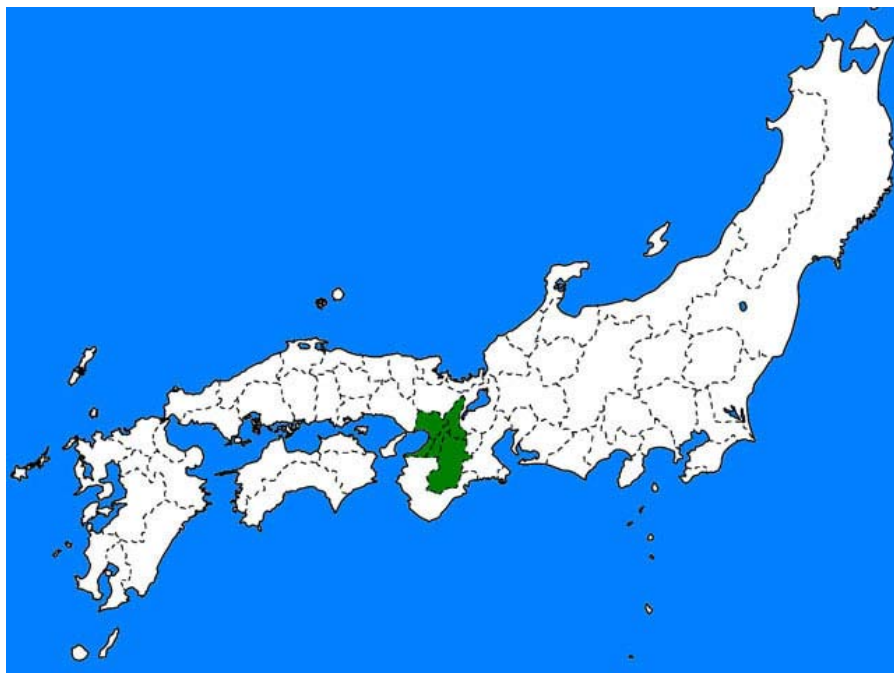


Figure 3: Provinces of the Kinai Plain.

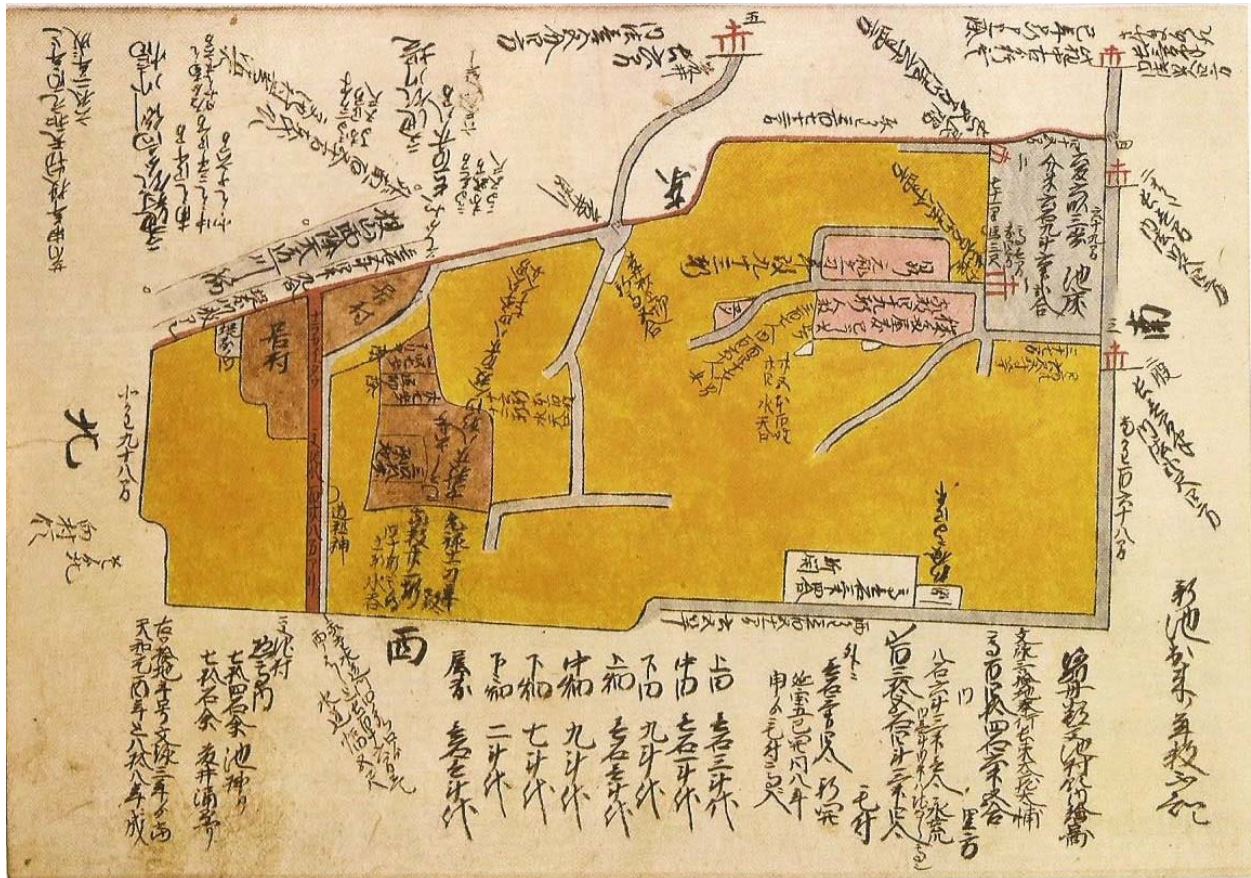


Figure 4: Saraike Village in 1690. The Circle on the left is the peasant village, and the kawata are on the right. In reality, the kawata community was much larger, and the peasant community much smaller, than is depicted here. Matsubara-shi shi, v. 4, Figure 5.



## CHAPTER ONE: FROM TOYOTOMI TO AKIMOTO: THE ESTABLISHMENT OF THE EARLY MODERN STATE AND FOUNDING OF THE *KAWATA* VILLAGE

The earliest surviving document in the Tanaka Family archive is a land register from 1594.<sup>84</sup> This land register represents the first time the *kawata* of Saraike were recorded anywhere. In part, this is because such a small and insignificant community of skimmers and farmers did not attract the attention of anyone in a position of authority. Only when the warrior hegemon Toyotomi Hideyoshi ordered a survey of his extensive landholdings did anyone care to record the existence of the Saraike *kawata*. Yet in a more literal sense, the *kawata* of Saraike Village could not have found written expression anywhere because they did not exist as such until 1594. While the individuals and households who made up what would become the *kawata* community of Saraike existed long before 1594, the method and goals of the surveyors effected a vision of status and space that did not necessarily exist prior to this time.

This chapter examines how Saraike Village came to be as a distinct unit. I trace the village from the late sixteenth century until 1705, when the village fell under the control of the Akimoto family of Kawagoe domain, located over 180 miles northeast of Saraike. The first section explores the establishment of the early modern order and the first century of the Tokugawa rule. I show how the political developments of the late sixteenth and early seventeenth centuries created a compound state headed by the Tokugawa shoguns. At the same time, a new order emerged in the countryside based on communities of semi-autonomous villages. The second section traces the development of Saraike Village and shows how broader social and political developments played out at the village level. By showing how social features

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<sup>84</sup> Doc.393 [1594; Bunroku 3.11] in *SIMM*, v. 3, pp. 1-17.

particular to one village deviated from the standard model of the Tokugawa village, I clarify those features that were broadly shared.<sup>85</sup>

The Tokugawa village (*murauke-sei mura*) emerged out of the “*sōson*” super-villages, which by the late medieval period became a widespread form of social organization across Japan.<sup>86</sup> *Sōson* contained not only farming households and their land, but also rural merchants and artisans, all controlled by a samurai who lived on the land in his manor along with his retainers. The *sōson* was a microcosm of society as a whole, and contained within it the elements of both the early modern village and city.<sup>87</sup> These two elements were separated in the late sixteenth and early seventeenth centuries by two simultaneous processes. First, warriors and peasants were physically separated when the samurai were removed from the land and relocated to castle towns. There the samurai would live under the lord’s watchful eye, and eventually transform into the clerks and bureaucrats that administered the realm. These castle towns became the archetypical early modern city. Meanwhile, the *sōson* super-villagers were broken up into smaller, individual units, each with their own village leadership that administered local affairs. In this way, the early modern city developed as the center of politics and commerce, while the peasant village provided land tax in exchange for relative autonomy and guaranteed land rights.

It was during the establishment of the early modern order that the Saraike “*kawata*” came to be the Saraike *kawata*. In 1594, neither their status as “*kawata*” nor their political subordination to the peasants of Saraike village was a foregone conclusion. *Kawata* communities in the Tokugawa period emerged from a diverse array of marginalized groups who formed collectives for common survival during the medieval period. These collectives were usually

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<sup>85</sup> Machida 2004, pp. 3-5.

<sup>86</sup> Asao 1988, pp. 323-62 and Yoshida 2000.

<sup>87</sup> Yoshida 2015b, pp. 1-14.

attached to a powerful religious institution or an aristocratic or warrior household, and performed a diverse array of tasks from disposing of dead animals to religious rites of purification. Only within the context of the status system of Tokugawa Japan did this group attain the single legal identity of *kawata* (or *eta*).<sup>88</sup> This was also the context in which status-based property found expression. In the following chapter, I analyze how status-based property was exercised in the context of the first half of the Tokugawa period. This chapter establishes the social context in which that status-based property developed.

## **Part I: The Establishment of the Early-Modern Order**

### **Warlords, Emperors, and Shoguns**

Japan's early modern period (roughly 1573-1870) was characterized by the dominance of the warriors and warlords of the samurai class. As is well known, in 1467 a dispute over shogunal succession broke out into open war between the two most powerful warrior families in Kyoto. This dispute, known as the Ōnin War, lasted ten years before the issues was decided.<sup>89</sup> Yet the victory was a pyrrhic one; the only lasting effect of the Ōnin War was the total exhaustion of the resources of Japan's most powerful houses and the complete breakdown of central authority. For the next one hundred years, Japan was engulfed in a period known as the warring states era. This period was characterized by near-constant warfare between petty warlords and the usurpation of rulers by their subordinates. Powerful warlords known as daimyo

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<sup>88</sup> *Kawata* was the preferred term of reference used by the *kawata* themselves, at least after the mid-seventeenth century. It was also used by local peasant villages in correspondence with the *kawata*. However, samurai officials used the term "*eta*," or "full of filth," beginning around the 1660s. *Eta* continued to be used in all petitions and court cases; due to its discriminatory nature, however, I use "*kawata*" to refer to this group.

<sup>89</sup> For more on the violence of this period, see Berry 1997.

gradually consolidated regional power through direct conquest and established state apparatuses to govern their domains and support their armies.

Three warlords are credited with the unification process that brought Japan out of the warring states era: Oda Nobunaga (1534-1582), Toyotomi Hideyoshi (1537-1598), and Tokugawa Ieyasu (1543-1616). After his father's death in 1551, Nobunaga began aggressively expanding the territory of his Oda clan outward from their homeland in Owari province. In 1568 he entered the old capital of Kyoto to restore Ashikaga Yoshiaki, fifteenth and last of the Ashikaga shoguns, to the shogunal throne. After Yoshiaki proved unwilling to act as a puppet, Nobunaga exiled him in 1573 and used the emperor and his court as a source of legitimacy. Though the Japanese emperors had long since ceased to wield any real political power, they still represented a potent symbol, while their courtiers possessed the technical knowledge necessary for statecraft.<sup>90</sup> In 1578 Nobunaga resigned all his court offices, leading some scholars to speculate that he intended to use his military strength to reduce the emperor to his personal attendant.<sup>91</sup>

Yet before Nobunaga could make such a move, his career came to an abrupt end on June 21, 1582, when he and his son Nobutada were assassinated by Akechi Mitsuhide, a former Oda retainer. Whatever his intentions in overthrowing Nobunaga, Mitsuhide did not have long to savor his victory. Eleven days after the death of Nobunaga, an army led by another former Oda vassal, Toyotomi Hideyoshi, decisively defeated Mitsuhide at the battle of Yamazaki. Two weeks after Nobunaga was avenged, his former vassals met at Kiyosu castle in Owari province to decide on Nobunaga's successor and the division of his territory. Nobunaga's three-year-old

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<sup>90</sup> Yamaguchi 1993, pp. 73-74.

<sup>91</sup> Berry 1982, p. 58.

grandson Sanbōshi was declared the rightful successor to Nobunaga, but real power passed into the hands of Hideyoshi.<sup>92</sup>

After assuming control over the former Oda forces, Hideyoshi continued the work of unification. As the new head of the Oda coalition, Hideyoshi inherited the powerful Oda army and the largest domain of any daimyo in Japan. Yet in contrast to Nobunaga, Hideyoshi preferred to bring his rivals into his federation as opposed to annihilating them.<sup>93</sup> Powerful daimyo that recognized Hideyoshi's preeminence and contributed forces to his campaigns found control over their substantial holdings confirmed. Resistance could bring confiscation and death, but just as often a timely act of submission saved a rebellious daimyo and left him to manage a reduced domain as a member of Hideyoshi's coalition. In 1590 Hideyoshi's armies destroyed the Hōjō, rulers of eight provinces in eastern Japan, who had refused to submit to his authority, and with their downfall came the end to organized resistance to Hideyoshi's control. All the remaining daimyo either served directly under Hideyoshi or recognized his status as first among equals. Among these was Tokugawa Ieyasu, another former retainer of Oda Nobunaga. Ieyasu was reward with control over the former Hōjō lands in the Kanto plain, from which he would eventually overthrow Hideyoshi's heir and extend Tokugawa hegemony over all of Japan. But in 1590 this still was still decades away.

### **Toyotomi Rule and Rural Japan**

Hideyoshi reigned as de-facto hegemon over Japan until his death in 1598. During his tenure he and his ministers implemented policies that would set the stage for the subsequent 250 years of Tokugawa rule. Of the policies enacted by Hideyoshi that would have lasting impact,

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<sup>92</sup> Ibid, pp. 69-80.

<sup>93</sup> Ibid, pp. 66.

two are relevant here: the removal of samurai from the land, and the land surveys of the 1580s and 1590s. Both policies were intertwined and represented a culmination of earlier moves by various daimyo and other commanders, Hideyoshi among them, to increase the efficiency of tax harvesting and mobilization of soldiers. Previously, the collection of taxes from villagers under a daimyo's control was delegated to vassals who resided in the countryside. These rural warriors were responsible for maintaining control in their villages and coming to the aid of their lord when called to arms.<sup>94</sup> But the demands of the Warring States era, especially the requisite ability to field large armies, along with the obstacle to central authority that these rural warriors represented, led many daimyo to concentrate their soldiers in fortifications. This lessened the time necessary to muster soldiers and removed any other authorities between the daimyo and his tax base, the peasantry. Later, towns would grow around these encampments to support the daimyo and his army, creating the castle-towns of Tokugawa Japan.

Hideyoshi helped cement this separation between warriors and farmers (*heinō bunri*) with a series of edicts between 1588 and 1591.<sup>95</sup> Warriors were prohibited from living in farming villages and required to reside with their lord, while peasants were prohibited from keeping weapons. Those part-time warriors who remained in the village had a choice: they could keep their status as warriors by residing with their lord in his castle, or choose to remain in the village but relinquish warrior status. Those that left would keep the relatively privileged warrior social status, but likely be relegated to a lowly position in the lord's army.<sup>96</sup> Meanwhile, those soldier-

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<sup>94</sup> Yamaguchi 1993, p. 65.

<sup>95</sup> Berry 1982, pp. 106-107.

<sup>96</sup> This process did not occur overnight, and well into the Tokugawa period there were still samurai living in the countryside. In some domains such as Satsuma and Tosa, there were rural-resident samurai up to the time of the Meiji Restoration of 1868. It was not until 1615, following the final defeat of the Toyotomi family, that the Tokugawa shogunate restricted daimyo to one caste per domain, thus providing one town to concentrate their samurai. Additionally, those daimyo who did not have domains large enough to support caste towns lived in manor houses in the countryside. These manor houses and the surrounding area did take on a sort of quasi-castle town

farmers that remained in the village lost their warrior privileges yet retained a high standing in village society. Such households usually occupied positions of village leadership and held the best land, as in the case of the Tanaka family of Saraike village.

As John W. Hall pointed out, the separation of warriors and farmers was not an attempt by Hideyoshi to freeze the social order, but a response to existing social conditions.<sup>97</sup> Decades of conflict, along with the introduction of firearms in the mid-sixteenth century, demonstrated the necessity of armies composed of professional soldiers, rather than masses of part-time soldier/farmers. At the same time, the removal of conflict from the countryside ensured a relatively uninterrupted flow of tax payments into the daimyo's treasury. In exchange for the timely payment of taxes, the provision of corvée labor, and obedience to the daimyo's laws, peasants were left in peace from the ravages of the warrior class, and saw their ownership of land and household guaranteed.<sup>98</sup> A daimyo's samurai would now be paid stipends of tax rice and cash directly from the daimyo himself, rather than from the land. These policies made the samurai much more dependent on their daimyo for sustenance, thus reducing the possibility of rebellion.<sup>99</sup> They also necessitated a new method of extracting taxes from the peasants.

The removal of the warriors from the land anticipated another policy of Hideyoshi: his cadastral surveys, or the *taikō kenchi*. Land surveys had been carried out during the Warring States period, but were often totally dependent on local warriors or villagers.<sup>100</sup> They also

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status, but were more integrated into the local society than the larger castle towns of other daimyo. See Saitō 2010, pp. 1846-69 and Saitō 2014, pp. 159-88.

<sup>97</sup> Hall 1974, pp. 39-49.

<sup>98</sup> Yamaguchi 1993, pp. 65-66.

<sup>99</sup> One of the fundamental contradictions at the heart of the early modern lordship was that samurai were dependent on the direct expropriation of farm produce represented by the tax on production, yet also enveloped in a market economy due to their residing in castle towns away from the countryside. For example, during the early modern era many indebted daimyo attempted to improve their financial situation by increasing the amount of land under cultivation or raising the tax rate. Yet by increasing the amount of rice in his coffers, the daimyo also reduced the value of rice vis-à-vis other commodities by flooding the market with more rice. Ibid, p. 145.

<sup>100</sup> Berry 1982, p. 112.

suffered from a lack of standardization, as individual lords followed their own survey methods and local standards of measurement. Additionally, many surveys had calculated yields in terms of cash (*kandaka*) rather than production. In contrast, Hideyoshi dispatched survey officers to oversee standardized measurements of all land under Toyotomi control. Standard weights and measures were also established in these territories. Land was classified as paddy field, dry fields, or residential lots and evaluated based on its estimated yield. The tax a village was responsible for was a percentage of this estimated yield, and could be adjusted to reflect a surplus or poor harvest. By establishing a uniform measurement of productivity, daimyo and lesser samurai holdings could be compared on a uniform scale.

The tax capacity of a plot of land was based on its yield, calculated in terms of rice. Yield was measured in *koku*, equal to 180 liters of rice, and was said to be the amount of rice necessary to feed one man for one year. One *tan* (991 square meters) of paddy field was supposed to produce one *koku*, though lands of higher or lesser quality were expected to produce more or less than one *koku*. Villages and individual parcels of land were recorded based on their total yield; for survey purposes, all production, whether rice or some other crop, was calculated in *koku* of rice. Saraike village, for instance, was a relatively small village with an estimated output of 144.065 *koku*. Though many villages did pay their taxes in rice, not all did, nor did those that paid taxes in rice pay only in rice. By the mid-eighteenth century a great deal of Saraike village's paddy land had been converted to cotton cultivation.<sup>101</sup> Rather than paying their tax obligation for those fields in cotton, the villagers of Saraike paid the equivalent value in cash. The *kokudaka* system lasted until the Meiji period, and was used by the shoguns and daimyo to determine vassal obligations, in addition to tax payments.

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<sup>101</sup> Doc.2 [1746; Enkyō 3] in *SIMM*, v. 1, pp. 5-12.



During the medieval period, local warriors who lived on the land would take responsibility for submitting land taxes (*nengu*) extracted from the peasantry to their lord (the *jige-uke* system). Under the new system gradually established by the Toyotomi, individual villages were directly responsible for the transportation and payment of taxes (the *murauke* system). This system of tax payments went hand in hand with the removal of warriors from the land. Taxes were submitted directly to the daimyo's warehouse or to a local representative.

Understanding this system of tax payment is essential for understanding later developments in landholding practices during the Tokugawa period. This is especially true for the Kinai region of western Japan, which was divided into a patchwork of daimyo domains and shogunal land. In some cases, one village was divided between three different lords.<sup>102</sup> From 1705 on, eighty-percent of Saraike village's land was placed under the control of the Akimoto family of Kawagoe domain, located nearly 180 miles away in the Kantō plain in eastern Japan. Kawagoe domain had no prior relationship with villages in the Kinai region, and did not establish a local office to manage affairs in its Kinai holdings until 1750. Yet because of the new tax system, as far as tax payments were concerned at least, for the peasants of Saraike village all this change represented was sending their tax rice to a different warehouse in Osaka.

The cadastral survey and removal of warriors from the land were interconnected processes. This is best expressed in how the cadastral surveys broke up the *sōson* super-villagers mentioned earlier. *Sōson* were large collections of farming communities controlled by local warriors; they were largely self-sufficient, and so often contained non-agricultural social groups like artisans or *kawata*.<sup>103</sup> The cadastral surveys of Hideyoshi were conducted on the basis of these larger *sōson* groups, but made a point of recognizing the smaller communities that made up

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<sup>102</sup> Machida 2004, pp. 35-75.

<sup>103</sup> Yoshida 2015b, pp. 1-14.

the association. The “village” that emerged from the cadastral surveys were the smallest unit of rural life. They consisted of tightly clustered residences of the villages and their farmland. Hideyoshi’s surveys did not create these villages, but it did elevate them and their leadership to a new status. This was the beginning of the Tokugawa village.

The Tokugawa village was a corporate unit recognized by the daimyo and shogunate as an autonomous group.<sup>104</sup> The village was responsible for the payment of taxes and rendering of corvée labor as a unit, instead of a local vassal. The villagers were collectively responsible for upholding the laws of the daimyo and shogunate. From the mid-seventeenth century on, the village was also responsible for composing annual population registers of its inhabitants (*ninbetsu aratame chō* and *shūmon aratame chō*). It was the task of the village leadership (*mura yakunin*) to administer the payment of taxes, maintenance of laws in the village, and composition of the population registers. The village leadership also acted as intermediaries between the villagers and any outside forces. This leadership consisted of a village headman (*shōya* in western Japan, *nanushi* in eastern Japan), usually one individual but sometimes more than one, who held the highest position in the village leadership; village elders (*mura toshiyori*) who assisted the headman in his tasks; and the peasant representative (*hyakushō dai*), who represented the group of small holders in the village.

### **Establishing the Pax-Tokugawa**

Toyotomi Hideyoshi died in 1598, leaving behind his young heir Hideyori, who was only in his sixth year at the time. Prior to his death, Hideyoshi arranged for a council of five elders to watch over Hideyori and prepare him for his eventual role as ruler of Japan. This council was

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<sup>104</sup> Befu 1965, pp. 19-32.

composed of the most powerful daimyo of Hideyoshi's coalition. The hope was that these experienced men would guide Hideyori until he was old enough to assume power in his own right, while their respective egos would be enough to keep them all in check. Yet this was not to be; Tokugawa Ieyasu, the most powerful of the five elders and another former Oda vassal, made preparations to seize control from the Toyotomi. After two years of preparation, Ieyasu and his eastern army defeated the Toyotomi loyalists at the Battle of Sekigahara in October 1600. Three years later the Tokugawa shogunate (*bakufu*) was established after Ieyasu ordered the emperor to declare him shogun. Two years later Ieyasu retired in favor of his son Hidetada, thereby establishing the precedent of shogunal succession. Ieyasu himself would live on in ostensible retirement until 1616, but still the dominant force in national politics. In 1614-15, Ieyasu's forces destroyed Hideyori and the surviving supporters of the Toyotomi clan during the siege of Osaka Castle, leaving no visible challengers to the Tokugawa house's national hegemony. After Ieyasu's death no serious challenge emerged to Hidetada or Tokugawa rule for another 250 years.

Along with the establishment of Tokugawa hegemony came what has been characterized as "the status society" (*mibun shakai*) in its recognizable form. During the Tokugawa period, that is, the Japanese population was organized into legally defined self-governing groups based on geographic area (village or town ward), or a common trade. Official recognition brought status-specific duties and privileges. Samurai were provided with a stipend from their lord yet obligated to provide military service. Peasant farmers were disarmed and required to submit tax payments and provide corvée labor, but also saw their holdings recognized and local warriors removed from the countryside to the daimyos' castle towns. Peasants would be left in peace, so long as they followed the laws, submitted taxes, and performed periodic required services.

The status system had its roots in Hideyoshi's cadastral surveys and his policy of separating the warriors from the peasantry. At its core, the status system was a form of total military mobilization. Social groups were recognized by the state primarily based on their status-specific ability to contribute to the military.<sup>105</sup> Peasants were responsible for provisioning food for soldiers and providing *corvée* labor (though *not* acting as low-level soldiers themselves). Artisans were given guild privileges in exchange for performing work on the lord's castle. Groups of *kawata* skimmers were granted ownership of all animal carcasses in a given area in exchange for providing skins for drum heads, or in some cases, finished leather. In this case, *yaku*, or duty, became a defining feature of status in early modern Japan. The establishment of Tokugawa hegemony throughout Japan universalized this principle of the status system. This is not to say that the status group system was the same everywhere. Rather, the principles by which it operated – official recognition and group organization – were universal across Japan.

It is important to remember that the status system was simply a top-down imposition of state duty. The Tokugawa shogunate and daimyo domains did not create status groups, so much as they imposed duties and privileges on already-existing social groups. The groups that became the status groups of Tokugawa Japan had formed from the bottom-up during the Warring States period.<sup>106</sup> Peasant villages, *kawata* communities, and artisan guilds all existed before the Tokugawa period. The Tokugawa shoguns and daimyo were only reacting to existing circumstances; they did not impose a caste-like system on Japan. However, status became institutionalized during the Tokugawa period, even though the original military rationale for their existence had ceased to be a concern after the early seventeenth century.

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<sup>105</sup> Howell 2005.

<sup>106</sup> Tsukada 1987, pp. 7-11.

Of course, the changes outlined above did not occur overnight. The establishment of the status system was a dialectical process that took years to develop into the shape familiar to historians, and could not be complete until the Tokugawa shogunate was firmly cemented into place. Only in retrospect does 1600 become an important year. To understand the significance of these developments, it is necessary to examine how they were experienced at the village level.

## **Part II: The View from the Village Level**

### **Saraike Village of Nunose-gō: The Toyotomi Period, 1594-1615**

The Kinai plain in western Japan, composed of the five provinces of Settsu, Kawachi, Izumi, Yamashiro, and Yamato, contained some of the best farmland in Japan (Figure 3). It also contained the cities of Kyoto, Osaka, and Sakai, which in 1590 were the only urban centers in Japan large enough to be considered cities. Thus, control over the Kinai region was essential for any would-be hegemon. Following the assassination of Nobunaga, Hideyoshi took possession of this all-important region and placed its land under his direct possession or under his vassals; by 1598 Toyotomi holdings in the Kinai represented twenty-nine percent of all their land nationwide. In 1586, Hideyoshi ordered a local vassal named Sueyoshi Kanbei to act as intendant over “Nunose Village” (*nunose mura*) of Kawachi Province, which had an estimated yield of 1000 *koku*.<sup>107</sup> Nunose Village, actually Nunose-gō, was a *sōson* unit composed of six smaller communities, of which Saraike Village a part. Sueyoshi Kanbei’s appointment of intendant over Nunose is the first time Saraike appears in the records.

A clearer picture of Saraike Village comes from the record of Hideyoshi’s cadastral survey of Kawachi Province in 1594.<sup>108</sup> As part of the process of breaking-up the *sōson*, these

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<sup>107</sup> *Matsubara-shi shi*, v. 2, p. 349.

<sup>108</sup> Doc.393 [1594; Bunroku 3.11] in *SIMM*, v. 3, pp. 1-17.

surveys produced land registers on a village-by-village basis. The land registers recorded each plot of land within a village by its size, productivity, whether it was dry or paddy land, and which household owned the title to the land. The land register for Saraike survives, as does the registers for two other nearby villages: Higashi-Dai Village and Kawai Village.<sup>109</sup> Like Saraike, Higashi-Dai also belonged to Nunose-gō, while Kawai was a part of Yakami-gō. In addition to these three registers, there is a map of Saraike that was produced in the late seventeenth century, which provides a visualization of the landholding statistics that follow.

Figure 5 shows the six villages of Nunose-gō: Saraike, Hori, Takagi, Higashi-Dai, Shimzu, and Mukai. The six villages all shared the same local shrine, which was located in the territory of Muaki Village. Kawai Village, which was next to Saraike but belonged to a different district (Yakami-gun), is in Figure 6. Though the *kawata* lived within the territory of Saraike, there was a clear separation between their residential plots and those of the peasants, while the Saraike peasants were geographically much closer to Higashi-Dai and Mukai villages.

According to the cadastral survey, Saraike Village occupied 12.695 *chō*, or 0.126 square kilometers of land and had a yield of 144.065 *koku*, making it a relatively small village. We have no figures on the population of Saraike village until 1644, when there were 151 *kawata* villagers and 65 peasants.<sup>110</sup> Thirty-five percent of the land was held by three households: Zenbei, the village headman (19.457 *koku*), Yosōbei (21.098 *koku*), and Genshichi (10.272 *koku*). Another ten percent was held by twelve smallholders and the village's temple, though none of these plots produced more than two *koku*. The *kawata* community as a whole held ten percent of the

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<sup>109</sup> Doc.443 [1594; Bunroku 3.11] in *SIMM*, v. 3, pp. 580-606 and Doc.444 [1594; Bunroku 3.11] in *SIMM*, v. 3, pp. 607-621

<sup>110</sup> Doc.9 [1644; Ka'ei 21] in *SIMM*, v. 1, pp. 43-51.

village's land (15.029 *koku*), but this included their residential plots. Most of the *kawata* community's land was held in small, scattered plots with varying degrees of quality.<sup>111</sup>

In 1594, only fifty-five percent of the land in Saraike was held by Saraike residents. The remaining forty-five percent was held by residents of other villages in Nunose-gō. These were villagers from Mukai (25.126 *koku*), Higashi-Dai (23.128 *koku*), Shimizu (13.288 *koku*), and Takagi (3.748 *koku*). This trend was by no means unique to Saraike; Higashi-Dai village, which at 172.668 *koku* was only slightly larger than Saraike, had thirty-one percent of its land held by individuals from outside of the village. Over the course of the seventeenth century, the percentage of village land held by outsiders (*irisaku-chi*) gradually decreased, so that by the beginning of the eighteenth century the amount of land held by nonresidents was only six percent.<sup>112</sup> The large percentage of landowners from outside the village points to the fact that in the late sixteenth century, the independent village of the Tokugawa period was still in development.

Earlier scholars have pointed out that *kawata* villagers held lands that were inferior to the holdings of their peasant neighbors.<sup>113</sup> This was but one consequence of the discrimination directed at *kawata* villagers, which kept them in a constant state of poverty. The evidence from Saraike seems to support this conclusion: at least one hundred *kawata* only held enough land to support fifteen adult men. However, this raises an important question: how did the *kawata* actually stay alive with such a small amount of land? One answer is that *kawata* villagers maintained a livelihood from trades other than farming. Most notably, this included the disposal of dead

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<sup>111</sup> Of the 15.029 *koku* held by the *kawata*, 3.24 *koku* was superior paddy land, 3.106 average paddy land, 1.055 inferior paddy land, 5.968 superior dry land, and 1.66 *koku* of residential plots. All of this land was held between twenty-four individuals, with the largest plot producing 1.104 *koku*, and the smallest 0.018, or the equivalent of 3.2 liters of rice.

<sup>112</sup> Doc.3 [1772; Meiwa 9] in *SIMM*, v. 1, pp. 12-22.

<sup>113</sup> For example Wakita 1996 and Nobi 2007.

livestock, sale of cattle hides, and manufacture of leather goods. *Kawata* provided local temples and shrines with drum heads for religious functions and also received alms for performing purification rituals. Additionally, the Kinai region was, in the sixteenth and seventeenth century, the most economically advanced region in Japan. Many *kawata* could survive by purchasing their food rather than growing it, as the region was thoroughly embedded in a cash economy.<sup>114</sup>

A focus on Saraike Village proper, however, misses the important fact that the *kawata* owned over one hundred *koku* of highly productive farmland outside of Saraike. Though the residential plots of the *kawata* were indeed all in Saraike, most of their farmland was in neighboring Kawai Village (Figure 6). In contrast to the *kawata* holdings in Saraike, the community's land in Kawai was both substantial and of high quality. Thirty-four *kawata* households held 108 *koku* of land (twenty-one percent of all land in Kawai), of which fifty-two *koku* (forty-eight percent) was superior paddy land (*jōden*) and forty-five *koku* (forty-two percent) was average paddy land. These holdings were not distributed evenly, however. Four *kawata* households held less than one *koku*, and most held between one and three *koku* (eighteen villagers). Seven *kawata* households held larger holdings of three to five *koku*, and five held between five and fifteen *koku*; the largest *kawata* landowner, Genshirō, held 15.5 *koku*. This would place Genshirō as the third largest landowner in Saraike, were his holdings counted in that village.

Why were the *kawata* holdings concentrated in Kawai? Unlike their peasant neighbors, *kawata* communities in western Japan were relatively late arrivals to the regions they inhabited.<sup>115</sup> During the medieval period, the precursors to the *kawata* were attached to powerful

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<sup>114</sup> The population of Kinai area *kawata* villages were much larger than in other areas of Japan. See Teraki 1993, pp. 107-154 and Ooms 1996, pp. 272-273.

<sup>115</sup> Fujitmoto 1997, p. 327; Mita 2015, 268-321.



temples or warrior families, and settled on the land at some point during the Warring States period.<sup>116</sup> According to the 1594 land register, all the available land in Saraike was already under cultivation, while Kawai Village still contained 19,800 square meters of uncultivated wasteland. We can deduce that when the *kawata* were given land in the region that would become their home, most unclaimed, uncultivated land was concentrated in the southern end of Saraike and northern end of Kawai. The *kawata* then began the arduous process of developing the wasteland and constructing the necessary irrigation networks to support rice paddies. At that time, it was impossible to anticipate the form of Hideyoshi's cadastral surveys. But because the residential plots of the *kawata* were located in Saraike Village's territory when the survey was conducted in 1594, the *kawata* fell under the jurisdiction of the Saraike headman.

We know which cultivators were from outside any given village because the land registers listed their village of residence. Unless indicated otherwise, a cultivator was a resident of the village. *Kawata* landholders were an exception and not recorded by village of residence but by status. This holds true for all three registers available for this region – Saraike, Higashi-Dai, and Kawai. That status was not always “*kawata*,” but could also be “*kawara*” or *kawaramono*; that is, “people of the riverbank.” The term “*kawaramono*” appears to have been used when more than one *kawata* cultivator shared the same name, yet also points to this community's earlier identity. As historian Fujimoto Seijirō indicated, the term “*kawata*” originated in eastern Japan, and was not used in the Kinai region until after Hideyoshi's ascent to power.<sup>117</sup> Though it became the preferred self-appellation among the “*kawata*” during the

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<sup>116</sup> For more on the pre-Tokugawa history of the *kawata*, see Morita 1979, Nagahara 1979, pp. 385-403, Tsukada 1987, pp. 11-17, Yokota 1988, pp. 285-322, and Mieda 2011, pp. 249-290.

<sup>117</sup> Fujimoto 1997, p. 61.

Tokugawa period, labels like “*kawaramono*, *sakanomono*, or *shima* were used in western Japan in the late medieval period.<sup>118</sup>

The cadastral surveys listed *kawata* with a separate title because most were not full-time farmers. The purpose of the surveys was to determine how much tax obligation each village could manage. Though some *kawata* did possess extensive holdings, it was more logical to utilize them in their role as skimmers or executioners. This was done to ensure the most efficient mobilization of the populace, not to mark the *kawata* out for discrimination.<sup>119</sup>

### **Minami-Ōji Village and the Problem of Independent *Kawata* Communities**

During the Tokugawa period, the *kawata* community of Saraike Village was never recognized as an independent village. Though the *kawata* possessed considerable autonomy in their own affairs, they were still subordinated to the authority of the Saraike peasant village leadership. The village leadership mediated between the *kawata* and outside authorities, could impose punishments on *kawata* villagers, and was responsible for collecting and paying the tax duty owed by the *kawata*. Official documents usually referred to the *kawata* community as “the *kawata* within the territory of Saraike Village” (*Saraike mura ryōnai kawata*), marking them as distinct from the village itself, but not quite independent. In this regard, the Saraike *kawata* were hardly unique; nearly every *kawata* village in the Kinai, as well as their *chōri* counterparts in the Kantō, were attached to a nearby peasant community. Understanding why requires an analysis of the *kawata* village that was an exception to this rule: Minami-Ōji Village in Izumi Province, the only independent rural *kawata* community in the Kinai.

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<sup>118</sup>“*Shima*” (嶋, island) was likely a local variant of “*shiba*” (芝, grass; field), which referred to the vacant land where dead animals were discarded and disposed.

<sup>119</sup> Asao 2004, pp. 6-9.

At the beginning of the Tokugawa period, the *kawata* of Minami-Ōji Village occupied a position identical to the *kawata* of Saraike village. They lived within the territory of the peasant community of Ōji Village and were under the jurisdiction of the Ōji headman. However, by the late seventeenth century the *kawata* of Minami-Ōji managed to secure an independent status for their community. For the rest of the Tokugawa period, Minami-Ōji Village was treated like any other peasant village community. In her extensive work on Minami-Ōji Village, the historian Mita Satoko has explained in detail how this *kawata* community attained the status of an independent village, and I draw on her work here.<sup>120</sup>

Minami-Ōji's independence was due in part to the unique territorial lines of Izumi district in Izumi Province. As was the case in the cadastral survey of Kawachi Province, the survey of Izumi broke up the old *gō* super villages into smaller units. However, in Izumi County, these *gō* boundaries did not reflect local village groupings. Rather, they were based on archaic survey lines dating back to tenth century. Within each of these *gō* were many individual communities whose borders extended into neighboring *gō*. During the course of Hideyoshi's cadastral survey, the segments of villages that extended into another *gō* were registered as separate villages. Many of these "villages" did not contain any residences, but only farmland. These "villages" were referred to with the prefix *shussaku* attached to the name of the village from which it came; so, the area of Ōji Village that was cut off by the survey was called *Shussaku Ōji mura*.<sup>121</sup>

Though these new *shussaku* villages contained no villagers, they were still treated like any other village by the samurai administrators. Yet because there were no villagers, there was no village leadership to manage the payment of taxes. So, another village headman from the

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<sup>120</sup> The following section comes directly from two chapters written by Mita 2015, pp. 169-197, 268-279.

<sup>121</sup> Note that this usage of *shussaku* was different from the standard *idesaku*, which meant a cultivator who owned lands outside of his village of residence. Both are written with the same characters (出作).

same *gō* would be ordered to act as “administrative headman” (*sabaki jōya*) over the empty village. These administrative headmen would manage the collection of taxes and land registration of the farmland in the *shussaku* villages under their jurisdiction. In most cases, these administrative headmen had no prior relationship with the farmland or the farmers of the village they administered.

Ōji village was located in Shinoda-gō, in Izumi District, Izumi Province. In the late sixteenth century, the *kawata* community that would become Minami-Ōji Village lived within the boundaries of Ōji village, on the border between Shinoda-gō and Kami-Izumi-gō. According to the land survey of 1594, the *kawata* owned fifteen *koku* of land in Ōji Village and an additional 140 *koku* in *Shussaku Ōji-mura*, an area of land that once belonged to Ōji Village but was cut off as a result of the land survey. As with other *kawata* communities, the land that the Ōji Village *kawata* initially occupied was of poor quality, reflecting their status as relatively recent arrivals. Between 1594 and 1640, the Ōji *kawata* gradually brought more land under cultivation, and also improved the quality of their existing holdings by constructing new irrigation works. The *kawata* came to hold all of the land in *Shussaku Ōji* village in exchange for giving up their holdings in Ōji Village proper. As a *shussaku* village, the land of *shussaku Ōji* Village was not administered by the peasant headman of Ōji, but by an administrative headman from neighboring Kami-Izumi-gō.

In late 1644, the shogunate ordered the compilation of maps of all the provinces of Japan.<sup>122</sup> In Izumi province, the Sakai city magistrate – a direct shogunal appointment – had

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<sup>122</sup> This was the second of the four times the shogunate ordered compilation of “province maps” (*kuni ezu*). The maps were to a uniform scale, with each village’s assessed productivity (*kokudaka*) inscribed in a cartouche at its location. It is significant that mapping was based on the sixty-eight province units, rather than the 250 or so daimyo domains. In effect, the shogunate asserted a direct line of shogunal authority from Edo to every village in the land, without the mediation of the daimyos. On the *kuni ezu* projects, see Kawamura 1989 and 1990.

overall responsibility for collecting information on the villages of the province. When the shogunal intendants responsible for Izumi County provided information on the *shussaku* villages managed by administrative headman, the Sakai city magistrate decided the situation should be simplified. In place of the administrative headman system, the farmers who worked the land in the *shussaku* village were ordered to take responsibility for the administration of their land. Thus, responsibility for tax payments in *shussaku* Ōji Village was transferred away from the administrative headman and to the cultivators; in other words, the *kawata* of Ōji Village. By the late seventeenth century “Minami-Ōji” (South-Ōji) was appearing on shogunal registers as a separate village. The *kawata* even had their own headman (*shōya*) and village elder (*toshiyori*). However, the residential plots of the *kawata* still lay within the boundaries of Ōji Village, placing them under the jurisdiction of the Ōji headman.

In 1698, the *kawata* petitioned the local shogunal intendant to move their residences from Ōji Village to *shussaku ōji mura*, i.e., Minami-Ōji Village. The *kawata* claimed that the land they inhabited in Ōji village was an obstacle to irrigation efforts in nearby villages, but this was only a pretext. By moving their residences to then-empty Minami-Ōji Village, the *kawata* removed themselves from Ōji Village’s administration. This move succeeded, and for the rest of the Tokugawa period samurai administrators treated Minami-Ōji as an independent village. By relocating their residences to Minami-Ōji, the *kawata* fit the legal category for an independent village despite the fact that the villagers of Minami-Ōji were all of *kawata* status.

As this account demonstrates, it was an extraordinary string of events that led to Minami-Ōji becoming an independent *kawata* community. It was only the unique nature of the land survey in Izumi County that provided the Ōji *kawata* with an area of land outside of the jurisdiction of any other peasant village, at least after the end of the administrative headman

system. In contrast, the Saraike *kawata* did not have such an opportunity. The residential plots of the Saraike *kawata* lay within the territory of Saraike Village, while most of their farmland was within Kawai Village. Perhaps if Kawai was devoid of inhabitants, the Saraike *kawata* could have followed the example of the Minami-Ōji *kawata* and relocated to Kawai Village. But Kawai Village was not uninhabited, which eliminated the potential for an independent Saraike *kawata* community.

Recognizing the Saraike *kawata* as an independent community would have necessitated one of two actions. One would be recognizing two distinct communities within the territory of one village, each with its own independent village leadership. The second would require the cadastral survey of Kawachi Province to follow a different logic for Saraike Village, allowing parts of Saraike Village of Nunose-gō to be grouped in with parts of Kawai Village of Yakami-gō. The first of these violated the logic of the status system, while the latter violated the logic of Hideyoshi's cadastral surveys. Thus, until the end of the Tokugawa period, the Saraike *kawata* would remain “The *kawata* of Saraike village” and not “Minami-Saraike.”<sup>123</sup> Put simply, the *kawata* community of Saraike never fit the definition of an independent village, and so was never recognized as such.

### **Saraike Village under the Tokugawa, 1615-1705**

After 1594, there are no documents for Saraike until 1621, when Saraike Village submitted taxes to a shogunal intendant named Hirano Tōjirō.<sup>124</sup> The Tokugawa shogunate

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<sup>123</sup> There were individual exceptions to this. First, the Saraike *kawata* often referred to themselves as “Nunose Village” when interacting with other *kawata* communities, harkening back to the *gō* unit of the late medieval period. Within Saraike village itself, or with its immediate neighbors, the Saraike *kawata* were sometimes referred to as “Minami Saraike-mura” (南更池村, South Saraike Village). However, this usage was informal, and never implied complete autonomy from the peasant village leadership of Saraike.

<sup>124</sup> Doc.445 [1621; Genwa 7] in *SIMM*, v. 3, p. 623.

installed Hirano as intendant following the fall of Osaka Castle in 1615 to manage those portions of Kawachi and Izumi provinces that had been under Toyotomi control. The lack of any records between 1594 and 1621 was perhaps because Saraike Village was part of the territory of the Toyotomi family until their downfall in 1615. Additionally, the village was perilously close to the battlefields between the Toyotomi and Tokugawa forces. At the very least, the siege of Osaka interrupted farming in Saraike, and likely resulted in the devastation of part of the village land. In fact, over a quarter of the village's land was still listed as unproductive – and untaxed – in the tax receipt for 1621.<sup>125</sup>

The first decades of the Tokugawa period are something of a blank spot in the Tanaka family archive. We have the tax receipts for almost every year after 1621, which confirms that the village had returned to normalcy. Or at least the village's overlords saw it that way – the quarter of the village's land that was deemed unproductive in 1621 was being taxed at a normal rate by 1623.<sup>126</sup> Saraike paid an annual tax rate of about fifty-two percent of estimated yield. This was a heavy burden to be sure, though certainly within the norm for the early Tokugawa period.<sup>127</sup> By 1624, the village was paying a third of its tax burden in silver.<sup>128</sup> This again reinforces the degree of economic development in the Kinai – not all areas of Japan were so enmeshed in a cash economy in the 1620s.<sup>129</sup>

The gap in the Saraike Village archive ends roughly twenty years later. In 1644, a record of the village's population register was created and maintained in the Tanaka family archives.<sup>130</sup>

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<sup>125</sup> Ibid.

<sup>126</sup> Doc.447 [1623; Genwa 9.12] in *SIMM*, v. 3, p. 624.

<sup>127</sup> See for example Doc.447-453 [1623-1629] in *SIMM*, v. 3, pp. 624-27; Smith 1958, pp. 3-20.

<sup>128</sup> Doc.448 [1624; Ka'ei 1] in *SIMM*, v. 3, p. 624.

<sup>129</sup> The Kinai region was the most developed in Japan until the end of the sixteenth century, with market-oriented production and a cash economy characterizing even rural communities from the fifteenth century on. Hayami 2009, p. 100.

<sup>130</sup> Doc.9 [1644; Ka'ei 21] in *SIMM*, v. 1, pp. 43-51

This was a *ninbetsu-chō*, which recorded all villagers by household. The list is remarkably detailed; it lists the number of individuals in each household, their age, sex, name – except for wives, who are just listed as “wife” (*nyōbō*) – and their relationship to the household head. Hereditary servants were also included in this register, albeit as members of the family they served. The register also listed the amount of property each household owned, recorded in *koku*, as well as any livestock or buildings owned by the household. Finally, both the peasant and *kawata* communities are recorded on the same register, allowing us to reconstruct the social make-up of Sariake Village in the mid-1600s.

In 1644, there were 216 villagers (65 peasants and 151 *kawata*) divided into 48 households (12 peasant and 36 *kawata*). The percentage of land held by households from other villages was now twenty-one percent, down from forty-five percent in 1594. This trend away from land held by outside villagers continued, so that by 1690 nearly all land in Saraike was controlled by members of the village. In 1644, we can confirm the presence of a community of small holders in the peasant community. The village leadership continued to hold the best land, with the headman Seiemon and his relative Yohei together owning thirty-five percent of Saraike’s farmland. However, there were now at least four families holding between five and eight *koku* – not a particularly large amount, but enough to sustain an independent existence.

The division of land between the *kawata* and peasants was much the same as it was in 1594. The *kawata* collectively owned only 12.5 *koku* of land in Saraike, and this was split among all thirty-six households. Little, if any, of this land was farmland, and likely referred to the residences of the *kawata*. Because of the lack of records from Kawai Village, where the *kawata* owned most of their land, it is difficult to reconstruct the social hierarchy of the *kawata* village. Further complicating this task is that there is no way to link the *kawata* villagers from the 1594



land survey to the 1644 population register, as all the household names had changed. We do have a few clues, however. First, one *kawata* family, Kyūemon, had a teenage servant girl listed under their household, indicating that they were wealthy enough to maintain a servant. Another individual, Kyūbei, was a tenant of a yet another household, Yūemon. Kyūbei was in his fifties and had a wife, adult son, and two daughters; this was not a young man starting a new family. Instead, Kyūbei's family were likely hereditary servants of Yūemon. This kind of labor relationship would disappear by the eighteenth century, but in 1644 still existed in both *kawata* and peasant communities.

Yoshida Nobuyuki notes that social power in rural Japan in the seventeenth century was characterized by the dominance of a class of peasants who occupied the village leadership positions by virtue of their semi-warrior background.<sup>131</sup> These were the households who remained in the countryside following the separation of warriors and peasants discussed above. The shogunal and daimyo authorities used these households to maintain order in the countryside. Such families possessed large landholdings and were accustomed to obedience from their fellow villagers. These families continued to exercise social power in the countryside as both village leadership and through semi-feudal bonds of dependence between them and other villagers. After the Kan'ei Famine (1640-43) and peasant rebellions of the 1640s, however, the shogunate turned to a policy of promoting the growth of small-scale, self-sufficient cultivators who would be less prone to rebellion and form a more reliable tax base. By the turn of the eighteenth century, some of these cultivators were strong enough to wrest power away from the old village elite and claim positions of leadership. This change in the village leadership represented a shift in the form of

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<sup>131</sup> Yoshida 2015a, pp. 37-41.

social power exercised in rural villages, away from the semi-feudal dominance of powerful clans over hereditary servants and towards the dominance of landlords over tenants and wage laborers.

In his study of farming villages in Izumi Province, historian Machida Tetsu shows how Yoshida's formula of agrarian history played out in practice.<sup>132</sup> In one village (Kurotori), the traditional village elite, who owed their position to their semi-warrior pedigree, was pushed out in favor of new households. This new crop of village leadership had no pedigree, but had acquired large landholdings during the seventeenth century, which they believed should give them greater say in village affairs. In 1697, they petitioned the lord of the region for a change in village leadership, arguing that the old village elite was neither competent or impartial in the administration of village affairs. The lord accepted their petition and appointed three families as the new village leadership. Machida notes that this shift did not represent a more "democratic" order in the village. These new village leaders owned most of the land in the village, on which a greater number of villagers worked as tenants. Rather than exercising social power through higher status, this new class dominated village affairs by virtue of their extensive property.

Saraike Village too followed this pattern, but with a few deviations. Records of a shogunal land survey conducted in the 1670s (the *Enpō Kenchi*) show that a sort of village middle-class had emerged.<sup>133</sup> This group of landowners owned enough land to be self-sufficient and were not connected to the village leadership, continuing a trend seen in the 1644 population survey. But this trend towards a community of small holders was reversed in the late seventeenth century. By 1700, only two Saraike peasant households outside of the extended Tanaka household held enough land to be considered self-sufficient.<sup>134</sup> All other land was either in the

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<sup>132</sup> Machida 2004, pp. 35-75.

<sup>133</sup> Asao 1967, pp. 48-50.

<sup>134</sup> Doc.40 [1700; Genroku 13] in *SIMM* v. 1, pp. 243-49.

hands of the village leadership – which continued to be held by the main and auxiliary branches of the Tanaka family – or the village temple. It is not clear exactly how the Tanaka family consolidated most of the village's land, but it was most likely through the possession land in exchange for debt (*shichi-chi*). When villagers were unable to meet their tax burden for the year, it was the village headman's responsibility to make up the deficit. If a peasant household was unable to pay the headman back after several seasons, they lost all or a portion of their land.

In contrast to Machida's example, no households in Saraike Village outside of the extended Tanaka family ever held positions of village leadership. However, this does not mean that Saraike completely deviated from Yoshida's model. While the village headmen remained the same throughout the Tokugawa period, the means by which they exercised social power did not. Unlike the poor households of the late sixteenth and early seventeenth century, the landless households of the eighteenth were not hereditary servants tied to the Tanaka Family. As we will see in Chapter 3, these families worked as tenant farmers and processed cotton; their lack of land meant they had little to no say in village governance, but their emancipation from the status of hereditary servants provided some degree of independence. Rather than serving the Tanaka family as semi-bonded servants, these households worked for the Tanaka family as wage laborers and tenant farmers.

### **New Overlords: Irikumi Saraike-mura**

In late 1702, forty-seven loyal retainers of Asano Naganori, the deceased daimyo of Akō domain, carried out their famous vendetta against Kira Yoshinaka in Edo.<sup>135</sup> These *rōnin* blamed Kira for their lord's downfall twenty-two months earlier, which began when Sasano drew his

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<sup>135</sup> Bitō and Smith, II 2003, pp. 149-170.

weapon on Kira, the shogunal senior master of ceremonies, inside the shogun's residence of Edo castle. Asano had attempted to avenge a grudge he had against Kira, but only succeeded in injuring Kira with his short sword. Asano was forced to commit suicide while his domain and lands were confiscated, leaving his former retainers without lord or stipend. Seeking to regain their honor, the forty-seven *rōnin* planned the assassination of Kira for months. They stormed Kira's mansion in dramatic fashion, and after dispatching his guards, the *rōnin* killed Kira and presented his severed head to Asano's grave.

The vendetta of the forty-seven *rōnin* created a dilemma for the shogunate. They had murdered a shogunal official and "avenged" a man who was sentenced to death for violating the shogun's laws. Yet, by going to such lengths for their dead lord, these men were exhibiting the ideal samurai spirit in an age when peace and prosperity had turned the warriors into bureaucrats. Ultimately, it was decided that that *rōnin* had to be punished, but they would be spared the indignity of a public execution and were allowed an honorable death by suicide. Thanks to playwrights like Chikamatsu Monzaemon, the forty-seven loyal retainers became legends on the stages of the *jōruri* puppet theater and *kabuki* drama.

Of more relevance to our story is the role played by Akimoto Takamoto, who was serving as a senior counselor (*rōjū*) in the shogunate at the time of the vendetta. Akimoto was born the eldest son of Toda Tadamasa, daimyo of Sakura domain in Shinano Province, but was adopted as the heir of the childless Akimoto Tomitomo. Tomitomo was daimyo of Kawagoe Domain, which Takamoto ascended to after his adoptive father died in 1657. In return for his service during the incident provoked by the vendetta of the forty-seven *ronin*, Akimoto was rewarded with 20,000 *koku* of additional land in Kawachi Province. Amongst the villages of this grant was Saraike.

Beginning in 1705, Saraike Village was divided into two areas of control. Eighty-one percent of the land was granted to Kawagoe domain, while the remaining nineteen percent passed to Koide Kazue, a shogunal bannerman (*hatamoto*). Bannermen were direct shogunal vassals who did not control enough land to grant them daimyo status. Koide's control over this section of Saraike village would last until his death in 1744, after which it reverted to shogunal control.<sup>136</sup> For the sake of simplicity, I will refer to this as the shogunal portion of Saraike. Saraike Village remained divided between two different authorities until 1872, when the entire village was placed under the control of Sakai Prefecture. A village divided amongst multiple overlords was called *irikumi* or *aikyū*, and it is from 1705 on that we see references to *irikumi Saraike-mura*.<sup>137</sup>

The partitioning of the village also saw a partitioning of the village leadership. On paper, the shogunal portion of the village was now an independent entity responsible for paying taxes commensurate to its size; this required a village headman and elder. Tokuzaeon, head of one branch of the Tanaka family and then-village elder, was appointed as headman of the shogunal portion. In his place, Buhei, a cousin of the headman Kiemon, was elevated to village elder of the Kawagoe domain portion of Saraike Village.

After the partitioning of the village, documents concerning the shogunal portion of the village become extremely rare. In the Kawagoe-controlled portion of Saraike village, the Tanaka family continued as headmen until the Meiji period, ensuring a consistent collection of village documents that survive into the twenty-first century. In contrast, administration of the shogunal portion of Saraike village passed through several hands – and a period of vacancy – before the

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<sup>136</sup> Although bannerman control cannot be equated with shogunal control, for simplicity's sake I will refer to the two sections of Saraike village as the areas of daimyo control and shogunal control.

<sup>137</sup> For example, Doc.113 [1788; Tenmei 8] in *SIMM*, v. 2, pp. 59-63.

village was once again “united” in the Meiji period. For this reason, very few documents from the shogunal portion survive. However, we do have the landholding registers for Kawagoe’s portion for the years before and immediately after the division of the village. From these registers we can surmise which villagers now held land in the shogunal portion of the village.

By far the largest landholder in the shogunal portion of Saraike village was Tokuzaeon, whose holdings in the Kawagoe section of the village dropped from 29.835 *koku* pre-partition to 10.416 *koku* after the partition. The remaining 19.419 *koku* would make up seventy-eight percent of the total *koku* of the shogunal portion. For this reason, it was Tokuzaeon who became village headman of the shogunal lands. All other landowners saw no more than two *koku* of their land fall under shogunal control, including all of the land held by the *kawata*. For this reason, it is hard to imagine that the partitioning of the village had much effect on the sense of community among the peasants of Saraike village. At the level of daily life, the villagers continued to participate in the same rituals at the same Buddhist temples and Shinto shrines. The village crops continued to be harvested as one community, and tax responsibilities were calculated and paid through collaborative effort.<sup>138</sup> Indeed, it would have been impossible to treat the shogunal lands differently from the rest of the village, given how all paddy land was integrated into the village’s irrigation works.

Initially, the partition had little effect on the *kawata* community. Until the late eighteenth century there were no instances of *kawata* villagers listed as the community leaders (*kimoiri*) of the Kawagoe or shogunal portions of the village. In all documents, they continued to refer to themselves as one community.<sup>139</sup> However, a greater number of *kawata* were registered under

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<sup>138</sup> Doc.225 [1826; Bunsei 9] in *SIMM*, vol. 2, 706-7.

<sup>139</sup> For example, Doc.149 [1717; Kyōhō 2.2] in *SIMM*, v. 2, pp. 602-3 and Doc.317 [1725; Kyōhō 10.3] in *SIMM*, v. 2, p. 931.

the shogunal portion than their peasant counterparts. By the end of the Tokugawa period, there were only four peasant households registered under the shogunal portion, compared to fifty *kawata* households. The presence of a large number of *kawata* in the same village yet under different authority had a profound effect in later years.

### **Layers of Authority in the Mid-Seventeenth Century**

Regardless of who the villagers in Saraike paid their taxes to, the Tanaka family remained the most relevant authority at the village level for the peasants of Saraike Village. The *kawata*, too, were under the peasant headman's jurisdiction, but were ultimately related to several layers of authority due to their being a different social group. The first layer of social authority was the *kawata* village leadership. During the Tokugawa period, three to four households served as *kimoiri*, which I translate as “community leader” to distinguish them from the peasant village leadership. The term “*kimoiri*” was simply another term for “headman” (*shōya*), and had been the title used by the Saraike headmen prior to 1600.<sup>140</sup> The *kawata* community began to use this title for their community leaders – who were above the average *kawata* but not at the same level as the peasant village leadership – by the mid-seventeenth century.

The position of *kimoiri* changed households during the Tokugawa period, but by far the most important of these was the Yosōemon household. Yosōemon was the official name taken by successive household heads who served as *kimoiri*. Yosōemon first appears as *kawata* village leader in the 1660s, and continued to serve in that role into the Meiji period.<sup>141</sup> The successive

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<sup>140</sup> Doc.393 [1594; Bunroku 3.11] in *SIMM*, v. 3, pp. 1-17. See also Fujimoto 2004, pp. 39-68.

<sup>141</sup> Doc.121 [1871; Meiji 4.4] in *SIMM*, v. 2, p. 86. By 1871, the Yosōemon had changed their name to Yozō, and then Tsujimoto Yozō one year later.

Yosōemon never held a title that distinguished them from the other *kawata* leaders, but in fact were recognized as the foremost authority in the *kawata* village until the mid-nineteenth century.

The *kimoiri* were responsible for the day to day administration of the *kawata* village. They conducted the population surveys, represented the *kawata* outside of the village, and also mediated between the *kawata* and the peasant village leadership. Ordinary *kawata* rarely petitioned the Saraike headman directly, but instead went through the *kawata* village leadership. This leadership group also handled a number of issues specific to *kawata* status, such as the collection of dead cattle or performance of executions. But as much as this structure of rural control resembled a peasant community, the *kawata* still lacked the semi-autonomy of their parent village.

If the Saraike *kawata* did not enjoy the status of an independent village, what was the nature of their relationship to the peasant village? There is no one answer for the whole of the Tokugawa period. The parent village headman managed all village documents, held all the land registers, and was responsible for determining tax payments. When it came to lawsuits and criminal affairs, however, the parent village headmen of the first half of the Tokugawa period did not exercise unilateral authority over the *kawata*. This would change after the 1760s, but in the mid-seventeenth century, samurai authorities preferred to leave the *kawata* to handle their own affairs.

In 1665, the shogunal intendant in charge of Saraike sent a letter to Chōzaemon, then headman of Saraike village.<sup>142</sup> The letter was in regard to a recent suit that Magoemon, a *kawata* villager, had brought against his neighbor Kyūemon. According to Magoemon's suit, Kyūemon had begun construction on his house two years earlier. Because Kyūemon's strip of land was too

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<sup>142</sup> Doc.145 [1665; Kanbun 5] in *SIMM*, v. 2, p. 594.



narrow, he approached Magoemon with an offer to purchase some of his land to accommodate his construction. The two decided on a price of fifty *monme* of silver, and signed an agreement along with the *kawata* village leadership (*kimoiri*). However, Magoemon asserted that he had yet to receive payment for his land, and so appealed to the shogunal intendant.

After this, the intendant ordered Chōzaemon, as peasant headman, to investigate the matter. Chōzaemon first interviewed Kyūemon, who claimed that he had never built on Magoemon's land. He went on to say that the construction on his house occurred three years ago, not two. Finally, Kyūemon asserted that he was never told he owed Magoemon fifty silver *monme*. After interviewing Kyūemon, the headman then interviewed the three *kawata* village leaders: Yosōemon, Kakuemon, and Riemon. The three asserted that Kyūemon did indeed owe Magoemon fifty silver *monme*, yet they also confessed that they had not told this to Kyūemon until the first month of that year, only four months prior to the intendant's letter. The intendant determined that this was a serious oversight on the part of the *kawata* village leadership, and held them at fault; the inability of a headman or group leader to resolve a dispute without referring it to a higher authority was regarded as a failure on that person's part. Yet the intendant also decided that the matter was not serious enough to warrant immediate attention, and would put off action until a subordinate could be dispatched to Saraike Village to investigate. If this subordinate determined that the *kawata* village leadership were indeed at fault, then the Saraike village headman was to sentence them to house arrest.

This incident is suggestive for several reasons. First, it is clear that individual *kawata* households could appeal to the warrior authorities without the village headman's permission. The intendant did not decline to take up Magoemon's suit, but rather acted upon it by beginning an investigation. The fact that the intendant issued no order regarding the money Kyūemon owed

Magoemon was not because the two villagers' *kawata* status placed them outside of the normal avenues of Tokugawa law. Rather, it was because the intendant expected the *kawata* village leadership to be able to handle the matter on their own. Just as interesting is the fact that the peasant village headman was not singled out for punishment. Indeed, Chōzaemon's only role was to conduct interviews of the defendant Kyūemon and the *kawata* village leadership on behalf of the shogunal intendant. That Chōzaemon was not targeted for punishment in the same way as the *kawata* village leadership demonstrates that the intendant did not expect Chōzaemon, as peasant village headman, to resolve the dispute between the *kawata* villagers nominally under his jurisdiction.

Furthermore, we see that Chōzaemon lacked the independent authority to investigate and punish the *kawata*. While it is clear that the intendant expected Chōzaemon to carry out the sentence of house arrest, this was only to occur after an inspection by the intendant's subordinate had determined the correct course of action. Of course, a hierarchy still existed. In the eyes of the intendant, the peasant village headman was clearly the superior of the *kawata* village leadership. The letter was, after all, addressed to the peasant village headman and not to the three *kimoiri* of the *kawata* community. However, the course of events in this case suggests that on a day-to-day basis, the *kawata* were to govern their own affairs.

### **Outside of Saraike: The *Kawata* and Kawai Village**

Besides their own peasant headman, the Saraike *kawata* also had to deal with nearby peasant villages. As mentioned earlier, the *kawata* owned most of their farmland outside of Saraike Village, especially concentrated in Kawai Village. The fact that the *kawata* were not residents of the village that contained most of their land had enormous consequences for *kawata*

agriculture. In every Tokugawa village, landowners and the village leadership administered farming in the village, determined the tax burden of individual households, and rationed irrigation water in times of drought. Because the *kawata* were not residents of Kawai Village, they had no say in any of these matters, even though they owned substantial holdings in Kawai.<sup>143</sup> While the Kawai Village leadership did not exercise the kind of administration over the *kawata* that the Saraike headman was capable of, they nonetheless had a tremendous degree of influence over the sustaining of daily life.

On a number of occasions, the exclusion of the *kawata* cultivators from decision making in Kawai Village led to violence. In 1817, for example, a *kawata* landowner named Yasuke struck a Kawai villager with a hoe after an argument over watering Yasuke's fields.<sup>144</sup> In 1833 and again 1856, groups of around twenty *kawata* collectively marched on the Kawai headman's residence to demand more equitable distribution of water resources; both marches turned into riots.<sup>145</sup> All of these events ended with apologies issued by the *kawata* village leadership – one of the few instances where they negotiated directly with a peasant village without going through their parent village – though punishment of the perpetrators was handled by the peasant village headman. None of the records of these incidents makes any mention of Kawai Village sharing the blame for the outbreak of violence. However, one letter from the *kawata* village leadership in 1817 requested that the *kawata* cultivators of Kawai be treated the same as the Kawai peasants, which is a statement very much out of place in a letter of apology.<sup>146</sup>

The unique place of many *kawata* in rural society left them at a disadvantage. Most lived in one village yet owned farmland in another. This arrangement excluded the *kawata* from

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<sup>143</sup> Nobu 2007, pp. 38-44.

<sup>144</sup> Doc.218 [1817; Bunka 14] in *SIMM*, v. 2, pp. 696-97.

<sup>145</sup> Doc.230 [1833; Tenpō 4] in *SIMM*, v. 2, p. 720 and Docs.785-7 [1856; Ansei 3] in *SIMM*, v. 3, pp. 1150-52.

<sup>146</sup> Doc.218 [1817; Bunka 14] in *SIMM*, v. 2, p. 697.

crucial decisions surrounding the administration of irrigation water. In other words, the *kawata* of Saraike did not face discrimination simply because they were *kawata*. Instead, the unique historical trajectory of their social group left them disadvantaged and without a voice in many aspects of local farming.

By 1705, Saraike Village assumed the shape it would take for the next 165 years. The *kawata* and peasant communities shared the same administrative space, but were otherwise distinct. The *kawata* village leadership managed everyday affairs in their community, while the peasant village headman maintained overall administration and responsibility for mediating between the *kawata* and outside groups. The beginning of Akimoto family control over most of Saraike in 1705 created new administrative slots for the different portions of the village and complicated the population registers and tax payments of the village. Yet, at the community level, this change had little effect on the villagers of Saraike. Finally, the *kawata* would continue to maintain their large presence outside of Saraike, most notably in nearby Kawai Village. Land owned by *kawata* in Kawaii would continue to grow in the coming decades, nearly doubling by the end of the Tokugawa period.<sup>147</sup>

It took decades for the place of the *kawata* within Kinai society to take the shape recognizable to historians today. The process that created the Saraike *kawata* as “the Saraike *kawata*” involved both state actors and local conditions. As the case of Minami-Ōji demonstrates, the concept of an independent *kawata* village was not contrary to the logic of the early modern status society. So long as a *kawata* community could fulfill the requirements of an independent peasant village, they could be recognized as such. But because the historical conditions that led to Minami-Oji's independent status were so unique, the experience of the

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<sup>147</sup> Doc.7 [1872; Meiji 5] in *SIMM*, v. 1, pp. 34-9.

Saraike *kawata* remained the norm. Only by examining the interplay between the state authorities on the one hand and local conditions in the village on the other can the social history of the *kawata* be properly understood.

Farming was but one role of the rural *kawata*, however. In many ways, the foundation of *kawata* status was the disposal of dead draft animals. In western Japan, that primarily meant cattle. When a peasant household's animal died, it ceased to be their property, and became that of the nearby *kawata* community. In the first half of the Tokugawa period, most peasants interacted with *kawata* only in the latter's capacity as skinners and knackers. It is the investigation of this right that occupies the next chapter.

## Figures, Maps, and Tables

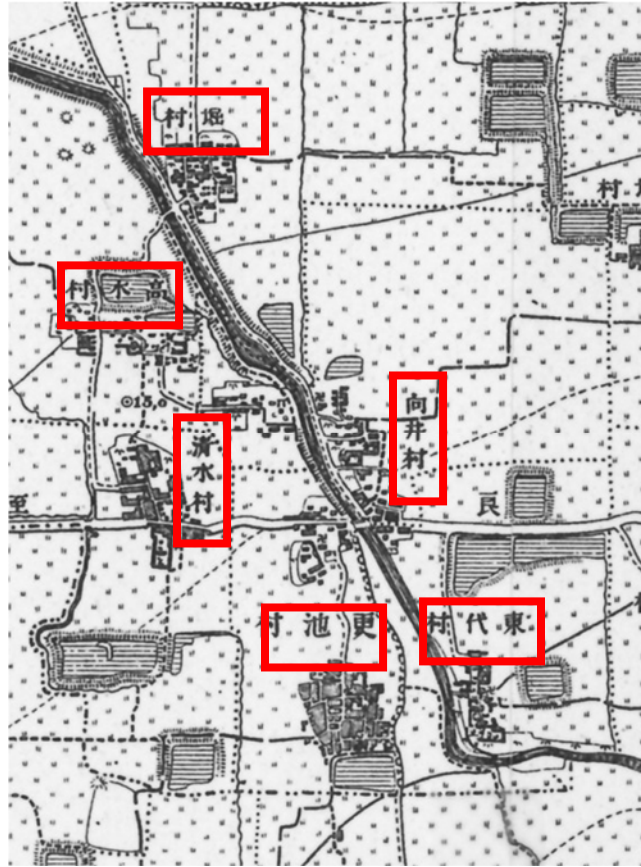


Figure 5: Clockwise from Top: Hori, Mukai, Higashi-Dai, Saraike, Shimizu, Takagi. Shimizu 1983, p. 107.



Figure 6: From Top: Saraike Peasant village, Kawata Village, Kawai Village. Shimizu 1983, p. 107

## CHAPTER TWO: DEFENDING THE *KUSABA*: SPACE AND STATUS IN THE EARLY EIGHTEENTH CENTURY

In the previous chapter, I briefly touched on the non-agricultural trades specific to the *kawata* community of Saraike Village. These included acting as executioners, making drumheads for local temples, performing purification rituals at local temples and shrines, and disposing of dead animals. Among these duties, the disposal of dead animals – bovines and equines specifically – was by far the most important for *kawata* villagers. The raw materials taken from carcasses fueled the trades that sustained daily life in the village, yet the revolting nature of these tasks was the source of popular prejudice the *kawata* faced. During the Tokugawa period, whenever a farmer's animal, possession of the carcass automatically passed to the nearby *kawata* community. The *kawata* collected the carcass, harvested the useful material like skin and bones, and then disposed of the remains. Though disposing of dead animals was not an enviable task, the manufacture of commodities produced from animal by-products provided a livelihood to many *kawata* villagers. This chapter will focus on how this all-important right functioned in practice in the mid-Tokugawa period.

In 1720 (Kyōhō 5), a shogunal intendant in Settsu Province in the Kinai sent an inquiry to Edo, requesting clarification on how ox carcasses were to be handled.<sup>148</sup> The shogunate replied that “Leaving carcasses in vacant fields or river beds is permitted. Burying carcasses or placing them in a river is forbidden, nor are those of peasant status to handle carcasses. When carcasses are dumped, the *eta* [*kawata*] will dispose of them.” This was not a handout to the *kawata* – carcasses that were dumped in rivers disrupted agriculture, while those that were buried represented a loss of potential leather. Only the *kawata* communities had the skills necessary to

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<sup>148</sup> Doc.72 [1720; Kyōhō 5] in *Ōsaka no burakushi*, v. 2, p. 221.



dispose of carcasses, making the *kawata* control over carcasses a logical policy. Moreover, disposing of carcasses was an onerous, disgusting duty that was partly compensated through the sale of goods produced from the carcasses. That the carcass would be the knackers' property went without question. In the context of the 1720s, rights over carcasses was not a bizarre form of ownership, but a logical outcome of the society in which it was exercised.

This chapter analyzes how status-based property functioned in rural Tokugawa Japan in within the social context explored in Chapter 1. The institutionalization of status ensured that *kawata* across Japan retained their control over carcasses regardless of the original intent of the system. In the Kinai, the disposal of dead draft animals by a specific group arose for the purpose of cleaning pollution from peasant villages. It was grounded in local conditions and based on reciprocity. But under the Tokugawa as the public authority, *kawata* owned carcasses because they were *kawata*; their duty was now to the realm, in the form of leather and service as executioners. As a principle of the system, the consent of the peasants involved no longer mattered in principle; carcasses were *kawata* status-based property by default. However, the attitude and popular practice of peasants remained important for the basic, day-to-day functioning of the *kusaba* system.

The historian Mae Keiichi identified five defining characteristics of the right to dead livestock in western Japan.<sup>149</sup> First, the handling of dead farm animals was restricted to individuals of *kawata* status. Second, *kawata* only had claims to the carcasses of bovines and equines. While they would dispose of other animal carcasses from time to time, ownership of these carcasses did not automatically pass to the *kawata* like those of horses and cattle.<sup>150</sup> Third,

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<sup>149</sup> Mae 1975, pp. 199-300.

<sup>150</sup> In practice, the animals handled by *kawata* in Saraike Village – and indeed in most of western Japan – were almost all cattle. As Sakai Hajime has demonstrated, there was a stark east/west divide in Japan between regions that used horses for agricultural labor and those that used cattle, centered around Nagoya. Out of all the documents

the former owner of the animal was required to surrender possession of the carcass to the *kawata* with no compensation. Buying and selling the carcasses was prohibited. Fourth, the territory within which one *kawata* community enjoyed the right to dead cattle – normally called a *kusaba* in western Japan – was negotiated between neighboring *kawata* communities.<sup>151</sup> Finally, not every *kawata* villager had equal claim to the dead animals acquired from the *kusaba* territory. Instead, only those who possessed the hereditary rights to these carcasses, known as *kusaba kabu-mochi*, could sell the raw material taken from a carcass.

While Mae's description is accurate in the broad strokes, it presents a *kusaba* system that was static and unchanging. This practice emerged out of the late medieval period and continued until early 1871, when the Meiji government decreed that dead livestock could be freely bought and sold by their former owners. The fundamentals of the system as identified by Mae largely remained in place during the Tokugawa period, but how the *kusaba* system functioned in practice changed over time. In this chapter I demonstrate how the *kusaba* right functioned at the level of daily life in the early eighteenth century. This period is important because it saw several *kusaba* boundary disputes between neighboring *kawata* communities caused by the growth of village population. The boundary disputes were adjudicated by the Osaka city magistrate, whose juridical authority extended far outside the city limits. By the mid-eighteenth century once fuzzy boundaries became solidified, and the transition from *kusaba* as a quasi-religious service to pure economic activity was completed.

To investigate the developments in the *kusaba* system, I use the records of two *kusaba* boundary disputes: one between Shindō village (modern day Tondabayashi) and Hayashi village

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dealing with animal disposal in the Saraike Village collection, only one involves an equine. Given this, I will use “cattle” or “oxen” when referring to the animals that the Saraike *kawata* had rights over. See Sakai 1977, pp. 1-81.

<sup>151</sup> From here on I will use the word “*kusaba*” as shorthand to refer to the system by which members of a *kawata* community enjoyed the right to dead bovines and equines from their village's territory.

(Habikino city) in 1719, and another between Saraike and Jōrenji villages six years later in 1725. These disputes occurred when one *kawata* community took possession of a carcass that a neighboring *kawata* community believed to have died in their territory. The aggrieved party would first attempt to resolve the dispute at the village level by demanding compensation for the value of the dead animal from either the *kawata* village that took possession of it, or from the peasant farmer that gave the carcass to the wrong *kawata* village. If this failed, the *kawata* community would petition a higher authority such as a shogunal intendant or domain official. When the two *kawata* communities were in lands of different overlords – as was often the case in the highly fragmented Kinai region – the *kawata* villages would appeal to the Osaka city magistrate, who, as a direct shogunal representative, had the authority to adjudicate cases across the borders of multiple feudal lords. The disputes I analyze in this chapter were decided at this highest level of authority, ensuring that the precedent made in each case would reverberate far beyond the boundaries of one or two villages.

Central as the *kusaba* right was to the *kawata*, however, it would be a mistake to assume that it can be understood from the perspective of the *kawata* alone. Instead, it requires an analysis that looks beyond the *kawata* village to consider the broader society of which the *kawata* were a part. While it is true that *kusaba* was a *kawata* status-specific right, in practice it involved a number of non-*kawata* status groups. Peasant farmers who did not rely on the *kusaba* for their livelihood nevertheless provided the dead bovines and equines that were turned over to the *kawata* villagers. These peasant villages also often found themselves at the center of *kusaba* disputes, whether as the parent village of a feuding *kawata* community or the locus of a *kusaba* boundary dispute. Additionally, warrior authorities based in urban locales like Osaka were tasked adjudicating *kusaba* disputes when they arose between *kawata* communities with different

overlords. Peasant perspectives on *kusaba* territory played a decisive role in shaping how this practice developed in the eighteenth century, even though they did not share *kawata* villagers' conceptions of space and thus had little understanding of how *kusaba* actually functioned.

### **Saraike Village and Local Society in the Early Eighteenth Century**

In 1725, most of Saraike Village had been under the control the Kantō-based Kawagoe Domain for twenty years.<sup>152</sup> The remaining twenty percent of the village land was controlled by Koide Kazue, a shogunal bannerman. The Tanaka family still exercised control at the village level, with Kiemon – the fifth head of the family – controlling the larger Kawagoe domain section, and his relative Tokuemon holding the shogunal portion. The peasant population was somewhere around 170 villagers divided among thirty to thirty-five households.<sup>153</sup> Of those, only six were landholders, including the village leadership. This reflects the great consolidation of land by the Tanaka family we observed in the last chapter. Meanwhile, the *kawata* population was around 500 villagers divided into roughly 90 households.

All of the documents created by the Saraike *kawata* during their dispute with Jōrenji Village carried the seals of eight signatories. The documents themselves give no indication to their status in the village, as they are only listed as “the *eta* of Saraike Village” (*Saraike-mura ryōnai eta*), with the word “eta” used in place of *kawata* because this was a document sent to warrior authorities. Referencing other contemporaneous documents makes their identity clear, however. The first name – Yosōemon – was encountered in the previous chapter. This was the hereditary name of the most powerful *kawata* village leader, or *kimoiri*. Two other signatories –

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<sup>152</sup> As mentioned in the last chapter, Kawagoe domain was located in the Kantō plain of eastern Japan. The head of the domain was rewarded land in western Japan after his service on the shogun's council of elders during the Akō *ronin* incident of December 1704.

<sup>153</sup> Doc.2 [1746; Enkyō 3] in *SIMM*, v.1, pp. 5-12.

Mataemon and Jin'emon – were also listed as village leaders in a petition from 1720, with Jin'emon also listed as “*kusaba* representative” (*toriuchi sōdai*).<sup>154</sup> In later *kusaba* disputes from the late eighteenth and nineteenth centuries, it was common to only have the highest ranking *kawata* villager and the *kusaba* representative lend their seals to any petitions. Given the number of signatories for this 1725 dispute, it is likely that these households all held the hereditary rights to the village's *kusaba* territory.

These eight signatories also appeared on different petition from 1717. The petitioners urged their headman to help them secure compensation from nearby Daiho village, where the *kawata* had recently executed a criminal. While that incident itself is not relevant to this case, it is noteworthy that the same eight individuals who were involved in performing executions also owned the hereditary *kusaba* rights in the village. Performing executions was a central aspect of *kawata* duty owed to the shogun and daimyo.<sup>155</sup> It was the performance of this duty, in part, that rationalized the *kawata*'s ownership of dead bovines and equines. Thus, the signatories to the documents from this dispute indicate that at this stage, the same people who controlled the right to the animal carcasses of the region also managed the execution of *kawata* duty.

This overlap between those who managed the execution of *kawata* duty and those who managed the collection of dead livestock was not limited to Saraike Village. In his study of the social composition of the *kawata* community of Naki Village, Fujimoto Seijirō pointed out that the villagers who held *kusaba* rights were those who had first arrived in the community.<sup>156</sup> Their leadership status in the village led to their management of the performance of *kawata* duties. In Watanabe Village, outside of Osaka, the village leadership prior to the mid-eighteenth century

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<sup>154</sup> Doc.313 [1720; Kyōhō 5] in *SIMM*, v. 2, p. 927.

<sup>155</sup> Botsman 2005, pp. 50-58.

<sup>156</sup> Fujitmoto 1997, pp. 278-279.

were two families that were directly responsible for executing criminals for the Osaka city authorities.<sup>157</sup> Of course, there is no indication of how involved in the *kusaba* process the eight Saraike village signatories were. That is, it is unclear whether they actually did the work of dismembering the carcasses or delegated this work to subordinates.

The opponent of Saraike in their dispute was the *kawata* community of Jōrenji, also known as Tonda Shinden. Jōrenji was a village of 254 *koku* located two miles north of Saraike. Unlike Saraike, whose *kawata* population was more than double the peasant population, Jōrenji Village's two communities were both around 200 villagers.<sup>158</sup> This was because the *kawata* of Jōrenji were relocated to land under Jōrenji's control less than three decades before their dispute with Saraike Village in 1725. In 1702, the shogunate ordered a massive riparian project on the Yamato River in order to prevent devastating floods. As a result, part of the *kawata* community of Kareki Village became submerged underwater. Those villagers were given newly reclaimed land that fell in the territory of Jōrenji Village, thus putting those *kawata* villagers under the jurisdiction of the Jōrenji headman. It is likely that the creation of the Jōrenji *kawata* community had a direct impact on the outbreak of the dispute with Saraike village. These two *kawata* communities of Jōrenji and Kareki villages each had their own much smaller *kusaba* territories, which they would defend at all costs.

Just south of Jōrenji was Miyake Village, the peasant village at the heart of this dispute. This massive community of 2,045 *koku* was home to over one thousand villagers. Like Saraike, Miyake was under a system of split control, with seventy percent of village land belonging to the Akimoto family of Kawagoe domain, and the remaining thirty percent under shogunal control.<sup>159</sup>

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<sup>157</sup> Tsukada 2006, pp. 291-298.

<sup>158</sup> In 1736 the peasant population was 198 villagers in 42 households while the *kawata* population was 206 villagers in 44 households. Doc.7 [1736; Genbun 1] in *Matsubara-shi shi*, v. 3, pp. 458-462.

<sup>159</sup> Doc.5 [1760; Hōreki 10] in *Matsubara-shi shi*, v. 3, pp. 447-456.

In 1760 the headman of the shogunal portion of Miyake village submitted a report to the new shogunal intendant regarding the village's population and agricultural production. He specified that the village owned fifteen head of cattle. At that time the population of the shogunal portion of Miyake village was 335. A similar ratio of oxen to villagers for the Kawagoe domain section would put the total number of oxen in the village at around sixty-five head. Whatever the real number was, ownership of dead oxen from Miyake village was a valuable prize for a *kawata* community.

There are no records that indicate how many carcasses the Saraike or Jōrenji *kawata* handled each year. However, there are figures for the neighboring outcaste community of Shindō Village.<sup>160</sup> Between 1736 and 1741, the Shindō *kawata* processed 235 male oxen and an unspecified number of females.<sup>161</sup> Roughly ten households – eight percent of the entire *kawata* village – held the rights to profits from these carcasses.<sup>162</sup> Carcasses were valuable property: in 1714, the Shindō *kawata* paid Saraike 100 silver *monme* after mistakenly taking an ox carcass from the Saraike territory. This was only slightly less than a year's wages for a rural household servant.<sup>163</sup> To be sure, a price as high as 100 *monme* was an exception; historian Teraki Nobuaki indicates that the normal value of a carcass in the early eighteenth century was between thirty-two to fifty-two *monme*, depending on its size.<sup>164</sup> Still, carcasses represented a major source of income for *kawata* communities, and one that the litigious *kawata* closely guarded.

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<sup>160</sup> Teraki 2015, pp. 203-228.

<sup>161</sup> Teraki notes that villages in this region of Kawachi Province used male oxen at a greater rate than female oxen, which is why we cannot assume that the Tonda outcastes processed an equal number of male and female oxen. Ibid, p. 206.

<sup>162</sup> Ibid, p. 209.

<sup>163</sup> The daimyo of Hakata domain possessed a small holding in Izumi Province (southern Osaka Prefecture) not large enough for a castle town. Instead, the daimyo resided in a mansion (*jinya*) within domain lands. In her article on the relationship between Hakata domain and its rural villages, historian Saitō Hiroko explores how villagers were recruited to serve in the domain mansion. She provides data on the annual wage paid to such servants between 1706 and 1730, which fluctuated around 120 silver *monme*. Saitō 2014, p. 168.

<sup>164</sup> Teraki 2015, p. 206.

## Case One: Saraike Village and Jōrenji Village

Late in the fourth year of Kyōhō (1719), an ox belonging to Rokuemon of Miyake village died. As was custom, the *kawata* community of Saraike village took possession of the carcass. When news of this reached the *kawata* community of Jōrenji, who also claimed ownership of Miyake's dead livestock, they protested. The Jōrenji *kawata* issued a letter to Miyake insisting that in the future, all carcasses from within Miyake be handed over to Jōrenji. Miyake appears to have ignored this message, and the issue was left to simmer for six years. Indeed, the *kawata* of Saraike did not appear to have any knowledge of this exchange between Miyake and Jōrenji until the later dispute.

On the ninth day of the second month of Kyōhō 10 (1725), Miyake held a *kaichō* in their village, which was an event that involved displaying the rare treasures held in the village's temple.<sup>165</sup> The next day, the *kawata* of Jōrenji petitioned the local shogunal intendent (*daikan*) to recognize that their village alone held the rights to draft animal carcasses from Miyake. Shogunal intendants were local representatives of the shogunate tasked with maintaining order and adjudicating disputes among villagers on shogunal land. They did not have their own castle towns, but were located in the provinces. Jōrenji's petition prompted the intendent to send an inquiry to the headman of Miyake regarding how their village had disposed of dead cattle heretofore. The headman of Miyake, Heiji, sent his reply on the twelfth day of the same month, meaning that only three days had passed between the *kaichō* festival, the petition, and the intendent's inquiry.<sup>166</sup>

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<sup>165</sup> Doc.317 [1725; Kyōhō 10] in *SIMM*, v. 2, pp. 931-2. Although *kaichō* were always held by a Buddhist temple, the documents from this dispute specify that it was Miyake's Shinto shrine that held the *kaichō*.

<sup>166</sup> Docs.314-5 [1725; Kyōhō 10] in *SIMM*, v. 2, p. 928.



Heiji stated that it had been custom for farmers in Miyake to dispose of their cattle at their discretion, depending on where the animal died. Those carcasses deposited at flaying grounds (*ushi hagi ba*) to the south were taken by the Saraike *kawata*, while those sent north were taken by Jōrenji. Heiji also provided a list of the carcasses that had been taken by Saraike, at least as far as any villager could remember. Finally, he mentioned that six years earlier, a similar dispute had broken out between these same two *kawata* villages when the Saraike *kawata* took possession of a dead ox. The Jōrenji *kawata* sent a similar demand to Miyake at the time, but the dispute remained unresolved until the *kaichō* sparked a new argument. The significance of this earlier dispute will be investigated later.

It is unclear what the intendent did after he received the reply from Miyake. We can only confirm that thirteen days later, the Jōrenji *kawata* brought suit against the *kawata* of Saraike village by appealing to the Osaka city magistrate (*Ōsaka machi-bugyō*).<sup>167</sup> As one of the largest cities in Japan, Osaka had been under direct shogunal control ever since the city was seized by Tokugawa armies in 1615. Soon after, the shogunate appointed two bannermen (*hatamoto*) to serve as city magistrates, a system which lasted until the fall of the Tokugawa shogunate.<sup>168</sup> These men were usually of middle rank, holding between 1,000 and 3,000 *koku* as their personal fief. Though they were nominally subordinate to the keeper of Osaka Castle (*Ōsaka jōdai*), the city magistrates were the highest de facto power in the region, and tasked with issuing shogunal edicts and managing city governance.<sup>169</sup>

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<sup>167</sup> Doc.317 [1725; Kyōhō 10] in *SIMM*, v. 2, pp. 931-2.

<sup>168</sup> These were the western and eastern magistrates (*nishi machi bugyō*, *higashi machi bugyō*). These designations did not refer to the area of jurisdiction, but the physical location of each office relative to Osaka Castle. Only one magistrate's office was open to hear appeals at any given time, with each magistrate's office serving every other month.

<sup>169</sup> For more on the role of the Osaka city magistrates, see Tsukada 2015, pp. 37-76.

The Osaka city magistrate's juridical authority extended beyond the confines of Osaka. Initially confined to the provinces of Settsu and Kawachi, by the early eighteenth century their jurisdiction included Izumi and Harima provinces.<sup>170</sup> Within this area, the city magistrate was the highest court of appeals, and in the case of the Jōrenji *kawata*, the only court with the authority to issue orders to Saraike Village. A shogunal intendant could not issue orders to a village under the control of a daimyo. In 1725, Saraike Village was under the control of Kawagoe domain and the bannerman Koide Kazuo, putting it out of the intendant's reach. Therefore, it is likely that Jōrenji Village's initial request was for the intendant to order Miyake Village to hand over all carcasses to their control. Given that the Jōrenji *kawata* eventually appealed to the Osaka city magistrate, the intendant clearly denied their request. So, the Jōrenji *kawata* brought suit directly against Saraike Village.

Saraike Village received notice from the Osaka city magistrate's office shortly after the Jōrenji *kawata* issued their petition.<sup>171</sup> As with their appeal to the shogunal intendant, the Jōrenji *kawata* sought recognition that all draft animal carcasses from Miyake were their property. The Saraike *kawata* rejected this claim, and insisted that Miyake village was divided between them and Jōrenji village. The Saraike *kawata* were ordered to appear in front of the magistrate on the second day of the third month and face the Jōrenji *kawata*.

There is a letter in the Saraike Village headman's collection from the peasant headman of Jōrenji Village that arrived one day before the representatives of the two *kawata* villages met in Osaka.<sup>172</sup> The Jōrenji headman confirmed that both men were headed to Osaka the next day, and asked where the Saraike headman was planning to stay in the city. The form and content of this

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<sup>170</sup> Tsukada 2017, pp. 39-43. By the eighteenth century, the Osaka city magistrates were also responsible for adjudicating financial disputes (*kingin deiri*).

<sup>171</sup> Doc.317 [1725; Kyōhō 10] in *SIMM*, v. 2, pp. 931-2.

<sup>172</sup> Doc.282 [1725; Kyōhō 10] in *SIMM*, v. 2, p. 877.

letter makes it clear that both peasant headmen had attempted to settle this dispute between their *kawata* communities before appearing before the magistrate. However, the *kawata* of Jōrenji refused to listen to the headman. This document does not reveal much information about the case itself, but is illustrative of the relation between the peasant “parent” village and *kawata* village in the mid-Tokugawa period. The peasant village headman did not have the power to unilaterally prevent the *kawata* under his control from issuing petitions. As we will see in Chapter 3, this relationship between the peasant headman and the *kawata* would change by the late eighteenth century.

The two *kawata* villages faced one another in Osaka on the second and fifth days of the third month.<sup>173</sup> On the seventh day their case was investigated by an officer under the magistrate’s control (*jikata yakusho*). Upon examining the evidence, this officer ordered the matter be resolved at the village level. The peasant headmen of the two villages were ordered to negotiate and develop a resolution. Upon conferring with one another, they decided to resolve the matter based on a letter submitted by Miyake Village to the Osaka City Magistrate earlier that month. This letter, which described how villagers in Miyake disposed of their dead animals, was submitted by order of the magistrate.

The content of this letter was much the same as that submitted by Miyake to the shogunal intendent the previous month.<sup>174</sup> Again, it stated that it was common practice for villagers in Miyake to pass their dead livestock to Saraike and Jōrenji. Those animals that died in the northern area of the village were handed to Jōrenji, while those from the south went to Saraike. But, reflecting the desire of Miyake for the dispute to be over, the version submitted to the Osaka city magistrate copied the assertion of the Saraike *kawata* nearly word-for-word. Their previous

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<sup>173</sup> Doc.316 [1725; Kyōhō 10] in *SIMM*, v. 2, pp. 929-930.

<sup>174</sup> Doc.73 [1725; Kyōhō 10] in *Ōsaka no burakushi*, v. 2, pp. 221-222.

letter to the intendent did not specify a north/south divide, but merely stated which *kawata* community took carcasses from which flaying grounds.

The village headmen of Jōrenji and Saraike relayed this decision to the *kawata* representatives present. The Saraike *kawata* were naturally delighted; the Jōrenji *kawata* replied that, while they accepted the decision, they needed to confer with their fellow villagers first. The village headmen then informed the magistrate's office of their desire to have the suit dropped. After the parties had returned home, however, it became clear that not everyone in the Jōrenji *kawata* community was satisfied with the decision.

At this point, the timeline becomes unclear. There are three main documents that explain the events of the case. Only the last document has a firm date, which is the fourth day of the fourth month.<sup>175</sup> The other two are simply dated "the third month." Of these, the first is clearly a copy of the statement that the Saraike *kawata* delivered at the magistrate's office on the second day of the third month. The second document is another petition from the Saraike *kawata* to the Osaka City Magistrate, delivered after it was clear that the Jōrenji *kawata* did not accept the decision reached in Osaka. This document provides a summary of the events up to the document's submission, and it is from this summary that we know on which days the deliberations in Osaka were held. But, nowhere is it specific when the document itself was submitted. If we consider the time necessary for the village representatives to return home, discover that the Jōrenji *kawata* did not accept the decision, then return to Osaka to submit another petition, we can deduce that it was submitted sometime in the middle of the third month.

The final document, submitted on the fourth day of the fourth month, was a joint statement from both *kawata* communities, addressed to the Osaka City Magistrate. The

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<sup>175</sup> Doc.318 [1725; Kyōhō 10] in *SIMM*, v. 2, pp. 932-933.

representatives of the two *kawata* villages requested that the petition from the Jōrenji *kawata* be dismissed. The *kawata* stated that, after deliberations, they agreed that the dispute should be resolved according to the letter submitted by Miyake Village to the Osaka city magistrate. This was the same letter referenced by the peasant village headman when they came to their conclusion nearly a month earlier. Essentially, this meant that the Jōrenji *kawata* conceded their case to Saraike.

Ownership of carcasses from Miyake would remain split between the two *kawata* villages. Twenty-six years later in 1751 (Hōreki 10), a change in shogunal intendants prompted Miyake Village to submit a new village *meisaichō*, which provided details on the village's customs and landholding information.<sup>176</sup> Near the end of the document is a report on the existence of various trades or social groups in the village, such as artisans. One entry stated that, while there were no *kawata* in the village, it was customary for the village's dead livestock to be passed to both Saraike and Jōrenji villages.

### **Jōrenji Village's Appeal: *Kusaba* in the Mid-Tokugawa Period**

So far, it would seem that the Jōrenji *kawata* never had a case. Their assertion that all of Miyake Village was within their *kusaba* territory was contradicted by evidence provided by that same village. Yet even after Miyake submitted their response to the intendent's inquiry, the Jōrenji *kawata* persisted in their petition to the Osaka city magistrate. While the text of the Jōrenji *kawatas'* petition does not survive, their argument can be partially reconstructed based on the content of Saraike village's counter-petition. This statement, given at the magistrate's office, contains refutations of specific assertions of the Jōrenji *kawata*. Here I will quote it in part:

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<sup>176</sup> Doc.5 [1751; Hōreki 10] in *Matsubara shishi*, v. 3, pp. 447-56.

Item: Recently, a *kaichō* was held at the shrine of Miyake Village in Tanboku District; because of this, on the twenty-fifth day of last month, the [*kawata*] of Jōrenji Village issued a petition [to the Osaka City Magistrate] declaring that all dead livestock from Miyake Village was to be considered in their territory. Thus, a copy of this petition was sent to us by the magistrate's office, for which we are grateful. Concerning the issue of Miyake Village's dead livestock, those sent southwest have been disposed of by our community since time immemorial, while those sent north have been disposed of by the *kawata* of Jōrenji Village.

Item: Seventy-six years ago, in the Keian period [1648-1652], when a *kanjin sumō* event was held within the boundaries of Miyake village's shrine, members of our village performed various duties.<sup>177</sup> Thus, to have asserted that only the [Jōrenji *kawata*] have performed these duties is a falsehood.

Item: On the seventh day of the third month of Shōtoku 3 [1713], a man named Kōsuke gave a *matsubayashi* performance within the boundaries of Miyake Village's shrine; as was customary, we and our village headmen were invited.<sup>178</sup> We performed various duties, and received *shūgi* [gratuity; gift; consideration] on that occasion; thus, to assert that only the [Jōrenji *kawata*] have performed these duties is truly outrageous.

Item: Recently, a *kaichō* was held at the Miyake Village shrine beginning on the ninth day of last month. As is custom, the Miyake village leadership extended an invitation to attend. Then, they approached the headmen of our peasant village, and soon after we were summoned as well. We were instructed that, even if we were to encounter the Jōrenji *kawata* at Miyake Village's *kaichō*, any fights or verbal arguments were strictly prohibited. We obeyed these instructions to the letter, and yet still the Jōrenji *kawata* persisted in their selfish petition.<sup>179</sup>

Here, the Saraike *kawata* claimed that ownership of carcasses was split between them and Jōrenji. They also insisted that the Jōrenji *kawata* were not the only group to fulfill various duties at Miyake's shrine. Supporting this were two earlier instances when Saraike *kawata* had fulfilled these roles. From this we can conclude two things about the assertions of Jōrenji village: first, that their goal was to convince the magistrate to order Saraike to recognize that all carcasses from Miyake were their property; second, that they supported this argument with the claim that,

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<sup>177</sup> *Kanshin sumō* was a sumo event held at a shrine or temple for the "entertainment" of the deity.

<sup>178</sup> *Matsubayashi* was a folk dance with flute and drums, usually performed around the new year.

<sup>179</sup> Doc.317 [1725; Kyōhō 10] in *SIMM*, v. 2, pp. 931-2.

in the past, only the Jōrenji *kawata* had performed “various duties” (*shoyaku*) at festivals held on the grounds of Miyake’s shrine and received *shūgi* in return.

They key concepts here are “various duties” (*shoyaku*) and “*shūgi*.” During the Tokugawa period, it was customary for *kawata* villagers to perform miscellaneous duties at religious events held at villages within their *kusaba* territory. This included performing purification rites, as the already-polluted *kawata* were believed to be capable of cleansing pollution from shrines and temples. Recall that the practice of disposing of dead livestock was itself originally considered an act of purification, as it removed the taint of a carcass from the peasant village. More often, however, these various duties simply involved providing security and crowd control during the potentially rowdy festivals.

*Shūgi* is harder to translate. In the quote above, it refers to compensation provided to the Saraike *kawata* in exchange for the services they rendered during festivals and other religious functions. Yet the term had larger implications than this, and implied a longstanding patron/client relationship.<sup>180</sup> If a *kawata* community received *shūgi* from a peasant community, it meant that the relationship was not just functional. If the Jōrenji *kawata* could successfully demonstrate that only their community received *shūgi* in return for service in Miyake Village, it could imply an exclusive patron/client relationship with Miyake.

The Saraike Village *kawata* were aware of the importance of *shūgi* to their appeal. Yet in refuting the Jōrenji *kawata*, the Saraike *kawata* could only come up with two previous examples when they had received *shūgi* in Miyake. Moreover, one of those instances occurred seventy-six years prior to the dispute, before anyone alive in 1725 had been born. The other was just twelve

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<sup>180</sup> For example, the *hinin* (beggar) confraternity of Osaka organized and licensed all begging activity in the city. Individual members of the organization maintained a relationship with a city ward, whereby they received alms and sustenance in return for providing security to the town ward and keeping out unlicensed beggars. The alms the *hinin* received could be called a form of *shūgi*. See Tsukada 2001, pp. 66-69.

years earlier. Even though their service in Miyake was so limited, the Saraike *kawata* had received *shūgi* at least once before; for this reason, they could claim that their village had a clear historical precedent of serving in Miyake Village.

At this point, it is important to recall how the dispute began. Every document related to this case begins by stating the connection between the *kaichō* festival held in Miyake and the Jōrenji *kawata* claim over all carcasses from Miyake. This connection was highly unusual for a dispute over *kusaba* boundaries. The content of Saraike Village's counter-appeal does not clearly specify whether both they and the Jōrenji *kawata* performed service at this *kaichō* event. Given that they were invited by the Miyake village leadership, it is safe to assume that they did. The first dispute between these two *kawata* communities began when a dead ox that the Jōrenji *kawata* believed to be their property was instead passed to Saraike. In a similar fashion, the current dispute broke out when the Saraike *kawata* were invited to perform service for Miyake's shrine, a duty which the Jōrenji *kawata* believed to be their exclusive domain.

Given all of this, we can say that there were two pillars to the appeal from the Jōrenji village *kawata*: first, that all of Miyake Village was within their territory. Supporting this assertion was that only their village had performed service at Miyake's religious functions and received *shūgi* in return, designating a legal, established relationship between the two communities. Since the Saraike *kawata* had given service only twice before – with one instance occurring outside all living memory – the Jōrenji *kawata* could plausibly argue that only their village had performed this service. If this assertion was true, then it followed that all carcasses from Miyake should also belong to the Jōrenji *kawata*. After all, the disposal of draft animal carcasses from peasant villages was originally a semi-religious function that *kawata* performed



for those villages. Here, the Jōrenji *kawata* used that rationale to advance their claim to possess all of Miyake Village's ox carcasses.

Given that the Saraike village *kawata* could only provide two past instances of providing service in Miyake village, Jōrenji village likely had a stronger case than it first appears. Still, it was not enough to counter the evidence provided by Saraike Village and Miyake Village. The Miyake peasants continued to send a portion of their dead cattle to the Saraike *kawata* until the abolition of *kusaba* in the early Meiji period – and likely even after. Though the stakes of this case were strictly local, the logic of the appeals and the triumph of one view of *kusaba* over another were not limited to the confines of Saraike village.

### **Watanabe Village and the Second Dispute**

The *kaichō* held in Miyake Village was the impetus for the 1725 dispute between the two *kawata* communities, but it was not the first time a disagreement had arisen. Heiji, the headman of Miyake, mentioned an event six years earlier in this letter to the shogunal intendant during the 1725 dispute. He stated that:

Item: [Six] years ago, Jōrenji Village sent us a letter [regarding our village's draft animal carcasses]. We are now submitting this letter to you [the intendant] along with our report. We have heard that (*yoshi*), at the time, Saraike Village submitted a reply to [the Osaka city magistrate] (*o-kōgi sama*) claiming that Miyake Village was an area of joint control [of dead livestock], or so the [Saraike] *kawata* say.

Two phrases are key: *o-kōgi sama* and *yoshi*. During the Tokugawa period, the former was an honorific term for the shogunate or any shogunal agents. In this case, it referred to the Osaka city magistrate. *Yoshi* is a particle that designates hearsay. In the letter, the Miyake headman wrote that, while he had heard from the Saraike *kawata* that they had submitted a letter to the magistrate six years ago, he could not confirm this information. Though this is a seemingly

minor point, answering what *o-kōgi-sama* meant is crucial to an analysis of *kusaba* practice in the mid-Tokugawa period.

The answer comes from a seemingly unrelated document in the Tanaka family collection. On the tenth day of the twelfth month of Kyōhō 4 (1719), three representatives of “Nunose Village” (the Saraike Village *kawata*) sent a reply to the two village elders of Watanabe Village, named Bungo-ya Kizaemon and Sanuki-ya Nihei.<sup>181</sup> The letter was a response to an inquiry regarding the Saraike *kawata* practice of collecting dead livestock. In the response, the representatives of Saraike noted that to the south, their *kusaba* territory bordered that of Tonda Village (also known as Shindō). On this southern border, both villages collected draft animal carcasses based on the principle of *ryōnai tori*; that is, they only took possession of animals that died within the boundaries of peasant villages within their *kusaba* territory. In contrast, on their northern border the *kawata* of Saraike held joint control (*tachiai*) with the *kawata* of Jōrenji. “Joint control” meant that their *kusaba* territorial boundary divided a peasant community (Miyake) in two.

This reply was sent in 1719, the same year that the Saraike *kawata* are supposed to have sent a letter to the Osaka city magistrate regarding their practice of joint control of Miyake Village’s draft animal carcasses. Watanabe Village was the most influential *kawata* community in western Japan. During the Tokugawa period, members of the village performed executions and other duties for the Osaka city magistrates. Due to this relationship, earlier scholars have speculated that the inquiry to Saraike mentioned above was issued by Watanabe Village at the order of the magistrate.<sup>182</sup> This was done in order to compile a complete record of the *kusaba* boundaries of all *kawata* villages under the Osaka city magistrate’s jurisdiction. For that reason,

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<sup>181</sup> Doc.310 [1719; Kyōhō 4] in *SIMM*, v. 2, p. 925.

<sup>182</sup> Fujimoto 1977, pp. 7-12.

the Saraike *kawata* could claim they had issued a response to the magistrate (*ō-kōgi sama*), even though this letter was directed at Watanabe Village. There is some evidence to support this claim. Records from the Tanaka family documents indicate that Saraike Village was not the only community to receive an inquiry from Watanabe regarding their *kusaba* practices at this time. Just a few days prior, a message arrived from the *kawata* community of Mukaino Village, three miles east of Saraike, confirming that both villages practiced *ryōnai tori* on their *kusaba* border.<sup>183</sup>

However, this explanation does not match the content of Watanabe Village's inquiry. The Saraike representatives never identified clear boundaries in their reply. The exception was the boundary with Jōrenji in Miyake Village, but that was only to explain the fact of joint control. We only know that Saraike's southern board was shared with the Shindō *kawata*, while no mention was ever made of the western and eastern borders. Thus, it is hard to imagine that Watanabe Village could compile a full picture of the *kusaba* boundaries of all the *kawata* villages in the Kansai region based on this kind of information. Instead, it is more likely that Watanabe was inquiring into the *kind* of borders Saraike Village shared with other *kawata* villages, not the location of those borders. Now, we need to address why the Osaka city magistrate would order Watanabe Village to conduct this inquiry, and why in 1719 (Kyōhō 4).

## The Second Dispute

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<sup>183</sup> Doc.357 [1719; Kyōhō 4] in *SIMM*, v. 2, p. 989. The document itself only lists the year as “*i-no-toshi*” (year of the boar) but from the date and month (thirteenth day of the twelfth month), it is clear that this year of the boar is Kyōhō 4.

An answer to these questions comes from another *kusaba* boundary dispute.<sup>184</sup> Three months before Watanabe Village's inquiry, a different dispute over *kusaba* boundaries broke out between two other Kawachi *kawata* communities, Shindō and Hayashi. Shindō was located in today's Tondabayashi city, roughly eight miles south-east of Saraike; as mentioned earlier, it shared a *kusaba* boundary with the Saraike *kawata*. Hayashi, meanwhile, was 3.7 miles to the east of Saraike. The dispute between these two villages centered on Shinmachi Village, a peasant community located in between Shindō and Hayashi.

The dispute between Hayashi and Shindō villages is significant to Saraike not only because of the link between this dispute and the inquiry from Watanabe Village. The issues in this second dispute are also remarkably similar to the dispute between Saraike and Jōrenji. The dispute began when a villager from Shinmachi gave his dead ox to the *kawata* community of Hayashi. The Shindō *kawata* protested and claimed that all of Shinmachi was in their *kusaba* territory. The evidence Shindō Village presented was that only their community had provided service as executioners in Shinmachi and had received *shūgi* during religious events in that village. Meanwhile, Hayashi countered that both *kawata* communities owned dead livestock from Shinmachi Village. Documents submitted by the headman of Shinmachi supported Hayashi's claim. The dispute lasted at least three months and, like that between Saraike and Jōrenji, reached the level of the Osaka city magistrate. In this dispute, we see Shindō taking a similar position to Jōrenji, while the logic of Hayashi matched that of Saraike. However, in this earlier dispute, it is only the documentation from Shindō Village that survives.

Three documents related to the Shindō/Hayashi case survive: an account of the dispute from Shindō Village's perspective that was submitted to their parent village's headman; Shindō's

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<sup>184</sup> The documents related to this case come from the archive of the Takeda Family, peasant headman of Shindō Village. See Docs.68-70 [1719; Kyōhō 4] in *Ōsaka no burakushi*, v. 2, pp. 215-220.

appeal to the Osaka city magistrate; and a letter from Shinmachi Village to the magistrate, clarifying the village's customs of dumping dead livestock. This mimics the issues we encountered in Saraike village's dispute, only in reverse, as Shindō village's perspective closely resembles that of the Jōrenji *kawata*. To an extent, they give us a better idea of the content of Jōrenji's appeal.

### **The Case: Shindō Village and Hayashi Village**

Late in the eighth month of Kyōhō 4 (1719), an ox belonging to Yojibei of Shinmachi Village died. The *kawata* of Shindō, who claimed ownership over Shinmachi's dead cattle, heard of this and approached Yojibei to collect the carcass. When the *kawata* arrived, Yojibei informed them that the animal that died was not his property. Instead, he had borrowed it from a family in Nonoue Village, two miles northwest of Shinmachi. When the ox died, Yojibei asked the former owners for instructions. In reply, they told him to turn it over to the *kawata* who held responsibility for Nonoue, the Hayashi Village *kawata*.

The Shindō *kawata* told Yojibei that, under the *kusaba* system, it did not matter who the animal had belonged to in life. Rather, *kawata* villages determined carcass ownership based only on where the animal died. Yojibei responded that he was not aware of this rule, but would be sure to follow it in the future. The *kawata* replied that, in order for this matter to be settled, Yojibei must either hand over the carcass or pay them the equivalent value in silver. So, Yojibei said that he would dispatch his son to Hayashi village in order to negotiate the payment of silver to the Shindō *kawata*. The *kawata* then waited in Shinmachi Village for Yojibei's son to return.

It is unclear how long the *kawata* lingered in Shinmachi. The journey from Shinmachi to Hayashi by foot was approximately one hour each way. Yet when Yojibei's son returned, he said

nothing about the negotiation with Hayashi village. Instead, he and his father berated the *kawata*, accusing them of impropriety and of polluting their household with their defiling presence. At this point the *kawata* directed their appeals to the headman of Shinmachi. The headman promised to investigate the *kawata*'s complaints, and the *kawata* returned home.

The Shindō *kawata* returned to Shinmachi the next day to ask about the Shinmachi headman's investigation. The headman replied that he had summoned Yojibei and admonished him to settle the matter by paying the *kawata* for the ox carcass. But Yojibei was adamant that he had done nothing wrong and refused to comply. The headman continued that, later in the day, representatives from Hayashi village came to Shinmachi to protest their right to Yojibei's dead ox. These representatives stated that the northern third of Shinmachi village was actually within their *kusaba* territory. After relating this, the Shinmachi headman told the Shindō *kawata* that this was a matter they needed to take up with Hayashi village, not him. The Shindō *kawata* then tried to petition the bannerman who controlled Shinmachi in an attempt to have him order Yojibei to pay the *kawata* for the dead ox. The bannerman refused, and instructed the *kawata* to deal with Hayashi Village directly.

A few days later (Kyōhō 4.10.1), four Shindō *kawata* travelled to Hayashi Village to confront Yasuke, the Hayashi *kawata* village chief. The Shindō *kawata* representatives insisted that Hayashi provide compensation for the "stolen" carcass and recognize that all of Shimachi belonged to Shindō's *kusaba* territory. Yasuke responded that Shimachi village had always been divided between the two *kawata* villages, and that crossroads located in in the top third of Shinmachi Village represented the dividing line between Hayashi and Shindō villages' *kusaba* territory. Those carcasses that were dumped north of Shinmachi belonged to Hayashi, while those sent south were Shindō's property. Furthermore, Yasuke claimed to have an old map of

*kusaba* boundaries confirming this fact. Frustrated in their attempts to settle the matter at the local level, the Shindō *kawata* appealed to the Osaka city magistrate.

In their appeal, Shindō asked the magistrate to summon Yasuke of Hayashi, order him to compensate Shindō for the “stolen” ox, and to henceforth respect the integrity of Shindō’s *kusaba* territory in Shinmachi Village. The Shindō *kawata* argued that all dead draft animals from Shinmachi were their property based on two pieces of evidence. First, they claimed that only *kawata* from Shindō Village had performed service to the state (by executing condemned criminals) in Shinmachi. They cited the crucifixion of the notorious criminal Kawachi Tazaemon about fifty-five years earlier, and the beheading of a man named Gohei thirty years earlier as examples. Second, Shindō insisted that only they had performed service and received *shūgi* when Shinmachi held religious functions. Together, these arguments point to the broader logic of Shindō’s appeal. Their village held *kusaba* rights in Shinmachi in exchange for the services they performed.

It is clear from this dispute that Hayashi and Shindō villages relied on different conceptions of *kusaba* practice. Both agreed that ownership of carcasses was determined by where the animal died, not by the former owner. However, Shindō village did not recognize the principle of joint control over a village. According to their petitions, a *kawata* community’s *kusaba* territory was determined by the peasant villages with whom the *kawata* had a longstanding relationship. In this conception, there was no possibility for the kind of joint *kusaba* control insisted upon by Saraike and Hayashi villages. This is why Shindō Village was so keen to insist on their history of performing service in Shinmachi. If only one *kawata* village could hold *kusaba* rights in a peasant village, then surely that right belonged to Shindō; their long history of performing service was proof of this fact.

Meanwhile, Hayashi Village took a different view of *kusaba* territory that did not rely on peasant village boundaries or service. Hayashi Village claim rights to the upper one-third of Shinmachi because it fell within their historical territory. *Kusaba* boundaries were determined by physical landmarks like rivers, roads, or provincial and county boundaries, and all carcasses within this boundary was the property of the relevant *kawata* community. Thus, the performance of service in a peasant village was irrelevant to *kusaba* boundaries.

Here it is important to note the unique features of Shinmachi Village. Though Shinmachi village had once lay entirely within Shindō's territory, by 1719 that was no longer the case. Unlike its neighbors, Shinmachi had no history prior to the Tokugawa period, but was the result of a land reclamation project led by a shogunal bannerman in the 1620s.<sup>185</sup> The bannerman recruited villagers from nearby communities to reclaim wasteland and become tax paying peasants of a new village. By 1719, the extent of reclaimed land had pushed Shinmachi Village beyond its original borders. Villagers recruited for the land reclamation project came from communities within Shindō's *kusaba* territory, likely reinforcing their sense of ownership over Shinmachi's carcasses. Additionally, Shinmachi's villagers – or at least the first generation – would have been accustomed to passing their dead animals to Shindō Village. But by 1719 that older generation was gone, and Shinmachi's boundaries extended much further north.<sup>186</sup>

Shindō village's appeal was sent to the Osaka city magistrate sometime in the eleventh month of Kyōhō 4 (1719). Their petition specifically requested that the Hayashi *kawata* be

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<sup>185</sup> *Kadogawa Nihon Chimei Jiten*, v. 27, p. 1061.

<sup>186</sup> The Shindō village *kawata* were aware of this change in Shinmachi's geography. In one of their petitions, the Shindō *kawata* noted that Shinmachi village's original flaying grounds, located 3 *chō* (roughly 320 yards) north of the village proper, was now farmland. Shindō village did not dispute the fact that only a few hundred yards further north was Hayashi village's *kusaba* territory. Instead, they insisted that, when livestock died around the boundary between the two villages, it was customary for representatives from both villages to meet and determine ownership after thoroughly investigating where the animal had died. This meant that, the Shindō *kawata* protestations aside, Shinmachi village was on the border between two *kusaba* boundaries.



summoned by the magistrate and ordered to accept Shindō's control over Shinmachi Village's dead livestock, and to reimburse Shindō for the value of Yojibei's dead ox. The document is undated, but it must have been submitted on one of the eight days the magistrate's office was open.<sup>187</sup> There are no further documents produced by either *kawata* community pertaining to the events of the dispute, but we can deduce what happened next. A notice would be sent to Hayashi, who would have the chance to either affirm or reject the charges leveled at them. Representatives from both *kawata* villages would then confront one another in Osaka.

Sometime after the dispute began, the Osaka city magistrate ordered Shinmachi Village to tell their own account of how the village disposed of dead animals. In a blow to Shindō Village's hopes, the Shinmachi headman confirmed the state of split control. They stated that, historically any carcasses dumped to the north went to Hayashi, and those sent south went to Shindō. Like the Miyake villagers, the Shinmachi headman confirmed that he had no knowledge of *kawata* matters. His villagers had simply been dumping their dead draft animals at the location of nearest convenience. This reply was sent to the magistrate on the ninth day of the twelfth month. One day later, Saraike village issued their response to Watanabe Village's investigation.

### **Summary of Disputes and Implications**

Recall that Saraike's reply to Watanabe Village was not concerned with the exact location of its *kusaba* boundaries. Instead, the reply dealt with the nature of those boundaries. In the south, Saraike Village practiced "*ryōnai tori*" on their border with Shindō village; that is, they collected carcasses from the boundaries of the peasant villages with which they held a longstanding relationship. This matched Shindō village's conception of *kusaba* boundaries,

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<sup>187</sup> This was the second, fifth, seventh, thirteenth, eighteenth, twenty first, twenty fifth, and twenty seventh of each month.

which was based on the territory of the individual peasant villages that held a patron/client relationship with the *kawata* community. To the north, however, Saraike's boundary with Jōrenji was said to be the road running through the peasant community of Miyake Village, giving the two *kawata* communities joint control over carcasses from Miyake. If Saraike's characterization of its southern border follows the idea of space used by Shindō Village, its northern border matched that of Hayashi Village. Indeed, they even share the use of a road as a boundary marker.

Watanabe Village's inquiry reached Saraike in the middle of the dispute between Shindō and Hayashi villages. In this context, it is clear that the Osaka city magistrate's office did not order Watanabe Village to compile a map of the *kusaba* boundaries of nearby *kawata* villages, as earlier scholars have speculated. Instead, the leaders of Watanabe village were investigating the patterns of *kusaba* territory in the Kinai region on behalf of the magistrate as part of the case between Hayashi and Shindō villages. If no other nearby *kawata* communities practiced the kind of joint control that Hayashi argued for, it would have bolstered Shindō's argument. Instead, Saraike Village provided at least one other precedent for Hayashi Village's assertions.

There is no further documentation related to the dispute between Shindō and Hayashi. Though there is evidence that the case was decided in Hayashi Village's favor, there is no document listing the results of a settlement akin to that produced between Saraike and Jōrenji.<sup>188</sup> As such, it is impossible to know the extent to which Watanabe Village's investigation into *kusaba* practices influenced the outcome of the case. Given the similarities between the two disputes analyzed above, however, we can deduce that the dispute between Shindō and Hayashi was settled like that between Jōrenji and Saraike. That is, the two *kawata* villages agreed to abide by the vision of *kusaba* boundaries presented in the letter submitted by the headman of

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<sup>188</sup> A list of villages in Shindō Village's *kusaba* territory from the early nineteenth century does not include Shinmachi, indicating that it may have passed entirely to Hayashi by this point. Teraki, pp. 382-381.

Shinmachi Village to the Osaka city magistrate, which happened to be in line with Hayashi Village's assertion.

Together, these two disputes point to larger changes occurring in the mid-Tokugawa period. Though the original rationale for *kawata* ownership of carcasses was their ability to dispose of pollution in peasant communities, the carcasses themselves – or at least the hides – had become the object of the system. When another *kusaba* dispute broke out in the late eighteenth century, there were no appeals to service or *shūgi*, but only to property rights and historical boundaries. As we will see in chapter five, the claim that *kusaba* rights were received in exchange for service did resurface. But by that point, the issue was not over where to draw *kusaba* boundaries, but whether or not to abolish them altogether.

### **Peasant Villages and *Kusaba***

In both disputes, the two *kawata* villages at the center of the disputes presented different versions of *kusaba* space. Shindō and Jōrenij argued that *kusaba* boundaries were determined only by the peasant villages with whom the *kawata* shared a longstanding patron/client relationship. Meanwhile, Hayashi, and to a less extent Saraike, argued that *kusaba* rights were based on longstanding territorial boundaries. The performance of religious duty was less important than the precedent of receiving dead cattle from a village. Yet, despite the evidence presented by both sides, the most decisive factor in determining the outcome of the cases came from outside of the *kawata* village. As the dispute between Saraike and Jōrenji villages makes clear, the perspective of peasant villages was crucial in settling *kusaba* boundary disputes. Thus, in order to understand the outcome and implications of this case, we must analyze the perspective of the peasant villages. For this purpose, I will quote the account of *kusaba* provided

by Miyake and Shinmachi villages to the Osaka city magistrate. First the letter sent by Heiji, headman of Miyake Village:

Item: On this occasion, a *kaichō* was held in Miyake Village, which led to the [*kawata*] of Jōrenji Village sending a petition [to the shogunal intendent]. Because of this, we have investigated all villagers regarding their habits of disposing of dead livestock. According to the villagers, farmers drop their dead livestock at the area of nearest convenience.

When carcasses are dumped at the flaying grounds near *Baba-ike* (reservoir), they are taken by the *kawata* of Saraike Village. When dumped near *Shin-ike* or *Tani-ike*, they are taken by the *kawata* of Jōrenji Village.

[...]

Item: With regard to the dead livestock that have been passed to Saraike Village, we have investigated this matter, and are providing a list of all such carcasses insofar as our villagers can remember.

The above information is true and correct. Moreover, we are unaware of matters particular to outcast status regarding joint control or total control of dead cattle.<sup>189</sup>

Now, compare the above quote to the letter sent by Shirōbei, headman of Shinmachi, to the Osaka city magistrate:

Item: We have been ordered [by the Osaka city magistrate] to provide a detailed report concerning the matter of Yojibei, farmer of Shinmachi Village, Furuichi District, Kawachi Province, in the domain of Lord Ōkubo, who in the eighth month disposed of his dead ox. Regarding the disposal of dead animals, farmers of Shinmachi Village place their dead animals beyond a waterway to the east of our village. Because Yojibei sent his dead ox to the north of this waterway, it was collected by the *kawata* of Hayashi Village.

The preceding account is accurate and true. Since time immemorial, it has been said that dead animals from Shinmachi Village dumped south of this waterway should be taken by the *kawata* of Shindō village, while those dumped north of this line have been taken by Hayashi village. However, there is no apparent north/south boundary in that area. Of course, we are totally unaware of the customs of the *kawata*. Our villages have simply dumped their dead cattle based on whatever location was most convenient to them.<sup>190</sup>

These two messages were composed by different village headmen six years apart, yet their content is strikingly similar. Together, they give a glimpse into the *kusaba* system from a

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<sup>189</sup> Doc.315 [1725; Kyōhō 10] in *SIMM*, v.2, p. 928.

<sup>190</sup> Doc.71 [1719; Kyōhō 4] in *Ōsaka no burakushi*, v. 2, p. 220.

peasant perspective and show how dead animals were handled. In both cases, the headmen reported that they were unfamiliar with the *kusaba* system that was so central to the lives of *kawata* villagers. Yet this does not mean that they were totally ignorant of all aspects of the practice.

First, the letters demonstrate how the disposal of dead livestock played out in practice. When a farmer's animal died, he would drop the carcass at a specified location within the village's territory away from the village's residences. In Miyake Village, this was near one of three reservoirs, and for Shinmachi Village it was by a waterway east of the village (Figure 7). Though it is not stated here, a peasant villager would then inform the relevant *kawata* community, and the *kawata* community dispatched porters to retrieve the carcass. Given the Miyake headman's inclusion of "flaying grounds" (*ushi hagi-ba*), the carcass was likely skinned and dismembered before it was taken back to the *kawata* community. There the skins, bones, hooves, and other useful parts were processed and prepared for manufacture or sale

When it came to the legal side of *kusaba* practice, both peasant village headmen admitted their ignorance. While Heiji of Miyake mentions that dead livestock have historically been sent north or south, nothing in this reply points to the existence of a clear territorial boundary. Instead, he states that Miyake villagers dumped carcasses at the flaying ground that was nearest at hand. As Figure 7 indicates, there was a road running east-west in the middle of Miyake Village which did separate the flaying grounds of the two *kawata* villages by north and south. That said, there is no indication that Heiji or the other Miyake villagers were aware that any animal that died north of this road needed to be sent to the Jōrenji *kawata*, while those that died on the other side must be given to Saraike. Only when Miyake sent their letter to the Osaka city magistrate in the middle of the dispute – the letter that ended the dispute – was there a

mention of a north/south territorial divide.<sup>191</sup> The headman of Shinmachi Village was aware that dead cattle from his village were sent either north or south. However, he was also sure to point out that he was unaware of any official boundary; all he was aware of was custom.

This is not to say that the peasants of Miyake or Shinmachi villages had no conception of *kusaba* practices. When Heiji replied to the intendant's inquiry, he stated that his villagers had customarily passed their dead livestock to both the Jōrenji and Saraike village *kawata*.<sup>192</sup> To support this assertion, he provided a separate letter that listed specific instances when dead livestock were passed to Saraike Village, as well as the names of the former owners. There were seven in total, with the oldest case occurring in the 1660s and the most recent in 1719. Carcasses were not simply taken by an abstract "*kawata*" group, but were instead passed to a specific community, or in this case, communities. This was true for other services provided by the *kawata*. When *kawata* were needed for various religious functions at Miyake Village, the same two villages were approached by the village leadership. This was even the case when those *kawata* were likely to start a fistfight with one another, as Saraike village's counter-petition indicates. Essentially, for the peasant village, *kusaba* was a relationship with *kawata* communities based on custom.

This is confirmed in yet another *kusaba* dispute that broke out five years before Saraike's dispute with Jōrenji. In this case, a man named Jinzaemon from Sakai city was travelling through Nagasone Village, two miles west of Saraike, when his horse died.<sup>193</sup> Sakai city was within the *kusaba* territory of the Shioana Village *kawata*, and so Jinzaemon turned his dead horse over to Shioana Village. However, Nagasone Village was within Saraike's *kusaba* territory. As such,

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<sup>191</sup> Doc.73 [1725; Kyōhō 10] in *Ōsaka no burakushi*, v. 2, pp. 221-222.

<sup>192</sup> Doc.314 [1725; Kyōhō 10] in *SIMM*, v. 2, p. 928.

<sup>193</sup> Doc.315 [1725; Kyōhō 10] in *SIMM*, v. 2, p. 928.

when the Saraike *kawata* were informed of this event, they immediately contacted Shioana to demand compensation for their lost property. It is unclear how this case was resolved, but all of Nagasone remained in Saraike village's *kusaba* territory in the future. Jinzaemon of Sakai understood that his horse was to be turned over to the *kawata* when it died. Unaware of the territorial boundaries between different *kawata* communities, he simply handed the animal over to the community with which he was familiar. Custom and convenience, not territorial boundaries or legal precedent, determined how peasants disposed of their dead animals.

Here it is worth reconsidering the entry from Miyake Village's *meisaichō* from 1751. As stated above, this entry confirms that even twenty-six years after the dispute between the Saraike and Jōrenji *kawata* ended, Miyake remained divided between the two *kawata* communities. The texts stated that "there are no [*kawata*] in this village; however, concerning dead livestock, they are dispatched to [Jōrenji Village] and Saraike Village [at the farmer's] discretion."<sup>194</sup> Here there is no mention of north and south, or of territorial boundaries. Instead, it gives the impression that, so long as an animal died within Miyake Village, the peasants could pass the carcass to whichever *kawata* village they pleased. Most likely, for the rest of the Edo period the peasants of Miyake continued to dump their dead livestock at whichever location was most convenient.

What was convenient for the peasants, however, was also against the *kusaba* principles shared by *kawata* communities. According to the *kusaba* system, ownership of a carcass was determined based on where the animal died; the convenience of the animal's former owner was irrelevant. Thus, from a *kawata* perspective, if an ox died in Miyake Village south of the boundary between Saraike and Jōrenji villages' *kusaba*, that carcass automatically belonged to the Saraike *kawata*. But from a peasant perspective, ownership was determined based on where

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<sup>194</sup> "Tōson eta kore naku sōrō, tadashi shigyūba gozasōraeba tonda shinden to saraike mura sōhō no eta e katte ni tsukawashi mōshi sōrō."

the former owner chose to dump the carcass. This means that an ox could potentially die in one *kawata* community's territory, yet become the property of another if the former owner decided that it was more convenient to drop the carcass in the territory of the latter. It is important to remember that for most peasant villages, the most convenient place to dump their dead cattle always fell within the same *kawata* village's *kusaba* territory. The fact that Miyake and Shinmachi could, in effect, choose which *kawata* community received their cattle carcasses gave them a degree of freedom that most other peasant villages lacked.

Finally, the dispute between Saraike and Jōrenji villages was ultimately decided based on the content of the letter sent by the Miyake village headman to the Osaka city magistrate. It is safe to assume a similar result from the dispute between Shindō and Hayashi villages. So, it was the peasants' understanding of *kusaba* practice that ended up deciding the boundaries between the different *kawata* communities. This was despite the fact that peasants did not depend on the carcasses acquired from the *kusaba* for daily survival, unlike many in the *kawata* community. Peasants had their own conceptions of rural space that did not include *kusaba* boundaries, yet this view of space was critical in determining the way that *kusaba* boundaries were drawn.

### **The View from Osaka**

In his study of *kawata* status in Saraike village, Asao Naohiro uses the dispute between Jōrenji and Saraike to explain the difference between shogunal practices east and west.<sup>195</sup> Asao notes how, in the case covered above, the Osaka city magistrate treated a lawsuit from a *kawata* village that involved those issues specific to *kawata* status like that of any other status group. This could not occur in eastern Japan, where the *kawata*, or *chōri* as they called themselves, were

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<sup>195</sup> Asao 2006, pp. 25-26.



under a dual legal structure.<sup>196</sup> The *chōri* headman Danzaemon served as a separate legal authority for all matters specific to *chōri* status, including *kusaba* boundary disputes. In eastern Japan, only those matters relating to landholding were adjudicated by samurai authorities, if they could not be resolved by the parent village headman of the *chōri* community.<sup>197</sup> Thus, as a principle, both shogunal and daimyo authorities in eastern Japan regarded disputes over *kusaba* boundaries to be a matter limited to *chōri* status.

Danzaemon's control did not extend west of Nagoya, and so certainly did not reach the Kansai region. With no figure comparable to Danzaemon in the Osaka region, there was no separate legal channel for *kawata*-specific legal issues. The process of the lawsuit between Saraike and Jōrenji villages makes it clear that there was little to separate the treatment of the *kawata* from the handling of other status groups. Saraike village's first counter-petition demonstrates that the Jōrenji *kawata* petitioned the magistrate, that their petition was accepted, and that the magistrate's office contacted Saraike village for a reply. Representatives from both villages – including the peasant village headman – were summoned to Osaka to present their cases. Finally, the fact that the magistrate's office insisted that the dispute be resolved at the village level was not out of line with contemporary legal practice, which prioritized settlement.<sup>198</sup>

This is not to say that the Osaka city magistrates shared the *kawata* understanding of *kusaba* practice. As mentioned above, they seemed to prioritize the traditional practice of peasant villages over the assertions of the *kawata*. In doing so, they determined which aspects of *kusaba* practice would be officially recognized and which would remain only at the level of local

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<sup>196</sup> Tsukada 1987, pp. 80-84.

<sup>197</sup> Ibid, p. 83.

<sup>198</sup> Yamaguchi 1993, pp. 158-159.

practice.<sup>199</sup> For instance, a central pillar in Shindō Village's appeal – and presumably that of Jōrenji Village – was that the service they traditionally rendered to the peasant villages in their *kusaba* territory should translate into ownership over those villages' dead animals. In other words, Shindō and Jōrenji Village were attempting to have aspects of their relationship with Shinmachi and Miyake villages that existed only at the level of informal practice recognized by the Osaka city magistrate as legally binding.<sup>200</sup> The magistrate rejected such claims, instead choosing to prioritize the carcass disposal practices of peasant villages. This decision had real consequences; in later *kusaba* disputes, the *kawata* made no appeals to the performance of duty (*yaku*). This line of reasoning would only resurface in the early Meiji period, when the very existence of *kusaba* as a form of property was at stake.

The two disputes analyzed here had relevance beyond the boundaries of two villages. Without a Danzaemon-like figure in the Kinai region, the *kawata* had to rely on samurai authorities to help settle *kusaba* boundary disputes. This guaranteed that any decision made by the magistrate would apply to future disputes between *kawata* villagers in regions under the Osaka city magistrate's control. The decisions made in these two cases solidified one vision of *kusaba* space that was not dependent on the performance of religious duties, but relied on peasant consent and precedent. In effect, *kusaba* as an expression of status-based property was disconnected from the rationale by which it was established. And by taking measures to resolve a legal dispute involving *kawata* status, the Osaka city magistrate demonstrated a clear distinction between eastern and western Japan.

### **Cattle in the Early Eighteenth Century/in Early Tokugawa Japan**

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<sup>199</sup> Tsukada 1997, pp. 29-30.

<sup>200</sup> Ibid, 29-30.

The *kusaba* practices of the early Tokugawa period reflected the modes of cattle ownership prevalent at that time. As a primarily agricultural society, Tokugawa Japan depended on the labor that draft animals provided. Horses and oxen were essential to any farming village, preparing the land for cultivation. After the harvest was collected, draft animals helped transport tax rice to the daimyo lord who ruled the village. The shogunate and daimyo domains were keen to protect draft animals to ensure greater agricultural production, and thus greater tax revenues, from the villages under their control. During the Tokugawa period, the slaughter of oxen and horses was strictly prohibited. Additional laws made it difficult for peasant households to sell or pawn draft animals.<sup>201</sup>

For the most part, the cattle used in the agriculturally intense Kawachi Province were born elsewhere. They were imported from cattle producing regions to the west – areas in modern-day Hyōgō and Okayama prefectures – by cattle traders (*ushi bakurō*).<sup>202</sup> These men would travel to the cattle producing regions in the west, purchase young cattle, and sell them back in their home provinces. At this time, the most significant cattle market for the region was in Komagatani, not far from Shindō Village. Four men from Komagatani and surrounding villages held exclusive control over the cattle market, and were responsible for exercising control over the cattle traders of the market. The number of cattle traders fluctuated around thirty men.<sup>203</sup> Records from the Komagatani cattle market indicated that there was a cattle gender division of labor in Kawachi Province. The soil in the region around Saraike village was of relatively high quality and easy to till. Thus, most agricultural cattle used here were smaller female oxen.<sup>204</sup>

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<sup>201</sup>Pieter S. de Ganon identifies a series of laws beginning with Hideyoshi that, among other things, prohibited the slaughter of cattle and the seizure of peasants' animals by warriors. Under the Tokugawa, laws were passed to prevent the alienation of peasants from their draft animals. De Ganon, pp. 69-70.

<sup>202</sup> Sakai 1997, pp. 1-2.

<sup>203</sup> Ibid, pp. 8-9.

<sup>204</sup> Ibid, p. 15.

Larger males were used in the rougher conditions in more mountainous regions east of Saraike, or as pack animals.

Purchasing an ox was out of the price range of all but the wealthiest villagers. Thus, it was common for oxen to be owned by larger groups of extended families or rented out to poorer villagers. When the headman of Miyake village sent the list of cattle that had been passed to Saraike village, no former owner was an individual. Instead, all dead cattle were listed as belonging to a group centered on one family. Yojibei, the peasant at the heart of the dispute between Shindō and Hayashi villages, claimed to not own the ox that died in his possession. Instead, he was renting it from a family in nearby Nonoue Village. The leasing of draft animals by more powerful households to poorer neighbors was one means of mediating relations of dependency and servitude. In exchange for using another household's animal, a peasant family was expected to perform labor services and other, more symbolic actions of deference to the family that owned the animal.

In the first half of the Tokugawa period, oxen rarely travelled far from the village where they worked. This is reflected in the *kusaba* system. The fact that, in most cases, *kusaba* boundaries were determined by the boundaries of the peasant villages within that *kusaba* and assumed that the cattle recovered from the *kusaba* were being dumped within village limits. Earlier I mentioned the two versions of *kusaba* practice mentioned in Saraike village's letter to Watanabe village. These were *ryōnai tori*, or taking possession of animals that died within the boundaries of peasant villages within their *kusaba* territory, and *tachiai*, or joint control. Implicit in the former is the idea that cattle would die, and be disposed of, within the peasant village. The legal owners of these animals would be residents of that village, and cattle would die in the same

village, or region, where they were first purchased. In this conception, cases like that of Yojibei in Shindō Village – who leased an ox from someone in another village – were the exception.

Cattle, both alive and dead, were valuable resources. But in the early eighteenth century, carcasses represented potential value that only the *kawata* could realize. Peasant villages like Miyake or Shinmachi dumped their dead draft animals outside of the village for the *kawata* to handle, while the *kawata* were willing to fight tooth and nail when a perceived territorial boundary violation occurred. As *kawata* property, carcass by themselves had no potential value for other status groups. Only after the hides were treated and cleaned did the remains of the ox become a concern for others, and even then, these commodities were mediated by merchants in Osaka. In the first half of the Tokugawa period, cattle hides were not the product of universal, abstract human labor; rather, they were the product of the status-specific labor of the *kawata*, which alone could cleanse a carcass of pollution and render it safe for other status-groups.

### **The *Kabu* Form of Value**

The early eighteenth century saw the *kusaba* territory of *kawata* villages move from an ad-hoc collection of peasant villages with whom the *kawata* shared a long standing functional relationship to a clearly delineated territory. The concept of *kusaba* as a religious duty, or reward in return for rendering service to the villages and the state was not officially recognized. Instead, control over carcasses was defined by longstanding territorial boundaries which were in part determined by the disposal practices of peasant farmers. The *kawata* fixation with the boundaries of peasant villages reflected contemporaneous cattle ownership, whereby animals were brought from cattle raising areas west of Osaka to the Kinai plain, then sold to wealthy farmers of groups of families.

As we have seen, struggles over *kusaba* territory involved the entire *kawata* village. Territorial boundaries were decided on a village-by-village basis, not by individual households. In the two disputes discussed above, the village formed the relevant unit of social organization. When the Hayashi *kawata* took possession of Yojibei's dead ox, the Shindō *kawata* saw this as an infringement of their village property, not as a loss to one household in the village. This was because a defining characteristic of status-based property was that ownership was mediated by the social group. Ownership of carcasses was impossible outside of membership in a *kawata* community.

That said, *kusaba* rights were not communal in the sense that profits from the sale of cattle hides were equally shared by all members of the *kawata* village. After the ox carcass was skinned and the hides prepared for manufacture or sale, the profits only went to those households that owned the *kabu*, or hereditary rights.<sup>205</sup> *Kabu* possession determined which household could take possession of a carcass and enjoy the profits of selling the raw material. Each of these *kabu* was linked to a portion of a *kawata* village's *kusaba* territory and the carcasses obtained therein.<sup>206</sup> At the beginning of the Tokugawa period, *kabu* were held by those households that performed the work of skinning. The purpose was to guarantee a source of raw materials for a given skinner household and reduce competition within the village.

Within the *kawata* community, these *kabu* could be inherited, purchased, sold, or pawned. This transferability arose from the need of skinners to pass the *kabu* rights to their heirs. But as the Tokugawa period progressed, *kabu* ownership became increasingly disconnected from

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<sup>205</sup> *Kabu* were not unique to *kawata* status. Membership in a merchant organization was represented by *kabu*, while rights to collect alms in certain city wards were determined by *kabu* among the beggar confraternities (*hinin*). Generally, recognition of *kabu* was limited to a given status group. That is, *kusaba kabu* were not transferable outside of *kawata* status. Tsukada 2013, pp. 120-138.

<sup>206</sup> As the Tokugawa period progressed, individual *kabu* became further subdivided. One document from Shindō Village regarding the sale of a *kabu* to another *kawata* villager states that all bones will belong to the buyer, but the skins and meat will be divided in half. Doc.18 [1731; Kyōhō 16.12] in *Ōsaka no burakushi*, v. 2, pp. 61-2

the labor of skinning carcasses. If a household that owned a *kabu* died out or fell into debt, the *kabu* could be transferred to another household. Ownership of a *kabu* did not directly change production as such – if a skinner household lost their *kabu* to a wealthier neighbor, this did not mean that they ceased to perform the labor of skinning. Rather, it simply meant that they were paid a wage for their labor instead of earning a profit from selling the raw materials.

Alternatively, *kabu* holding households could pay subordinates, or branch members of the household to handle carcasses while maintaining ownership rights within the community.

At first glance, the *kusaba-kabu* presents a problem for the model of status-based property explained in the introduction. This *kabu* appears as its own form of property, and their ownership by individual *kawata* households suggests that the social group was not a determinant of ownership. However, *kusaba-kabu* should not be confused for the carcasses that formed the true status-based property of the *kawata*. First, *kusaba-kabu* were not legally recognized outside of *kawata* status. It was a form of mediating access to possession of the status-group's property as determined within the group itself. Peasant villagers may have known which *kawata* village collected their dead livestock, but not which households had the right to sell the carcasses. The Osaka city magistrate did not recognize these *kabu*, nor did any other shogunal or daimyo authorities.

State authorities recognized the status-based right of the *kawata* to carcasses, but how that right was distributed within these communities was left entirely up to those communities. The *kawata* themselves realized as much, and discussions of *kabu* never come up in boundary disputes between villages. Carcasses were the status-based property of the *kawata*, while *kabu* formed the means by which the social group determined access to status-based property. Carcasses, or rather the hides acquired therein, had values and use-values that could be realized

outside of *kawata* status. The *kabu* only had exchange value within *kawata* communities because of the potential profits from carcasses that *kabu* ownership guaranteed.

One effect of carcass ownership determined by *kabu* is the near-total absence of the labor of skinning in the archive. Records of *kabu* purchases give insight into the value assigned to carcasses within the *kawata* communities. But carcasses are not commodities, and have value only potentially; the labor of the skinner is necessary to reclaim the useful raw materials from what is otherwise rotting meat. But ownership in the *kabu* form obscured this labor, and renders the carcass alone, or at least its constituent parts, as the object of value. The labor of the *kawata* was necessary to transform the carcass, as a source of spiritual pollution, into a use-value. This labor also removed the source of the pollution from the village. For that reason, carcasses could not be the domain of any other status group – it was only through *kawata* labor that this transformation and cleansing could be achieved. But as this labor process became obscured through the development of exchange, wider markets, and the *kabu*, then the hides lost their connection to a status-specific kind of labor.



Figures, Maps, and Tables

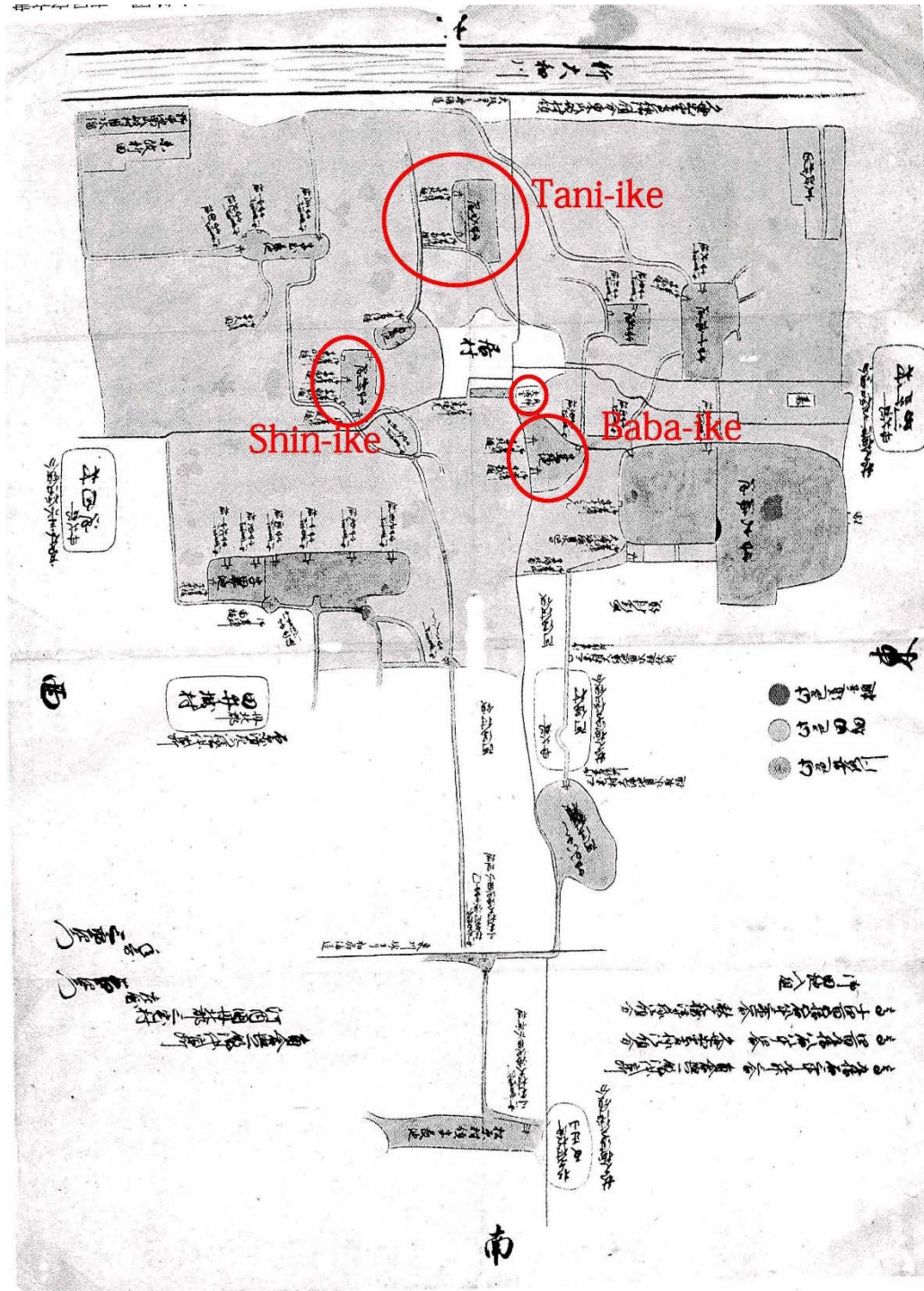


Figure 7: Map of Miyake Village in the Eighteenth Century, with the Reservoirs Labeled. Matsubara-shi shi, v. 5, Figure 1.

### CHAPTER THREE: THE URBANIZATION OF THE COUNTRYSIDE AND EMERGENCE OF PLEBEIAN SOCIETY IN THE MID-EIGHTEENTH CENTURY

In early 1760, a number of *kawata* villagers travelled to Fujiidera, a temple six kilometers east of Saraike Village, to see the display of the temple's hidden treasures (*kaichō*). While at Fujiidera, these men encountered villagers from Sugimoto, another *kawata* community north of Saraike. An argument broke out, resulting in injuries and an investigation by the Osaka City Magistrate. As a result of this incident, twelve *kawata* villagers were sentenced to thirty days confined in iron shackles. In a letter sent from Kawagoe domain after the incident, Seiemon, then headman of Saraike, was reprimanded for his lax control over his villagers. A strict division between *kawata* and commoners was to be maintained, and *kawata* were not to be allowed to travel so freely outside of the village. The headman was also informed that if any similar incidents were to occur in the future, he too would be punished. In the eyes of Kawagoe domain, Seiemon was not performing his duty properly, and lately had allowed his *kawata* too much freedom. Was there any truth to this accusation?

This chapter examines Saraike Village in the mid-to-late eighteenth century and the effects of the market revolution on rural society. It shows how this market revolution led to the emergence of an identifiable lower-class section of the village that increasingly drew the attention of village and samurai elites. It is broken into two sections, divided by the Tenmei Famine of the 1780s. The first examines the greater mobility of *kawata* and peasant villagers in the mid-eighteenth century as the cotton trade and craft industries provided greater opportunities outside of the village. Along with this greater mobility came criminal incidents like that mentioned above, leading to the greater visibility of *kawata* villagers in the archive. The second half analyzes the effects of the Tenmei Famine on Saraike Village, followed by the subsequent

Kansei Reforms carried out by shogunal senior councilor Matsudaira Sadanobu from 1789 to 1793. The devastation of the Tenmei Famine led to widespread rioting in Japan that toppled shogunal adviser Tanuma Okitsugu and revealed plebeian society to be a potent source of disorder. The Kansei Reforms attempted to address this segment of society through relief and strengthened control, which proved successful until the 1840s.

Japan of the mid-to-late eighteenth century experienced a market revolution that altered the social makeup of rural and urban communities alike.<sup>207</sup> Craft industries and manufacturing provided alternative means of subsistence for some and great profits to others. These industries created a new demand for labor, supplied by an increasingly mobile peasantry. With mobility and wage labor came a threat to the social order and the fraying of older, feudal relations in the countryside.<sup>208</sup> Where in the seventeenth century, lower class peasants served on the land of their wealthier neighbors as semi-bonded labor or hereditary servants, in the eighteenth century this class gradually transformed into wage laborers. Freed from their old bonds of dependency, they were also more dependent on market relations to attain the goods necessary for the reproduction of daily life.<sup>209</sup> This chapter focuses on the emergence of plebeian society in the Saraike Village peasant and *kawata* communities in the mid-eighteenth century and the factors that rendered them legible in the archive.<sup>210</sup>

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<sup>207</sup> See Smith 1959 and 1989, pp. 71-102, Hauser 1974, Hayami 2009, pp. 1-72, Francks 2016 for a small sample of works on this subject.

<sup>208</sup> Amy Stanley discusses how mobile women, or women acting outside of the household, were seen as particularly threatening. Stanley 2012.

<sup>209</sup> Smith 1959, p. 123.

<sup>210</sup> I use the term “plebeian society” to refer to those marginal non-elite actors in town and country that became an increasingly large segment of the Japanese population during the eighteenth century. Plebeian society is a translation of the Japanese *minshū sekai* deployed by Daniel Botsman for the March 2017 symposium “Plebeian Society and the Growth of Cities in 'Early Modern' Japan” (Yale, March 10-11, 2017). See also Thompson 1974, pp. 382-405.

Concomitant with the greater visibility of plebeian society was a change in the expression of social power in rural areas.<sup>211</sup> As the market penetrated further into the countryside, villages came into the sphere of influence of powerful market forces located in the cities. Alternatively, wealthy rural elites (*gōnō*) drew in larger networks of social groups through the establishment of local craft industries.<sup>212</sup> The social power of these households extended beyond the confines of one village, and brought several different social groups into one “segmented society,” mimicking the social patterns of urban Japan.<sup>213</sup> In contrast to the elites of earlier periods who expressed their power directly through status or land, these new elites exerted indirect social power through cash or commodities. This shift in the form of rural society forced the shogunate to reassess the old model of rule by status group, shifting its strategy while reinforcing the power of status.

The need for labor generated by craft industries and commercialized agriculture provided the incentives for the increased mobility of villages, many of whom came to resemble the urban *hiyōsō* proto-proletariat. Increased mobility brought with it an increased presence in the archive, as this newly mobile group drew the attention and concern of the authorities. Of course, lower-class or marginal villagers existed before the mid-eighteenth century. However, like their peasant counterparts, such individuals were included in a larger, more influential household as hereditary servants. They were not fully emancipated households. Moreover, even if this group did exist in the seventeenth century, they left little record in the archive. But over the course of the eighteenth century, elements of plebeian society increasingly left their mark, usually as the

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<sup>211</sup> Yoshida 1996, pp. 1-20.

<sup>212</sup> Pratt 1999.

<sup>213</sup> “The modern [age] is the urbanization of the countryside, not the ruralization of the city as in antiquity.” Marx 1993, p. 479. By “urbanization of the countryside,” I am referring to the extension of the “*bunsetsu kōzō*,” or segmented society, form of social organization into the countryside over the previous mode, which was characterized by the village as the most relevant site of social life and political control. This is not “urbanization” in a physical sense of development, but of the “urbanization” of rural society relations. See Yoshida 1991, pp. 181-228 and Yoshida 2015a, pp. 22-63.

object of punishment or official concern. In the nineteenth century, this group would come to move village history in a way they had never done before.

### **Tanuma Okitsugu and the Commercialization of the Japanese Economy**

The development of craft industries and manufacturing was spurred by one of the problems inherent to the Tokugawa economy.<sup>214</sup> The samurai class depended on the direct expropriation of farm produce represented by the tax on agricultural production. Daimyo were ranked based on the estimated *koku* production of their domains, and their retainers were paid in part in rice. Theoretically, any increase in rice production within a daimyo domain would translate to a commensurate increase in the domain coffers. Yet the movement of warriors from the countryside to castle towns made the samurai dependent on the market for everyday goods. An increase in rice production lowered the value of rice vis-à-vis other commodities that the samurai needed to purchase, creating a financial burden. The eighth shogun, Yoshimune, attempted to rectify this situation by licensing a futures market for rice in Osaka. The merchants in this organization purchased large quantities of rice in order to artificially raise the market value of this commodity. This had some effect, but some domains increasingly turned to non-agricultural means to fill their coffers.

One means was the licensing of trade associations (*kabu-nakama*), which held monopsony privileges over different commodities. The logic by which trade associations operated went back to the founding of the Tokugawa order and the development of the status system. When hegemony like Toyotomi Hideyoshi and Tokugawa Ieyasu developed their capitals at Osaka and Edo, or later when smaller daimyo developed castle towns in their

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<sup>214</sup> Yamaguchi 1993, p. 145.

domains, the project of creating new, massive cities required equally great amounts of supplies and manpower.<sup>215</sup> Artisans and laborers were required to build the cities, while merchants were needed to procure the supplies necessary for construction, and to feed, clothe, and house those working on the castle. To attract merchants to the castle town, the daimyo offered special privileges that guaranteed control over the sale or production of certain commodities. The daimyo depended on the merchant and his provisions, while the merchant depended on the daimyo's power and authority to shut down any potential rivals.

This principle found its largest expression in the city of Edo. When Tokugawa Ieyasu selected Edo as his capital in 1590, it was little more than a small fishing village. But by the eighteenth century it had grown to a city of over one million individuals. Groups of wholesalers and trade associations emerged to handle the shipment of commodities from Osaka to Edo, and by the 1670s groups like the oil and cotton associations received official recognition and monopsony rights from the shogunate.<sup>216</sup> These merchant organizations were required to supply Edo castle with a choice selection of the goods they handled. In exchange, only they were permitted to handle certain commodities. This service of supplying foodstuff to the shogun became a source of pride for the merchants and increased the profile of the commodities they handled, as food presented to the shogun marked it as a luxury good for commoner consumption.<sup>217</sup>

Generally speaking, the route of circulation in the Kinai region went as follows: goods were procured from their producers by the wholesaler associations (*tonya*) based in Osaka. Individual wholesale merchant households held long-term partnerships with villages or regions

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<sup>215</sup> Yoshida 2015b.

<sup>216</sup> Hauser 1974, pp. 7-32.

<sup>217</sup> Shimizu 2011, pp. 99-137.

and provided cash advances in return for the exclusive right to handle the goods produced by those regions. When products arrived in Osaka they were inspected by the wholesalers, then stored. The wholesalers then auctioned the goods to jobber associations (*nakagai*). These associations purchased in bulk and sold the goods to various retailers across Japan. Wholesalers collected fees (*kōsen*) when they received goods from the producers, and when they sold to jobber associations.

Wholesalers and merchants organized into trade associations (*kabu nakama*). In Chapter 2, I discussed the license held by those *kawata* villagers who owned the rights to carcasses in their villages territory (*kusaba*). This license, or *kabu*, determined access to the profits from the production of cattle hides in the *kawata* village. *Kabu* were transferable, but only within the social group. The *kabu* in *kabu nakama* (trade association) is the same character, and operated on similar principles. Only those who held stock or licenses in the trade association were allowed to handle the commodities controlled by the association. Members of the organization were required to pay for their licenses, submit yearly payments, and usually provide tribute in the form of their particular commodity. These groups also policed for non-authorized – and non-tax paying – merchants, and thus performed a social duty as well. The number of these authorized trade associations increased after 1760. Domains also encouraged the manufacture of specialty goods within their borders as a means of improving domain finances.<sup>218</sup>

The epitome of such policies was Tanuma Okitsugu, who wielded power as the senior councilor to the shogun from 1767 to 1786.<sup>219</sup> Tanuma continued policies that promoted trade and craft manufacture. The wealthy peasants who controlled the manufacture of goods were

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<sup>218</sup> Roberts 1998.

<sup>219</sup> Hall 1955.

recognized by the shogunate as licensed trade associations who paid taxes and licensing fees.<sup>220</sup> These new sources of income could reverse the decline in shogunal finances brought about by a decline in the value of rice. To support this new source of revenue based on trade and manufacture, new currency was minted.<sup>221</sup> Finally, the shogunate even began to reconsider its longstanding foreign trade policies as the expanding Russian Empire made contact with Tokugawa Japan.<sup>222</sup> These policies would ultimately be reversed after the downfall of Tanuma and his clique following the Tenmei Famine of 1783-88.

In the countryside, the penetration of the market induced a long process that transformed hereditary servants into wage laborers. During the eighteenth century, poorer villagers could sell their labor in freer conditions if they worked in craft industries or transportation, while larger landowners were free of the obligations due to hereditary servants.<sup>223</sup> Trends like these are visible as early as the late seventeenth century in Saraike Village, due to the relatively advanced development of the Kinai region. In village population registers from 1678 to 1704, new households appeared as former servants – who were not recorded when they were servants – and achieved recognition as independent households. Many of the poorer villagers we saw – or did not see – in Chapter 1 now make an appearance in the documents, even though they were still working the land of wealthier villagers.

### **Saraike Village in The Mid-Eighteenth Century**

As a Kinai area village, Saraike had already begun intensive cotton cultivation before the eighteenth century. By 1705, between thirty and forty-percent of the village's land was being

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<sup>220</sup> Yamaguchi 1993, p. 166.

<sup>221</sup> Ibid, pp. 164-5.

<sup>222</sup> Ibid, 168.

<sup>223</sup> Smith 1959, p. 109.



used for cotton cultivation instead of rice.<sup>224</sup> Cotton was more profitable than rice, but also much more capital intensive; records list fertilizer expenses for cotton fields as two to four times greater than that required for rice cultivation.<sup>225</sup> This focus on cotton was made possible due to two factors: first was the expansion of the market, which allowed the Saraike peasants to purchase any food they were no longer growing themselves and to acquire the necessary capital for cotton cultivation. The second factor was property relations in the village. As most of the land was concentrated in the hands of the headman and his relatives, large tracts of land could be brought under cotton cultivation without requiring the assent of multiple households. Additionally, it provided a larger pool of landless villagers, peasants and *kawata*, to work the land of the large landowners.

Between 1702 and 1772, the peasant population grew from 154 to 188 villagers. At the same time, the number of households increased from thirty to forty-one. This increase was limited entirely to the village's landless class; in fact, the number of landholding households actually decreased during the eighteenth century from eight to six. Thus, population growth in the peasant community was being driven by those without any land or property in the village. Cotton cultivation employed many of this group as tenant farmers, as did the processing of raw cotton, which was mainly carried out by the women of the village.<sup>226</sup>

Population growth was even more pronounced in the *kawata* community, which went from 512 villagers in 1715 to 800 in 1772. Household numbers for the *kawata* are harder to determine, but it is clear that there was a total of 139 households in 1772, with fifty-five listed as

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<sup>224</sup> Doc.1 [1705; Hōei 2] in *SIMM*, v. 1, pp. 1-5. The figures mentioned above do not include wheat, which was planted during the winter.

<sup>225</sup> Village *meisaichō* from Enkyō 3.11 (1746) lists the cost of fertilizer for one *tan* (991 square meters) of rice field as between 30 to 45 silver *monme*, while between 80 to 145 *monme* was required for a similar sized cotton field. Doc.2 [1746; Enkyō 3] in *SIMM*, v. 1, pp. 5-12.

<sup>226</sup> *Ibid.*

landowners and eighty-three as landless. These figures are problematic, as a breakdown of *kawata* landownership from 1783 shows that all but six of these “landowners” had nothing more than an individual garden plot.<sup>227</sup> Furthermore, villagers who owned land outside of the village – in Kawai Village, for instance – yet owned no land within Saraike were still recorded as landless. This group was no more than a handful of households, and possibly included some who also owned land in Saraike. In any case, the vast majority of *kawata* villagers owned little or no land, and it was this group that saw the greatest population increase in the eighteenth century. *Kawata* villages across the Kinai experienced similar trends.<sup>228</sup>

Cotton cultivation meant more than just one more crop in the village. As Yamaguchi Keiji points out, cotton cultivation in the eighteenth century depended on an extensive social division of labor within cotton producing villages.<sup>229</sup> Villagers not only planted and harvested cotton, but also ridded it of impurities and prepared the raw cotton for spinning or shipment. All of these tasks required specialized tools and workers who knew how to use them. Finally, a growing reliance on cotton depended on a growing relationship with the market and an expansion of Saraike Village’s social relations. Cotton grown by Kinai area villages was shipped to wholesalers in Osaka, where it was then sold to areas across Japan. The social networks of this trade led to greater incidence of inter-village marriages. Though many of these were between nearby villages like Mukai and Higashi-Dai, a few of the village’s daughters went as brides to Sakai or Osaka.<sup>230</sup>

### **Servants Outside of the Village**

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<sup>227</sup> Doc.413 [1783; Tenmei 3] in *SIMM*, v. 3, pp. 256-263.

<sup>228</sup> Hatanaka 1997, pp. 11-14.

<sup>229</sup> Yamaguchi 1993, pp. 214-221.

<sup>230</sup> Doc.41 [1702; Genroku 15] in *SIMM*, v. 1, pp. 249-265.

The eighteenth century also saw a greater number of Saraike peasants working outside the village as hired servants (Figure 8). This trend was already well underway by the early eighteenth century. For example, the Saraike temple register of 1702 lists sixteen peasant villagers as working as servants (*hōkōnin*) in other villages, and another sixteen individuals who came to Saraike as servants from other villages.<sup>231</sup> Both groups were predominantly women. Most of these villages lay within a three-mile radius from Saraike. Even in the early eighteenth century, the social world of Saraike extended beyond the six villages of the old Nunose-gō super-village to include more distant communities. There were also four villagers that served in, or came from, Sakai City, six kilometers west of Saraike. Most interesting is Denbei, the fourth son of Kyūbei, who is listed as working in Akasaka in faraway Edo for a period of six years.<sup>232</sup>

Landless *kawata* villagers too became more visible as their occupations took them outside of the village. We saw in the last chapter how the disposal of dead livestock regularly placed *kawata* in contact with neighboring peasant villages. Each *kawata* village had a territory within which they exercised this right, called *kusaba*. While the disposal of dead livestock involved all segments of the *kawata* village society, it was dominated by the *kawata* elite, who owned the hereditary rights (*kabu*) to the carcasses. Yet the disposal of dead livestock was not the only activity *kawata* performed in their *kusaba* territory. *Kawata* also repaired drumheads and footwear, acted as guards at festivals, and disposed of the carcasses of smaller animals like cats or dogs, among other duties. In contrast to the formal, legal relationship of the *kusaba* system, these duties were carried out on an informal basis between individual villages and

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<sup>231</sup> Ibid.

<sup>232</sup> In his study of Nishijō Village in central Japan between 1773 and 1869, Hayami Akira identifies a “*dekasegi* rate” – that is, the percentage of villagers who left home to work outside the village at some point – as 48% for men and 62% for women. The vast majority of these, or 80%, only travelled 2.5 miles or less to work. However, many also travelled to Nagoya, a large city 15 miles away; a few travelled even further to cities like Osaka or Edo. Hayami 2009, pp. 219-235.

specific *kawata* households. These households were usually from the lower class of *kawata* village society.<sup>233</sup>

When *kawata* travelled for work for *kawata*-specific duties, their status was clearly identifiable as they performed *kawata*-specific duty, making their actions acceptable to the samurai authorities. Yet not all *kawata* movement in the eighteenth century followed this model. One suggestive lead is presented in a letter from 1755.<sup>234</sup> The letter was from Yamaguchi-ya Tokubei, a man who rented property in Kōdzu Shinchi Sanchōme in Osaka. It stated that six days earlier, a conflict regarding a servant (*hōkōnin*) named Shima, who was sent from Saraike to work at Tokubei's establishment, had been resolved. Shima would return home, and her family would return the 165 silver *monme* paid in advance for Shima's service. Tokubei was sending the letter to confirm that the matter was resolved to the satisfaction of all parties, and that he had informed the city government that Shima's contract had been cancelled. Tokubei's letter was addressed to two of Shima's relatives as well as Yosōemon, the village elder of Minami (South) Saraike Village. But Yosōemon was in fact a member of the *kawata* village leadership and "South" Saraike was the *kawata* village.

Officially, *kawata* were prohibited from working as servants in the homes of commoners. Yet nothing in Tokubei's letter would indicate that South Saraike Village was a *kawata* community, and Shima of *kawata* status. While an individual unfamiliar with the area would not know that there was a *kawata* community in Saraike, the headman of Saraike would not be so easily fooled. But the fact that this letter survives at all indicates that it reached the headman's possession, and that he was aware Shima was sent as a servant to Osaka. Tokubei's letter gives no concrete reason for the cancellation of Shima's contract, stating only that there was some kind

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<sup>233</sup> Mae 1944, pp. 1-29 and Mita 2009, p. 15.

<sup>234</sup> Doc.154 [1755; Hōreki 5] in *SIMM*, v. 2, p. 608.

of “dispute” (*deiri*). So, while it is possible that Tokubei cancelled the contract upon discovering Shima’s true identity, it is equally plausible that this was due to another, more mundane reason.

*Kawata* working in Osaka clandestinely as servants was not unique to Saraike Village. In one famous case, a *kawata* woman named Koto from Tanba Province and her commoner husband Kōshichi were arrested in 1799 after it was discovered that they were acting as middlemen and placing *kawata* villagers as servants in Osaka households.<sup>235</sup> Of course, *kawata* from Saraike who travelled to Osaka or nearby Sakai City as servants could never represent more than a handful of villagers. It was far more common for *kawata* to travel to other *kawata* villages, especially Watanabe Village outside of Osaka. However, the increase in cross-status interactions like those of Shima or Koto was troubling to shogunal and daimyo authorities, who wanted to maintain a clear demarcation between “base peoples” like *kawata*, and commoners.

### ***Kawata* Mobility and Criminality**

An increase in *kawata* mobility also rendered the *kawata* lower class more legible in the archive, usually due to issues of crime and punishment. Having established the conditions that led to greater mobility, we turn to the case that opened the chapter.

The first document on this incident chronologically was written by the *kawata* village leadership to the peasant village headman on the twenty-eight of the fourth month of Hōreki 10 (1760).<sup>236</sup> In the letter, the *kawata* leadership asserted that one month earlier, four *kawata* villagers (Tōshichi, Rokusuke, Jirōbei, and Kichiemon) travelled to Fujiidera for that temple’s *kaichō* event. As mentioned in the previous chapter, a *kaichō* involved a temple putting its hidden treasures on display, attracting many nearby villagers as pilgrims or spectators. While at

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<sup>235</sup> Kobayashi 1981, pp. 237-238. See Fujiwara 2015, pp. 70-103 for a longer discussion of this case.

<sup>236</sup> Doc.155 [1760; Hōreki 10] in *SIMM*, v. 2, pp. 608-9.

Fujiidera, the four men got into a fight with two men from Sugimoto Village, another *kawata* village three miles northwest of Saraike. Because there were injuries sustained during the fight – the document does not specify who was injured – the Sugimoto villagers issued a complaint to the Osaka city magistrate, who dispatched an officer to investigate the claims of the Sugimoto villagers.

It was in the course of the magistrate's investigation that the Saraike *kawata* leadership sent their letter. They requested that the peasant village headman petition the magistrate on their behalf to end his investigation, since the four men from their village were now healed of their injuries and bore no grudge against Sugimoto Village. At the end of the letter were pressed not only the seals of the village leadership but those of the four men involved, their relatives, their landlords, and their group-heads. It is important to note here that of the four men supposedly involved, three were listed as tenants, giving an indication of their status within the village.

Whether or not the headman followed through on the request of the *kawata* is unclear, though ultimately irrelevant. One month after receiving a petition from the *kawata*, the headman received a severe reprimand from the Kawagoe domain representative in Osaka.<sup>237</sup> This document first summarized the fight at Fujiidera, though now the number of *kawata* offenders was up to twelve. This included the original four identified in the *kawata* leadership's petition, but the identity of the eight others was not specified. Likely, these eight were among the group that travelled to Fujiidera for the *kaichō*, but were not involved in the fight. The representative stated that, because the Osaka city magistrate had become involved, the matter reflected poorly on the domain. Worse, the mingling of *kawata* and commoners at Fujiidera had brought the shogunate's attention to the matter, bringing up the daimyo's name in Edo circles. The Saraike

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<sup>237</sup> Doc.109 [1760; Hōreki 10] in *SIMM*, v. 2, p. 52.

headman was ordered to immediately place the twelve men in irons and under guard.<sup>238</sup> They languished for one month, until they were finally pardoned by the Kawagoe representatives on the twenty-first of the sixth month.<sup>239</sup>

The domain representative also ordered Seiemon to gather the *kawata* together and admonish them to cease their adventures outside of the village, of which the Fujiidera incident was only the latest. Finally, the letter ended with a warning: “Though we have entrusted the [*kawata*] village to your care as well, you have been lax in matter of administration. Thus, we have seen incidents like that above, which are most reprehensible. Should there be further disturbances in your village you, Seiemon, shall also be punished.” It is likely Seiemon and his family were too entrenched in local society to be removed without causing further problems for village society. But this would be small comfort to Seiemon, who did not want such attention from the daimyo and who, as far as the archive demonstrates, had never received such a reprimand from his social superiors.

The problem with the Fujiidera incident was not that *kawata* had attended a festival held outside their village. Consider the incident between Saraike and Jōrenji Village discussed in Chapter 2, which began after a *kaichō* was held in Miyake Village. During the dispute, the Saraike *kawata* mentioned that on several occasions they had been invited to Miyake Village to provide services and receive alms at religious functions. At these events, which included *kaichō*, the Saraike *kawata* attended in an official capacity as *kawata*, at the invitation of the Miyake Village leadership, and with their peasant headman also present. Fujiidera, meanwhile, was well outside of Saraike’s *kusaba* territory, and there was no longstanding patron/client relationship

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<sup>238</sup> Documents concerning this incident from Sugimoto do not survive; but as Kawagoe domain was less concerned about who started the fight than the fact that the incident brought the domain unwanted attention from shogunal authorities, it is likely that the Sugimoto men suffered a similar fate from their daimyo.

<sup>239</sup> Docs.283-4 [1760; Hōreki 10] in *SIMM*, v. 2, p. 878.

between these two communities. The Saraike *kawata* who travelled to Fujiidera did not travel as *kawata*, but as any other villager.

On this occasion and others, Kawagoe domain ordered the Saraike headmen to maintain a distinction between the *kawata* and peasants under his jurisdiction.<sup>240</sup> Yet he was also reminded that the *kawata* had been placed in his care, and should be treated as such. The *kawata* were not to be despised, but treated with the same benevolent governance as peasants. This was so long as the *kawata* minded their place in society; by mingling with commoners at events like the Fujiidera *kaichō*, the *kawata* overstepped their station. For this reason, even more than the threat to public order represented by the fistfight, the *kawata* needed to be harshly punished. When *kawata* attended religious functions in their proper roles, they fulfilled their prescribed social roles. When they attended similar functions as tourists, they became a threat to the social order.

In the mid-eighteenth century, incidents like the one above were not limited to the Saraike *kawata*. And while it is difficult to believe that one fistfight in a village far off in the Kinai region would attract enough attention to have the Akimoto name brought up in shogunal circles, the shogunate took such incidents very seriously. In 1778, the shogunate issued a countrywide decree aimed at all “base peoples” (*senmin*) including *kawata*.<sup>241</sup> It asserted that lately the behavior of *kawata* had degraded, and that they now acted improperly towards peasants and townsmen. Worse, some *kawata* had supposedly taken the appearance of commoners and entered tea houses or similar establishments. Presumably, this meant that the *kawata* in question were not adopting the hairstyle the shogunate prescribed for their status.<sup>242</sup>

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<sup>240</sup> Doc.152 [1731; Kyōhō 16] in *SIMM*, v. 2, pp. 605-6.

<sup>241</sup> Doc.111 [1778; An'ei 7] in *SIMM*, v. 2, pp. 55-57.

<sup>242</sup> In Edo, those of *eta* status were prohibited from wearing topknots and having shaved pates; they were instead to keep their hair cut short. However, there is no indication that *eta/kawata* in the Kansai region regularly followed these guidelines.



Only after these individuals had committed a crime was it discovered that they were *kawata*. Local officials were instructed to be alert for any transgressive “base peoples,” and to punish them. This document survives in the Tanaka family collection with the seals of all *kawata* households, along with a note promising to abide by the regulations.

Disobedient *kawata* villagers also made problems inside of the village. Another rising issue in the mid-eighteenth century was that of runaways or former residents coming into the village. Proscriptions against providing outsiders with lodgings were a common feature of village regulations dating back to the seventeenth century, along with edicts against purchasing good from such people. This was to prevent villagers from harboring criminals or handling stolen goods. A 1776 letter signed by the entire *kawata* community promising the headman an end to unregistered villagers entering the village indicates that in the *kawata* community, the earlier proscriptions were being broken.<sup>243</sup>

Several factors contributed to the harboring of runaways becoming an issue in the *kawata* community in the mid to late eighteenth century. Between 1722 and 1772, the *kawata* population of Saraike increased by three hundred. Such rapid growth made it difficult for village authorities to keep track of everyone in the community. Additionally, the reliance of many *kawata* on the market for sustenance ensured an always-present demand for goods, even those of a legally questionable background. Finally, there was a greater number of former villagers that attempted to return to the village after being exiled or having absconded. These former villagers were much more likely to be welcomed into the village than strangers.

During the Tokugawa period, social groups were held collectively responsible for the conduct of their members. If a villager committed a crime, his or her village was forced to pay

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<sup>243</sup> Doc.158 [1776; An’ei 5] in *SIMM*, v. 2, pp. 610-612.

the necessary fines, or for the criminal's upkeep while in jail.<sup>244</sup> More serious crimes could lead to the village leadership being punished or removed from their posts. This system of shared responsibility was a major feature of the Tokugawa social order and incentivized social groups to police the conduct of their members. However, if a villager absconded from his or her home village, the social group was no longer able to exert any control over their conduct. In this case, the village leadership would request permission to strike the villager from the population register. This individual would become an unregistered (*mushuku*) person, and any crimes he or she committed would have no repercussions for their former co-villagers. These unregistered villagers were also prohibited from returning to their home village, unless a relative could successfully petition for their legal return. While some unregistered villagers did indeed leave home and never return, others who fled out of necessity often found themselves compelled to return to their home village.<sup>245</sup>

Most of the evidence about such returnees in Saraike Village is limited to edicts against allowing them into the village. But when one of these individuals died after secretly returning to the village, the *kawata* leadership was compelled to report the matter to the village headman.<sup>246</sup> In 1799 (Kansei 11.9), Jihei, the son of Yosōbei from the Kawagoe domain portion of the village, was found dead outside a rental house belonging to another Jihei (written with different characters), who lived in the shogunal portion of the village. The dead Jihei was in his early thirties, and had absconded two years earlier. For this reason, Jihei was stricken from village rolls. He was said to have died of illness, and as there was nothing suspicious about the corpse, the *kawata* leadership requested permission to bury Jihei's body. The leadership also assured the

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<sup>244</sup> Botsman 2005, pp. 61, 64-67.

<sup>245</sup> See Yoshida 2015b, pp. 184-95 for an account of one such unregistered and his attempts to return to his home village.

<sup>246</sup> Doc.184 [1799; Kansei 11.9] in *SIMM*, v. 2, pp. 656-7.

headman that the still-living Jihei would be sure to not violate village regulations again and harbor a runaway. The document was signed by Jihei's father, uncle, the landlord Jihei, and the *kawata* leadership.

The reasons why Jihei left the village only to return two years later are unstated, but almost certainly had to do with survival. In the late eighteenth century, Saraike was still recovering from the effects of the Tenmei famine and food was in short supply. Jihei, being young, likely left in search of other opportunities. But finding it difficult to survive outside the village as both a runaway and a *kawata*, Jihei returned to Saraike in a desperate state. The *kawata* leadership implied that Jihei's family did not know that he returned and, still not knowing his whereabouts, were dismayed to discover that he had died inside the village. Considering that Jihei died outside of his uncle's rental unit, this is unlikely. However, it does demonstrate the difficult position of returnees and their relatives. To provide Jihei with any aid was a violation of village regulations, and potentially subject his family to punishment.

By the 1780s, various strands of the rural social order were beginning to fray. But the effects of this change were not limited to the commoners. *Kawata* too experienced the benefits and disruptions brought on by the commercialization of the economy in the mid-eighteenth century. The expansion of the cotton trade and craft manufacturing brought more *kawata* into contact with non-*kawata* in contexts other than those prescribed by the status system. To be sure, popular antipathy towards *kawata* and other "base people" was not limited to the samurai elite. However, enough commoners did not mind hiring *kawata* labor and enough village officials

were lax in enforcement of status distinctions that unsanctioned contact between commoners and *kawata* occurred frequently enough to concern the authorities.<sup>247</sup>

### **Famine and Reform: The Tenmei Famine, Downfall of Tanuma Okitsugu, and Rise of Matsudaira Sadanobu**

In the late 1770s, northeastern Japan was afflicted by a long cold spell that devastated harvests and led to widespread hunger in the region. This regional calamity exploded into a nationwide famine in 1783 (Tenmei 3), when volcanic eruptions in Japan and Iceland reduced sunlight and covered fields in ash and soot. Though farmland in western Japan was not directly affected by the natural disaster, the loss of rice imports from the northeast sent food prices skyrocketing. The Tenmei Famine – named after the calendrical era in which it occurred – lasted until 1788, during which time countless people perished from hunger and disease. The Tenmei Famine is regarded as the worst of the “Four Great Famines” to hit Japan during the Tokugawa Period, and forever altered the trajectory of Tokugawa society and politics.

Though the shogunate could not have predicted the weather, the commercialization policies of the mid-eighteenth century exacerbated the crisis. The practice of artificially inflating the price of rice through the Osaka rice market in particular led to even higher food prices and the hoarding of grain by wealthy merchants. The inability of Tanuma Okitsugu and his regime to deal with the devastation of the Tenmei famine was a major blow to the legitimacy of his rule and policies.<sup>248</sup> Following the death of his patron, the tenth shogun Ieharu, in 1786, Tanuma was quickly dismissed from office. In the fifth month of Tenmei 7 (1787), in the midst of the Tenmei

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<sup>247</sup> We cannot know the exact attitudes of these commoners and officials, and what caused them to be apathetic towards *kawata* labor outside the village. In the conclusion, I speculate that this was due to anti-*kawata* prejudice being a primarily local phenomenon prior to the late eighteenth century.

<sup>248</sup> Hall 1955.

famine, massive riots broke out in Edo, Osaka, and elsewhere. These *uchikowashi* disturbances saw angry townsmen ransack warehouses and distribute rice and other foodstuffs to the starving masses.<sup>249</sup> The extent and intensity of these disturbances, occurring as they did in the shogun's capital of Edo, finally brought down the last of the Tanuma clique. Control over shogunal policy was now in the hands of Matsudaira Sadanobu.<sup>250</sup>

Sadanobu was a grandson of the eighth Tokugawa shogun Yoshimune, and had been serving as daimyo of the Shirakawa domain since 1783. His effective response to the Tenmei famine in his domain earned Sandanobu acclamation from other daimyo and members of the shogunal court.<sup>251</sup> Sadanobu was also a staunch conservative who opposed Tanuma's monetary and foreign policies. Between 1787 and 1793, the Tokugawa shogunate under Sadanobu enacted the Kansei Reforms, which were aimed at retrenching the power of the samurai and turning back the policies of Tanuma Okitsugu.

The Kansei Reforms touched on matters related to peasant villages, city finances, famine control, and foreign policy.<sup>252</sup> A full discussion of the reforms is beyond the scope of this chapter, so here I will focus only on those aspects relevant to the development of rural society. Tax burdens for farmers were reduced in an effort to reinvigorate agriculture, and to alleviate unrest in the countryside.<sup>253</sup> Farmers who absconded to the large metropolises of Edo, Osaka, and Kyoto were returned to their home villages, with varying degrees of success.<sup>254</sup> Restrictions were also placed on non-agricultural pursuits like craft industries and cotton production in the Kinai region. Villagers were to focus their energies on farming, not craft manufacturing.

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<sup>249</sup> Bix 1986 and Walthall 1986.

<sup>250</sup> Ooms 1975.

<sup>251</sup> Yamaguchi 1993, p. 169.

<sup>252</sup> For a more thorough look into the reforms and their scope, see Yamaguchi 1993, pp. 166-172, Takeuchi 2009, and Fujita 2005 and 2010.

<sup>253</sup> Yamaguchi, p. 170.

<sup>254</sup> Other, less fortunate runaways were confined in the new "Stockade for Laborers." Botsman 2005, pp. 100-114.

Additionally, this period saw an attempt to align shogunal attitudes towards status groups in line with new social realities. Here I will focus on the issue of status in late Tokugawa Japan, and on two aspects of Sadanobu's policies: famine relief and the retrenchment of local order.

### **Status in the Late Tokugawa: *Mibun* and *Shokubun***

As discussed in Chapter 1, status groups were formed around a shared space (village or city ward) and common trade. Status groups received recognition by the shogunate or daimyo (*kōgi*) of their corporate status and status-specific rights in exchange for providing service based on their status group. This duty corresponded directly to one's occupation; farmers provided tax rice, and *kawata* skimmers provided leather. Yet as the Tokugawa period progressed, commercialization produced a growing disconnect between the status and actual occupations of many individuals.<sup>255</sup> This issue first manifested in the Edo-based trade associations. As Edo was rapidly expanding in the early seventeenth century, the shogunate granted right to handle certain commodities to the residents of specific city wards (*chō*). In exchange for provisioning Edo castle, the residents of these wards enjoyed monopsony control over certain goods. During the seventeenth century, the scope of these trade associations was coterminous with the city ward that was granted shogunal privilege.<sup>256</sup>

By the early eighteenth century, these trade associations had grown well beyond the confines of one city ward.<sup>257</sup> Moreover, many of the original households of a city ward elected to rent their property to tenants. These tenants took over the actual operation of the merchant

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<sup>255</sup> Howell 2005, pp. 45-78.

<sup>256</sup> Yoshida 2005, pp. 39-40.

<sup>257</sup> *Ibid.*, p. 45.

associations while the landlords lived off the rent from their properties. The result was a growing discrepancy between the legal and actual members of status group.

Yokoyama Yuriko points out that the shogunal authorities in Edo were forced to acknowledge this issue in the late eighteenth century.<sup>258</sup> Like peasant villages, individual city wards (*chō*) were responsible for their residents, and commoner wards were under the jurisdiction of the Edo city magistrate. Yet many townsmen who should have been under the administration of the magistrates were also engaged in livelihoods that were under the control of different sources of authority. For example, powerful merchant houses that handled money lending dealt with the *kanjō-bugyō* (finance officer). The shogunate acknowledged these differences and drew a distinction between status (*mibun*) and occupation (*shokubun*).<sup>259</sup> Rather than simply rule by status groups, a household could be under the control of their status group, their occupational group, or both. That is, a merchant townsman when under the administration of his city ward and the city magistrates in matters pertaining to his life as a townsman, but under the control of his guild and the finance magistrate in matters of business and official duty.

At the same time, the shogunate also took steps to standardize rule by status practices towards “base people” (*senmin*) like the *kawata*. In the Kinai, this emphasis on proper status group control came into conflict with social realities different from those in Edo. This had consequences for the *kawata*, as the Osaka authorities attempted to mimic certain Edo-area practices. Just as in the Kinai, rural *eta* (*kawata*) villages in the Kanto were connected to peasant “parent” villages that had overall authority over the *eta* village and managed non-*eta* status matters like landholding. However, the Edo-area *eta* were also under the authority of Danzaemon, a hereditary title held by a series of *eta* chiefs who served the Tokugawa shogunate.

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<sup>258</sup> Yokoyama 2005, pp. 133-162.

<sup>259</sup> Howell 2005, pp. 45-78.

Danzaemon had jurisdiction over all matters specific to *eta* status, such as *kusaba* disputes. In criminal cases involving members of *eta* status or other “base” status groups, Danzaemon could order punishments up to exile on his own authority. Because there was no Danzaemon figure in the Kinai region, the *kusaba* boundary disputes that were discussed in Chapter 2 were appealed directly to the Osaka city magistrate. This was contrary to common practice in Edo, where any matters relating to *kawata/eta* status were handled not by the city magistrates, but by Danzaemon.

In late 1794 (Kansei 6.12), the Saraike village *kawata* brought suit against Kichisaburō, a *kawata* villager from Kareki village.<sup>260</sup> Kareki Village was located 2.5 miles north of Saraike, and was composed of those *kawata* that remained behind when construction on the Yamato River forced some to relocate to Jōrenji Village. The Saraike *kawata* alleged that Kichisaburō had illegally taken possession of an ox carcass from Asaka Village, which was in Saraike’s *kusaba* territory. The *kawata* first tried direct negotiations with Kichisaburō, then asked their village headman to contact the peasant headman of Kareki Village. When this produced no results, the *kawata* sent an appeal to the Osaka city magistrate. In the 1720s, appealing to the Osaka city magistrate had been the last resort for *kawata* communities in *kusaba* disputes. Though the magistrate’s office never issued a judgement in these disputes, it did take steps to ensure their resolution, such as ordering peasant communities to report on their carcass disposal practices.

The magistrate’s response in this case from 1794 stood in stark contrast to that of his predecessor in the 1720s. The Saraike *kawata* were told that the Osaka city magistrate did not handle matters particular to *kawata* status, such as *kusaba* boundaries. Instead, the magistrate’s

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<sup>260</sup> Doc.320 [1794; Kansei 6] in *SIMM*, v. 2, pp. 934-5.



office instructed the *kawata* to appeal directly to Watanabe Village.<sup>261</sup> Such a move was unprecedented; while Watanabe Village had been involved in the boundary disputes from earlier in the century, it never accepted appeals from other *kawata* villages. Indeed, the headmen of Watanabe were perplexed by the magistrate's order, and they asked the magistrate to confirm their right to adjudicate the dispute before proceeding. Once given the magistrate's approval, however, the headmen investigated the evidence presented by both the Saraike and Kareki *kawata*. They concluded that Saraike village was in the right, and summoned representatives of both villages.

The representatives from Saraike were met by Jūsuke, who was standing in for Kichisaburō. In another departure from the earlier debate, Jūsuke did not dispute that the carcass in question had died in Saraike's territory. Instead, he insisted that, because the former owner had turned the carcass over to his patron, the animal should belong to him and not to Saraike. In the earlier *kusaba* disputes, the principle that ownership was decided based on where the animal died was never questioned by the *kawata*. The only issues were where and how *kusaba* boundaries should be drawn. By insisting that carcass ownership could be determined by the animal's former owner, Jūsuke was making a very new claim. The headmen of Watanabe declared in favor of Saraike and ordered Jūsuke to compensate Saraike. Jūsuke refused this order, and maintained that he had the right to animals from Asaka Village. In a telling example of the difference between eastern and western Japan, the Watanabe headmen then told the Saraike *kawata* to keep negotiating on their own, because there was nothing further they could do (*itashikata gozanaku sōrō*). The Saraike *kawata* were forced to negotiate a final settlement with Kareki themselves. After some time, it was decided that henceforth, eighty-percent of carcasses

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<sup>261</sup> Doc.321-2 [1794-5; Kansei 6-7] in *SIMM*, v. 2, pp. 935-8.

from Asaka would belong to Kareki Village, with Saraike only retaining ownership over twenty percent.<sup>262</sup>

This case is significant for a number of reasons. For example, the claims of the Kareki Village *kawata* departed from earlier *kusaba* disputes, and in effect, denied a central tenet of that system; that is, carcasses automatically became the property of the *kawata* village in whose territory the animal died, with no compensation (or input) from the former owner. What we should focus on here, however, is the attitude of the Osaka authorities and what it reveals about status in the late eighteenth century. Asao Naohiro points to this case as evidence of the exclusion of the *kawata* from normal judicial channels from the late eighteenth century on.<sup>263</sup> When the *kawata* villages of Minami-Ōji and Shioana took their *kusaba* dispute to the Osaka authorities in mid-nineteenth century, the magistrate refused to make a ruling because it was a matter exclusive to *kawata* status. This is not to say that the *kawata* could not make any appeal to the magistrate – disputes over debts between *kawata* were still handled by the magistrate's office. But, there was no overall authority to whom the *kawata* could appeal regarding matters such as *kusaba* boundary disputes. The Osaka city magistrates considered *kusaba* outside their jurisdiction, while the Watanabe Village elders had no power to enforce any decisions.

This new attitude among the Osaka city administrators was not limited to the *kawata*. In 1796, a member of the *hinin* guild of Tenma in Osaka absconded after getting into a fight with a non-*hinin*.<sup>264</sup> When the larger Tenma *hinin* organization failed to locate this individual, the local shogunal intendant decided to levy punishment on the guild leadership. Crucially, the intendant decided that the punishment of the *hinin* leadership should be in line with practices in Edo; that

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<sup>262</sup> Doc.343 [1860; Man'en 1] in *SIMM*, v. 2, pp. 959-60.

<sup>263</sup> Asao 2004, pp. 26-28.

<sup>264</sup> Tsukada 2013, pp. 92-104.

is, the *hinin* should be handed over to a Danzaemon-like figure for punishment.<sup>265</sup> But because Danzaemon's authority did not extend outside of the Kanto region, the intendent determined that the village elders of Watanabe Village should handle the punishment of the *hinin*. Now, while Watanabe Village had performed executions for the Osaka city magistrate, there was no precedent of *hinin* in Osaka being under the authority of the *eta* like they were in Edo. The *hinin* of Osaka resisted this move that might curb their relative independence.

Ultimately, the attempt to put the *hinin* of Osaka under the control of the *kawata* of Watanabe Village failed. In the Osaka region, *hinin* and *kawata* would remain separate status groups with distinct hierarchies. However, both this case and the *kusaba* dispute of 1794 reveal a desire on the part of some Osaka authorities to bring the management of status groups in the Kinai in line with practices in Edo. Unlike the city magistrates of the early eighteenth century, those of the late eighteenth and nineteenth did not take up cases involving purely “*kawata*” matters like *kusaba* boundary disputes. In the short term, the impact of this decision was somewhat limited. True, Saraike Village lost control of eighty-percent of the carcasses from Asaka Village. But the Saraike *kawata* were able to negotiate a settlement with Kareki Village, and Asaka was just one village in their larger *kusaba* territory. In the long term, however, the *kawata* lost access to an important legal channel to settle disputes over the all-important right to carcasses. This became a problem in the nineteenth century, when groups like the *kawata* cattle traders began circumventing the old status privileges of *kawata* status.

## **Famine Relief and Tenant Farmers**

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<sup>265</sup> In Edo, both *eta* and *hinin* were under Danzaemon's authority. For a full discussion see Tsukada 1987, pp. 222-230 and Groemer 2001, pp. 276-80.

The social changes of the Tenmei Famine and Kansei Reforms were not limited to status governance. Many peasants and *kawata* in Saraike relied on the market to obtain food rather than growing it themselves. This made them vulnerable to the kind of price fluctuations brought on by the Tenmei Famine. Accurate figures on the number of dead from anywhere in Japan during the Tenmei Famine are difficult to come by, as no daimyo wanted to be punished for irresponsible management of their domains. But documentation on the amount of aid required in Saraike during the famine years suggests that a combination of food shortages and high prices saw the *kawata* population decline by nearly one-quarter, from 800 to a little over 600 villagers.<sup>266</sup> It is unclear how many in that group of 200 died, and how many fled in search of better conditions.<sup>267</sup>

Kawagoe domain first provided famine relief in 1784 (Tenmei 4.2) to the peasants and *kawata* of Saraike, in the form of rice gruel.<sup>268</sup> Rice gruel was already a widely used form of hunger relief not just in Japan, but also in Qing China, as larger quantities of water ensured that a smaller amount of rice could feed more people.<sup>269</sup> Three years later, the Saraike headman petitioned for additional aid for 480 *kawata* and 68 peasant villagers, demonstrating that a large percentage of each community was still in a precarious state. And though the Tenmei Famine officially ended in 1788, Saraike village received aid once again in 1795, indicating that climbing out of the depths of the food shortage was a long process. When the *kawata* farmer Jisuke discovered the emaciated body of his neighbor Kichijirō near the edge of the village, he did not feel the need to report it right away, perhaps indicating that the sight of victims of hunger was still commonplace.<sup>270</sup>

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<sup>266</sup> Doc.161 [1784; Tenmei 4] in *SIMM*, vol. 2, pp. 615-623 and Doc.3 [1772; Meiwa 9] in *SIMM*, v.1, pp. 12-22.

<sup>267</sup> Docs.170-173 [1787; Tenmei 7] in *SIMM*, v. 2, pp. 634-5.

<sup>268</sup> Docs.160-161 [1784; Tenmei 4] in *SIMM*, v. 2, pp. 613-623

<sup>269</sup> Ehlers 2014, pp. 66-67.

<sup>270</sup> Doc.178 [1793; Kansei 5] in *SIMM*, v. 2, p. 647.

In 1793, members of Saraike Village's peasant community attempted to secure a firmer basis for survival by petitioning the village leadership for more farmland.<sup>271</sup> The petition was signed by thirty-four peasant households, and addressed to the village headman and village elder. Nearly every peasant household outside of the village leadership lent their seal to this document. Only seven of the thirty-four were landholders, with the rest were listed as landless. Furthermore, the holdings of those seven households constituted just thirteen percent of the village land. The village leadership, meanwhile, controlled fifty-eight percent, including the best land in the village. Finally, of the thirty-four peasant households who supported the petition, twenty-three were listed as living in extreme poverty the next year.<sup>272</sup> This included four landholding peasants. Essentially, this petition was an example of the majority of Saraike peasant society acting collectively to better their position. The petition read:

Item: Recently, the [daimyo] issued an edict prohibiting villagers [peasant and *kawata*] from working as servants or hired hands in lands controlled by different lords, which we abide by and accept. Lately, however, there have been a considerable number of *eta* [*kawata*] working as hired farm labor in [Saraike]. Thus, in addition to working the land controlled by this village, we informed the headman of our desire to work a small amount of land in other territories. At that time, we were told that this would violate our lord's edict, so the headman could not abide by this request. We have no intention of violating the orders handed down from his lordship. We humbly request that one to two *tan* [991 square meters] of village land be set aside for each of us [to farm as tenants]. Additionally, we would like to work on just a small amount of land in other territories. In this way, we can put forth all our effort in farming, and cooperate with our five-family groups to ensure that no tax payments are missed. We swear that this will not result in any problems for either the village leadership or his lordship. We hereby affix our seals.

For the peasants, the solution to their poverty was having more land to farm, thus giving them a more stable source of income. This land would not be theirs to own, however.

Landholding in Saraike by the turn of the nineteenth century was extremely unbalanced.

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<sup>271</sup> Doc.177 [1793; Kansei 5] in *SIMM*, v. 2, p. 646

<sup>272</sup> Doc.180 [1795; Kansei 7] in *SIMM*, v. 2, pp. 651-2.

Although it was common for a Tokugawa era village headman to be the largest landholder in their village, the disparity seen in Saraike village was highly unusual. This document from 1793 marks the first time that the lower-class peasants of Saraike Village collectively petitioned the village leadership. Their demands were far from revolutionary, but still represent a growing awareness of the divergent interests of the bulk of the villagers from their leadership.

The edict mentioned by the Saraike villagers does not survive in the Tanaka family documents, but makes sense in the context of the Kansei Reforms. Villagers working on the land of other daimyo represented a loss of labor power for Kawagoe domain, who was keen on rebuilding domain finances. By keeping their peasants from working outside the domain, Kawagoe ensured that all the labor power in their territories was being put to work harvesting taxes for the domain. This measure could also combat rising wages by limiting the options of potential wage laborers.<sup>273</sup> As the shogunal portion of Saraike was technically under the control of one of the “other lords,” part of their own village was off limits to Saraike laborers from the Kawagoe domain section.

In another village, the limitation to domain lands might not have affected tenant farmers to the extent that it did in Saraike, but it seems the presence of large number of *kawata* villagers presented a formidable source of labor competition. There is no way to verify that the situation was as the petitioners described; while the *kawata* too would have been limited by the daimyo’s decree, and thus working in greater numbers in Kawagoe lands, there was simply fewer *kawata* villagers in 1793 than before devastation of the Tenmei Famine. Yet the fear of *kawata* labor competition was not unique to Saraike Village. Mita Satoko has demonstrated how the *kawata* of Minami-Ōji formed an increasingly greater share of agricultural labor power in their regional

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<sup>273</sup> Smith 1959, p. 111.

society after the late eighteenth century.<sup>274</sup> For many villages, *kawata* labor was essential to the reproduction of daily life.

Fear and resentment of *kawata* labor among the lower-class of peasant villagers had real consequences. In the mid-nineteenth century, there was a movement to exclude Minami-Ōji from access to the commons of the local temple, spearheaded by those villages with the largest percentage of tenant farmers from Minami-Ōji.<sup>275</sup> The move was stopped only with the cooperation of those villages who had no *kawata* laborers working their fields. Thus, even if the Saraike villagers were exaggerating in 1793 about the number of *kawata* laborers, their fear could translate into real action. This lack of solidarity between the *kawata* and peasants despite their practical similarities as tenant farmers reveals the salience of status distinctions amongst the lower segments of village society.

The result of this petition is unclear. The peasant population of Saraike peaked at around 190 villagers on the eve of the Tenmei famine, and would never again rise that high. But until the last decades of the Tokugawa period, this peasant population remained steady, hovering around 150. When the peasant population began a rapid decline to less than one hundred villagers in the 1850s, it was for reasons disconnected from the conditions of the late eighteenth century. Whatever the result of their petition, the landless farmers of Saraike were able to sustain a stable existence for two generations following the end of the Tenmei Famine.

### **Village Order in the Late Eighteenth Century**

Relief during the Tenmei Famine was partly motivated out of a desire to save the lives of starving villagers, but was also directly connected to the maintenance of public order. During the

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<sup>274</sup> Mita 2010, pp. 45-61.

<sup>275</sup> Ibid.

famine, many villagers fled the countryside and poured into the major cities of Osaka, Kyoto, and Edo in search of relief. This influx of starving villagers swelled the urban underclass and led to intense riots that ultimately brought down Tanuma Okitsugu and his clique. Meanwhile, several peasant uprisings broke out in the countryside, with *kawata* acting both as rioters and riot control.<sup>276</sup> As the shogunate and domains were handing out rice gruel, they were also retrenching the pillars of local order.

In 1787 (Tenmei 7.5), the representative of Kawagoe Domain in Osaka sent the Saraike Village headman a message concerning recent disturbances in the village.<sup>277</sup> The report stated that around ten recent runaways were colluding with longstanding village exiles to enter the village and create disorder. The letter does not provide more detail, but as 1787 saw widespread rioting across the Japanese countryside, the “disturbances” mentioned in the domain’s letter were likely related to larger protests. Seiemon, the headman, was instructed to counter these groups of rebellious villagers by carrying out thorough inspections of rental houses in the village.

Returnees and exiles could more easily find shelter in rental units, given the greater number of inhabitants per room and the shared levels of subsistence between exiles and those who lived in such units. There was also a market for stolen or illegal goods that would otherwise be difficult to sell, given the often desperate conditions of the village lower class that lived in such rental property. It was around such property that Jihei, the returnee who died in 1799, was discovered.

In addition to the usual admonitions to maintain order and treat the villagers with proper benevolence, the daimyo’s representative informed Seiemon that he had wide discretion over the villagers under his authority. Notably, Seiemon was free to sentence villagers to confinement in iron shackles without first receiving permission from the domain. This was a severe punishment,

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<sup>276</sup> Nakao 1997, pp. 204-214.

<sup>277</sup> Doc.112 [1787; Tenmei 7] in *SIMM*, v. 2, p. 58.



as those sentenced could spend weeks in confinement before being released.<sup>278</sup> It also represented a great change in the headman's role in the village. Recall that in the seventeenth century, a property dispute between two *kawata* villagers resulted in the local shogunal intendant ordering the Saraike headman to place the *kawata* leadership under house arrest. In that case, it was the headman who carried out the punishment, but only after direct orders to that effect from the intendant. From the 1780s onward, however, the successive Saraike headmen began to sentence their villagers to house arrest, on their own initiative, with greater frequency. This change in village policing is one source of information on the village lower class, as documents petitioning for the release of a confined relative or fellow villager become one of the key sources for later chapters.

It is important to point out that there is nothing in this letter that restricted the headman's powers to the *kawata* community. Though the second half of the document repeated the admonition that the headman not to be lax in his administration of the *kawata (eta)*, the domain was chiefly concerned with maintaining order in the countryside. To this end, members of both the *kawata* and peasant communities were objects of official concern. It is perhaps no coincidence that the document began by asserting that a strict division between the *kawata* and peasants must be maintained.

## **New Village Regulations**

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<sup>278</sup> Interestingly, Kawagoe domain gave the Saraike headman the power to shackle villagers in irons without domain authorization as early as 1731. However, until the late eighteenth century, the headman never imposed this sentence without first receiving authorization. For example, after the fight at Fujiidera in 1755, the offenders were ordered into shackles by the domain, and only released with the domain's permission. After 1787, we see a number of documents from villagers petitioning the headman directly for the release of their relatives.

The shogunal and daimyo authorities were not the only parties concerned about disorder in rural society in the aftermath of the Tenmei Famine. Local elites like Seiemon of Saraike Village also had a vested interest in maintaining their position.<sup>279</sup> The Tokugawa shogunate and daimyo domains issued edicts during and after the Tenmei Famine ordering frugality and obedience. But as Tsukada Takashi points out, this process was not simply a direct imposition of domain rules on unwilling villagers.<sup>280</sup> Elites in the countryside too were concerned about the disorder during the Tenmei Famine, and gladly issued their own village regulations (*mura shikimoku*) aimed at displays of excess and unruly behavior. These were targeted at the village youth organizations (*wakamono nakama*) in particular.

In 1788, the Saraike village leadership issued a new set of village regulations, applicable to both the shogunal and Kawagoe domain section of the peasant village (*irikumi Saraike-mura*).<sup>281</sup> It is, for the most part, a fairly innocuous – though interesting – document. It deals with basic issues of village finance, the collection of tax payments, the protocol for initiating lawsuits, and the rules of inheritance, among others. A few items in these regulations from 1788 were lifted directly from earlier edicts handed down by the daimyo or shogunate.<sup>282</sup> Villagers were required to respect the laws of the domain and shogunate, refrain from gambling, and assist in putting out fires in nearby villages.

Yet other items were targeted at the morals and behavior of the villagers, especially the youth and servants. An item that reiterated the ban on gambling also prohibited male and female youths or servants from lodging together overnight. Another item banned various forms of revelry, especially those customs associated with drinking and dancing at weddings. All villagers

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<sup>279</sup> 80s stuff. Headman also led revolts.

<sup>280</sup> Tsukada 2016, pp. 2-26.

<sup>281</sup> Doc.113 [1788; Tenmei 8] in *SIMM*, v. 2, pp. 59-62.

<sup>282</sup> See for example Doc.104 [1729; Kyoho 14] in *SIMM*, v. 2, pp. 34-41.

were asked to police the behavior of the village youth at any kind of celebration and actively prevent fights or arguments. Villagers were also reminded that any rude behavior directed at the village leadership was prohibited.

The problems for village order caused by plebeian society in the late eighteenth century were even more apparent in the *kawata* community. Seven years after the Saraike headman issued the regulations for the peasant village, he created a different set for the *kawata* village (Appendix A).<sup>283</sup> These regulations were given directly to the *kawata* village leadership (*kimoiri*), who were tasked with disseminating the contents to the *kawata* village and ensuring that the *kawata* obeyed the regulations. The document surviving in the headman's archive is not the actual document that was issued to the *kawata* leadership, but a draft. It is heavily marked with corrections – every item has sections scratched out and rewritten. In this form, the document provides a glimpse into the headman's thought process as he created the regulations, and the structure of village governance in the *kawata* community versus that of the peasant village.

Several items dealt with local agriculture, and differed little from ordinances that would be issued to the average peasant community. The *kawata* were admonished to respect the integrity of local irrigation works by not breaking the sluices in times of drought, or dikes in times of heavy rain, only to preserve their own plots. Villagers were to abstain from fishing in reservoirs because this damaged the surrounding earthworks. More interesting than the content of these ordinances, however, is the form in which they are recorded. The original text at the end of most items read “those who do not observe these regulations will be punished [by the headman],” which was corrected to read “report those who do not observe these regulations to

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<sup>283</sup> Doc.117 [1796; Kansei 8] in *SIMM*, v. 2, pp. 68-71.

me [the headman].” In other words, these regulations were not issued directly from the headman to his villagers, but to the *kawata* village leadership, who was made responsible for policing the conduct of their fellow *kawata*.

Other items were for social control, and resembled the regulations for the peasant community. *Kawata* were prohibited from travelling to see plays or other performances in nearby villages, an edict likely written with the 1755 incident at Fujiidera in mind. Groups of four or more young people gathered together and “holding long conversations” were to be reported, and their parents alerted. All villagers were also instructed to be on the lookout for groups of gamblers. The *kawata* were once again admonished not to provide shelter to unregistered villagers or those who had been exiled, nor were they to take in and fence stolen goods. These last two problems would continue to occur in the village until the end of the Tokugawa period.

Injunctions like those against gambling were common to all Tokugawa villages, *kawata* or peasants. But the 1796 regulations contained items that were meant only for *kawata* and aimed at maintaining a degree of deference from *kawata* towards others. *Kawata* villagers were to treat lost travelers near the village with respect, including children. The *kawata* were also to remove any head coverings when encountering others outside of the village. Finally, the headman wanted to ensure proper respect was shown to village or domain leadership. One item stated that “Lately, there have been instances when individuals who have been summoned for some duty either by the village leadership or by an officer of the daimyo, fail to appear, and their head of household appears in their stead. Or, when they appear, they do not take off their footwear or head wraps, and also remain standing while speaking. Henceforth, you [the *kawata* leadership] must admonish any who do this.” This was one of the few instances when administration of punishment – however light – was left up to the *kawata* village leadership. In addition to policing

their villagers for criminal behavior, the *kawata* leadership was also tasked with guiding their moral conduct.

The regulations also point to the continuation of *kawata* travelling to Osaka as laborers, though in a different fashion from Shima the servant discussed in the previous section. One item ordered the *kawata* village leadership to “Consult with those who head to Osaka or other regions in order to repair *setta* or to transport goods, and admonish them to not treat others they meet rudely. Ensure that when they encounter others on the road, they withdraw to the left, and do not cause fights or arguments. Also order these men to stay on good terms with one another. Report any who do not respect these regulations to me.” *Setta* were leather-soled sandals which became popular in the late eighteenth century. The structure of the *setta* trade will be explored in more detail in the next chapter, but by 1795 Saraike *kawata* had been travelling for *setta* repair long enough for a distinct group to form. As mentioned earlier, *kawata* interacting with other status groups was not a problem, so long as status distinctions were observed. Unlike in Edo, there was no need to enforce different haircuts on *kawata* to mark them as different, for the sight of an individual repairing leather footwear marked them at *kawata*.

Finally, the regulations of 1796 point to growing divisions in the village and provide an early glimpse into an issue that would become an insurmountable problem in the nineteenth century, illegal cattle slaughter. According to the clause: “Should there be any instances of unlicensed individuals (*kabu-naki mono*) purchasing weak cattle or horses and bringing them into the village at night by back roads, report this to me as soon as you see it without alerting the perpetrator. Addendum: Because there have been instances of individuals stealing [and killing] cats and dogs in this village and others, henceforth, should you see this action or hear of it, apprehend the perpetrator immediately and report him to me [the headman].”

The phrase “*kabu-naki mono*” or “those without *kabu*” refers to those villagers who did not hold the *kabu* (rights) to carcasses from the *kusaba* territory. These unlicensed *kawata* villagers had been discovered trying to secretly bring weak livestock into the village. Oxen or horses too weak to work were useless to a farmer alive, but valuable to *kawata* dead. Presumably, these unlicensed *kawata* slaughtered these animals in secret and then sold the skins as their own property. Once a livestock carcass had been dismembered and its various constituent parts entered circulation as trade goods, it was impossible to determine its origin. As the addendum demonstrates, smaller animals were also the targets of this new group of butchers. Though less valuable than oxen, the skin of smaller animals could still be sold for goods such as *shamisen* covers.

Cattle slaughter in the village was not a minor issue for the headman. Due to their value as draft animals or mounts, the Tokugawa shogunate and various daimyo domains had passed regulations banning the killing of draft animals.<sup>284</sup> These prohibitions became stronger after the “Laws of Compassion” of the fifth shogun, Tsunayoshi (r. 1680-1709).<sup>285</sup> In some cases, the recommended punishment for cattle slaughter was crucifixion. Though no villager in Saraike ever received the death penalty for cattle slaughter, it was still a serious issue that could bring exile on the offender and attract unwanted attention from Kawagoe domain or the shogunate.

Cattle slaughter did not just violate Tokugawa law, it also presented a problem for *kawata* status broadly. Under the *kusaba* system, only those with the hereditary rights to dead livestock could sell the carcass and reap the profits. Even if an animal was owned by a *kawata* household, they had no claim to the carcass if they did not own *kusaba* rights. If “unlicensed individuals” were indeed slaughtering cattle to sell the hides as their own property, they were

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<sup>284</sup> De Ganon 2011, pp. 64-65.

<sup>285</sup> Botsman 2014, p. 9.

circumventing the status privileges of their fellow – albeit better off – *kawata* villagers. Of course, there were always divisions in the *kawata* community based on wealth and landownership. But until the late eighteenth century, intra-*kawata* disputes in Saraike did not become enough of an issue to leave a presence in the archive. Selling carcasses as one's own property violated the concept status-based property of the *kawata* by circumventing the mediation of the social group. This would continue to be a defining issue in the *kawata* community in the nineteenth century.

Together, the *kawata* village regulations of 1796 give a picture of the *kawata* village at the turn of the nineteenth century. The peasant village headman held overall jurisdiction over the *kawata* community, though in practice it was the *kawata* village leadership that maintained order in the community. Lower class villagers were becoming more of a concern – and thus more visible – by housing unregistered villagers, traveling outside the village to attend plays or festivals, gambling, or slaughtering animals. Finally, we see hints of the transformative effect of the *setta* trade, as villagers traveled to Osaka and elsewhere to repair footwear, and some villagers, motivated by the rising price of leather, slaughtered cattle in secret.

As early as 1959, T.C. Smith pointed out the transformative effects of the commercialization of the Japanese economy during the Tokugawa period.<sup>286</sup> Market culture severed old bonds of dependence, as hereditary servants became detached from their patrons and worked as wage labor or small-scale farmers. Cotton cultivation and craft industries also provided new opportunities for employment and mobility. *Kawata* communities, too, were affected by these changes. Their communities were perhaps even more tied to fluctuations in the market, given that so many *kawata* depended on non-agricultural trades for daily survival.

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<sup>286</sup> Smith 1959.

It was due to the economic growth of the eighteenth century that certain segments of Saraike Village became legible in the archive, in part through attempts to punish and regulate them. What became problematic to the authorities was when *kawata* acted outside of the bounds of accepted behavior for their status, especially if they behaved like commoners. As demonstrated in Chapter 2, *kawata* and non-*kawata* had frequent interactions as a result of the *kawata* responsibility for disposing of draft animal carcasses. Such interactions were not an issue, as the *kawata* interacted with their neighbors in a functional capacity as *kawata*.<sup>287</sup> Status distinctions were clearly visible when one individual was carrying off another's dead animal. Yet as the Tokugawa economy expanded and diversified in the eighteenth century, there was an increasing role for *kawata* labor and mobility outside of accepted social contexts. Policing those *kawata* left records, giving us the story above.

One of the aftereffects of the Tenmei Famine was the reaffirmation of control through status groups. In the Kinai, this had the effect of the Osaka city magistrate asserting that matters exclusive to *kawata* status were outside of the magistrate's jurisdiction. During the *kusaba* dispute of 1793, the magistrate insisted that the Saraike *kawata* appeal to Watanabe Village, an unprecedented step that was nevertheless in line with the concept of rule by status. Though Watanabe agreed to examine the case, and even found in favor Saraike, the village elders had no means of enforcing their decision. This lack of any enforcement mechanism on the part of the Watanabe village leadership meant that there would never would be a Kinai-area Danzaemon.

Interestingly, however, Watanabe Village did come to exert tremendous influence over rural *kawata* communities in the Kinai as the nineteenth century progressed. This was not due to any political power, but through the economic pull of the leather merchant households. As the

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<sup>287</sup> Tsukada 2010, pp. 68-70.



popularization of leather footwear drove leather prices higher, those wholesalers who controlled the circulation of cattle hides became enormously wealthy. These households would translate their wealth into social power. Within Watanabe Village, the leather wholesalers supplanted the old village elite and reorganized all aspects of the leather trade under the control of merchant capital. In the countryside, these wholesalers used advance loans to rural *kawata* villages to bring those villages into dependency on the Watanabe merchants. At the same time, lower class elements in the *kawata* village found new opportunities in circumventing the old status privileges and selling carcasses as their own property. The effects of the growing power of institutions like the Watanbe wholesalers on rural society is the subject of the next chapter.

## Figures, Maps, and Tables

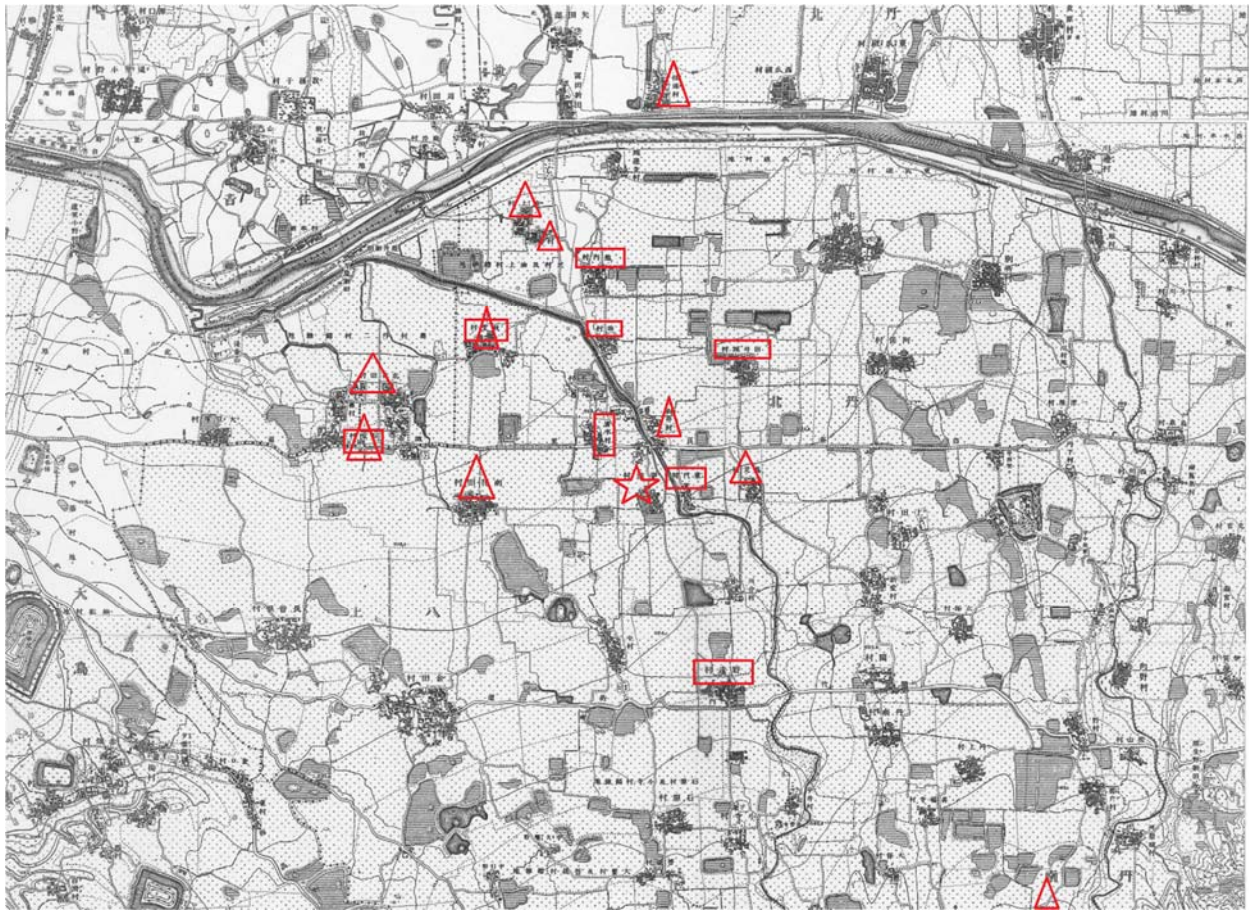


Figure 8: Saraike Village (Star), the Destination for Saraike Servants (Rectangles), and Villages that Sent Servants to Saraike (Triangles). Shimizu 1983, p. 107.

## CHAPTER FOUR: FROM RENTAL CATTLE TO LEATHER SANDALS: THE CIRCUIT OF CAPITAL CIRCULATION, 1800-1850

Early in 1836, Kinshirō of Ikeuchi Village sued a Saraike peasant villager named Kichiemon for the return of his ox.<sup>288</sup> In his petition, issued to the Osaka city magistrate, Kinshirō alleged that Kichiemon approached him five years earlier and asked to borrow one of his oxen. Kichiemon was a cattle trader (*ushi bakurō*), and claimed to know of someone in immediate need of animal labor. Kichiemon would act as a middleman and lease Kinshirō's ox in return for ten silver *monme* per month. Because it was the middle of winter and Kinshirō was not currently using this animal, he agreed. In the five years since that time, however, Kichiemon had not only failed to return the ox, but had not provided any of the promised money. Kinshirō's petition requested both the return of his original animal and the full payment of Kichiemon's debt, which was now 480 *monme* – almost enough to buy two new oxen.

Kinshirō received his missing ox shortly after sending his petition. But he would never see any of the 480 *monme* debt. Kichiemon's money problems extended far beyond this one case; only twelve days before receiving notice of Kinshirō's lawsuit, he was hit with another demand for repayment, this time for a debt of 305 silver *monme* from an unrelated villager. Unable to pay, Kichiemon was sentenced to house arrest and the confiscation of all his property, which was given to satisfy this other debt.<sup>289</sup> Kinshirō dropped his demand for the 480 *monme*, while Kichiemon changed his name and moved in with a relative.

This chapter examines the changes to the status-system as rural Japan transitioned to capitalism in the nineteenth century. To show these changes, I focus on two trends: the development of rental cattle and *setta* (leather sandals) production. Cattle traders had a terrible

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<sup>288</sup> Doc.129 [1836; Tenpō 7.2.7] in *SIMM*, v.2, pp. 141-150.

<sup>289</sup> As this first to sue (*senso*), this third party received priority when it came to repayment.

reputation among the peasants of the Kinai; most were seen as transient scammers who were just as likely to sell them draft animals as they were to threaten the virtue of their wives or daughters.<sup>290</sup> But to maintain an existence as a cattle trader, most had to possess more business savvy than the Kichiemon who opened this chapter. The expansion of commercial agriculture in the eighteenth century depended on the labor of draft animals, and peasant farmers depended on cattle traders to provide them with these draft animals. In contrast to the pattern of animal ownership in the early Tokugawa period, farmers of the late Tokugawa period had more options. Cattle could be purchased outright, leased for a period of years or months, or rented out to collect interest. Cattle traders managed the circulation of this animal capital, ensuring that farmers had an adequate supply of animal labor precisely when and where this labor was needed. These new cattle holding practices not only helped to revolutionized agricultural production, but also altered human relations with draft animals.

Just as rental cattle were becoming more prevalent, the economy of dead cattle experienced a similar shock as leather-soled sandals (*setta*) became a popular consumer item. There is no definitive date for the beginning of *setta* popularity, but by 1784 consumer demand for leather was beginning to lead to shortages of leather for the shogunate's military supplies.<sup>291</sup> The near-monopoly *kawata* held over leather production ensured that they were at the center of the lucrative *setta* trade. To be sure, the *kawata* had long existed in a consumer-based economy. The struggles over carcass ownership seen in Chapter 2 were motivated by the potential profit from selling cattle hides as raw materials for consumer production, not as a means to provision

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<sup>290</sup> In 1858, a peasant from Kashiwara Village sent a letter to the Saraike headman demanding to know the whereabouts of a Saraike cattle trader named Chūbei. Evidently, this Chūbei had been having an affair with a Kashiwara woman named Kano. When Kano's husband found out, she ran off with their infant son. The Kashiwara headman implored the Saraike headman for assistance in returning Kano to her home village. In response, the Saraike headman wrote that the cattle trader Chūbei had already been stricken from the village rolls, and so this matter was out of his hands. See Doc.137 [1858; Ansei 5] in *SIMM*, v. 2, p. 337.

<sup>291</sup> Takagaki 2016, pp. 39-40.

the military. However, the wealth generated by the *setta* trade was on a scale much greater than that of the first half of the Tokugawa period. Within the *kawata* communities of the Kinai, the *setta* trade altered the process of production by incentivizing the slaughter of cattle for more hides. It also produced new social relations, as the uneven distribution of wealth led to great concentrations of poverty and prosperity in *kawata* villages.

The *setta* trade and rental cattle reveal larger changes in rural society that eventually led to the dissolution of status-based property and development of capitalism. In the next chapter, I explore the emergence of capitalist property relations in the late Tokugawa period. Here, I illustrate the forces that would dissolve status from within. Rather of adopting a model of development like proto-industrialization to show this transition, I take the evolutionary approach utilized by Marx in *Capital*.<sup>292</sup> I do this by focusing on the process of circulation of rental cattle and *setta* footwear, two new technologies that altered rural life from the late eighteenth century.<sup>293</sup> Tracing these two circuits of circulation reveal broader changes in the relation to nature, mental conceptions, technology, the process of production, social relations, and the sustaining of daily life in late Tokugawa Japan. These were all autonomous yet interconnected, and social change was driven by their ensemble.

Collectively, this ensemble would lead to the dissolution of the status system and development of capitalist property relations. In the short-term, the effect was to alter the meaning

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<sup>292</sup> Marx 1976, p. 493-4, footnote 4. See also David Harvey, “Reading Marx’s *Capital, Vol. I*,” Class 08, video, January 16, 2011, <https://www.youtube.com/watch?v=0Lpijzd2fBw>.

<sup>293</sup> When discussing fixed capital, Marx notes that: “Nature builds no machines, no locomotives, railways, electric telegraphs, self-acting mules etc. These are products of human industry; natural material transformed into organs of the human will over nature, or of human participation in nature.” Nature makes oxen, but not rental oxen. From the mid-eighteenth century on, we see that the same animal was deployed in new ways. The various social relations surrounding the oxen have changed, due to human intervention. In a way, humans are changing and modifying the life cycle of the oxen to fit their immediate needs particular to their mode of existence. They are applying a new economic and social logic to the life cycle of the ox. The ways in which the ox was utilized reflects the state of agricultural production at that moment, when the efficiency of rental animals was needed. Rental oxen become a new “technology” for organizing the labor of draft animals in production. Marx 1993, p. 706.

of *kawata* status, from knackers to butchers. Where once the *kusaba* system was based on service and subsistence, it was now a primarily economic engine for acquiring the raw material for the leather trade for a larger regional, and even national, economy. The knackers became butchers. For a time, status-based property was able to conform to new circumstances, albeit with alterations; where *kawata* property had once been about disposing of dead animals, it was now a means to collect raw material for the leather trade. But status could only bend so far before status-based property found itself at odds with reality.

This chapter is structured around two circuits of circulation, one of live cattle and the other of dead cattle as hides and footwear. I use the perspectives of various social groups, from cattle traders and farmers to leather merchants and day laborers, as windows into the different stages of the circulation process. The first half of the chapter focuses on live cattle, while the second half shifts to examine the circulation of dead cattle in the form of hides and leather. In both cases, circulation was dominated by a hegemonic merchant group that pulled an array of different status groups together under one organization.<sup>294</sup> These were the Tennōji cattle market for the trade in live animals and the Watanabe Village leather wholesalers for the *setta* trade. Each played a major role in structuring the economy of live and dead cattle, and so each section begins from their perspective.

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<sup>294</sup> In Yoshida Nobuyuki's model of early modern social forms, cities are composed of different "segmented societies" defined by one hegemonic "magnetic pole" (*jikyoku*) that orders a given space by its logic. These are the daimyo household, powerful temples, or large merchant households who dominated the market and controlled vast real estate holdings. The study of urban social history is the interaction of these various "segment societies." For example, though the manors of the daimyo constituted a unique form of social organization, they were not hermetically sealed off societies unto themselves. Rather, they were in constant interaction with other elements of the city that operated under different logics of social organization. Yoshida's approach to the city is to analyze how all of the different segments (*bunsetu*) of urban society interacted with one another, as opposed to an approach that focuses only on one aspect of urban life (e.g., political control). These "segmented societies" developed in rural Japan later than in the cities, but had become widespread by the late eighteenth century. The Tennōji cattle market and leather wholesalers were each the "magnetic pole" of their respective segmented societies. Yoshida 2015a, pp. 22-64.

## **Part I: Live Cattle**

### **The Tennōji Cattle Market and Structure of the Kinai Cattle Trade**

In the early Tokugawa period, the Komagatani cattle market in southeastern Kawachi Province was responsible for providing many of the draft animals to villages in the region around Saraike village.<sup>295</sup> This market was organized around a core leadership who managed the market's finances, and the cattle traders who purchased and sold the draft animals. Oxen were born in cattle producing regions to the west of the Kinai and taken to agriculturally intensive regions by cattle traders. Komagatani held biannual markets that attracted farmers from nearby villages in the spring and fall. Peasant families usually owned draft animals collectively among two to four households, or used the animal of a wealthier household, usually in return for labor service.

The cattle trade of the Kinai region was altered in the mid-eighteenth century with the revival of the Tennōji cattle market. As discussed in the last chapter, one aspect of Tokugawa fiscal policy under shogunal councilor Tanuma Okitsugu was a reliance on guild dues and taxes on trade. Licensed trade associations (*kabu nakama*) paid taxes (*myōgakin*) to the shogunate in return for official recognition of their exclusive right to handle a particular commodity. Such associations were also responsible for policing the conduct of their members to ensure that their conduct was in accordance with shogunal or domain law. In the mid-eighteenth century, the cattle trade of the Kinai region was placed under the management of a similar association. The Tennōji cattle market was not a trade association, but it did issue licenses (*kabu*) to its members, pay *myōgakin* tax, and enforced shogunal regulations on its members, which were the cattle traders in Izumi, Kawachi, Harima, and Settsu Province.

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<sup>295</sup> For more on the Komagatani Market see Chapter 2 of this dissertation and Sakai 1977, pp. 1-81.

The historian Yagi Shigeru provides the best overview of the Tennōji market's structure and control mechanisms.<sup>296</sup> The Tennōji cattle market, headed by the Ishibashi family was established in the late sixteenth century as means to facilitate the circulation of cattle in western Japan. The Ishibashi family achieved official recognition from Toyotomi Hideyoshi and then from the Tokugawa shogunate to collect tax payments from all cattle brought into the Kinai. The Ishibashi family established two checkpoints for cattle coming in to the Osaka-Kyoto region, and collected two *monme* of silver per head of cattle, passing along half to the shogunate. Any cattle that did not pay the checkpoint fee were not to be sold in the Kinai, but many cattle traders found that these checkpoints were easily circumvented.

The control of the Tennōji cattle market faltered in the late seventeenth century, but entered a period of recovery beginning in the 1720s.<sup>297</sup> In contrast to the previous century, the post-recovery cattle market did not attempt to establish checkpoints. Instead, the Osaka city magistrate's office, which held wide authority over the Kinai region, issued two edicts specifying that all cattle trading activities not authorized by the Tennōji cattle market were illegal.<sup>298</sup> The first edict, in 1752, was limited to those oxen brought into the Kinai from the west, while a second edict in 1769 extended the market's control to the resale of all cattle within the Kinai. Any group or individual who wished to engage in cattle trading was required to pay the Tennōji cattle market two *monme* of silver per head of cattle that they sold.<sup>299</sup> As before, half of this fee was remitted to the shogunal authorities. In exchange, the Tennōji cattle market issued licenses to cattle traders, which authorized their trade. Those who engaged in cattle trading without such a license were subject to punishment and the confiscation of their property.

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<sup>296</sup> Yagi 1999, p. 45.

<sup>297</sup> Ibid, p. 45.

<sup>298</sup> Ibid, pp. 46-47.

<sup>299</sup> This was less than one-percent of the value of an ox, which Yagi estimates was around 250 *monme*. Ibid, 43.



The Tennōji cattle market was responsible for more than just the collection of fees. The market ensured that cattle traders did not engage in unfair or illegal trading practices, like selling farmers sick or injured cattle.<sup>300</sup> Records from the village level indicate that the market handled disputes between farmers and cattle traders, and could order the payment of reparations or revoke a particular cattle trader's license.<sup>301</sup> The market and its cattle traders were also responsible for monitoring for lost or stolen cattle, and reporting any suspicious activity to the authorities. In order to better regulate themselves and meet the annual dues required by the Tennōji cattle market, most cattle traders organized by village or region, with some organizations representing entire provinces.<sup>302</sup> In making all unsanctioned trading illegal, the Osaka city magistrate was not attempting to concentrate all trading to the Tennōji market. There was an actual cattle market in Tennōji, but from the nineteenth century on, the Tennōji cattle market functioned less and less as a market and more as an agency for collecting taxes, licensing cattle traders, and ensuring that cattle traders followed regulations.

As discussed in Chapter 3, the late eighteenth century saw a widening gap between one's official status and one's occupation. Cattle traders were an example of this trend. Most cattle traders were of peasant status, were registered members of a peasant village, and as such were under the authority of their village leadership. At the same time, their activities as cattle traders were regulated by the Tennōji cattle market, an entity outside of the village. In effect, cattle traders belonged to two status groups. As villagers, cattle traders were still under the administrative authority of their village leadership and responsible for the burdens of peasant status. Yet as cattle traders these households were under the jurisdiction of the Tennoji cattle

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<sup>300</sup> Ibid, 49-50.

<sup>301</sup> Doc.319 [1780; An'ei 9.12] in *SIMM*, vol. 2, p. 934.

<sup>302</sup> Yagi 1999, pp. 51-55.

market, an organization whose concerns did not always match those of the village leadership. Additionally, the reliance of cattle traders on their bovine property increasingly brought them into conflict with *kawata* communities, who claimed the cattle traders' dead property as their own.

When cattle traders issued petitions or lawsuits, they usually identified themselves as “farmers who work as cattle traders in their spare time” (*hyakushō sukima ushi bakurō tosei no mono*).<sup>303</sup> There was some truth to this – all cattle traders were registered members of peasant (or sometimes *kawata*) villages, making them of peasant status. But by the late Tokugawa period, few cattle traders had any time for farming. Practices like rental cattle demanded that these men be active all year long and not just during the spring and fall, when cattle markets were held. As only those licensed by the Tennōji market could buy and sell draft animals, this activity became a status-based right particular to the cattle trader organizations. Members of a cattle trader status group earned their livelihood from the purchase and sale of cattle. The cattle traders viewed the cattle economy as a whole from the standpoint of circulation and saw their draft animals as commodity capital.

### **Cattle Traders, Peasants, and Kawata – The Cattle Economy in Central Kawachi**

The Tennōji cattle market met with resistance when it extended its authority over cattle traders in the four provinces of Kawachi, Settsu, Izumi, and Harima. Established cattle markets like Komagatani resented being placed under the authority of the Tennōji cattle market, and peasant farmers feared that the additional fees imposed by Tennōji would raise the price of draft animals. Both groups issued petitions to their local shogunal intendants or domain

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<sup>303</sup> For example, see Doc.142 [1870; Meiji 3.4] in *SIMM*, v. 2, p. 563.

representatives, usually to no avail. However, these documents shed light on the contemporary practices of the cattle trade in the mid Tokugawa period from the area of Kawachi province around Saraike Village. No documentation of this nature survives in the Tanaka Family documents, but we do have petitions from two nearby villages, Iga and Kobirao.<sup>304</sup>

Amongst the Iga and Kobirao documents are lists from the late eighteenth century detailing who in the village owned cattle and who sold them the animal. From these lists, we see two patterns of cattle ownership. In the first, a peasant purchased an animal from a cattle trader, and paid a three *monme* fee for the delivery of the animal. During the animal's lifetime, the peasant owner did not sell it elsewhere. Finally, when the ox became too old to work, the original cattle trader provided a replacement and led away the old animal, again for a fee.<sup>305</sup> The documents do not specify the fate of the old animal at this point, but it was likely sold to a *kawata* cattle trader. In this pattern, a peasant family maintained legal ownership of an animal and kept it for many years, but nevertheless maintained an agreement with the original cattle trader. So long as the animal did not die unexpectedly, these peasant households did not need to interact with the *kawata*. Five of Iga's nineteen cattle-holding households fit this first pattern.<sup>306</sup> Among their number were two of the village's three headmen, likely the richest households of the village. Finally, all five of these households purchased their animals from cattle traders associated with the Komagatani market.

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<sup>304</sup> Doc.48 [1768; Meiwa 5.10.11] in *Habikino shishi*, vol. 5, pp. 544-45 and Doc. 5 [1768; Meiwa 5.10] in *Mihara chōshi*, v. 4, pp. 553-55.

<sup>305</sup> *Tsunadai to mōsu gin san monme zutsu, maido hikiiri sōrō setsu aiwatashi mōshi sōrō. Kore made soto e uri sōrō gi korenaku, oiushi ni makarinari, tagayashi no ma ni ai mōsazu sōreba oigin o dashi, migi bakurō yori hiki tukawashi mōshi sōrō.* Doc.48 [1768; Meiwa 5.10.11] in *Habikino shishi*, vol. 5, pp. 544-45.

<sup>306</sup> Only the Iga Village documents provide details on the modes of cattle ownership of households in the village. The Kobirao documents are more vague, and only list the names of cattle-owning households. They do, however, suggest that these households did not own one animal for life, but frequently traded old animals away when they could no longer work.

But new cattle trader organizations brought new modes of owning cattle. The other fourteen households in Iga who were listed as cattle owners did not actually “own” their animals, but rented them from nearby cattle traders. Called “*ire umaya*,” this practice entailed peasants using an animal for one or two seasons (fall and spring) before returning it to the cattle trader. The households using the animal paid the cattle trader a rental fee and enjoyed use-rights over the animal, but legal ownership never passed from the hands of the cattle trader.<sup>307</sup> The cost of this rental fee is not provided, but we can infer an average cost from Kichiemon’s case that opened this chapter. Recall that Kichiemon promised Kinshirō, a cattle owner, ten *monme* per month to lease his animal. Kichiemon needed to make a profit, so whoever actually used the animal likely paid Kichiemon anywhere from eleven to twenty *monme*. If use of the animal was only seasonal, this would equal somewhere between forty and sixty *monme* per year on animal labor. While not cheap, this was more affordable than the 250 *monme* needed to buy an animal outright.

The relative inexpensiveness of rental cattle over the short term meant that draft animals were available to a greater number of households.<sup>308</sup> In Iga Village, three-quarters of cattle “owners” rented their animals rather than purchasing them. This is perhaps unsurprising, but what is interesting is that all those renting cattle also leased their animals from the new group of cattle traders, i.e. those unaffiliated with the Komagatani market. As relative new comers to cattle trading, it is likely that cattle traders from villages like Kuroyama or Ikejiri were more willing to adopt new methods of leasing cattle.

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<sup>307</sup> *Hikiiri sōrō setsu kaikiri wa kakubetsu, ire umaya to mōshi, bakurō yori azukari oki sōrō ushi mo gozasōrō. Ikki, niki tagayashi sōrō ue, aoi no chingin nado aitai no ue aiwatashi sōrō gi mo gozasōredomo kōsen nado dashi sōrō gi goza naku sōrō.* Doc.48 [1768; Meiwa 5.10.11] in *Habikino shishi*, vol. 5, p. 544.

<sup>308</sup> Hayami Akira points out that in areas of Owari and Mino provinces – regions where horses, not oxen, were used – the number of livestock actually decreased during the Tokugawa period. He speculates that this could be a phenomenon limited to those regions which used horses as draft animals. Hayami 2009, pp. 67-69.

Cattle traders were interested in getting the greatest possible value from their animal commodities. When oxen were sold outright, cattle traders made lasting relationships with farmers to secure a stable – and potentially growing – market for future sales. Rental cattle presented greater risks but also greater potential rewards. In the short term, rental fees were less than the proceeds from outright sale, but over time amounted to more than that of the sale of a single animal. Kichiemon of Saraike learned this to his detriment, when five years of missed payments for one animal came to equal the price of two new animals. Rental contracts also let the cattle traders pass on responsibility for raising their animals to a peasant family. Some Kawachi cattle traders evidently leased their animals in Kawachi, where the soil was easier to till, for two to three years before selling them to peasants in nearby Yamato province, which had harsher soil that demanded hardier cattle.<sup>309</sup>

Cattle traders were largely unconcerned with the process of production in agriculture. Their goal was to gain as much profit as possible from selling their animal commodities. Opposite the cattle traders were peasant farmers, whose concerns were only in production. Greater capital investment in the land enabled the development of commercialized agriculture discussed in the previous chapter.<sup>310</sup> This investment was attractive because tax obligations during the Tokugawa period were based on a village's estimated yield, measured in *koku*. This made periodic land surveys essential to accurate assessments of a village's potential crop yield. However, many daimyo never bothered to conduct land surveys after the mid-seventeenth century. Saraike Village, for example, was never re-surveyed after 1678 (Enpō 6). This meant that any productivity added to the land after these surveys became the profit of the peasant

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<sup>309</sup> Doc.46 [1756; Hōreki 6] in *Habikino shishi*, vol. 5, pp. 538-9.

<sup>310</sup> Smith 1959, pp. 87-107.

family that owned the land.<sup>311</sup> This incentivized planting cash crops like cotton, and capital investment to improve the productivity of the land, such as fertilizer and draft animals.

In rural Kinai agricultural production, draft animals formed part of the peasants' fixed capital.<sup>312</sup> Draft animals – and in the Kinai these were mostly oxen – were essential to preparing farmland for cultivation. Oxen dragged the ploughs that tilled the earth, thus ensuring that the pricey fertilizer purchased by peasant households could enrich the earth more effectively. This labor could be performed by humans, but this was much more time consuming. Thomas Smith points out how, as the eighteenth century progressed, farm labor was increasingly performed by nuclear family units rather than larger collective groups.<sup>313</sup> We saw in the previous chapter how former hereditary servants in Saraike became independent tenant farmers. But one factor that made it possible for smaller families to operate independently was the increased availability of draft animals. This meant both an increase in the number of animals in peasant villages – the ratio of humans to cattle in Saraike halved between 1644 and 1772 – as well as the availability of rental animals thanks to the increase in cattle trader numbers.<sup>314</sup>

Purchasing a draft animal required a greater input of capital upfront, usually around 250 silver *monme*. This was beyond the means of most small holders. But for those who could afford it, owning one's animal was more cost effective long-term, and was also a symbol of status and

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<sup>311</sup> Brown 1993.

<sup>312</sup> In production, Marx distinguishes between constant and variable capital; that is the means of production, which undergoes no change in value, as opposed to labor power, which produces surplus value in addition to reproducing its own value. From the standpoint of circulation, constant capital breaks down further into fixed and circulation capital. The latter, which includes energy sources like coal, are consumed in the labor process and pass entirely into circulation. Fixed capital, such as machinery, remains fixed in the production process, adding value to the commodities produced bit by bit until it wears out over time. See Marx 1976, pp. 307-319 and Marx 1978, pp. 237-261.

<sup>313</sup> Smith 1959, pp. 140-156.

<sup>314</sup> There were two oxen in the village in 1644 with a total population of 216 (peasant and *kawata*), while in 1772 there were nineteen head of oxen for 988 villages. Doc.9 [1644; Kaei 21.9] in *SIMM*, v. 1, pp. 43-51 and Doc.3 [1772; Meiwa 9.3] in *SIMM*, v. 1, p. 20.

wealth in the community. Renting an animal, meanwhile, was more expensive in the long-term, but nevertheless an attractive option for small holders. Renting an animal allowed these families to concentrate their limited capital and labor on agricultural production by not having to maintain a draft animal year-round. It also allowed them to escape the relationships of dependency and subordination that came with using a wealthy neighbor's animal.

The use of cattle as fixed capital went across status boundaries. By the late eighteenth century, roughly fourteen *kawata* households in Saraike held draft animals. Cattle could and did change hands, but there were never more than fifteen *kawata* households listed as owning cattle.<sup>315</sup> Those cattle-owning households were among the wealthiest in the *kawata* community. Among their number was Yosōemon, the highest-ranking *kawata* village leader, and Tōbei, a rising merchant household. Cattle-owning *kawata* households used their animals for agriculture and transportation. As mentioned in Chapter 1, the *kawata* owned most of their land outside of Saraike. By the nineteenth century, the *kawata* held 239 *koku* of land, mostly concentrated in Kawai and Naka villages. The cattle owned by the *kawata* were essential to maintaining these farmlands. During the off season, the *kawata* rented their animals out to cattle drivers, who used the oxen to transport goods for local peasants (*niushi*).<sup>316</sup> The cattle owners themselves did not handle these animals, but assigned this work to subordinates, usually a younger male in their household. *Kawata* cattle drivers collected fees from their customers, ensuring the cattle of the village remained profitable even when not working in agriculture.

### ***Kawata Veterinarians***

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<sup>315</sup> Doc.335 [1806; Bunka 3] in *SIMM*, v. 2, pp. 952-3.

<sup>316</sup> Doc.329 [1803; Kyōwa 3] in *SIMM*, v. 2, pp. 946-7.

Just as machines require periodic maintenance to realize their full value, so did draft animals need veterinary care. In the Kinai, this role was filled by the *kawata*. When the Saraike Village headman recorded the first population register for his village in 1644, he noted that there were two head of oxen in the village and sixty-four peasants.<sup>317</sup> These were owned by two groups of households, composed of three and four families, respectively. Those in the village who could not afford to own an animal were required to borrow one from a wealthier neighbor in return for service of some kind. The *kawata* community, which at the time numbered 151 villagers, owned no draft animals. Yet by 1705 the situation was reversed. A document from 1705 list six oxen in the village but all were owned by *kawata*.<sup>318</sup> In 1746 this number had increased to fourteen head; again, all owned by *kawata*.<sup>319</sup> From 1772 on the peasant village once again had animals in their possession, but never as many as the *kawata*.<sup>320</sup>

There is no obvious explanation from this shift, but there are a few likely factors. First, the *kawata* village in 1705 was much wealthier than it had been in 1644. The dead cattle handled by the *kawata* through the *kusaba* system brought increased wealth into *kawata* communities, especially as the consumer economy developed in the late seventeenth century. By the eighteenth century, *kawata* villagers could afford to purchase oxen that were out of their reach in the seventeenth. Second, the frequent contact *kawata* had with dead or dying animals gave them a degree of veterinary knowledge. Finally, it is possible that peasant households found it more cost effective to hire *kawata* and their oxen to prepare their fields instead of purchasing and caring for their own draft animals.

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<sup>317</sup> Doc.9 [1644; Kan'ei 21] in *SIMM*, v. 1, pp. 43-51.

<sup>318</sup> Doc.1 [1705; Hōei 2] in *SIMM*, v. 1, pp. 1-5.

<sup>319</sup> Doc.2 [1746; Enkyō 3] in *SIMM*, v. 1, pp. 5-12.

<sup>320</sup> Doc.3 [1772; Meiwa 9] in *SIMM*, v. 1, pp. 12-22.



*Kawata* did more than handle healthy cattle. At some point – and it is not clear when – peasant villagers began turning to *kawata* for veterinary care for their sick or old animals. Evidently, the frequent contact *kawata* had with dead or dying animals made them particularly adept at identifying disease in animals, or identifying which animals were likely to live longer than others.<sup>321</sup> *Kawata* were asked both to provide care to sick animals (*ryōji*) and to appraise new cattle before being purchased by a peasant household (*ushi mekiki*). This is likely one of the reasons cattle holding in eighteenth century Saraike became dominated by *kawata* – it was more cost effective to leave management of the animals to the *kawata* community.

In the late eighteenth century these *kawata* proto-veterinarians also began to purchase sick or infirm cattle at low prices in addition to just providing care. These *kawata* cattle traders, normally called “*ushi mekiki*” cattle traders, then nursed the animals back to health and sold them at a profit. If the animal died, then it was already in the hands of a *kawata* skinner. In 1769, the Tennōji cattle market was given the authority to extract two *monme* of silver whenever a draft animal was resold in the provinces under its authority. This was designed to assert the cattle market’s control, not only over cattle brought into the Kinai, but also those resold within the region. Farmers in the Kinai frequently exchanged their draft animals with the local cattle traders, and the Tennōji cattle market wanted to ensure that these transactions too were under its control. The logical conclusion of this 1769 edict was also to bring *kawata* cattle traders into the larger organization headed by the Tennōji cattle market.

*Kawata* cattle traders operated within a gray zone of Tokugawa law. Providing care to old or infirm cattle was of course legal, but the purchase and sale of such animals was supposed to be outlawed.<sup>322</sup> Documents from the Tennōji cattle market attest to the place of the *kawata*

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<sup>321</sup> Yagi 1999, pp. 67-68.

<sup>322</sup> Ibid, 49-50.

cattle traders in the Kinai economy. In 1812, a *kawata* named Kichibei from Noda village in Harima Province successfully petitioned the Tennōji cattle market for authorization as a *kawata* cattle trader and appraiser (*ushi mekiki bakurō*).<sup>323</sup> Kichibei had been acting as an unauthorized *kawata* cattle trader for some time, and was well known for his skill in treating sick animals. At some point, officials from the Tennōji cattle market sued Kichibei for handling cattle without first petitioning the cattle market for authorization. Kichibei was allowed to continue after promising to pay the fees required of all cattle traders and agreeing to the cattle market's regulations for *kawata* cattle traders.

Kichibei justified his petition by claiming that nearby peasants often requested his aid when their draft animals became sick. His peasant village leadership also insisted that licensing Kichibei to continue his trade would be a benefit to local peasants. Yet providing veterinary care itself does not require the veterinarian to buy the animal, and it was for that reason Kichibei sent his petition. Kichibei promised to provide sufficient care to sick cattle, but also promised not to purchase and sell sick cattle.<sup>324</sup> At the same time, Kichibei was permitted to purchase cattle directly from peasants, but could not interfere in the activities of the already-established peasant cattle traders of the region. Kichibei could not purchase old or infirm cattle, but was restricted to those animals already owned by peasant farmers, that those same farmers would not consider selling to peasant cattle traders.

Essentially, Kichibei was limited to handling the same kind of cattle that he was prohibited from buying. So long as his activities did not attract too much attention – and so long as he paid his fees – the Tennōji cattle market allowed Kichibei to use his own judgment when

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<sup>323</sup> Doc.96 [1812; Bunka 9] in *Ishibashi-ke monjo*, pp. 70-73.

<sup>324</sup> *Ushi byōki no setsu zuibun yōjō itasase mōsu beku sōrō, mochiron wazurai ori mōshi sourou ushi o kesshte baibai tsukamatsuru majiku sōrō.*

determining whether animals were fit for sale or not. But the same individuals in charge of enforcing the regulations against transactions in infirm cattle were also the ones who profited from those sales.

The earliest evidence of *kawata* cattle traders in Saraike Village comes from 1780. Early in that year, the *kawata* villager Sōshichi informed the headman of the result of a recent legal action taken against him by the Tennōji cattle market. A villager named Kahei from Tsukuno, a village nearly six miles to the southeast, had asked Sōshichi to provide medical care for his ox. Sōshichi did so, but while caring for the ox word of his actions reached officers of the Tennōji cattle market. Sōshichi's actions were determined to have been a form of cattle transaction (*ushi baibai*), and as an individual unlicensed by the Tennōji cattle market, this was illegal. Sōshichi and Kahei were summoned to Tennōji, where the suit against Sōshichi was dropped after he promised to henceforth stop providing unlicensed care to animals. It is unclear whether or not Sōshichi ever appealed to the Tennōji cattle market for a license, but licensed cattle traders would appear in Saraike village in the nineteenth century.

Though short, this case contains one revealing detail. Tsukuno Village was much closer to Minami-Ōji and Shioana villages, two other *kawata* communities in Izumi Province. Yet Kahei still contacted Sōshichi, a *kawata* from Saraike. Not all *kawata* villages enjoyed a reputation as skilled veterinarians. Saraike's *kawata* cattle trader organization would continue to grow in the nineteenth century. Minami-Ōji eventually developed a group of cattle traders, but they operated on a far smaller scale than those in Saraike.<sup>325</sup> Shioana, meanwhile, never appears to have had cattle traders. The reputation of the Saraike *kawata* must have been longstanding if it spread to villages in other provinces, but there is no documentation specifying when the Saraike

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<sup>325</sup> “Kōsen uketori kata: Kashū senshū kawata minami kyūban” 口錢請取方河州泉州皮多南九番 [ca. 1861-1869]; MS no. 45, *Ishibashi-ke monjo* 石橋家文書, Osaka City Archives, Osaka.

*kawata* began providing veterinary care. Sōshichi's case only survives because of the lawsuit from the Tennoji cattle market, which had only established control over all forms of cattle trading eleven years before this case.

If a *kawata* cattle trader could nurse an animal under his care back to health, it would be far more valuable alive. If not, the carcass of the animal was already in the possession of the *kawata* village. The *kawata* cattle trader could wait for the animal to die or, as we will see, hurry nature along. To a farmer, an old ox was a broken machine, fixed capital that had passed all of its value into agricultural production. It now only held potential value for the *kawata* who could transform the worn-down animal into the circulating capital that fueled the leather trade. As the nineteenth century progressed, the *kawata* acquired an ever-larger share of raw material by purchasing sick or old animals from cattle traders instead of peasants.

### **Changing Mental Conceptions Surrounding Cattle**

The new cattle economy shaped, and was shaped by, new mental conceptions surrounding cattle. Earlier in the Tokugawa period, when farmers elected to buy their animals outright or borrow them from a more powerful neighbor, ownership rights were clear, transferring from the cattle trader to the household that purchased the animal at the moment of sale. Once the animal died, the carcass was given to the local *kawata* community. But rental cattle complicated this situation. A household that rented an animal had use-rights over the ox for the duration of the lease, and the original cattle trader could not confiscate the animal without breaking the contract. But, the cattle trader maintained overall ownership rights, guaranteed through the Tennōji cattle market. The peasant household could not sell the animal, and other cattle traders were prohibited from handling the rental oxen. Whether or not this new pattern of

cattle ownership loosened the bonds of affection between peasants and their draft animals cannot be determined in the archive. But what is clear is that over time, ownership rights over draft animals in central Kawachi were concentrated in the hands of cattle traders. These men depended on the sale of their animals for survival, and had no time for sentimental attachments.

Rental cattle that died during their lease presented new questions about ownership; specifically, who owned the carcass. An animal owned by a peasant household was taken to the village flaying groups by that household or a servant, but as we saw in Chapter 2, a peasant leasing an animal from another would ask for instructions from the original owner before giving the carcass to the *kawata*. There was a practical reason for this: if the animal had died due to mistreatment, the immediate dismemberment of the carcass would limit the ability of the original owner to seek recompense. It was clear that only the *kawata* were permitted to dispose of draft animal carcasses and sell the hides, but there was no indication that peasants were obligated to turn over a dead animal that they were renting. In the late Tokugawa period, peasants elected to contact their cattle trader if the rental animal died, rather than the *kawata*.<sup>326</sup> This not only inserted the cattle traders between peasants and the *kawata*. Cattle traders insisted that the *kawata* ownership of dead livestock only applied to animals owned by peasants. Their logic was that the licenses granted by the Tennōji cattle market rendered the animal property of the cattle traders as their sole *prevue*, even when dead.

The expansion of the cattle trader economy gradually broke down the status barrier surrounding carcasses. We saw in Chapter 2 that carcasses could represent a great deal of potential value, but that such an awareness was limited to *kawata* communities. Non-*kawata* became interested in “carcasses” only after *kawata* labor transformed them into leather. But by

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<sup>326</sup> For example, see Doc.33 [1870; Meiji 3] in *Matsubara-shi shi*, v. 5, pp. 102-107 and Doc.142 [1870; Meiji 3] in *SIMM*, v. 2, pp. 563-73.

the nineteenth century, the new cattle economy – along with a rise in the price of leather – drew the attention of peasants and cattle traders to the carcasses of their draft animals. These non-*kawata* were not any more eager to handle carcasses than their predecessors, but were keen to access the profits from selling this formerly *kawata*-specific item.

This new attitude towards the value of carcasses first manifested in incidents of peasant demands for payment from the *kawata*. We already saw in Chapter 3 how a *kusaba* dispute broke out between Saraike and Kareki when a peasant village decided to sell his dead animal to a different *kawata* village. But this was not an isolated incident.<sup>327</sup> In one case from 1803, the *kawata* of Shindō Village, eight miles to the southeast of Saraike, were engaged in a dispute with two nearby peasant villages, Nishi and Higashi-Sakamochi.<sup>328</sup> When an ox owned by a villager in Higashi-Sakamochi died, the owner refused to allow the Shindō *kawata* to retrieve the carcass unless he was paid sixty silver *monme*. The Higashi-Sakamochi peasant eventually relented, but the summer heat had left the carcass rotted beyond use. One of their neighbors in Nishi Sakamochi tried a similar tactic around the same time, but was pressured by his fellow villagers to relent, as the sight of an ox carcass outside the village proved upsetting to the rest of the village.

These incidents involving disputes between *kawata* and peasants were sporadic and uncoordinated, making them alarming, but ultimately unthreatening to *kawata* control over dead livestock. More problematic was resistance from peasant cattle traders. As the practice of rental cattle proliferated, ownership rights over greater numbers of animals were increasingly concentrated in the hands of peasant cattle traders. This gave cattle traders bargaining power with the *kawata* communities. Cattle traders were prohibited from selling their dead property, but

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<sup>327</sup> Fujimoto 1977, pp. 1-35.

<sup>328</sup> Doc.19 [1803; Kyōwa 3] in *Ōsaka no burakushi*, v. 2, pp. 62-4

they could simply refuse to give the carcass to the *kawata*. The *kawata* could not take the carcass by force, and so had to rely on the time-consuming process of petitioning higher authorities. Even when the *kawata* convinced the authorities to intervene on their behalf, the carcass at the center of the dispute was lost to decay.

Cattle traders had an unsavory reputation among Japanese peasants, but their demand for compensation from the *kawata* cannot be blamed solely on greed. The untimely death of a draft animal represented a potentially devastating loss to many cattle traders, many of whom relied on their trade for survival. Just as cattle traders relied on living animals, so did the *kawata* on the dead. Neither side was unaware of this conflict. At some point in the nineteenth century, an agreement developed between *kawata* and cattle traders that saw the *kawata* pay one tenth the value of a carcass to the former owner, if that owner was a cattle trader.<sup>329</sup> Other *kawata*, acting as cattle traders themselves, simply purchased sick or old animals before they died. Either way, these agreements were practical decisions made between the two parties to facilitate the circulation of animal property, dead and alive. Yet they had the unintended effect of threatening exclusive *kawata* control over carcasses. By providing compensation to cattle traders for their dead property, the *kawata* tacitly admitted the right of a former owner over what was supposed to be their exclusive status-based property.

When an ox died in the seventeenth century, its body became a dangerous source of spiritual pollution that only the *kawata* could remove. But by the nineteenth, death only represented the metamorphosis of the fixed capital embodied in a draft animal into the circulating capital that fueled the leather trade. As sources of spiritual pollution carcasses were a dangerous source of harm to peasants that only the *kawata* could remove. But as capital they

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<sup>329</sup> Doc.142 [1870; Meiji 3.5] in *SIMM*, v. 2, pp. 563-565

embodied a degree of value that their former owners were not keen on giving up without compensation.

## **Part II: Dead Cattle**

### **The Leather Wholesalers of Watanabe Village and the Structure of the Leather Trade**

The circulation of the ox's body did not end when the animal died. Most cattle, whether they died of natural causes or were slaughtered, eventually ended up in the possession of the *kawata*. The first step in the circulation of the carcass was to prepare the cattle hides for transport. First, the *kawata* removed the hide from the dead animal, then washed it in a nearby water source to remove the blood, fat, and hair. After soaking the skins in water, workers thoroughly scrubbed out any remaining impurities, then left them to dry. This process produced rawhide that could be used for a number of civilian or military purposes, such as the repair of drumheads. In the nineteenth century, however, most of these hides were packed with salt and shipped to the leather wholesalers of Watanabe Village, outside of Osaka.

From the mid-eighteenth century on, more sophisticated tanning techniques were developed in western Japan that allowed for more refined leather.<sup>330</sup> These techniques used water with high alkalinity to more effectively remove impurities from the raw skin. As such, production was limited to villages that were located near alkaline rich water sources. One village in particular – Takagi Village in Himeji domain – became one of the largest centers of high-quality leather production in Japan (Figure 9). Much of the rawhide shipped to Watanabe Village was tanned in Takagai Village, then sent back to Watanabe to be sold to leather merchants. Some *kawata* villagers tried to circumvent Watanabe altogether and ship directly to Takagai, but these

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<sup>330</sup> Takagai 2016, pp. 38-39.



skins were regarded as contraband if they were not handled at some point by the Watanabe leather wholesalers.

While practices like rental cattle were transforming the economy of live cattle, new forms of footwear were changing the economy of cattle hides. At some point in the late eighteenth century, leather soled sandals (*setta*) became a popular consumer good. The greater demand for leather drove up the price of raw materials, such as cattle hides. Historian Machida Tetsu shows that by 1840, the raw hide from one ox carcass sold for between fifty and seventy silver *monme*, or twenty to twenty-five percent the value of a live animal.<sup>331</sup> The popularization of *setta* provided great wealth to *kawata* communities. Not only did the *kawata* have total control over cattle carcasses, but also had the manufacture, sale, and repair of *setta* dominated by their status. This wealth also drew the attention of other status groups, like cash-strapped daimyo domains eager to improve their finances by tapping into the profits of the leather trade. This included the Sō of Tsushima domain, who imported cattle hides from Chosŏn Korea to sell in the Osaka market.<sup>332</sup>

Just as the Tennōji cattle market dominated the circulation of live cattle, the Watanabe Village wholesalers dominated that of cattle carcasses. In Chapter 2, I discussed the large *kawata* community of Watanabe Village, located outside of Osaka, and its role in mediating *kusaba* boundary disputes. By the nineteenth century, Watanabe “Village” had grown substantially, giving it more commonality with urban Osaka than its name implies.<sup>333</sup> Its spatial layout resembled the urban wards (*chō*) of large Tokugawa cities, and most of its inhabitants were engaged in trade or manufacture, not agriculture. This spatial rearrangement was driven by the

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<sup>331</sup> Machida 2016, pp. 149-154.

<sup>332</sup> Tsukada 1997, pp. 90-100.

<sup>333</sup> Tsukada 1996, pp. 127-132.

massive population growth in Watanabe over the late Tokugawa period, from 2,300 villagers in the early eighteenth century to over 5,000 by the mid-nineteenth.<sup>334</sup> The relative prosperity of Watanabe attracted newcomers, and it became a popular destination for migrant *kawata* labor, including men from Saraike.<sup>335</sup>

In his 1993 article on Watanabe Village in the nineteenth century, Tsukada Takashi identifies two pillars of the *kawata* community during the Tokugawa period: the performance of status-based duty (*yaku*), and the leather trade.<sup>336</sup> These two pillars were inextricably linked, as the duties of *kawata* status included the collection the draft animal carcasses that became leather. Until the mid-eighteenth century, it was the performance of *kawata* duties that took precedence over the purely economic aspects of the leather trade. This was reflected in the village leadership, who held their position because they managed executions for the Osaka city authorities. But after the mid-eighteenth century there was a shift in leadership, as wealth from the *setta* trade elevated the leather merchants and wholesalers of Watanabe above the traditional elites. Both pillars, duty and the leather trade, remained until the abolition of status in 1871. But the rise of leather merchants forever altered social relations in Watanabe, while the accumulated merchants capital later fueled the industrialization of leather manufacture.

The leather wholesalers of Watanabe were one manifestation of the trade associations that became increasingly prominent in the mid-eighteenth century, discussed in Chapter 3. They owed their position to shogunal endorsement, which was received in exchange for the taxes (*unjōkin*) paid to the shogunal authorities and enforcement of shogunal laws. The Watanabe wholesalers occupied the position of middlemen in the leather trade. Generally, local *kawata*

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<sup>334</sup> Tsukada 2006, pp. 288-9.

<sup>335</sup> Doc.187 [1800; Kansei 12.6] in *SIMM*, v. 2, pp. 667-8.

<sup>336</sup> Tsukada 1993, pp. 73-99.

villages – individually and increasingly in groups – sent the hides they collected from their *kusaba* territory to Watanabe. There, the cargo was received by the wholesalers, who stored it in warehouses and paid the sellers based on the market rate for their goods. After the raw hides were tanned into leather, they were auctioned off by the wholesalers to leather merchants. Part of the wholesalers' profits came from the difference between the purchase and sale price of the leather they handled, but most came from fees (*kōsen*) collected when the wholesalers received cargo in Osaka, and then again when the leather was sold to merchants.

All hides and leather flowed through the wholesalers, allowing them to determine the market prices of these goods. Machida Tetsu shows how the *kawata* villages of Tokushima domain (Figure 9) followed the market price for leather and cattle hides set by the Osaka wholesalers, even when selling hides within the domain or to the daimyo.<sup>337</sup> Individual wholesaler households formed contracts with specific groups of *kawata* villages, or sometimes entire daimyo domains, to secure the exclusive rights to handle hides collected from those areas.<sup>338</sup> Part of these arrangements usually involved the wholesalers providing cash advances to local *kawata* villages to cover the cost of transporting their goods to Osaka. Such contracts reinforced the pull of the Osaka market, especially when market fluctuations and the cost of transport left these villages in debt to the Watanabe wholesalers. Regions as far away as Kyushu or Tsushima were pulled into the orbit of the Watanabe wholesalers; for a village like Saraike, which was only a few hours from Watanabe by foot, the pull must have been strong indeed.<sup>339</sup>

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<sup>337</sup> Machida's 2016 chapter analyzes the attempts of Tokushima domain to acquire leather from the *kawata* as part of their status-based obligations in the nineteenth century. The domain had great difficulty in securing leather, even though they paid the *kawata* the market rate for leather. Selling skins in Osaka was more tempting for the *kawata* of Tokushima. Machida 2016, pp.143-187.

<sup>338</sup> One notable example is Fukuoka Domain, which established its own organization (*kawa za*) for handling all domain cattle skins and contracted with a specific Watanabe wholesaler household. Tsukada 2006, pp. 192-241.

<sup>339</sup> According to contemporary estimates by Google maps, one can walk the 7.5 miles from Saraike to Watanabe in two and a half hours. No doubt travelling on early modern roads with a cart full of hides would have taken longer, but this was still a journey that could be completed within one day.

The activities of the Watanabe wholesalers demanded – and produced – enormous reserves of money. An anonymous samurai moralist from the late Tokugawa period said of the Watanabe wholesalers “The pariahs [*eta*; *kawata*] of Kyoto and Osaka have become ever more overweening, and the man known by the name of Taikoya Matabei of the pariah village of Watanabe in Osaka is worth an estimated 700,000 *ryō*. His storehouse overflows with treasures from Japan and China, and his extravagance is second to none.”<sup>340</sup> To this commentator, the wealth of the “pariah” households was a sign of moral decay. Many of his contemporaries only saw opportunity, however. Other non-*kawata* social groups, from cattle traders and commoner merchants to powerful daimyo, sought to tap into the wealth generated by the leather trade.<sup>341</sup> The sheer volume of hides being traded and the wealth it generated so abstracted the conditions under which hides were produced that it became feasible, and desirable, for non-*kawata* groups to participate in the leather trade. This served to further demystify the status-specific labor once required to create cattle hides.<sup>342</sup>

The power of the Watanabe merchants extended beyond mercantile affairs. As mentioned above, the wholesaler households rose to the position of village leadership in the late eighteenth century, supplanting the traditional elite households. These households also used their wealth to acquire land in Watanabe Village, so that most residents were tenants of one of the

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<sup>340</sup> Teeuwen et. al 2017, p. 235.

<sup>341</sup> Tsukada Takashi discusses the case of Ebiya Zen’emon, an Osaka townsman who was chosen by Fukuoka domain in the early 1800s to handle all cattle hides shipped to Osaka. Fukuoka domain selected Zen’emon – a commoner – in order to get out from their contract with the Izumoya Rokuemon wholesaler household in Watanabe. Zen’emon’s appointment did not change how hides were shipped to Osaka, nor who actually handled them. But Zen’emon was eager to take this role as a useless middleman, as it allowed him to tap into the riches of the leather trade. Evidently, he did not mind being associated with a *kawata* industry. Tsukada 2006, pp. 215-243.

<sup>342</sup> “If we make abstraction from [the commodity’s] use-value, we abstract also from the material constituents and forms which make it a use-value. It is no longer a table, a house, a piece of yarn or any other useful thing. All its sensuous characteristics are extinguished. Nor is it any longer the production of the labor of the joiner, the mason, or the spinner, or of any other particular kind of productive labor. With the disappearance of the useful character of the products of labor, the useful character of the kinds of labor embodied in them also disappears; this in turn entails the disappearance of the different concrete forms of labor. They can no longer be distinguished, but are all together reduced to the same kind of labor, human labor in the abstract.” Marx 1976, p. 128.

wholesalers.<sup>343</sup> This placed those tenants – most of whom were small scale leather artisans – under the control of the wholesalers financially as landlords, and politically as the village leadership. In this way, the Watanabe wholesalers were able to subordinate all aspects of the leather trade, production and circulation, under their control.

The rise of the Watanabe wholesalers fundamentally transformed the process of production of cattle hides in *kawata* villages. The wealth generated by *setta* provided greater incentives for rural *kawata* villages in the Kinai to acquire ever more skins for distant exchange. The Watanabe wholesalers dominated circulation and were not directly involved in the production of cattle hides or leather. Yet their riches and status still depended on the labor of thousands of *kawata* who skinned carcasses and tanned hides. To maintain their positions, the wholesalers required a steady, predictable supply of raw material. Unfortunately, the acquisition of raw materials based on the *kusaba* system depended on the unpredictable process of cattle dying of natural causes. It is perhaps no coincidence then that the rise of the wholesalers coincided with a widespread phenomenon in late Tokugawa *kawata* villages: illegal cattle slaughter.

### **From Knackers to Butchers: The Leather Trade and Illegal Cattle Slaughter**

In contrast to urban centers like Watanabe, rural villages like Saraike Village supplied the raw material that fueled the leather trade. This economic interest came into conflict with longstanding Tokugawa legal prohibitions on the slaughter of draft animals, as the logic of the market drove many to circumvent the law and slaughter animals for their skins. Moreover, the growth of village plebeian society described in Chapter 3 resulted in a large group of *kawata*

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<sup>343</sup> Tsukada 2006, pp. 309-10.

villagers living on the edges of subsistence and eager for any means to improve their lives. It was this segment that helped drive illegal cattle slaughter in Saraike. This development had long term implications; after the Meiji Restoration, the former Watanabe Village became a site of industrial leather production while Saraike became a center of beef production.

In 1796, the Saraike peasant headman issued regulations for the *kawata* under his authority. One of these was an item calling attention to non-licensed villagers (those without *kusaba-kabu*) secretly bringing sick or old animals into the village to slaughter them. This is the first time that illegal cattle slaughter appears in the Saraike Village documents. Because this 1796 document was a set of regulations, it is clear that illegal cattle slaughter had already occurred several times. Over the course of the next several decades, incidents of illegal cattle slaughter came to be a major issue in Saraike Village. *Kawata* villagers were routinely punished for killing, or attempting to kill, draft animals.

Illegal cattle slaughter was not unique to the late eighteenth century. As the livelihood of *kawata* was directly tied to dead bovines or equines, it is natural that many *kawata* saw killing an animal as the most expedient way to obtain income. Yokota Fuyuhiko demonstrates that this was a problem in Ōmi Province in the mid-seventeenth century.<sup>344</sup> Katsuo Yoshiyuki has also discovered ordinances prohibiting cattle slaughter from 1739 in Tanabe Domain in Kii Province, south of Kawachi.<sup>345</sup> However, the late Tokugawa period is remarkable for the sheer number of incidents of illegal cattle slaughter that occurred. There are eight recorded incidents of cattle slaughter or attempted cattle slaughter in Saraike Village between 1795 and 1825 alone, and

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<sup>344</sup> Yokota 1988, pp. 285-322

<sup>345</sup> Katsuo 2000, pp. 109-138.

likely more that left no record as the perpetrators were not discovered.<sup>346</sup> The problem was also not limited to Saraike Village, but widespread in the Kinai region.<sup>347</sup>

The archive itself limits how much we can know about the specifics of illegal cattle slaughter. Only those who were caught left records, and even then these individuals were usually discovered before slaughtering their animal. The first case of cattle slaughter for which we have any details comes from late 1802, when twenty-eight *kawata* villagers were arrested for slaughtering an unspecified number of oxen (likely one or two).<sup>348</sup> They were all immediately placed in irons by the village headman, where they remained for forty days. The twenty-eight were finally released when the *kawata* village leadership petitioned for their release, and for pardoning the six ringleaders who were facing exile. The next day they submitted a promissory note guaranteeing that this kind of event would not happen again.

Six men identified as the “ringleaders” (*tōdori*) were guilty of purchasing the animals, then slaughtering them. The carcasses – or rather the various useful parts, such as skin, horns, and bones – were sold to five different men. Of this second group, two are identified as cattle owners. Thus, it is likely that the six ringleaders bought the animals using the pretext that they were subordinates of the two cattle owning villagers. The actual disposal and transportation of the carcasses was carried out by another seventeen men identified as “porters” (*nakashi*). All twenty-eight men were punished by confinement to iron shackles in the village. Five of the six ringleaders – one was still a youth – were targeted for exile in addition to their time in irons, but the timely intervention of the *kawata* village leadership ensured they remained registered villagers.

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<sup>346</sup> For a few examples see Doc.324 [1795; Kansei 7.10], Doc.327 [1803; Kyōwa 3.1.12], Doc.338 [1806; Bunka 3.8], and Doc.126 [1826; Bunsei 9.2.3] in *SIMM*, v. 2, pp. 98-99, 939-40, 943, 951-52.

<sup>347</sup> For example, see Machida 2013, pp. 2-48, Fujimoto 1977, pp. 7-12.

<sup>348</sup> Doc.328 [1802; Kyōwa 2.12.12] in *SIMM*, v. 2, pp. 944-945.

This case involved a wide spectrum of *kawata* village society. In a later document from 1803, the *kawata* village cattle owners mentioned that the 1802 case involved “unlicensed villagers” (*mukabu*) and some among the cattle owners. This is confirmed in the document mentioned above, where two of the five men punished for purchasing the ox carcasses were also listed as cattle owners. On the other hand, “*mukabu*” villagers were those who did not own *kusaba* rights, and in this case, the villagers slaughtering the ox. It is not clear why the cattle owners wanted to purchase the ox carcasses, but the motivation of the *mukabu* is not hard to guess. The *kusaba* system limited profits from the trade in cattle skins to only a few households; originally these were the households who had the tools and knowledge needed for skinning, though by the nineteenth century this dirty work was relegated to subordinates. By circumventing the system and selling the carcass as their own, these *kawata* villagers could keep the profits to themselves.

The peasant village headman instituted additional regulations to halt cattle slaughter.<sup>349</sup> These regulations were targeted at the *kawata* who owned cattle, indicating whom the headman blamed for the 1802 incident. Members of this group of cattle-owning *kawata* were required to police each other for any suspicious activity; their animals could only be handled by the owners themselves or by a son over twenty years old; and whenever their animals died, the former owner was required to have the *kawata* village leadership inspect the carcass before it was dismembered. The regulations put in place by the headman resulted in a few unlucky *kawata* being punished with time in chains, or even exile.<sup>350</sup> Because he could not remove the incentive for *kawata* villagers to slaughter cattle illegally, however, the problem continued until the Meiji

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<sup>349</sup> Doc.329 [1803; Kyōwa 3] in *SIMM*, v. 2, pp. 946-947.

<sup>350</sup> One villager guilty of repeated offenses was struck from the village register and fled to Mukaino Village, another *kawata* community just two miles east of Saraike. Doc.341 [1819; Bunsei 9] in *SIMM*, v. 2, p. 957.



period. Moreover, would-be butchers quickly figured out ways to get around the headman's regulations. Notably, these included a greater reliance on the legal cover provided by *kawata* cattle traders and conducting the cattle slaughter outside of the village.

In late 1825, the Osaka city magistrate's office dispatched officers to arrest seven Saraike *kawata* for illegally slaughtering an ox.<sup>351</sup> Four were apprehended immediately, including one unregistered (*mushuku*) man, and the other three absconded. Of these, two were caught with the aid of the Saraike headman. Under interrogation, two of the arrested villagers admitted to killing a cat (*neko tori*), while the other four confessed to slaughtering an ox. The officers then arrested the villager guilty of purchasing the ox carcass, and along with the Saraike village leadership, escorted all seven men to Osaka. After a night spent in the Osaka city jail, the six criminals who were villagers of Saraike were sentenced to a month of house arrest. The fate of the unregistered individual is unclear.

The cattle slaughter incident from 1802 was handled entirely within the village. In contrast, this case from 1825 involved officers being dispatched from the Osaka city magistrate's office and time spent in the Osaka city jail. The *kawata* sentenced to house arrest were not released on the headman's orders, but only after being pardoned by the magistrate. Because the *kawata* involved were arrested by the Osaka city magistrate and not the Saraike headman, it is doubtful that the butchers slaughtered the ox near Saraike. Finally, two of the men involved in slaughtering the ox – Heiji and Wakamatsu – were *kawata* cattle traders.<sup>352</sup> As cattle traders, these men were licensed to handle old or infirm cattle in order to provide veterinary care. As *kawata*, however, they were incentivized to ensure that not every animal recovered.

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<sup>351</sup> Doc.126 [1825; Bunsei 8.12] in *SIMM*, v. 2, pp. 98-99.

<sup>352</sup> Doc.129 [1836; Tenpō 7] in *SIMM*, v. 2, p. 140.

Also notable is the participation of unregistered individuals (*mushuku*). These were villagers who had been removed from the village's population register as punishment for a crime, or because they had absconded. They were no longer under Saraike's protection or jurisdiction, but often returned to the village in secret, as they had no social networks for survival elsewhere. Two unregistered *kawata* were involved in this case, Sōkichi and Sōemon. While Sōkichi managed to escape capture, Sōemon was caught and admitted to taking a part in cattle slaughter. He was taken to Osaka along with the other perpetrators and not mentioned again. Because he was unregistered, Saraike Village was not responsible for Sōemon's punishment; based on similar cases, Sōemon was likely handed over to Watanabe Village for punishment.<sup>353</sup> Whatever his ultimate fate, the participation of Sōemon in this case shows the role of the plebian society introduced in the last chapter in illegal cattle slaughter. Individuals living on the margins of society, like Sōemon and Sōkichi, had no investment in the established village order, and were likely to be tempted by the promise of quick cash if they could sell a cattle carcass.

At first glance, the slaughter of cattle by *kawata* appears to be the logical outcome of their status-based property rights. Given their ownership of carcasses, it is not surprising that *kawata* turned to illicit methods of acquiring hides when *setta* manufacture proved to be so profitable. However, this overlooks a fundamental shift in the meaning of *kawata* status, away from the *kawata* as knackers and towards *kawata* as butchers. *Kawata* first had control over dead cattle because only they could cleanse the harmful pollution of the carcasses. In the Tokugawa period, this act of purification became an institutionalized service to the realm, while the hides acquired from carcasses were supposed to supply the shogunate and daimyo. However, the ready

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<sup>353</sup> In 1830, an unregistered from Saraike named Monjirō was arrested in Sakai for stealing and killing a pet cat. After the authorities received confirmation from Saraike that Monjirō was indeed an unregistered villager, he was delivered to Watanabe Village and punished with a severe beating (*jū naguri*). Doc.126 [1830; Tenpō 1] in *SIMM*, v. 2, pp. 116-118.

access to raw materials provided by status-based ownership of carcasses concentrated all aspects of the leather trade amongst men of *kawata* status. By the late eighteenth century, this industry had become a major source of sustenance for *kawata* communities. Where they had once handled dead cattle to cleanse pollution, they now slaughtered live cattle to acquire hides.

The rise in incidents of illegal cattle slaughter by the *kawata* appears to be driven only by market forces. Cattle hides were more valuable with the rise of *setta* production, and cattle slaughter also provided a more predictable and steady supply of raw material for the leather trade. But this alone does not explain why cattle slaughter became so frequent in the nineteenth century; the *kawata* had been dependent on market relations for well over a century by this point. What was new was the different cattle economy: the expansion of cattle trader organizations not only led to greater numbers of cattle in the Kinai, but also altered the ways that peasant farmers interacted with their animals. Farmers who, in the eighteenth century, may have been unwilling to hand old animals to the *kawata*, now established contracts with cattle traders to replace their draft animals when they could no longer work. Practices like rental cattle concentrated legal ownership of draft animals in the hands of cattle traders, a group that was especially eager to dispose of their commodity capital before it had a chance to die. The expansion of the Tennōji cattle market also led to the licensing of *kawata* cattle traders, who could purchase sick and old animals under the pretense of providing veterinary care.

Beyond the new cattle economy, the development of illegal cattle slaughter was enabled by new social relations in the *kawata* community. Cattle slaughter was a serious offense, and required men with nothing to lose and a village leadership willing to look the other way; the early nineteenth century had both. As the examples above illustrate, cattle slaughter was being effected by unregistered individuals living on the margins of village society and encouraged by

some of the wealthiest in the village. Meanwhile, leather merchants were rising to positions of village leadership over the traditional *kawata* elite. Like the wholesalers of Watanabe, these merchants depended more on the trade in cattle hides than the traditional duties of *kawata* status.<sup>354</sup>

### **New Social Relations in Saraike Village**

Early in 1869, the peasant headman of Saraike Village, Tanaka Seiemon, singled out various villagers for commendable behavior like filial piety or devotion to village duty.<sup>355</sup> Most of the space was reserved for a *kawata* woman named Koto. Tanaka noted that “Koto was widowed...fifteen years ago. Since then, she has shown all due diligence in matters of household management, and always maintained close relations with her relatives. She provides charity to the poorest in the village when it is needed. Although she is a woman (*onna no mibun ni gozasōrae domo*), Koto has listened and studied from past generations regarding matters of duty and village governance, and now instructs the current *kawata* village leadership in these matters. She herself has always taken matters of duty to heart.” Koto was the only woman in the history of Saraike to be listed as a *kawata* village leader. She gained this distinction because she was a central figure in the Kawachiya Tōbei household, a merchant family in the *kawata* community of Saraike that rose to prominence at the turn of the nineteenth century.

The Tōbei family sold the cattle hides collected by the Saraike *kawata* to the wholesaler guilds and handled the circulation of finished leather to rural *kawata* artisans. As rural *kawata*

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<sup>354</sup> It may not only have been the leadership in local villages that turned a blind eye to illegal cattle slaughter. In her study of the leather guild (*kawa-za*) of Fukuoka domain, historian Takagaki Awa points out how the domain was most concerned with stopping contraband hides from leaving the domain. That is, they wanted all cattle hides produced in Fukuoka domain to pass through the domain’s guild, ensuring the domain received part of the profits. Meanwhile, there appears to have been little attention, if any, paid to illegal cattle slaughter by domain officials. See Takagaki 2015, pp. 127-158.

<sup>355</sup> Doc.141 [1869; Meiji 2] in *SIMM*, v. 2, pp. 524-6.

merchants, they formed an essential part in the larger leather trade, acting as intermediaries between the countryside and city. This position made the larger Tōbei household extremely wealthy. The nature of the Tanaka Family documents provides us with only fragmentary evidence of the wealth of the Tōbei household. There are no lists of their total wealth, or any reports of annual income. But the fragments we do have provide a clear picture. For example, in 1864 the family contributed 500 gold *ryō* (30,000 silver *monme*) to the Akimoto daimyo house.<sup>356</sup> For comparison, the annual wage of a household servant (*hōkōnin*) in Saraike was between 200 and 250 *monme* for men, and 100 to 130 for women.<sup>357</sup> Day laborers (*hiyatoi*) were paid two *monme* per day. Thus, this one contribution from the Tōbei was enough to pay for somewhere between 120 and 300 household servants. Meanwhile, a day laborer would need to work every day for forty-one years for the same amount. While these contributions were by no means voluntary, the household received honors that set them apart from other *kawata*, such as permission to wear formal dress (*haori*) when serving as villager leader.

Koto was born around 1813, at which point her house already employed several servants.<sup>358</sup> She was directly related to five Tōbei household heads: the daughter of the first Tōbei, wife of the second, and mother of the third, fourth, and fifth. The lifespan of the first Kawachiya Tōbei – Koto’s father – is not recorded, but he was active in the late eighteenth century and the first decades of the nineteenth. The second Tōbei, whose given name was Genzaburō, was adopted into the family when he married Koto.<sup>359</sup> Genzaburō’s tenure as household head brought the family into greater prominence, and he donated large sums of money

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<sup>356</sup> Doc.139 [1864; Bunkyū 4] in *SIMM*, v. 2, pp. 439. One *kan* of silver was worth 1000 *monme*, while the exchange rate of gold to silver was normally around sixty silver *monme* to one gold *ryō*. See also Uchida 1975, pp. 302-311.

<sup>357</sup> Doc.4 [1843; Tenpō 14] in *SIMM*, v. 1, pp. 22-30.

<sup>358</sup> Doc.192-3 [1803; Kyōwa 3] in *SIMM*, v. 2, pp. 674-5.

<sup>359</sup> Incidentally, this was also the case with another wealthy *kawata* merchant family, the leather wholesaler Taikoya Matabei. Matabei was adopted into a Watanabe leather wholesaler household from the *kawata* village of Kashihara in Yamato Province.

to the Akimoto family in exchange for various honors. Genzaburō died unexpectedly in 1854 (Kaei 7/2) and was succeeded by his son Shōnosuke. However, Shōnosuke died prematurely just five years later in 1859 (Ansei 6/6/21). At this point Koto formally took over the Kawachiya Tōbei household name, in addition to the responsibilities of running the household business.<sup>360</sup> Her name briefly appears on a document from 1856 as a *kawata* village leader (*kimoiri*).<sup>361</sup>

Koto maintained her position for the next several years. Another son named Fusakichi, likely adopted from a collateral branch, was made household head six months after the death of Shōnosuke. But Fusakichi disappears from the records in 1866. Only in 1867, when another adopted son named Tōsaburō became the fifth Kawachiya Tōbei, did the family have a stable male heir. Yet even after he became an adult, Tōsaburō continued to be listed under Koto's name on the village temple register.<sup>362</sup> Other documents refer to Tōsaburō as “Koto's son and *kawata* village leader” (*Koto segare kimoiri*).<sup>363</sup> Koto died sometime after 1872, when documents in the Tanaka family collection become less frequent. But between the time of her marriage and death, sometimes visibly and sometimes behind the scenes, Koto managed the affairs of one of the largest *kawata* merchant households in Kawachi Province. Her name regularly appeared on civil lawsuits against other merchant households, or on lists of persons who contributed funds to village relief.<sup>364</sup>

Outside of the main branch centered on Koto's immediate family were several collateral branches (*bunke*) of the Kawachiya Tōbei house (Figure 10). The most prominent was Tōgorō, the younger brother of the first Tōbei. Tōgorō and his descendants served as the village

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<sup>360</sup> Doc. 287 [ca. 1859] in *SIMM*, v. 2, 880. This document has no date, but based on the content comes from the aftermath of the death of a Tōbei household head.

<sup>361</sup> Doc.120 [1856; Ansei 4] in *SIMM*, v. 2, pp. 78-85.

<sup>362</sup> Doc.76 [1868; Keiō 4] in *SIMM*, v. 1, pp. 845-6.

<sup>363</sup> Doc.121 [1871; Meiji 4] in *SIMM*, v.2, p. 86.

<sup>364</sup> For example, see Doc.139 [1862; Bunkū 2] in *SIMM*, v. 2, pp. 423-424.

leadership of the shogunal portion of the *kawata* village.<sup>365</sup> When the third Tōbei died prematurely, Tōgorō was also listed as the manager of family affairs (*shinrui sōdai*). Beyond his powers as village leadership, Tōgorō also owned numerous tenant houses in both sections of the *kawata* village and operated a pawn shop. Another younger brother of the first Tōbei's, San'emon, has less of a presence in the archive. However, his son Rihachi became the head of the Saraike *kawata* cattle traders in the mid-nineteenth century, a group closely connected with securing more cattle hides for the Tōbei house's merchant activities.

The Kawachiya Tōbei household made their fortune by selling the hides harvested by the *kawata* of Saraike. The records of numerous lawsuits between members of the Tōbei household and figures in Watanabe Village confirm that this was where hides from Saraike were sold, and where finished leather was procured.<sup>366</sup> Leather was brought back to the village and either used in the manufacture of *setta*, or sold to *kawata* communities further away from Osaka.<sup>367</sup> The Tōbei household may also have taken responsibility for selling finished *setta* from Saraike to footwear merchants in Osaka, but there is no direct evidence of this role. Either way, the household formed an important link in the connection between rural *kawata* villages and the Osaka urban center. When *kawata* status-based property was abolished in early 1871, it was the Kawachiya Tōbei family that had the responsibility of disseminating the news to other *kawata* villages in Kawachi Province, and planning any (ultimately futile) appeals to reinstate their status privileges.<sup>368</sup>

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<sup>365</sup> Doc. 274 [1871; Meiji 4.10] pp. 830-37.

<sup>366</sup> For example, see Doc.139 [1864; Man'en 2] in *SIMM*, v. 2, pp. 426-427.

<sup>367</sup> In a lawsuit from 1850, a *kawata* merchant from Manzai Village in Yamato Province was said to have fallen behind in payments for several pieces of leather purchased from the Tōbei household. The Nara city magistrate found in favor of Tōbei, and ordered the merchant to pay the remaining sum. When it was clear he could not do so, all of his possessions were confiscated in place of payment. Doc. 134 [1850; Kaei 3] in *SIMM*, v. 2, p. 286.

<sup>368</sup> Doc.349 [1871; Meiji 4] in *SIMM*, v. 2, p. 979.

The riches of the Kawachiya Tōbei household translated into social power in the village. In 1824, the head of the Tōbei household was elevated to membership in the *kawata* village leadership (*kimoiri*).<sup>369</sup> This information comes to us by way of a document composed by Tōbei himself, thanking the peasant village leadership for his elevation and promising to ensure his fellow villagers follow regulations. Tōbei likely owed his position to the wealth and power he had already accumulated in the village, but this document is noteworthy for being the first surviving example of a *kawata* village leader indicating that his position was acquired through peasant headman appointment. The other *kawata* village leaders – notably Yosōemon – had served in that position for several generations, going back to the seventeenth century. The heads of the Yosōemon household remained prominent leaders in the *kawata* community, but their influence in the village waned in the mid-nineteenth century.<sup>370</sup> From the 1820s on, it was the Tōbei family that dominated *kawata* village affairs.

Wealth manifested itself as social power in a number of other ways. One factor that likely influenced the peasant headman's decision to elevate Tōbei to a position of leadership – aside from the household's wealth – was the large number of *kawata* villagers living as tenants of the Tōbei household. By 1861, sixty percent of the 229 *kawata* households were tenants; close to three quarters of those households were tenants of the Kawachiya Tōbei family. During the Tokugawa period, landlords had certain duties to their tenants, such as providing famine relief or taking responsibility in criminal matters. Tenant houses were not particularly large dwellings. When a fire broke out in one of the Tōbei family's units in 1864, village authorities reproduced

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<sup>369</sup> Doc.223 [1824; Bunsei 7] in *SIMM*, v. 2, 705.

<sup>370</sup> The Yosōemon household was hit with the untimely deaths in 1865, which left a fourteen year-old head of household to manage affairs going into the Meiji era. Doc.65 [1865; Genji 2] in *SIMM*, v. 1, p.689 and Doc.121 [1871; Meiji 4] in *SIMM*, v. 2, p. 86. Other signs pointed to the decline this household. For example, in 1861, none of the 229 *kawata* tenant households were tenants of the Yosōemon, while in the eighteenth century, they were the largest landholder in the village.



the dimensions of the building as part of their investigation.<sup>371</sup> What we see is a building four *ken* by eight *ken*, or roughly 1,150 square feet. With nine rooms, that left an average of 128 square feet of living space per household.

The village lower class interacted with the Tōbei household in more ways that just employer and landlord. In 1855, repairs to the *kawata* village temple (Shōmyōji) began to prove a great financial burden for the community. The Tōbei household provided the necessary funds to complete the repairs, and in exchange received all the fees collected from the use of the village baths.<sup>372</sup> The village pawn shop, whose existence can be confirmed by 1861, was also controlled by Tōbei.<sup>373</sup>

### ***Kawata* Wage Labor**

The expansion of the leather trade demanded more skins, which was met by an increase in illegal cattle slaughter. In turn, this greater volume of skins demanded more labor, which was met by men and women of the village lower class that we saw in the previous chapter. While the wealth of the leather trade was concentrated in the hands of the Tōbei family, there were still opportunities for those outside of that privileged circle. This is attested to in the demographics of the Saraike *kawata* community, where the population increased from 685 villagers in 1800 to 1153 by the end of the Tokugawa period.<sup>374</sup> This population increase occurred mainly in the poorest segment of the village. Between 1772 and 1861, the ratio of propertied to property-less

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<sup>371</sup> Doc.140 [1864; Genji 1.9.16] in *SIMM*, v. 2, p. 452.

<sup>372</sup> Doc.297 [1855; Ansei 2.12] in *SIMM*, v. 2, pp. 888-89.

<sup>373</sup> Doc.139 [1861; Bunkū 1] in *SIMM*, v. 2, p. 418.

<sup>374</sup> Doc.185 [1800; Kansei 12] in *SIMM*, v. 2, p. 657.

villagers (*mutaka*) increased from 2:3 to 1:7; moreover, even those landholding households that possessed holdings had little nothing more than a small personal plot.<sup>375</sup>

This growth in population was not matched by a commensurate growth in living space. In 1843, the available housing space in the entire village (*yashiki-chi*), both peasant and *kawata* segments, was 120,663 square feet (1.13 *chō*). With a total population of 1037, this meant an average of 116 square feet per person. Factoring in divisions of wealth and status meant even less spaces for those with no standing in the village. This need for housing for a large number of people in a relatively short period of time likely resulted in the building of the rental unit consumed by fire in 1864.

As the leather trade expanded, so did the amount of wage labor in the village. This, in turn, produced different family practices between the *kawata* and their peasant neighbors.<sup>376</sup> Not concerned with passing on their property to a single heir, *kawata* married earlier and sought more children to increase the labor power of the household. Young people were also more likely to leave the village to work as hired farm labor. Interestingly, the demographics of the late Tokugawa *kawata* community in Saraike skewed female: between 1843 and 1861, the male population increased by nearly one hundred individuals, or from 431 to 528. At the same time, the female population increased from 453 to 625. By 1861 there were nearly one hundred more women than men in the *kawata* portion of Saraike. A gender imbalance to this degree cannot be natural, making it likely that the manufacture of *setta* in Saraike attracted women from other

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<sup>375</sup> Doc.49 [1861; Man'en 2] in *SIMM*, v. 1, pp. 321-87.

<sup>376</sup> Teraki suggests that the availability of wage labor was the cause of the *kawata* population increase in Saraike in the nineteenth century, though his assessment of the living conditions of the *kawata* are somewhat more sanguine. Teraki 1993, pp. 107-154. See also Nakao 1980, pp. 198-226 and Mita 2006, pp. 30-102 for population increases in *kawata* villages.

villages in search of work, both *kawata* and non-*kawata*.<sup>377</sup> According to the last temple register, compiled in 1871, around thirty-percent of the men were born in other villages.<sup>378</sup>

The labor of these landless workers was essential to the leather trade, but many lived in deep poverty. In 1837, during the Tenpō Famine (1834-38), 488 *kawata* villagers – over half the entire population – were listed as “destitute” (*konkyū*) and targets for famine relief from the domain.<sup>379</sup> The situation in the village improved somewhat following the end of the famine, but hundreds of villagers continued to live a precarious existence. In 1860, 361 of 1,150 villagers were recorded as living in “extreme poverty” (*goku-hin*); ten years later, 469 were living in “extreme” or “moderate distress” (*goku nanjū, jū nanjū*).<sup>380</sup> Survival for these households depended on a network of rural underclass society that incorporated unregistered individuals, runaways, gamblers, and outlaws.<sup>381</sup>

Besides assembling *setta*, some *kawata* also travelled to nearby towns and villages to repair footwear. Such individuals were mentioned as early as the 1796 village regulations from Chapter 3. More information comes from an incident in 1860, when the Saraike village leadership received a summons from the Osaka city magistrate.<sup>382</sup> They were told that the son of the *kawata* Shōsaborō – his name is not given – was arrested in front of the office of the city magistrate. Evidently, Shōsaborō’s son had travelled to Osaka to repair footwear and set up his stand near the office of one of the two city magistrates. When he noticed that sixty pieces of copper *zeni* were missing from his cashbox, he accosted some children he saw playing nearby. The children denied taking the money, and the *kawata* responded with insults in front of the

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<sup>377</sup> Hatanaka 1997, pp. 169-177.

<sup>378</sup> Doc.84 [1871; Meiji 4] in *SIMM*, v. 1, pp. 939-989. This last register from 1871 is incomplete, so it is possible that this number is slightly higher or lower.

<sup>379</sup> Doc.233 [1837; Tenpō 8] in *SIMM*, v.2, p.728.

<sup>380</sup> Ibid and Doc.246 [1860, Man’en 1] in *SIMM*, v.2, pp. 747-51.

<sup>381</sup> Many *kawata* across the Kinai faced these challenges. See Mita 2015, pp. 303-312 and Fujimoto 2014.

<sup>382</sup> Doc.138 [1860; Man’en 1.6.22] in *SIMM*, v. 2, pp. 384-5.

magistrate's office. He was promptly arrested for causing a disturbance. After it was determined that Shōsaburō's son was in the city legally, the magistrate's office contacted the Saraike village leadership. Shōsaburō's son was sentenced to five days in the city jail, then three days of house arrest. His mother was sentenced to three days confinement in iron shackles for lack of diligence in raising her son. The privilege to establish a repair stall in Osaka was then passed to the next artisan in line (*ato shokunin*), Jūemon.

Though brief, this incident provides information on those petty artisans who travelled to Osaka. After this arrest, Shōsaburō's son was investigated and determined to have the proper credentials to be in the city. This was done to determine the proper punishment – an unregistered *kawata* villager would have been simply turned over to Watanabe Village, but as Shōsaburō's son was in Osaka legally, his parent village was contacted. Travel to Osaka could not have been open to every villager; this combined with the confirmation of the legal credentials of Shōsaburō's son shows that only certain villagers were permitted to travel to Osaka for repair duty. Such a duty would be passed down hereditarily, which is why Shōsaburō's son was only known by reference to his father. That there was a next artisan in line shows that artisans travelled to Osaka on a rotating basis. Finally, repairing shoes in Osaka was clearly not highly paid labor. Sixty pieces of copper *zeni* was only worth around half of one silver *monme*.

The case involving Shōsaburō's son takes us to the end of the circulation of the ox's body. An ox was born in the cattle-producing region in Harima or Tanba provinces, then taken to the Kinai by cattle traders. There it was sold at a local cattle market, or rented for a period of years. It cycled through a few different peasant families and cattle traders; when it was no longer fit for agricultural labor, the ox was exchanged for another. The ox might then be sold to a *kawata* cattle trader, in whose possession it died, or was slaughtered. The body of the ox was

then dismembered and the useful parts sold to Watanabe wholesalers by rural *kawata* merchants. The hide came back to rural villages, where it was manufactured into footwear. In the case of Shōsaburō's son, the leather was taken to Osaka to be used in *setta* repairs. There it was exchanged for a few coins that were likely stolen by a youth from a noble household. From birth to death and after, the ox came into contact with nearly every segment of Tokugawa Japanese society.

When Commodore Perry arrived in Edo Bay in 1853, the *kawata* of Saraike Village little resembled their ancestors of the early Tokugawa period. In the place of small a community of skinners who disposed of carcasses for local peasants was a large village of knackers, butchers, artisans, and wage laborers, whose work was geared toward the production of raw materials for distant trade and manufacture. As production for distant exchange increasingly defined the rural economy, status-based property like the *kawata* control of livestock carcasses was increasingly at odds with social practice. In Chapter 2, we saw how the *kusaba* system of the early Tokugawa period was based on a number of assumptions: first, that draft animals were purchased by farmers for life and died in or near the same village where they had worked; second, that carcasses had exchange value only among *kawata* status, because only *kawata* labor could cleanse the pollution of carcasses; third, that the struggles over carcass ownership were only fought amongst *kawata* villages, not individual households; and finally, that the disposal of carcasses was managed by the traditional *kawata* village elite as part of their status-based duty. By 1850, these assumptions no longer operated.

In *Capital*, Marx argues that the development of merchant capital to a certain level is a historical precondition for the development of the capitalist mode of production.<sup>383</sup> This is

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<sup>383</sup> Marx 1981, p. 444.

because it creates a necessary concentration of monetary wealth and presupposes production for trade, rather than for direct consumption. Yet this does not mean that the development of merchant capital leads directly to the transition from one mode of production to another. Marx states that merchant capital “cannot bring about the overthrow of the old mode of production by itself, but rather preserves and retains it as its own precondition. ...Without revolutionizing the mode of production, it simply worsens the conditions of the direct producers, transforms them into mere wage-laborers and proletarians under worse conditions than those directly subsumed by capital, appropriating their surplus labor on the basis of the old mode of production.”<sup>384</sup>

The wealth the *setta* trade could bring to some households, like Kawachiya Tōbei, was staggering. Yet this prosperity was not enjoyed by all in the *kawata* village. Many of the tenants of the Tōbei household were instrumental in the *setta* trade, but still received only a fraction of the profits for their labor. This contradiction within the village extended to the status-based property of the *kawata*. By the nineteenth century, the extended Tōbei household had acquired many of the *kabu* (rights) that determined the possession of carcasses within the *kawata* village. The Tōbei house were still of *kawata* status; as a member of the social group and a *kabu* holder, they were entitled to the profits from the hides his household sold according to the logic of status. But clearly, by 1850, the direct possession of the means of labor by the laborer, a key part of status-based property, existed in name-only in Saraike Village. As the gulf between those who owned the rights to cattle carcasses and those who actually did the work of acquiring them grew, voices from within and outside the *kawata* village began the question why the *kusaba* system should exist at all.

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<sup>384</sup> Ibid, pp. 452-53.

Figures, Maps, and Tables

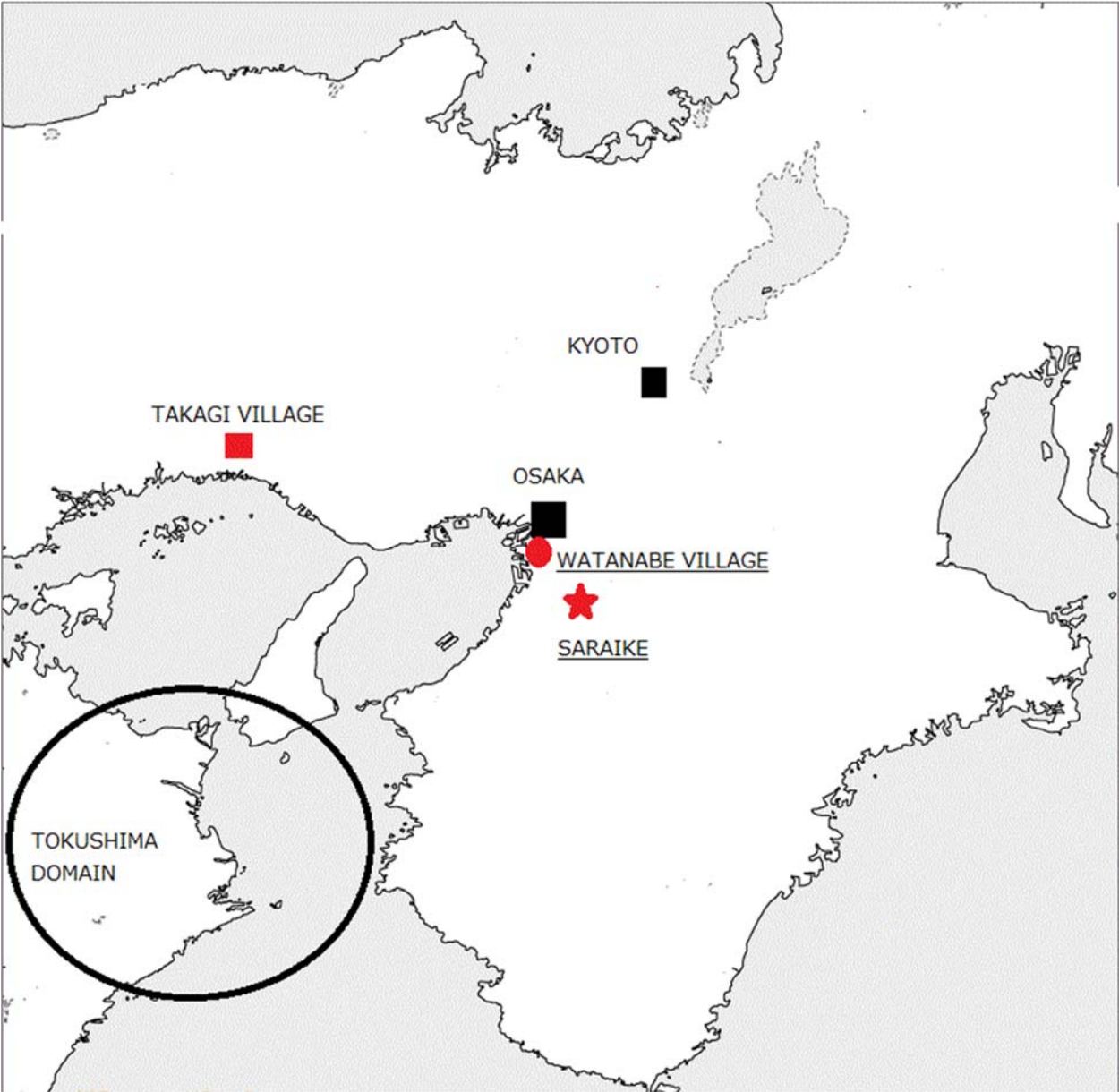


Figure 9: Important Locations in the Leather Trade

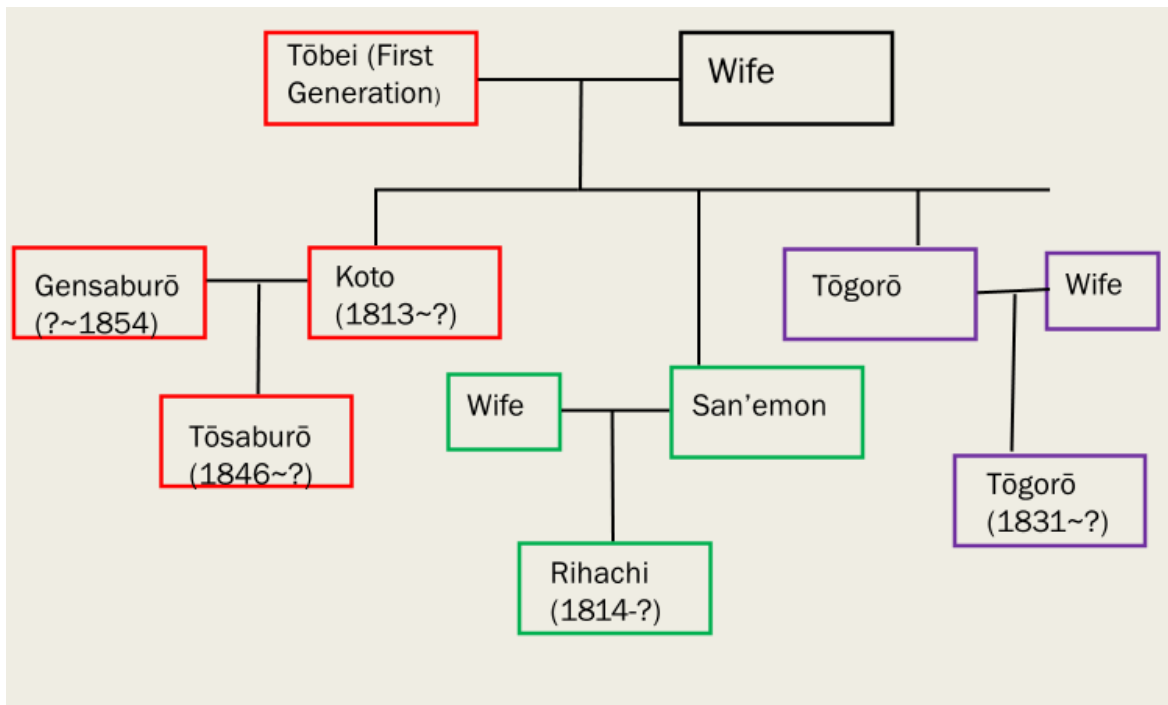


Figure 10: Main Branch (left) and Two Collateral Branches (center and right) of the Kawachiya Tōbei Family



## CHAPTER FIVE: *BAKURŌ* AND BUTCHERS: SARAIKE VILLAGE IN THE LATE TOKUGAWA AND EARLY MEIJI PERIODS, 1850-1870

In 1869, one year after the Meiji Restoration, the Tennōji cattle market was struggling to remain relevant in a post-shogunate Japan. While some elements of the new Meiji government had issued statements supporting the market after the fall of Osaka to Imperial forces in 1868, there were more pressing matters demanding their attention. To make matters worse, officials in the short-lived Settsu Prefecture (now Osaka Prefecture) issued a directive early in 1869 to all villages under its purview that it was now permissible to buy and sell cattle without the approval of the Tennōji cattle market. In a bid to remain relevant, the Ishibashi family presented the Meiji government with an account of its history and functions. Included in this document was an outline of the cattle trade as it functioned in practice.<sup>385</sup>

According to cattle market officials, peasant cattle traders managed the sale of animals to farming households. But when the animal was too old or sick to work, it was sold to a *kawata* cattle trader. In other words, cattle were no longer handed to *kawata* when they died, but when they could no longer work. Moreover, it was not those who owned *kusaba* rights, but *kawata* cattle traders who took possession. *Kawata* cattle traders occupied a distinct position at the end of a Kinai ox's life. Interestingly, this mention of *kawata* cattle traders was new to the nineteenth century. Over a century earlier, when the Ishibashi family petitioned to have their authority over the cattle traders of the Kinai “renewed” in 1754, they presented a lineage similar to that submitted in 1869.<sup>386</sup> This document made no mention of *kawata* cattle traders, or of any *kawata* for that matter. The document did mention a group of people called the *hakuraku*, who had supposedly been practicing veterinary care since the time of Prince Shōtoku (574 – 622). In the

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<sup>385</sup> Doc.66 [1869; Meiji 2] in *Ishibashi-ke monjo*, pp. 31-35.

<sup>386</sup> Doc.1 [1754; Hōreki 4] in *Ishibashi-ke monjo*, pp. 1-4.

roughly one hundred years between these two documents, the purchased of sick and old cattle by *kawata* cattle traders had become so commonplace that the Ishibashi Family considered it the norm.

This chapter analyzes how *kawata* cattle traders became such an important link in the circulation of cattle hides, and the implications this had for *kawata* property rights in the late Tokugawa and early Meiji periods. As we saw in Chapter 4, some *kawata* communities became well-known locally for providing veterinary care. When the Tennōji cattle market's authority expanded to all forms of cattle trading after 1769, these *kawata* veterinarians gradually became licensed cattle traders (*ushi-mekiki bakurō*). These *kawata* cattle traders purchased infirm cattle from peasant farmers and attempted to nurse the animal back to health. With the rise in the value of leather brought on by the *setta* trade, these *kawata* cattle traders quickly realized that their unique ability to purchase unwanted animals allowed for a new method of acquiring cattle hides, by slaughtering old or sick cattle. In the early nineteenth century, the number of *kawata* cattle traders in Saraike was few and their activities relatively insignificant. But by the end of the Tokugawa period, *kawata* cattle traders were purchasing so many cattle to slaughter for their skins that they came to represent an alternative circulation route for cattle hides that circumvented the established *kusaba* system.

On the surface, this was not a notable development: carcasses were still being handled by men of *kawata* status. But it represented a significant challenge to status-based property as represented by the *kusaba* system. First, carcasses were supposed to be the property of the *kawata* as the skinners; directly in their possession as the objective means of labor and their property because of their status. That had meant the turnover of carcasses to the *kawata* with no compensation to the former owner. By purchasing carcasses from peasant cattle traders, *kawata*

cattle traders were implicitly recognizing these carcasses as the private property of the original owners, transferable only with the consent of those owners. Secondly, *kawata* households could only claim possession of carcasses through the mediation of the village. This was expressed in *kabu* ownership. No *kawata*, household or individual, was permitted to handle carcasses as their private property. As the number of carcasses acquired through direct purchase increased, so too did the contradictions within the status system.

To trace these changes in property, I follow the Saraike Village *kawata* cattle trader organization in the late Tokugawa and early Meiji periods, or roughly 1850 to 1871. The *kawata* cattle traders of Saraike village originally organized to meet the demands of the Tennōji cattle market, yet ended up surviving both the downfall of the Tokugawa shogunate and the end of the Tennōji cattle market. I use this group to narrate the broader experience of the *kawata* through the late Tokugawa and early Meiji periods. Because these *kawata* cattle traders were at the center of the transition to new forms of property rights, I use them to examine the process by which the *kusaba* system was undermined from within.

The first section details the political and economic situation of the late Tokugawa period and why it was that *kawata* cattle traders were able to expand their operations. It then explores how *kawata* cattle traders circumvented *kusaba* property rights for their own profit, and the effects this had on conceptions of property. The second section focuses on a major dispute between the *kawata* of Saraike and several nearby peasant cattle traders in the early Meiji period. The extensive documentation from this case provides an in-depth picture of the place of *kawata* in local society on the verge of the abolition of *kawata* status. It also shows that, despite the challenges to *kawata* property laid out in the first section, status-based rights like *kusaba* remained salient until they were abolished by the Meiji government. Forces from below may

have challenged the very justification for status-based property, but only intervention from without could abolish it completely.

### **The Tenpō Reforms and Cattle Traders**

The cattle traders of Saraike did not play a major role in the village until the mid-nineteenth century. Though they were involved in a few incidents of cattle slaughter in the early nineteenth century, the group never numbered more than a few households, none of them very prominent. But by 1857, the *kawata* cattle organization consisted of eleven households, and included a branch of the wealthy Kawachiya Tōbei family. There is no smoking gun in the archive that explains the increase in the number and prominence of cattle traders, but it is likely tied to a major shift in the social and political environment of late Tokugawa Japan. Specifically, when the *kabu nakama* trading organizations were temporarily abolished as a part of the Tenpō Reforms.

After the end of the Tenmei Famine, Japan enjoyed a reprieve from climatic disasters for the next few decades. Between 1804 and 1830 (the so-called *Kasei* period), the effects of the Kansei Reforms and a stable climate allowed the population, and economy, to recover from the devastation of the 1780s. But in 1834 disaster again struck the northeast of Japan, as heavy rains and flooding ruined vast tracts of farmland. For the shogunate alone, this resulted in the loss of 150,000 *koku* of tax revenue.<sup>387</sup> Three years later, cold temperatures and heavy rains hit farms across central Honshu, intensifying food shortages and raising prices. The Tenpō Famine – named after the Tenpō calendrical era – lasted until 1839 and claimed hundreds of thousands of lives. Like the Tenmei Famine, this famine shook the Tokugawa political establishment. Yet

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<sup>387</sup> Yamaguchi 1993, pp. 260-61.

while the Tenmei Famine was followed by the Kansei Reforms and relative stability, the failure of the Tenpō Reforms is usually regarded as the beginning of the end of the Tokugawa shogunate.<sup>388</sup>

The Tenpō Reforms were initiated by shogunal councilor Mizuno Tadakuni between 1841 and 1843. The impetus for these reforms was not just the Tenpō Famine of the previous decade, but also the poor state of shogunal finances and troubling news from overseas regarding the British victory in the Opium War. The reforms targeted what the shogunate saw as the fundamental flaws in the Tokugawa economy, though their scope extended well beyond this to include issues of public morality. A full account of the Tenpō Reforms is not the goal of this chapter, so I will highlight one policy in particular for its impact on the cattle trade.<sup>389</sup> In an effort to lower prices and encourage commerce, the shogunate ordered the dissolution of all *kabu-nakama*. These were trade associations that had been licensed by the shogunate to handle specific commodities. Shogunal officials determined that the privileges held by these trade associations were artificially raising the prices of all commodities; by abolishing their control over the market, the shogunate hoped to relax trade restrictions and lower prices. The policy did not have the desired effect, however, and the trade associations were reinstated by 1851.<sup>390</sup> These reinstated *kabu-nakama* were much less restrictive on membership, however.

Whether or not the Tennōji cattle market was a target of the Tenpō Reforms is unclear, but either way the villagers of the Kinai interpreted the dissolution of the trade associations to apply also to the cattle market. In 1846, the Osaka City Magistrate was forced to issue an edict to all villages in the four provinces in the cattle market's jurisdiction restating that any cattle traders

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<sup>388</sup> Ibid, p. 151.

<sup>389</sup> For a more aspects of the Tenpō Reforms, see Hauser 1974, pp. 106-114, Yamaguchi 1993, pp. 150-51 and 271-83, Yoshida 1991, pp. 19-38 and Yoshida 2005, pp. 33-64, and Yoshimoto 2015, pp. 14-70.

<sup>390</sup> Hauser 1974, pp. 54-56.

who did not pay licensing fees to the cattle market would be punished.<sup>391</sup> This edict noted that the order dissolving trade associations had resulted in the inability of the market to track the number of cattle traders. Even with its authority restored, however, the Tennōji cattle market was more lax about allowing new cattle traders than in earlier decades.<sup>392</sup> It was likely during this new phase of the cattle market that a number of Saraike *kawata* began operating as licensed cattle traders, increasing the number of cattle traders in the village from around five to eleven.

That some *kawata* took the opportunity to join the cattle trader organization in the 1840s presupposes an incentive for them to do so. This incentive came from the potential value of cattle hides. We saw in the previous chapter how the popularization of leather-soled sandals drove up the price of leather and increased the value of cattle hides beginning in the late eighteenth century. The price of leather continued to rise as the nineteenth century progressed, prompting some lower-class *kawata* to begin slaughtering cattle for personal profit. This carried great risk, as the slaughter of cattle, even those too sick to work, was punishable by confinement to shackles or exile. Because *kawata* cattle traders were licensed to handle sick or old cattle under the pretense of providing veterinary care, however, access to a cattle trader license was sought by those who wanted a legal cover to their cattle slaughter operations. In villages across the Kinai region, *kawata* cattle traders were increasingly becoming the main source of cattle hides for the leather trade.<sup>393</sup>

No doubt the price of leather received another shock when Japan became a part of the global market in the 1850s. During Tanuma Okitsugu's tenure as shogunal councilor in the mid-

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<sup>391</sup> Doc.3 [1846; Kōka 3] in *Ishibashi kemonjo*, pp. 7-9.

<sup>392</sup> For example, a *kawata* cattle trader from Mukaino Village was discovered operating under his father's license. Rather than punish father and son, the cattle market simply added the boy to the rolls of official licensed cattle traders. "Kōsen uketori kata: Kashū senshū kawata minami kyūban" [ca. 1861-1869]; MS no. 45, *Ishibashi-ke monjo*.

<sup>393</sup> See for example Machida 2013, pp. 2-48 and Katsuo 2000, pp. 109-138.

eighteenth century, the shogunate seriously considered opening trade relations with the Russian Empire, a country with whom the shogunate had no established connection. After the fall of Tanuma Okitsugu, however, the shogunate abandoned any plans for opening trade relations with the Russian Empire. This left the Dutch in place as the shogunate's only European trading partner.

But the industrializing West could not be kept out forever. As the nineteenth century progressed, Western ships began to appear off the Japanese coast with increasingly regularity. In 1841 came the shocking news of the Qing Empire's defeat at the hands of the British in the first Opium War, at which point the shogunate ended its policy of "shoot first, ask later."<sup>394</sup> Though western interest in China kept attention away from Japan temporarily, the arrival of the American fleet under Commodore Perry in 1853 signaled the end of the shogunate's ability to make foreign policy on their own terms. The shogunate signed a treaty with the Americans in 1854, beginning a process that opened Japan to the world market. It is in this context – the dissolution of the trade guilds and the integration of Japan into the global market – that the cattle traders' organization of Saraike Village experienced its massive growth.

### **The Saraike Cattle Traders and the Geography of Cattle Trading**

Table 1 lists the names, ages, and titles of the Saraike households who held *kawata* cattle trader licenses (*kabu*). Until 1872 the number of cattle traders remained fixed at eleven. Of these, a core group of eight households (numbers 1 through 8) were consistently listed as licensed cattle traders between 1857 and 1872. The other three *kabu* changed hands at some point in the late 1860s, possibly as a result of trading or selling their *kabu*. In some cases, the reason for the

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<sup>394</sup> Howell 2014, pp. 308-13.

switch is clear – for instance, number 9, Shirōbei, died prematurely in 1869 and left an underage heir. The licenses held by these households were issued first by the Tennōji cattle market. After the end of the market’s control in 1870, it became the responsibility of the various prefectures and domains to issue cattle trader licenses. Tatebayashi domain issued licenses to the Saraike *kawata* in 1871, to a cattle trader organization that looked much the same as it had in 1860.<sup>395</sup> The next year, Sakai Prefecture assumed responsibility for regulating cattle traders after Saraike was incorporated into its territory; by this point there were thirteen licensed traders. While 1857 is the earliest we can confirm the existence of the *kawata* cattle trader organization in this form, it is likely that the organization assumed this shape prior to 1857.

The best evidence we have for the Saraike *kawata* cattle traders comes from the documents of the Ishibashi family, who administered the Tennōji cattle market during the Tokugawa period. One of the duties of the cattle market was regulating all cattle traders in the provinces around Osaka – Settsu, Kawachi, Izumi, and Harima. Only those with licenses from the cattle market could act as cattle traders, and these licenses were contingent on the cattle trader following the Tennōji cattle market’s regulations and paying two silver *monme* per head of cattle traded. To meet these demands, most cattle traders formed organizations by village, district, or province. The market kept lists of these licensed cattle traders, and recorded the number of cattle traded per year along with the appropriate fee. Not all of these lists survive, but we do have records for Saraike village between 1861 and 1868.

The Saraike *kawata* cattle traders’ information is found in a larger document containing records of transactions from a grouping the Tennōji cattle market called “*Kashū Senshū kawata*

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<sup>395</sup> The Akimoto Family that controlled Saraike Village was transferred from Kawagoe Domain to Tatebayashi in 1838.



*minami kyūban*,” or “Southern Group Nine: Kawachi and Izumi Province *Kawata*.”<sup>396</sup> This list contained the information for the Saraike *kawata* cattle traders in addition to five other *kawata* villagers: Mukaino and Jōrenji in Kawachi Province, Sugimoto in Settsu Province, and Minami-Ōji and Kashii in Izumi Province. Table 2 lists the number of cattle traders in each village, their yearly dues from 1861 to 1869, and other relevant information contained in the Tennōji cattle market register.

There were considerable differences among these six *kawata* cattle trader organizations. First, the Saraike and Mukaino cattle trader groups were larger and more organized than the other four villages. Both the Saraike and Mukaino cattle traders paid their dues as a group, in contrast to those of the other four, which paid as individuals. These two villages also operated on a scale that dwarfed their neighbors. If we take only Saraike village’s trading in old or sick cattle (*ushi mekiki baibai*), we see 700 *monme* per annum, which reflects at least 350 head of cattle handled per year. Because this number remained constant during the entire period 1861-1868, it was based on an estimate rather than the actual number, which was likely higher than 350. Mukaino Village, which handled only a third of Saraike’s numbers, was still well above the others. None of the other four villages came close to the scale of these two villages’ cattle trading. This is all the more impressive when we consider that Minami-Ōji was home to nearly 850 more villagers than Saraike in the late Tokugawa period.<sup>397</sup>

Second, not all *kawata* villages had the same kind of cattle traders. Saraike and Mukaino handled two kinds of operations: handling sick or old cattle, and importing cattle from regions west of Osaka. While Saraike handled considerably more sick and old cattle than Mukaino (350

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<sup>396</sup> “Kōsen uketori kata: Kashū senshū kawata minami kyūban” [ca. 1861-1869]; MS no. 45, Ishibashi-ke Monjo, Osaka City Archives, Osaka.

<sup>397</sup> The *kawata* population of Saraike in 1858 was 1,147 villagers, while Minami-Ōji had 1,990 villagers. Mita 2015, p. 303.

head to 110), Mukaino imported more cattle than Saraike.<sup>398</sup> Kashii and Minami-Ōji villages only handled infirm animals. The Jōrenji *kawata*, meanwhile, were licensed to trade in healthy draft animals, making them no different from peasant cattle traders.

The register also points to a close relationship between the Mukaino and Saraike *kawata* cattle traders and the regional peasant cattle traders. A man named Chōzaemon from Matsubara Village is listed as the guarantor (*hikiuke nin*) for both *kawata* villages. A guarantor's seal was added to any cattle trader's petition for a license, and promised to pay the annual fees if the petitioners could not meet their obligation. Chōzaemon was a peasant cattle trader from Matsubara Village, less than two miles southeast of Saraike.<sup>399</sup> In the previous chapter, I mentioned the *kawata* cattle trader Kichibei from Harima Province, who successfully petitioned to act as a cattle trader in 1812. On Kichibei's petition, his parent village headman acted as guarantor. Rather than having their parent village headman act as guarantor, the Saraike *kawata* had another cattle trader from a separate village fulfill this role.

Many documents from the Tennōji cattle market insist on different roles for *kawata* and peasant cattle traders in the cattle economy. Peasant cattle traders sold draft animals directly to farmers, while *kawata* cattle traders only purchased old or infirm cattle from peasant cattle traders. In reality, the relationship between peasant and *kawata* cattle traders differed from region to region, and both groups could fulfill either role. For example, the *kawata* of Jōrenji Villagers were licensed to trade in healthy cattle, but also purchased old and infirm cattle. That said, the fragmentary evidence in the Tanaka Family documents indicates that the Saraike *kawata* cattle traders did not directly interact with peasant farmers. Instead, they dealt with either peasant cattle traders or other *kawata*.

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<sup>398</sup> Yagi 1999, p. 56.

<sup>399</sup> "Matsubara Village" was actually a group of four villages, Oka, Tannan, Shindō, and Tachibei.

In the previous chapter, I touched briefly on the emergence of independent cattle traders in central Kawachi who were not affiliated with the cattle market in Komagatani Village, the "cattle traders of the three districts." By the mid-nineteenth century this group had increased in size and organization. No record of this organization survives in the Tennōji cattle market collection, but documents in the Tanaka Family archive make reference to the "cattle traders of the three districts" (*san gun bakurō*). The three districts were Tanboku, Tannan, and Yakami, though in reality the area these cattle traders operated in was restricted to only parts of those districts. They did not operate in Tanboku district north of the Yamato River or in Tannan east of the Habikino Hillock; the former was the territory of the Jōrenji cattle traders, while the latter was that of the Komagatani cattle market. This put the area of operations of the "cattle traders of the three counties" within the *kusaba* territories of Saraike and Mukaino Village, perhaps explaining the relationship between the *kawata* cattle traders of those villages and the peasant cattle traders.

### **Cattle Trader Operations, Legitimate and Otherwise**

The documents from the Tennōji cattle market show the organization of the Saraike *kawata* cattle traders and the extent of their operations. To understand how this group operated in practice, we must turn to the village level. Documents related to the *kawata* cattle traders are not very frequent, and sometimes contains information that contradicts that contained in the Tennōji cattle market documents. Their contents, however, shed light on the *kawata* cattle traders in motion.

The most common type of trading by the Saraike *kawata* cattle traders was the purchase of infirm cattle for the purpose of providing veterinary care. By the mid-nineteenth century, such

animals were purchased from peasant cattle traders. Sick or infirm animals could be purchased for a very low price. One record from 1836 lists the *kawata* buying one male ox for thirteen *monme* and one female ox for forty-five *monme*.<sup>400</sup> Considering that the average price for a healthy ox was 250 *monme*, these animals – and the male especially – could not have been in their prime. If such animals could be nursed back to health and resold, the *kawata* cattle traders could make a substantial profit. But because the *kawata* purchased these animals from other cattle traders and not farmers, it is more likely that they died or were slaughtered in the possession of the *kawata*. Of course, not all the animals handled by the Saraike cattle traders were slaughtered. There are records of *kawata* cattle traders selling healthy or rehabilitated animals, though only to other *kawata* villages. The prices the animals were sold for – 2.5 gold *ryō* (150 silver *monme*) in 1858 and 4.125 *ryō* (247 *monme*) in 1863 – indicate that these animals could still perform farm labor.<sup>401</sup>

The *kawata* cattle traders of Saraike did not gain wealth and prominence in the village through selling live animals, however. Though it is impossible to determine how many of the over 350 head of cattle handled annually by the *kawata* cattle traders were slaughtered, the primary role of the *kawata* cattle traders in the mid-nineteenth century was to acquire as much raw material as possible for the leather trade. The *kusaba* system, as it had functioned in the eighteenth century, no longer fit the economic demands of the mid-nineteenth. The Osaka-based leather market demanded a constant, reliable, and predictable supply of raw material. Waiting for animals in the *kusaba* territory to die could not meet this demand as effectively as cattle traders who bought and slaughtered large numbers of draft animals. The line between a sick ox that

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<sup>400</sup> Doc.129 [1836; Tenpō 7] in *SIMM*, v. 2, p.140.

<sup>401</sup> Doc.137 [1858; Ansei 5] in *SIMM*, v. 2, p. 347 and Doc.244 [1863; Bunkyo 3] in *Ōsaka no burakushi*, v. 3, p. 347.

could plausibly be nursed back to health and one that was beyond saving was not clear to anyone unfamiliar with cattle. Nor was it clear when exactly it was acceptable to begin disposing of draft animals. Slaughtering healthy cattle was clearly illegal, but what about easing the passing of those near death? It was in these gray areas of Tokugawa law that the cattle traders operated.

The village authorities in the mid-nineteenth century tried to halt cattle slaughter, much like their counterparts earlier in the century. But due to the expansion of the cattle trader organization, stopping cattle slaughter was more difficult. This is clearly demonstrated by a case from 1857, when the frequency of cattle slaughter in the village attracted the attention of the Saraike peasant village headman. Early that year he ordered a halt to all cattle trading activities by the *kawata* under his jurisdiction.<sup>402</sup> The headman based his decision on the frequency of cattle slaughter caused by *kawata* cattle traders – licensed or otherwise – who were buying larger numbers of sick and infirm cattle. The ban was evidently effective; shortly after it was issued, the licensed cattle traders of the *kawata* village, along with the *kawata* village leadership, issued a petition requesting the end of the headman's ban. The *kawata* cattle traders also sent a promissory note guaranteeing an end to illegal activities; this prompted the headman to relent just four months after putting the ban in place.

The promissory note submitted by the Saraike cattle traders helps illustrate why illegal cattle slaughter in the mid-nineteenth century was such a difficult practice to stop. The authors of the note – all of whom were licensed *kawata* cattle traders – blamed incidents of cattle slaughter on unlicensed cattle traders who pretended to be affiliated with the Tennōji cattle market. Those *kawata* cattle traders who were licensed played an important role in local agriculture, the signatories claimed, by providing veterinary care and appraisals of new oxen for peasant

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<sup>402</sup> Doc.342 [1857; Ansei 4.6] in *SIMM*, v. 2, pp. 958-9.

households. The authors noted that the blanket ban on all cattle trading activity was such a blow to local farmers that it was necessary for the ban to be lifted. There must have been some truth to this claim, otherwise the headman would have no reason to relent so soon on his ban.

The headman was not powerless to control this situation. In fact, the petition makes it clear that he had the ability to halt any cattle trading activities by the *kawata* under his jurisdiction. If the headman's power was ineffective, there would be no need to petition him for an end to the ban on cattle trading, and so soon after the ban was enacted. However, there were limits to what the headman could reasonably achieve. Banning all cattle trading activities was clearly a detriment not only to the *kawata* cattle traders, but to regional agriculture. Outside of stopping all cattle trading activity, the headman's only other option was to rely on the licensed *kawata* cattle traders to police for illegal actions like buying large numbers of old and infirm cattle. This was a reasonable course of action – one of the claims of the Tennōji cattle market was that their licensed cattle traders policed other non-licensed cattle traders for illegal activities. In fact, the Osaka authorities had previously relied on the Saraike *kawata* cattle traders one year earlier to track down a stolen ox.<sup>403</sup>

For policing for cattle slaughter, however, there was no worse group than the licensed *kawata* cattle traders. True, the last time any of them was arrested for cattle slaughter was in 1839, eighteen years before the events surrounding the promissory note discussed above.<sup>404</sup> But while the licensed *kawata* cattle traders themselves did not necessarily slaughter cattle, they were intimately connected with those who did. In 1872, after beef production was legalized, the Saraike headman compiled a list of all active butchers in the village. By comparing this list with

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<sup>403</sup> Doc.136 [1856; Ansei 3] in *SIMM*, v. 2, pp. 311-13.

<sup>404</sup> Doc.131 [1839; Tenpō 10] in *SIMM*, v. 2, pp. 205-6.

population registers from 1861-1871, we see that the butchers of the village were all related through blood or marriage to the licensed *kawata* cattle traders.

For example, take the licensed cattle trader Shirōbei (Table 3). Both his younger brother and brother-in-law were listed in 1872 as butchers, while his sister-in-law was the daughter of a third butcher. Shirōbei also had a niece who was married to another licensed cattle trader, Uemon. This Uemon's sister-in-law was the daughter of another cattle trader, Sasuke, while his nephew was yet another butcher. There are many more connections such as these, all of which make it difficult to disentangle the licensed *kawata* cattle traders from those who slaughtered cattle.<sup>405</sup>

We see hints of a larger group of villagers surrounding the licensed *kawata* cattle traders from portions of the 1857 promissory note. In one clause, the petitioners promised to cease using subordinates as cattle drivers and instead handle the animals themselves. This promise was ignored, and the *kawata* cattle trader organization depended on unlicensed villagers in their day-to-day operations. These cattle drivers were not always the most upstanding members of Saraike society. In 1850 (Kaei 3), two Saraike *kawata* cattle drivers (*ushi kata*) were pursued by the Osaka city magistrate for committing manslaughter.<sup>406</sup> During the investigation, it was revealed that both cattle drivers were unregistered (*mushuku*). Other cattle drivers had explicit connections with cattle slaughter. One villager, Sōjirō, is listed as "cattle driver Sōjirō" in a number of different documents.<sup>407</sup> This same Sōjirō also appears on later lists of Saraike butchers, indicating that he acquired his skills while working under the Saraike *kawata* cattle traders.

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<sup>405</sup> Doc.49, 53, 60, 65, 69, 76, 80, and 84 [1861-1872] in *SIMM*, v. 1, pp. 321-385, 400-467, 557-619, 632-694, 706-767, 790-851, 864-926, and 939-989.

<sup>406</sup> Doc.134 [1850; Kaei 3] in *SIMM*, v. 2, pp. 280-81

<sup>407</sup> For example, see Doc.750 [1870; Meiji 3] in *SIMM*, v. 3, p. 937.

The operations of the Saraike *kawata* cattle traders did not just attract elements of *kawata* plebeian society; local peasants too found ways to cooperate. Unregistered villagers and others living on the margins of society knew that stolen cattle, if sold to the *kawata*, would likely disappear soon after. In one case from 1856, a *kawata* villager named Nagazō was arrested for being in possession of a stolen ox.<sup>408</sup> Nagazō claimed that he did not know the animal was stolen, and had purchased it fairly from a peasant named Mataemon in nearby Taii Village. But when he tried to contact this Mataemon, Nagazō discovered that he had run away from his village, and was now unregistered. The stolen animal was removed from Nagazō's possession and returned to its original owner, while Nagazō himself was sentenced to house arrest.

### **Rental Cattle and Conflict Within *Kawata* Communities**

*Kawata* cattle traders purchased animals no longer fit for labor in order to slaughter them for their hides. These hides were then sold as the *kawata* cattle trader's personal property, thereby bypassing the established route for dealing in carcasses represented by the *kusaba* system. The circumvention of the *kusaba* system naturally brought *kawata* cattle traders into conflict with those *kawata* villagers who held *kusaba* rights. Though the profits from the *kusaba* system were not shared collectively but controlled only by those households with the traditional rights (*kabu*), this system differed from the method of the cattle traders in that it relied on the mediation of the social group.

This tension between the *kawata* cattle traders and old village elites was represented most vividly in the *kawata* community of Jōrenji, just two miles north of Saraike. In 1863, a dispute broke out between the old elite of the *kawata* community of Jōrenji village and Genshirō, one of

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<sup>408</sup> Doc.136 [1856; Ansei 3] in *SIMM*, v. 2, pp. 311-12.



the village's *kawata* cattle traders. Records of the dispute kept by the headman of Jōrenji village contain petitions from both sides of the dispute, as well as letters from the Tennōji cattle market, which sought to intervene on behalf of one of their licensed members.

According to the *kusaba* right holders, eight years earlier the *kawata* community had fallen into debt when repairs were made to the village's temple.<sup>409</sup> In order to repay their debt, the villagers agreed to pool all profits from the village's *kusaba* territory. Recently, however, the villagers had not received a single report of dead livestock from the nineteen villages in their territory. When they investigated, the *kawata* villagers discovered that three years earlier, the *kawata* cattle trader Genshirō had illegally taken possession of the dead property of Jūemon, village elder (*mura toshiyori*) of the peasant community. Supposedly, Genshirō secretly retrieved the carcass at night while claiming to be one of the licensed *kusaba* right holders. He then sold the carcass and kept the profits for himself.

The petitioners insisted that this was not a onetime occurrence, but had happened several times in their territory. They complained that Genshirō was selfishly taking the profits from selling carcasses even though he had promised to contribute this money to solving the village's debt like all the other villagers. Were Genshirō allowed to get away with this, then other villagers would begin to treat carcasses as their private property, and the village would never repay its debt. The petitioners also said that they had already tried to resolve this incident among themselves, but Genshirō obstinately refused to cooperate. They asked that the Jōrenji village headman order Genshirō to cease his cattle trading activities.

A few days later, Genshirō countered with a petition of his own.<sup>410</sup> He first rebutted the claim that he had illegally taken possession of village elder Jūemon's dead ox. In Genshirō's

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<sup>409</sup> Doc.236 [1863; Bunkū 3.8] in *Ōsaka no burakushi*, v. 3, pp. 340-342.

<sup>410</sup> Doc.241 [1863; Bunkū 3.8.27] in *Ōsaka no burakushi*, v. 3, p. 345.

version, the animal that he sold to Jūemon was actually being rented. Because Jūemon never purchased the animal, it remained Genshirō's property. Crucially, Genshirō then asserted that any animal owned by a cattle trader licensed by the Tennōji cattle market, peasant or *kawata*, was treated differently from that of a peasant farmer. While the oxen of peasant farmers were, without question, to be turned over to the *kawata* who held *kusaba* rights, any cattle trader's animal remained the property of that household even after death. Genshirō argued that, as the ox he had rented to Jūemon had not actually been sold but leased, the animal was still Genshirō's property when it died, so he was free to dispose of the carcass as he saw fit.

After another petition from the rest of the *kawata* of Jōrenji, along with a fistfight between Genshirō and other *kawata*, the headman of Jōrenji village eventually decided against Genshirō.<sup>411</sup> The headman ordered Genshirō to cease all cattle trading activities, which was reflected in the Tennōji cattle market's records.<sup>412</sup> However, this ban lasted only two years, after which Genshirō was allowed to resume his activities. Petitions authored by the Jōrenji *kawata* during this two-year period also claim that Genshirō continued to buy and sell cattle despite the headman's ban.<sup>413</sup>

On two occasions during this dispute, officials from the Tennōji cattle market attempted to intervene on Genshirō's behalf.<sup>414</sup> Though the headman of Jōrenji village appears to have simply ignored these letters, they reveal how the Tennōji cattle market understood *kawata* cattle traders. In one letter, representatives of the cattle market claimed that "We hear that this issue came about because Genshirō illegally sold an ox carcass. However, since he is of [*kawata*]

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<sup>411</sup> Doc.243 [1863; Bunkū 3/9] in *Ōsaka no burakushi*, v. 3, p. 346.

<sup>412</sup> "Kōsen uketori kata: Kashū Senshū kawata minami kyūban" [ca. 1861-1869]; MS no. 45, Ishibashi-ke monjo.

<sup>413</sup> Doc.245 [1863; Bunkū 3/11/19] in *Ōsaka no burakushi*, v. 3, pp. 347-348.

<sup>414</sup> Doc.234 [1863; Bunkū 3/7] and Doc.240 [1863; Bunkū 3/8/27] in *Ōsaka no burakushi*, v. 3, pp. 339-340 and 344-345.

status, it is not a problem if he sells ox carcasses....” In other words, the Tennōji cattle market was unaware of, or apathetic towards, the distinction between those who did and did not hold *kusaba* rights within a *kawata* village. Considering that this was the organization responsible for managing all cattle traders in the Kinai region, it is significant that they did not see the sale of livestock carcasses by the *kawata* cattle traders under their control as illegal.

The Jōrenji documents demonstrate the logic by which *kawata* cattle traders circumvented the *kusaba* system and sold dead livestock as their own property. When animals owned by farmers died, ownership of the carcass clearly passed to the owners of *kusaba* rights. However, “rental cattle” was an ambiguous category. According to Genshirō, such an animal remained the legal property of the cattle trader, even if the rented animal was used for agricultural labor by a peasant farmer. As a cattle trader licensed by the Tennōji cattle market, Genshirō’s cattle were his status-based property. By the time of Genshirō’s dispute, the principle that only those licensed by the Tennōji cattle market could trade in cattle had been in effect for a century. Genshirō was now extending that logic to dead cattle. In his view, transferring his dead property to the *kusaba* holders was a sale.

The holders of *kusaba* rights, meanwhile, asserted that claims of “rental cattle” were just a fabrication by Genshirō to steal ox carcasses that were their rightful property. This was a legal problem for which there was no longstanding precedent. When the *kusaba* system was developed, the concept of rental cattle did not exist. The animal that Genshirō rented to the village elder Jūemon was clearly being used for agricultural labor. When such an animal died, it had been regarded as the property of the holders of *kusaba* rights. Yet, as this rental ox had not actually been sold to Jūemon, legally it remained Genshirō’s property; as such, Genshirō was permitted to sell the carcass as he saw fit. Perhaps he could be accused of following the letter of

the law only to evade the spirit of the law. The village authorities did not agree with Genshirō's arguments, and banned him from cattle trading for two years. The ban was ineffective, however, and Genshirō had the Tennōji cattle market on his side.<sup>415</sup>

Whatever the rationalizations deployed by *kawata* cattle traders, their goal was to use their unique position to claim the profits of the leather trade. But by circumventing the *kusaba* system of *kawata* control over dead livestock, the cattle traders were increasingly rendering that form of status-based property obsolete. This is not to say that the cattle traders were operating outside the logic of the status system.<sup>416</sup> Genshirō's arguments relied on his own *kawata* status and the special privileges held by those licensed by the Tennōji cattle market. But by purchasing and selling animal carcasses as individual households, Genshirō and those like him tacitly recognized the rights of former cattle owners to sell their dead property. These cattle traders anticipated a regime of property relations that treated draft animals, alive or dead, as alienable private property. When *kawata* status and status-based property was abolished in 1871, it was *kawata* cattle traders who were better prepared to make the transition.

By the end of the Tokugawa period, the *kawata* cattle traders represented an alternative route of circulation for cattle hides that did not rely on the *kusaba* system. *Kawata* cattle traders not only oversaw the slaughter of cattle for skins, but also illegally purchased carcasses rather than turning them over to the *kawata* who held *kusaba* rights. Their partners in this were the peasant cattle traders, who were eager to tap into the profits of the lucrative leather trade. Yet for

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<sup>415</sup> Two months after the headman enacted his ban, Genshirō's fellow villagers petitioned their headman alleging that Genshirō had purchased or sold cattle on five different occasions since being banned from cattle trading. When this ban was lifted after two years, the *kawata* of Jōrenji once again petitioned their headman to stop Genshirō's cattle trading activities. This time, however, they were rebuffed, and required to submit a formal apology to Genshirō. Doc.245-6 [1863-5; Bunkū 3, Keiō 1] in *Ōsaka no burakushi*, v. 3, pp. 347-50.

<sup>416</sup> In her study of the mobilization of *hinin* for execution duty in Ōno domain in the late Tokugawa period, Maren Ehlers notes that "the flexibility of the status system, and its reliance on a set of rules that were easily bent but not easily broken." Ehlers 2010, pp. 76-87.

all the challenges faced by the *kusaba* system – and by extension the whole status system – in the late Tokugawa period, it would still be a mistake to say that this system was ready to collapse on its own. As Genshirō’s case demonstrates, *kawata* cattle traders were able to handle sick and old cattle precisely because they were *kawata*. Centuries of *kawata* disposal of dead animals, and the vast expansion of leather production in particular, gave these communities as a whole an association with carcasses. In other words, while *kawata* cattle traders were circumventing the *kusaba* system, that circumvention depended on the very social relations engendered by that system. The conflict between property based on the logic of status and new property relations represented by the cattle traders would not be resolved until the abolition of the status groups in 1871.

### **Reorganizing Local Society: The *Kawata* in the Meiji Restoration**

In 1867 a coalition of western domains led by Satsuma and Choshū began their sweep eastwards, culminating in the fall of Edo in May 1868. Shogunal loyalists kept up the fight for another several months, but by 1869 the last vestiges of military resistance to the Meiji Emperor were defeated. While the slogan of many supporters of the Restoration was “revere the emperor and expel the barbarians” (*sonnō jōi*), the new Meiji government continued the westernizing trend that Japan had been on since the late 1850s in an effort to place Japan on the level of the industrialized West.

The Restoration came to Kawachi and the other Kinai Provinces before the final defeat of the Tokugawa. In February 1868, shogunal forces withdrew from Osaka Castle, leaving this all-important city to the imperial forces. The Restoration government quickly seized control of all shogunal land in the Kinai and the tax revenue they provided. The lands of those daimyo who did

not actively resist the new government, however, were left untouched until the autumn of 1871. Until then, domains like Tatebayashi remained in place, and in control of their Kinai lands. Between 1868 and 1872, divided control of Saraike Village continued as it had, with twenty-percent of the village under Meiji government control, and eighty-percent under the Akimoto Family of Tatebayashi Domain.

The shifting, chaotic nature of local control between 1868 and 1872 is reflected in the cattle traders of the Kinai. The Tennōji cattle market survived the fall of the Tokugawa shogunate, but was not long for the world after losing the support of the Osaka city magistrate. During the Tokugawa period, the Tennōji cattle market's ability to enforce its authority over regional cattle traders depended on the power of the magistrate. This is why the cattle market's territory was roughly coterminous with the area of jurisdiction of the Osaka city magistrate. Following the fall of Osaka to the Imperial army in 1868, the Tennōji cattle market lost this important enforcement arm. The market's administrators petitioned the Osaka city authorities in 1869 to uphold their old privileges, and the authorities issued an order to all villages under their jurisdiction to this effect. However, the area administered by the Osaka city authorities in 1869 was limited to the city proper and surrounding lands formerly held by the shogunate or shogunal bannerman; its reach was not the same as the Osaka city magistrate. The Tennōji cattle market lingered on for another year before its old authority was finally abolished in 1870.<sup>417</sup>

Between 1868 and 1872, when Sakai Prefecture assumed control over all of Kawachi Province, the regulation of the cattle trade fell into disarray. In addition to the licenses issued by the Tennōji cattle market (valid until 1870), different prefectures and domains issued their own

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<sup>417</sup> [1870; Meiji 3.3.15] in *Ōsaka-fu furei shū*, v. 1, p. 249.

licenses for cattle traders. Still, the groups that had formed to meet the demands of the Tennōji cattle market during the Tokugawa period continued into the Meiji Period.

The Saraike cattle traders represent a perfect example of this. In 1869 (Meiji 2) Tatebayashi Domain sent an inquiry to villages under its administration regarding the number of villagers holding any kind of license.<sup>418</sup> The Saraike headman issued a reply that listed eleven men as holding cattle trader licenses; this group was nearly identical to the one in the Tennōji cattle market's rolls. When the licenses were issued two years later, it was to these same eleven individuals.<sup>419</sup>

### **Status in Early Meiji Japan**

One of the most revolutionary effects of the Meiji Restoration was the dismantling of the status system and the reorganization of the Japanese populace into a body of equal citizens.<sup>420</sup> During the Tokugawa period, rule by status was the principle by which the populace was governed. Villages, city wards, and other self-governing entities were responsible for carrying out the laws of the shogunate and daimyos. While status proved remarkably flexible through the period of economic growth and social transformation seen in the late Tokugawa period, it was not up to the challenges of the modern era. In the years after the Meiji Restoration, the social group as a mediator between the individual and the state was dismantled as individual households were registered (*koseki*) and taxes paid directly to the state, not through the social group.

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<sup>418</sup> Doc.141 [1869; Meiji 2] in *SIMM*, v. 2, pp. 530-1.

<sup>419</sup> Doc.142 [1871; Meiji 4] in *SIMM*, v. 2, pp. 556-7.

<sup>420</sup> This excludes the emperor, as well as certain aristocratic families. Additionally, some former samurai remained classified as “gentry” (*shizoku*) until the end of World War II.

Still, status was not rendered immediately irrelevant after 1868. Yokoyama Yuriko demonstrates that between the Meiji Restoration and the *koseki* law of 1871, the Meiji government used status as a mechanism to control the populace after the turmoil of the late Tokugawa period. There were many transient people displaced, not just unregistered villagers but also samurai who abandoned their domains. In the aftermath of the Restoration, the government moved to reassert status rules, such as residency restrictions in cities and countryside. Only peasants were to occupy land in peasant villages, only samurai were to reside in samurai sections of cities, and so on.<sup>421</sup> In the rural areas of the Kinai plain, the local state authorities maintained the distinction between *kawata* and peasants until the abolition of *kawata* in 1871.

A clear picture of the continued salience of status in the early Meiji period comes from a dispute between the peasant cattle traders of central Kawachi Province and six *kawata* villages in early 1870. The cattle traders, tired of the restrictive *kusaba* system and wanting to operate more in the open, petitioned Sakai Prefecture to allow the free trade of cattle carcasses. This was met by a counter-petition from five *kawata* villages, including Saraike, that requested the prefecture to continue upholding the legality of the *kusaba* system and *kawata* control of dead cattle. Though this system of property would be abolished less than one year later, Sakai Prefecture denied the cattle traders' petition, thus maintaining the *kusaba* system in the short term. This case reveals that, while the cooperation between peasant and *kawata* cattle traders had thoroughly undermined status-based property, it was not about to disappear on its own. Moreover, the remarkable detail provided by the documentation this case produced gives a thorough picture of the carcass trade in the late nineteenth century.

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<sup>421</sup> Yokoyama 2005, pp. 147-48



The documentation related to this dispute is extensive.<sup>422</sup> The petitions of the cattle traders and *kawata* both survive, as does an account of the events surrounding the petitions created by the Saraike Village headman. There is also a letter sent by the headman to Tatebayashi Domain during the dispute and an order by the domain regarding the status of cattle carcasses. First, I focus on two disputes between the *kawata* and cattle traders that acted as the catalyst for the cattle traders' petition. These reveal how the exchange of carcasses actually functioned at a time when private exchange and status-based rights coexisted. Then I turn to the contents of the petitions to show the logic by which each side operated.

### **Contesting *Kusaba*: Cattle Traders and *Kawata***

The first incident began when an ox died in Funadō Village, a few miles northwest of Saraike. The animal was being leased from a peasant cattle trader from Matsubara Village named Tōsaborō, and the peasants of Funadō contacted Tōsaborō for a replacement ox. Although Funadō was in Saraike's *kusaba* territory, neither the peasants of that village nor Tōsaborō contacted the Saraike *kawata*. Tōsaborō provided the Funadō peasants with a replacement ox and removed the carcass of the deceased rental ox. He dismembered the carcass and then sold the constituent parts to a *kawata* from Mukaino Village named Gonbei for one gold *ryō*. Gonbei did not own *kusaba* rights, and in any case was buying a carcass from another village's territory; knowing the risk Gonbei was taking, Tōsaborō promised to compensate him if he ran into trouble. Gonbei then traveled across *kusaba* boundaries to Saraike, where he sold the carcass to Matsutarō, another unlicensed villager, for 1.3 *ryō*, earning a profit. Matsutarō himself did not have the cash to buy the carcass, and was acting as a go-between for the true buyer, Hanbei.

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<sup>422</sup> Doc.33 [1870; Meiji 3] in *Matsubara-shi shi*, v. 5, pp. 102-107 and Doc.142 [1870; Meiji 3] in *SIMM*, v. 2, pp. 563-73.

However, Matsutarō was discovered by members of the Saraike *kusaba* group. The illegally obtained carcass was confiscated in Saraike, while the money Matsutarō paid to Gonbei was seized when Gonbei returned to Mukaino Village, then delivered back to Hanbei and Matsutarō. Gonbei then returned to the peasant cattle trader Tōsaborō to receive his promised compensation, which Tōsaborō delivered. The next day, Tōsaborō and his local cattle trader representative Ichimatsu contacted the headman of Saraike Village, insisting that the Saraike *kawata* had “stolen” Tōsaborō’s property. The culprits they singled out were Matsutarō and another *kawata*, Rihachi, who seemingly had no connection to this case. The Saraike headman declined to take up the matter, telling the cattle traders that Tōsaborō’s carcass legally belonged to the Saraike *kawata* under the *kusaba* system.

A key detail in the case is Tōsaborō’s insistence that the *kawata* Rihachi played a role in stealing his property. Rihachi had been a licensed *kawata* cattle trader since at least 1857 and was the de-facto leader of the Saraike *kawata* cattle trader organization.<sup>423</sup> Matsutarō was not a licensed cattle trader himself, but was likely a cattle driver under Rihachi. Hanbei, the villager who provided Matsutarō with the cash to buy the carcass, was a member of a branch family of the Kawachiya Tōbei merchant household. The Saraike headman’s account does not specify Rihachi’s role, but he likely used his legal status as a *kawata* cattle trader to purchase a “sick” ox from Gonbei.<sup>424</sup> Rihachi did not anticipate that the *kusaba* holding *kawata* would discover Matsutarō’s purchase, but this had no consequences for him. From Tōsaborō’s perspective, the Saraike *kawata* purchased his dead property, then through legal chicanery confiscated both the

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<sup>423</sup> For example, Rihachi was responsible in 1870 for the conduct of another *kawata* cattle trader, Kisuke. After Kisuke had committed an unspecified infraction, it was Rihachi who mediated between Kisuke and village authorities. Doc.142 [1871; Meiji 4] in *SIMM*, v. 2, pp. 556-7.

<sup>424</sup> One tactic of *kawata* cattle traders was to purchase a carcass from a peasant cattle trader under the pretense that it was a not-yet-deceased “sick” animal.

money and carcass. That Tōsaborō would so brazenly inform the Saraike headman of this dispute and demand the headman's aid in "recovering" his money shows that he had a reasonable expectation to receive a favorable reply.

The next incident in the larger dispute between the peasant cattle traders and *kawata* occurred a few days later. Shinzaburō, another peasant cattle trader, informed the Saraike *kawata* that his ox had died in his home village of Bodai, which was in Saraike's *kusaba* territory. Shinzaburō told Seigorō, the *kusaba* representative, that the ox was a massive, full grown bull; the carcass was worth eight *ryō*. He also claimed that at least six men would be needed to handle the carcass. Shinzaburō demanded half the value of the carcass, or four *ryō*, in compensation. Seigorō paid him three *bu* – ten percent of the ox's declared value – and dispatched six men to retrieve the carcass. But when the *kawata* arrived at Bodai Village, they discovered that Shinzaburō's dead ox was just a newborn calf. The carcass was worth only two gold *bu*, less than the finder's fee Seigorō had paid Shinzaburō.

Seigorō protested, and demanded that Shinzaburō return the three *bu* finder's fee as well as refund Seigorō for the wages paid to the six porters. Shinsaburō refused, and now demanded that the *kawata* leave the carcass at the nearby flaying grounds (*ushi hagi ba*), then leave Bodai Village. The *kawata* complied, and left without taking possession of the carcass. The next week, forty to fifty peasant cattle traders gathered in Imai Village and crafted a petition to Sakai Prefecture. They requested an end to the *kusaba* system and the freedom to sell their dead property.

As these two incidents reveal, the system of status-based property was still relevant even as it was being undermined. When Shinsaburō contacted the Saraike *kawata*, men were ready to retrieve his dead animal. There were also individuals within Saraike who could determine that

the carcass purchased by Matsutarō in fact belonged to the holders of *kusaba* rights. For this to be possible the animal must have been branded in some way, though the document gives no hints as to how.<sup>425</sup> To circumvent this system, cattle traders like Tōsaborō developed networks to sell carcasses across *kusaba* territorial lines, as the role of Gonbei from Mukaino village demonstrates. That way, they could avoid the potential identification of the illegally obtained carcass.

Again, we see the issue of carcass ownership with rental cattle. In the *kawata* dispute with Shinzaburō, the cattle trader refused to hand over his dead ox when the *kawata* demanded repayment for Shinzaburō's deception. Then, he was able to demand that the *kawata* deposit the carcass at the flaying grounds and depart. In other words, the animal remained Shinzaburō's property even after it died. He could not sell it, but neither could the *kawata* confiscate it as their own. Something similar occurred in Tōsaborō's case. When the rental ox died, the peasants handed the animal to Tōsaborō instead of contacting the *kawata*. When the carcass was seized by the Saraike *kawata* after it was sold to an unlicensed villager, Tōsaborō was so convinced he was in the right that he directly contacted the Saraike peasant headman.

In his study of labor and civil society in modern Japan, historian Tōjō Yukihiro discusses the idea of property in late Tokugawa society.<sup>426</sup> He argues that, prior to the Meiji Restoration, a shared notion of property and exchange permeated the emerging civil society.<sup>427</sup> He points to three characteristics: a mutual understanding of the inviolability of property; the freedom to

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<sup>425</sup> In other villages, carcasses could only be handled after inspection by the *kawata* village leadership, who also provided a document certifying the animal had died of natural causes. Katsuo 2000, pp. 109-137, and Machida 2013, pp. 2-48. In Saraike, villagers were required to inform their headman when they acquired a new animal and provide a description of the animal.

<sup>426</sup> Tōjō 2005, pp. 45-73, 129-131.

<sup>427</sup> In Tōjō's study, civil society as it existed in early modern Japan was not characterized by a mass of individuals, all legally emancipated citizens. Instead, it is a composite (*fukusōteki shimin shakai*) of self-regulating social organizations that he calls *dōshoku shūdan*. This form of civil society emerged in the late Tokugawa period.

freely dispose of one's property; and the idea that forces outside the market cannot alienate one's property. We can see Tōjō's insights reflected in this dispute over carcasses. The *kusaba* system dictated that only those who possessed *kusaba kabu* had the right to buy or purchase carcasses. Yet so long as carcasses remained a uniquely *kawata*-status form of property, the division between those with and without *kabu* was bound to be lost on many outside the *kawata* community. Meanwhile, the cattle traders – including the *kawata* Genshirō discussed above – clearly believed that their animals remained their property even after death, and could not be taken from them without their consent, which required monetary compensation. Many *kawata* cattle traders, seeking to sell cattle hides as their own property, agreed.

For most of the Tokugawa period, the logic of the status system dictated that carcasses automatically became the property of the nearest *kawata* community, and more specifically, the household that owned the rights to that section of the territory. But this system was predicated on the assumption that cattle died in the possession of peasants, who had neither the ability or the desire to handle carcasses. Cattle traders like Tōsaborō, whose livelihood depended on their animal property, had no qualms about handling carcasses. With cattle traders holding property rights over an ever-larger share of cattle due to the increase in rental cattle, they developed a greater interest in treating their animals as their property even after death. *Kawata* cattle traders and others excluded from *kusaba* rights were happy to cooperate with peasant cattle traders' desire to sell carcasses as their own property. In this way, the notion of carcasses as the property of their former owners, not that of the *kusaba*-holding *kawata*, developed amongst broad sections of rural society.

This new system of property relations was not necessarily due to a new mindset by those involved, but rather the logical outcome of local practice. Even if ownership rights over

carcasses still transferred to the *kawata* in principle, they had no means to enforce their claim. As early as 1796, the authorities indicated an unwillingness to intervene in “*kawata* matters.” Furthermore, even if the state was willing to intervene for the *kawata* and force cattle traders to hand over their dead property, the *kawata* needed time to petition and wait for a response.<sup>428</sup> And while the *kawata* waited, they risked further decay to the carcass. Thus, it made more sense for the *kawata* to work out an arrangement with the cattle traders to ensure the timely release of carcasses. In so doing, they revolutionized property rights.

## Two Petitions

The peasant cattle traders submitted their petition to Sakai Prefecture in late spring 1870. Forty to fifty cattle traders gathered to craft the petition, which was affixed with the seals of seven representatives, drawn from villages across the region. The petition began by stating that, for as long as anyone could remember, all cattle carcass were given to the *kawata* of Saraike or Mukaino village. In earlier times, the price of cattle, along with most other things, was quite low. As such, peasants did not mind turning over their dead cattle to the *kawata* for no compensation. Recently, however, the price of cattle had risen six-fold, to the point where an ox that had cost 200 or 300 silver *monme* now cost 20 to 30 gold *ryō*. The value of dead cattle had risen as well: the cattle traders claimed that an ox purchased for 10 gold *ryō* was still worth seven or eight *ryō*

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<sup>428</sup> Even when the state intervened in the favor of the *kawata*, it did not compensate for the loss of a carcass. Only two months after the end of the suit between the Saraike *kawata* and cattle traders, yet another dispute broke out in nearby Kitanoda Village, which was under the control of Tannan domain. A cattle trader named Giemon refused to hand over his dead property, and the *kawata* petitioned the domain for assistance. The domain agreed that the cattle trader was in the wrong, but only took the step of issuing orders to all villages under its jurisdiction that carcasses be handed over to the *kawata* in accordance with traditional practice. In the interim, the carcass at the heart of the dispute was rendered valueless when the summer heat caused irreparable decay. Doc.347 [1870; Meiji 3.6] in *SIMM*, v. 2, pp. 971-3.

dead. Because of this, peasants now wanted to be able to sell their dead cattle themselves, then use the proceeds to purchase a replacement animal.

But, the cattle traders continued, when the *kawata* of Saraike and Mukaino villages heard of the peasants' demands, they closed ranks and insisted that they would not purchase dead cattle. All they would provide was a finder's fee of five to ten silver *monme* to the former owner, based on how far they had to travel to inform the *kawata* of the death of their cattle. In contrast, the cattle traders insisted that there were "third parties" (*hoka kata*) who would purchase dead cattle for ten, fourteen, or even fifteen gold *ryō*, an amount over sixty times the value of the finder's fee the *kawata* were providing. If peasants were allowed to sell their carcasses to these third parties – through the mediation of the cattle traders – they could use the proceeds to buy a replacement ox. Unlike large landowners, smallholders could not afford to replace an ox that died prematurely. The cattle traders claimed that the fact that peasants had to settle for such a meager amount from the *kawata* was a huge blow to the morale of peasant farmers.

The cattle traders ended their petition with the request that the prefectural authorities order that henceforth dead livestock could be freely sold like any other commodity. This would ensure the prosperity of peasant households by allowing farmers to get a fair price for their dead livestock, and use that money to purchase a replacement animal. By extension, the cattle traders would also prosper. This petition was submitted to the Sakai authorities on the fourth day of the fifth month. Breaking from precedent, the cattle traders submitted their petition directly to the prefectural authorities. They had neither secured the permission of their village headman, nor that of their domains. But after repeated pleas by the cattle traders, the Sakai prefectural authorities agreed to review the petition.

When the *kawata* heard of the cattle trader petition, they quickly drew up a counterpetition. This was signed by the *kawata* village leadership and *kusaba* representatives (*kusaba sōdai*) of five *kawata* communities: Saraike, Mukaino, Hayashi, Shindō, and Jōrenji. The seals of each community's peasant village headman were also affixed. Finally, those villages that lay outside of Sakai Prefecture's control (Saraike, Mukaino, and Hayashi) received permission from their respective daimyo domains to petition Sakai Prefecture; this counterpetition was presented five days after the cattle traders' original petition. The petition of the cattle traders only carried the backing of their organization; the *kawata* had the support of the traditional sources of power in local society.

The *kawata* counter-petition made no mention of the price of cattle or the hardships of the peasantry. Instead, they concentrated on defending their continued property rights over draft animal carcasses. The petitioners claimed that they had held *kusaba* rights since "time immemorial" (*ōko jindai yori*), and received this right in exchange for the services they provided to local villages. Moreover, they claimed, their status-based right could not be abolished without breaking down the barrier between *kawata* and commoners. Finally, the *kawata* representatives claimed that if their status-based rights were abolished peasants and peasant cattle traders could sell carcasses to any *kawata*, which would impoverish the petitioners.

After receiving the *kawata* counter-petition, Sakai Prefecture quickly summoned two representatives of the peasant cattle traders and issued its decision: the *kusaba* system was to be maintained. The prefecture ordered that, despite the "new era" (*goisshin tari tomo*), bovine and equine carcasses must be turned over to the *kawata*, and specifically, only those with *kusaba* rights. There was to be no distinction between those animals that had been owned by peasants and those owned by cattle traders. Recall that this distinction was used by the *kawata* cattle



trader Genshirō to justify his continued control over “his” dead property. The prefecture also demanded that carcasses not be sold across *kusaba* territorial lines, or given to poor (*komae*) *kawata* villagers. Turning to the *kawata*, the prefecture ordered them not to purchase carcasses that originated in a neighboring *kusaba* territory. The prefecture may have sided with the *kawata*, but it was aware that peasant cattle traders were not the only group circumventing this status-based right.

The prefectural government ordered the representatives to disseminate the prefecture’s decision to the other cattle traders and *kawata* villages. It also issued orders to the nearby daimyo domains to circulate the prefecture’s ruling to the villages under their control. Crucially, however, Sakai Prefecture took no additional steps to enforce its decision. The cattle traders were admonished, but not punished, while the decision to issue orders supporting the *kusaba* system was up to the individual domains. Tatebayashi Domain, which controlled Saraike, issued such an order only two days after Sakai Prefecture reached its decision, and also ordered two of the cattle trader representatives confined to irons for three days. But another domain, Tannan, ignored Sakai’s request. With little to no active interest by the local authorities in enforcing *kusaba* rights, the cattle traders simply returned to business as usual, or found other ways to sell their carcasses.<sup>429</sup>

Fujimoto Seijirō characterizes the petition of the cattle traders as representing a broad coalition of lower-class peasants, while the counter-petition from the *kawata* only represented the narrow interests of the wealthy *kawata* village elite.<sup>430</sup> The cattle traders were also supposed to be operating in a more “modern” mindset, as they called for the end of feudal privilege and the opening of the trade in cattle hides to all. On the surface, the contents of each petition bear this

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<sup>429</sup> Doc.351 [1870; Meiji 3] in *SIMM*, v. 2, pp. 981-5.

<sup>430</sup> Fujimoto 1977, p. 18-20. For this view see also Gotō 1975, pp. 47-59.

argument out. The peasant cattle traders claimed that their ultimate goal was to benefit impoverished peasant households by ensuring that they could more easily replace lost cattle. The cattle traders' petition was also sent directly to Sakai Prefecture, rather than through the traditional sources of local authority. In contrast, the *kawata* only made appeals to the traditional order, and also insisted that opening the trade in carcasses to poor *kawata* would only result in mutual poverty. Their petition was also backed up by the seals of their village headmen and the authorization of domain representatives.

A closer reading, however, shows that the cattle traders were less “representative” and less modern than they might appear. By the late nineteenth century, as we have seen, few poor farming families, if any, purchased draft animals outright. Instead, they rented their animals directly from the cattle traders. If one of those animals died prematurely, the peasant household only incurred a loss insofar as they could not draw on animal labor until receiving a replacement from the cattle trader. There is no doubt that higher cattle prices had a negative impact on peasant families, but this was a problem that could hardly be blamed on the *kusaba* system.

The cattle traders also had no desire to see the end of the status system, nor of the *kawata* monopoly on handling dead cattle. In their petition, the cattle traders claimed that there were “third parties” that would purchase carcasses for a fairer price than that offered by the *kawata*. But those “third parties” were in fact other *kawata*, specifically the *kawata* cattle traders. In effect, the peasant cattle traders did not seek an end to status groups or the status-based division of labor. Instead, they wanted greater access to the profits generated from the leather trade. So long as the *kusaba* system still functioned, there remained a barrier between them and the full realization of the potential value of their living property once it died.

If it is a mistake to characterize the cattle trader's petition as somehow more democratic, then it is equally wrong to suppose that the *kawata* counter-petition reflected the interests of subaltern outcastes. Though I used the term "representative" above in reference to the petitioners, these figures were in fact the least representative members of *kawata* society. Four *kawata* villagers from Saraike signed the counter-petition: one village leader (*kimoiri*) and one *kusaba* representative (*kusaba sōdai*) from each of the two portions of the village. These were Seigorō and Hanbei (representatives) and Tōsaborō and Tōgorō (village leaders). All were members of the Kawachiya Tōbei household. Tōsaborō was the head of the main branch (under his mother Koto), while Tōgorō and Hanbei were from branch families. Seigorō's role is less clear, but he is mentioned in the cattle trader's petition as "Seigorō, underling of Kawachiya Tōbei" (*Kawachiya Tōbei shita Seigorō*). The traditional *kawata* village leadership, such as the Yosōemon household, were absent from this legal battle. In their place are the scions of a powerful commercial household.

The distribution of the profits from cattle hides within *kawata* villages was determined by *kabu* (hereditary rights) ownership. Originally, these *kabu* were held by those households that had the tools and knowledge to skin carcass. The presence of four members of the Tōbei household on the *kawata* counter-petition indicates that ownership of these rights was no longer solely in the hands of the actual skinners. Given the status and wealth of the members of the Tōbei household, not to mention their duties of managing business affairs, it is highly unlikely that they ever skinned a carcass. There are no comprehensive lists of which Saraike households held *kusaba* rights, so we cannot say if the presence of the Tōbei household was an aberration from or emblematic of the other households. However, those representing the *kusaba* system, at least, did not hold hereditary rights because of their labor, but rather because they purchased

those rights from others in the village. In other words, the *kawata* petitioners were using the language of the early modern order – status-based privilege in return for service – to defend a system of property relations at odds with that early modern order.

This disconnect between ideology and practice is further revealed by a small detail in the case. When Sakai Prefecture issued its decision, it ordered *kawata* communities to stop buying carcasses across *kusaba* boundaries, while within the communities, those without *kabu* were to refrain from buying or selling carcasses. Never before had a state agency given legal recognition to the *kusaba kabu*, which had always been a matter specific to *kawata* status. During the boundary disputes of the Tokugawa period, the state had only recognized that the *kawata* had ownership of carcasses, and that each village had its own territorial boundary. But how the rights over carcasses were distributed within each community was a matter in which the state did not get involved. By recognizing the *kabu*, Sakai Prefecture was negating the role of the social group in mediating access to property. In this way, the *kabu* held by the Tobei household no longer functioned like status-based property, but like private property.

Finally, it is worth considering what the cattle traders' petition says about the status of cattle in early Meiji Japan. Their central justification for the free trade in carcasses was that the proceeds from the sale of a dead animal would enable peasant farmers to purchase a new animal. Though they claimed that a carcass was now worth at least half that of a live animal, it is significant that these two things – live oxen and ox carcasses – could now be spoken of in quantitative rather than qualitative terms. Both were commodities that could be exchanged for money. True, carcasses were consistently valuable during the Tokugawa period, but until the nineteenth century they only held value for the *kawata*. Only after the *kawata* labored to skin and dispose of the carcass did the dead ox have a value, as leather, that cut across status lines.

Commercial exchange had so penetrated rural society that by 1870, the dead had attained commensurability with the living.

### **Liberation and Aftermath**

The *kawata* did not have long to savor their victory. Less than one year after Sakai Prefecture issued its decision upholding the *kusaba* system, the Meiji government in Tokyo issued a decree ordering its dissolution. It was declared that “Until now, dead cattle and horses have been handed over to the *eta* [*kawata*]; henceforth, dead cattle and horses, as well as any other beast, shall be disposed of at the owner’s discretion.”<sup>431</sup> The decree was issued in Tokyo on May 8 1871 (Meiji 4.3.19), and in Sakai Prefecture a few weeks later.<sup>432</sup> This “liberation” of the *kawata* from their status-based property preceded the more famous liberation of the *kawata* from the status-system; not until October 12, 1871, did the Meiji government abolish discriminatory titles like “*eta*” or “*hinin*.” Now legally commoners (though unofficially only “new commoners”), the former *kawata* had to adapt to a new order.

The abolition of status-based forms of property like the *kawata* control over dead livestock was an essential step in the development of capitalism in Japan. Status-based property represented the direct possession of the means of production – land, tools, or carcasses – by the laborer. Only by separating the laborer from object of labor could the means of production be concentrated as capital and the laborer forced to sell their wage labor; in Marx’s term, this is “primitive accumulation.” Primitive accumulation, or accumulation through dispossession, is the antediluvian process by which the means of production are expropriated from the laborer and

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<sup>431</sup> Doc.146 [1871; Meiji 4] in *Hōrei zenshū*, p. 102.

<sup>432</sup> Doc.349 [1871; Meiji 4] in *SIMM*, v. 2, p.979

concentrated in the hands of the capitalist, or potential capitalist.<sup>433</sup> This renders the formerly propertied laborers and mere wage laborers, possessing nothing other than their labor for sale.

In the case of the *kawata* of Japan, primitive accumulation appears to be the May 1871 edict abolishing their ownership of livestock carcasses. With the stroke of a brush, the Meiji state ended the system whereby *kawata* received carcasses for free, resulting in a substantial loss of capital from *kawata* communities. Moreover, this edict made all *kusaba kabu*, which were valuable in themselves, completely worthless. After this edict was promulgated, carcasses ceased to be the status-based property of a particular group, and instead became the private, household property of the family that had owned the animal in life. For the most part, the soon-to-be former *kawata* continued to dispose of dead livestock. Centuries of *kawata* control over carcasses ensured a reliable system of disposing of carcasses was already in place. Peasants and peasant cattle traders continued to hand their dead animals to the same communities, only now money flowed back in their direction.

To be sure, the end of *kusaba* privileges represented a net loss of wealth from *kawata* villages. However, to see the abolition of *kusaba* only as state dispossession of the *kawata* assumes that this system was unchanging between 1600 and 1871. As we have seen, factors like the popularization of *setta*, illegal cattle slaughter, divisions of wealth in the *kawata* community, and the development of the cattle trade all combined to produce fundamental changes in the

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<sup>433</sup> When Marx explains the concept of primitive accumulation in *Capital*, v. 1, he uses England as the “classic form” but notes that “The history of this expropriation assumes different aspects in different countries, and runs through its various phases in different orders of succession, and at different historical epochs.” See Marx 1976, p. 876. The abolition of *kusaba* did not involve anything like enclosure, the forcible removal of peasants from the land, or forced proletarianization of the former *kawata*, and so differs from the English case. Nevertheless, it represented an expropriation of capital from *kawata* villages in that the *kawata* were now required to buy the raw materials they used, while their peasant and peasant cattle trader partners continued to take advantage of the developed system of carcass disposal put in place by the *kawata* over the centuries of Tokugawa rule. *Kawata* communities were, in many ways, structured around the leather trade, and this structuring was due to the institutionalization of the status system. This was the removal of the status-based property of the *kawata* without taking into account how that status-based property had fundamentally shaped *kawata* life.

*kusaba* system. In 1600, *kawata* rights over dead livestock were recognized to secure leather for the shogunate and daimyos, and because only *kawata* labor could cleanse carcasses. By 1871, the system was purely economic in nature, serving as link in the supply chain of raw material for leather. It was dominated – at least in Saraike – by merchant’s capital, not by the skimmers. Ownership of the *kusaba kabu* by members of the Tōbei household shows that, in many ways, the separation of the laborer from direct possession of the means of labor was achieved long before the official abolition of status-based property. Instead of representing an example of primitive accumulation similar to the English case, the abolition of *kusaba* simply resolved the contradictions inherent in the late Tokugawa status system.<sup>434</sup>

The effects of the abolition of *kusaba* were felt differently in eastern Japan than they were in the Kansai region. For example, the last Danzaemon, leader of the *kawata* in the Kanto, attempted to start a leather factory in the early Meiji period that would produce leather goods for the Japanese military. The venture failed, however, and was acquired by others with a non-*kawata* background. The meat industry presents another example. In the east, entrepreneurs of samurai or peasant background started slaughterhouses or beef shops which employed former *kawata* as butchers.

In the Kansai, meanwhile, several former-*kawata* became successful business owners. While industries like leather or beef production were not monopolized by former *kawata*, many households that had been prominent in the Tokugawa period remained so into the Meiji era,

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<sup>434</sup> On the eve of liberation, households like the Tōbei family were capitalists (potentially), while their less fortunate neighbors represented wage labor (potentially). That is, The Kawachiya Tōbei family controlled vast wealth which enabled them to subordinate production in the village. However, their status as members of a *kawata* community restricted the flow of their capital, where they could reside, and their ability to influence non-*kawata*. The carcasses and hides they claimed ownership over were still restricted to other members of their status-group, and not yet freely moving capital. Meanwhile, the lower class of the *kawata* village had no property and had to sell their labor to survive. But they were not free labor, were not legally emancipated, and enjoyed some protection as members of the social-group. See Marx 1993, pp. 502-4.

transforming their merchant capital into industrial capital. Nor was proletarianization the fate of every non-elite *kawata* village. Those *kawata* cattle traders and their associates who were heavily involved in illegal cattle slaughter soon found their unique skills in high demand as beef eating gained popularity in the early Meiji period. These former *kawata* villagers were able to transfer an accumulated skill to a new industry, securing for themselves both sustenance and a degree of autonomy.



## Figures, Tables, and Maps

Number	Lifespan	Man'en 2		Meiji 2		Meiji 4		Meiji 5		Title
		1861		1869	1871			1872		
①	1814~?	Rihachi	Rep.	Rihachi	Rihachi			Hashimoto Rihachi		Landowner
②	1811~1867*	Chūsaburō	Rep.	Chūsaburō	Chūsaburō			Nakai Chūsaburō		Tenant
③	1831~?	Jirōkichi		Jirōkichi	Jirōkichi			Yamamoto Jirōkichi		Tenant
④	1801~1864*	Isaburō		Isaburō	Isaburō			Yamamoto Isaburō		Landowner
⑤	1828~?	Uemon		Uemon	Uhachi			Yamada Uhachi		Landless
⑥	1815~?	Rikizō		Rikizō	Rikizō			Kishimoto Rikizō		Tenant
⑦	1818~?	Moemon		Moemon	Komashichi			Ishida Komashichi		Landowner
⑧	1827~?	Kisuke		Kisuke	Tokjirō			Kuroda Tokjirō		Landless
⑨	1804~1861*	Shirōbei		—			—	—		Landowner
⑩	?~?	Zenjirō		—			—	—		Unclear
⑪	1830~?	Yoemon		—			—	—		Landless
⑫	1828~?			Eizaburō	Eizaburō			Yamaguchi Eizaburō		Tenant
⑬	1820~?			Yasaburō	Yasaburō			Sumimura Yasaburō		Landowner
⑭	1817~?			Sasuke	Tsurukichi			Shibamoto Tsurukichi		Landless
⑮	1834~?							Fujita Jūkichi		Tenant
⑯	1833~?							Ishida Seijirō		Tenant

Table 1: Licensed Kawata Cattle Traders of Saraike Village, 1861-1872. “Kōsen uketori kata: Kashū senshū kawata minami kyūban” 口銭請取方河州泉州皮多南九番 [ca. 1861-1869]; MS no. 45, Ishibashi-ke monjo 石橋家文書, Osaka City Archives, Osaka, Doc.141 [1869; Meiji 2] in SIMM, v. 2, pp. 530-1, Doc.142 [1870; Meiji 3] in SIMM, v. 2, pp. 556-7, and Doc.143 [1872; Meiji 5] in SIMM, v. 2, pp. 578-9. \*Chusaburō, Isaburō, and Shirōbei were all succeeded by sons who kept the same household name and acted as cattle traders. The second Chusaburō was born in 1849, the second Isaburō in 1837, and the second Shisaburō lived from 1835 to 1870.

Village Name	Members	Type of Trade	Annual Dues in Silver <i>Monme</i>									
			1861	1862	1863	1864	1865	1866	1867	1868	1869	
<b>KAWACHI PROVINCE</b>												
<b>Saraike Village</b>	11	Ushi mekiki Sales	700匁	700匁	700匁	700匁	700匁	700匁	700匁	700匁	700匁	-
		Imported Cattle	72匁	56匁	75.5匁	18匁	60匁	163.12匁	184匁	-	-	
<b>Mukaino Village</b>	12	Ushi mekiki Sales	220匁	220匁	220匁	220匁	220匁	220匁	220匁	220匁	220匁	
		Imported Cattle	86.25匁	300匁	474匁	600匁	500匁	500匁	500匁	500匁	500匁	
<b>Jorenji Village</b>	6	<b>Total</b>	76匁	64匁	76匁	32匁	44匁	76匁	76匁			
(Payment as Individuals)												
Yoshimatsu		Draft Animal Sales	32匁	32匁	32匁	32匁	32匁	32匁	32匁	32匁		
Tōzō		"	12匁	-	12匁							
Gennosuke		"					12匁	12匁	12匁	12匁		
Sōkichi		"	32匁	32匁	32匁	(2年差止)		32匁	32匁	32匁		
Seisaburō		"	(No Payments, Debt of 121 <i>Monme</i> Since 1859)									
Kōshichi		"	(No Payments, Debt of 210 <i>Monme</i> Since 1859)									
<b>Sugimoto Village</b>	1	Ushi mekiki Sales	20匁									
<b>IZUMI PROVINCE</b>												
<b>Kashii Village</b>	5	<b>Total</b>	12	12	18	36	48	79	83			30
(Payment as Individuals)												
Sengorō		Ushi mekiki Sales	12匁	12匁	18匁	18匁	18匁	22匁	12匁	-	6匁	
Heiroku		"				18匁	18匁	39匁	15匁			
Heijirō		"					12匁	18匁	8匁			
Sen'emon		"							18匁		14匁	
Sōkichi		"							20匁		10匁	
<b>Minami-Ōji Village</b>	7	<b>Total</b>	60.8	60.8	70.8	94.8	92.8	94.8	78.8			
(Payment as Individuals)												
Unosuke		Ushi mekiki Sales	20匁	20匁	20匁	20匁	20匁	20匁	20匁	20匁		
Jūsuke		"	6匁	6匁	6匁	6匁	6匁	6匁	6匁	6匁		
Gensaburō		"			10匁	10匁	10匁	10匁	10匁	10匁		
Kyūbei		"	24.8匁	24.8匁	24.8匁	24.8匁	24.8匁	24.8匁	24.8匁	24.8匁		
Seisuke		"				24匁	6匁	18匁	18匁			
Heigorō		"	10匁	10匁	10匁	10匁	10匁					
Kyūjirō		"					16匁	16匁				

Table 2: Kawata Cattle Traders of Southern Kawachi and Izumi by Village, Type of Cattle Trader, and Annual Payments to the Tennōji Cattle Market. “Kōsen uketori kata: Kashū senshū kawata minami kyūban” 口銭請取方河州泉州皮多南九番 [ca. 1861-1869]; MS no. 45, Ishibashi-ke monjo 石橋家文書, Osaka City Archives, Osaka

1代			2代		
Mother (?)	48	Uemon (CT) (1828~)	48	Uemon (CT) (1828~)	Toki (1864~)
Manjirō (?)	144	Manjirō (1817~)			Setsu (1859~)
				Setsu (1830~) Niece of Shirōbei (48)	Minomatsu (1854~)
Mother (?)	65	Sasuke (CT) (1817~)			Usaburō (1852~)
Yasuke (?)	144's Wife	Mume (1812~)	144	Manjirō (1817~)	Seigorō (1854~)
					Sute (1848~)
	60	Yasukichi (1824~) Butcher		Mume (1812~) Sister of Sasuke 65	Sumi (1844~)
Mother (? ~ ?)	85	Jōshichi(1822~)別家			Seijirō (1842~)
Uhachi (? ~ ?)	83	Fusa(1811~)			Seikichi (Butcher) (1839~)
	83	Shirōbei (CT) (1804~1861)	83	Shirōbei (CT) (1804~1861)	Shimo (1853)
					Take (1845)
Mother (?)	101	Tsurukichi (Butcher) (1824~)		Rika (1816~) 101 Tsurukichi's Sister	Shirōbei the Second (1835~1870)
Chūbei (?)		Rika (1816~)			

Table 3: Kawata Cattle Trader Family Tree.

## CHAPTER SIX: REGULATING BEEF AND DISMANTLING STATUS: SARAIKE VILLAGE AND THE END OF THE STATUS SYSTEM, 1850-1890

In October 1871, the Meiji government abolished discriminatory titles like “*eta*” and “*hinin*” and declared all *kawata* to be of commoner status. For some, this truly was a moment of liberation. For others, however, prejudice was not easily removed. Most former outcasts could not simply drop their old livelihoods and move to new cities or villages, and so continued to work and live in a similar fashion as they had during the Tokugawa period. But even if liberation did not abolish the prejudice against former *kawata*, it did mark a radical departure for daily life in former *kawata* villages.

This dissolution of status and status-based property was not achieved with one grand declaration. As late as 1882, fishing villages near Tokyo attempted to maintain exclusive fishing rights by making appeals to their Tokugawa period service to the shogunate.<sup>435</sup> In Osaka, city wards maintained a structure of self-governance similar to that of the Tokugawa period well into the 1880s.<sup>436</sup> Though the declaration of May 1871 represented the formal legal abolition of the status-based property of the *kawata*, the structure engendered by that system endured. Peasants and peasant cattle traders may have been able to sell their carcasses after 1871, but the organization established by the *kawata* to handle carcasses remained in place. Establishing a new property regime required the active intervention of the state into a realm it had heretofore left alone.

This chapter follows the development of the beef industry in Saraike Village to show how modern property emerged from the wreckage of the status system. After May 1871, draft animal carcasses were recognized as the property of the households that had owned the animal in life.

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<sup>435</sup> Shimizu 2011, pp. 199-205 and Wilson 2015-2016, pp. 242-89.

<sup>436</sup> Saga 2007, pp. 76-109.

Yet the Meiji government quickly discovered that a totally unregulated trade in carcasses was a public health disaster, and set out to regulate the beef and rendering industries. The record of these regulations and how they were implemented at the local level in Saraike reveal how the former *kawata* managed the transition to new forms of property.<sup>437</sup> They also show emergence of the social as a distinct realm to be regulated as the state became the sole sovereign entity.

In *The Great Demarcation*, Rafe Blaufarb identifies two obstacles to private property in pre-revolutionary France: the private holding of public power, and the lack of absolute ownership. Blaufarb argues that the establishment of modern property during the French Revolution was achieved by the demarcation of the public and private and the end of the system of hierarchical ownership. Status and status-based property represented both the private holding of public authority and a system of hierarchical ownership. The abolition of status was thus one stage of establishing a new property regime. But once industries like beef production were managed by private households and not a discrete status group, there emerged a new realm of the social that needed policing and regulation.

### **Beef Production in the Late Tokugawa Period**

One enduring aspect of Japanese identity formed during the early modern period was that the Japanese did not eat meat.<sup>438</sup> Of course this was far from the truth, as Tokugawa-period Japanese did indeed consume the meat of four-legged animals such as wild boar or deer.<sup>439</sup> In Edo, for example, the meat of boar, monkeys, and other animals was available at the “beast market” in Kōjimachi ward.<sup>440</sup> However, beef for human consumption had a dubious legal

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<sup>437</sup> Here I follow the *hō to shakai* (law and society) approach elucidated in Tsukada 2015, pp. 3-5.

<sup>438</sup> Nobi 1998, pp. 21-23.

<sup>439</sup> Marcus 1992, pp. 7-25 and Kramer 2008, pp. 33-62.

<sup>440</sup> Shimizu 2011, pp. 138-40.

existence during the Tokugawa period. Because the slaughter of bovines was illegal, there was no official channel for securing the meat of healthy animals.<sup>441</sup> Moreover, draft animals, and especially cattle, held a special place in the Japanese imagination.<sup>442</sup> Consuming the flesh of draft animals was in some cases compared to cannibalism.<sup>443</sup> Beef eating did not become widespread until the Meiji period, when it was associated with westernization and progress.

However, because beef production was not outlawed so long as the animal died a natural death, it naturally fell to the *kawata* to become the first in Tokugawa Japan to produce beef on any large scale. Records of beef eating prior to the Meiji period are rare, but it is mentioned occasionally in *kawata* village documents. For example, certain *kusaba kabu* specified that the owner of *kabu* had rights over the meat and skin of animals collected from certain areas.<sup>444</sup> But whether this meat was consumed, by whom, and how often, is a mystery.<sup>445</sup> Surely, if an animal had been dead for a few days, its meat was not safe for human consumption. But once the *kawata* began to slaughter an ever-growing number of cattle for their skins after the late eighteenth century, beef eating became a viable option.

We can confirm that the Saraike *kawata* started producing beef commercially by 1850. The Saraike headman's official records for that year list an incident where a *kawata* villager named Kofusa was arrested for possession of stolen cash.<sup>446</sup> Kofusa claimed she acquired the money when she sold beef to the man named Washū ("Yamato Province") near Koyama Village, 3.5 miles to the east. Kofusa was sentenced to house arrest and never mentioned in the

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<sup>441</sup> There were a few rare exceptions to this rule. For example, beef from Hikone domain was occasionally served to the shogun for medicinal purposes. Ibid, pp. 138-9.

<sup>442</sup> Botsman 2014, pp. 7-10.

<sup>443</sup> De Ganon 2011 p. 120.

<sup>444</sup> Doc.18 [1731; Kyōhō 16.12] in *Ōsaka no burakushi*, v. 2, pp. 61-2.

<sup>445</sup> Thomas Smith and Dana Morris suggest that the *kawata* of Minami-Ōji Village may have consumed beef, which helps explain the dramatic rise in the population of that village during the Tokugawa period. Morris and Smith 1985, pp. 229-46.

<sup>446</sup> Doc.134 [1850; Kaei 3.5.7] in *SIMM*, v. 2, pp. 279-80.

headman's records again. The fact that Saraike *kawata* were peddling beef for sale in local villages, and the headman's indifference to beef sale, suggests that this kind of activity had been going on well before 1850.

A better picture of beef production in the late Tokugawa comes from a series of letters between the village leadership of Saraike and Henomatsu. Early in 1859, Tanaka Seiemon, then headman of Saraike village, received a letter from Akazawa Tetsusaburō, headman of Henomatsu village, five miles west of Saraike village, on the edge of Sakai city.<sup>447</sup> Like Saraike, Henomatsu was home to both a peasant and *kawata* community, with the latter also known as Shioana village. In the letter, Tetsusaburō claimed that peasants from nearby villages were coming to him with complaints regarding the conduct of the nearby *kawata*.<sup>448</sup> Evidently, they were using local farm roads to kill and dismember cattle, as well as transport beef, all of which made a terrible sight. As the headman responsible for the local *kawata* community, nearby peasants petitioned Tetsusaburō to put an end to these actions. After looking into the matter, however, Tetsusaburō determined that none of his *kawata* were to blame. Instead, he determined that these *kawata* were all from Saraike village, over whom Tetsusaburō had no jurisdiction. Therefore, Tetsusaburō demanded that Tanaka Seiemon use his authority as headman to end the illegal activities of the Saraike *kawata*. Should he be unwilling, the headman of Henomatsu threatened to take the matter to the Sakai city magistrate.

Seiemon sent a detailed reply to Tetsusaburō four days later.<sup>449</sup> He explained that he had investigated the matter fully by interviewing the *kawata* village leadership. In his reply Seiemon

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<sup>447</sup> Doc.360 [1859; Ansei 6.1] in *SIMM*, v. 2, p. 991.

<sup>448</sup> Tetsusaburō actually insisted on using the term “*eta*” in all of his communications, while Seiemon used the much less pejorative “*kawata*.” This was not due to Tetsusaburō’s anger at the Saraike *kawata*, as he even used the pejorative towards the *kawata* under his jurisdiction. This almost certainly points to different inter-status relations in Henomatsu Village, though a lack of documents from that village makes this impossible to confirm.

<sup>449</sup> Doc.361 [1859; Ansei 6.2] in *SIMM*, v. 2, p. 991.

did his best both to assuage Tetsusaburō that illegal activities by *kawata* would cease, and to deny any responsibility, hoping the matter would soon be dropped. For instance, he claimed that Saraike *kawata* had only carried beef (*gyūniku*) along farm roads because the porters were trying a shortcut. Interestingly, he did not deny that Saraike *kawata* were transporting beef. As for the accusation that Saraike *kawata* were using farm roads to dismember cattle, Seiemon claimed that no one in his village was doing this, but that he would keep an eye out just in case.

Tetsusaburō replied to Seiemon's letter on the same day he received it.<sup>450</sup> He thanked Seiemon for accepting full responsibility for the illegal actions of the *kawata* under his control, actions which now included the claim that Saraike *kawata* regularly slaughtered healthy cattle in their village. Tetsusaburō also claimed that Seiemon's acceptance of these charges was legally binding.<sup>451</sup> Seiemon never replied to this letter.

Three months later Tetsusaburō again contacted Seiemon.<sup>452</sup> He first explained how, in the intervening three months, he tried to bring the matter of Saraike *kawata* transporting beef and killing cattle to the attention of the city magistrate of Sakai. The position of magistrate was in the process of rotating office holders, and so in fact vacant.<sup>453</sup> So, another official ordered that the dispute between Henomatsu and Saraike be resolved at the village headman level. This was impossible, Tetsusaburō claimed, as Seiemon had broken his oath. He insisted that after Seiemon's reply, *kawata* from Saraike village had not ceased transporting beef and dismembering cattle along farm roads in Izumi. Indeed, Tetsusaburō was prompted to contact Seiemon once more because a *kawata* villager under his jurisdiction was caught with beef

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<sup>450</sup> Doc.362 [1859; Ansei 6.2] in *SIMM*, v. 2, p. 992.

<sup>451</sup> Tetsusaburō referred to Seiemon's first letter as an "*ukesho*," which usually referred to documents submitted to a magistrate indicating acceptance of a particular decision.

<sup>452</sup> Doc.363 [1859; Ansei 6.5] in *SIMM*, v. 2, p. 992.

<sup>453</sup> *Sakai shi shi*, v. 4, p. 190.



purchased from Saraike. Tetsusaburō once again demanded that Seiemon immediately put a halt to the illegal activities, as well as dispatch a villager to retrieve the beef, and hand over the proof of sale.

Seiemon also ignored this message, and Tetsusaburō sent him another letter two weeks later, recounting his appeal to the Sakai city magistrate.<sup>454</sup> The authorities granted Tetsusaburō's request for an audience, and after conferring with the Osaka city magistrate, the Sakai authorities agreed that Tetsusaburō's complaints should be investigated. Seiemon was ordered to reply to the charges made by Tetsusaburō. As Saraike village lay outside of the Sakai city magistrate's control, however, the reply needed to be sent through Tetsusaburō first. Interestingly, the Sakai authorities were only interested in whether Saraike *kawata* had carried beef into Sakai city, and not the question of cattle slaughter.

Now concerned that he had come to the attention of the authorities, Seiemon quickly sent Tetsusaburō a reply to the magistrate's inquiry.<sup>455</sup> He first claimed that, after Tetsusaburō's first letter four months earlier, he had put measures in place to ensure that his *kawata* did not carry beef into Sakai city. Since that time, all villagers acted with compliance with the order. Seiemon continued that, "Now that the new magistrate has entered his post, he has reviewed the documents relevant to this case, and inquired into whether or not measures were put in place (to stop the transportation of beef). Concerning the outcasts under my jurisdiction, regulations were indeed enacted. Should any villager be found guilty of breaking these, please inform me with all due haste." This evidently satisfied the magistrate, as there are no records that he took further action.

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<sup>454</sup> Doc.364 [1859; Ansei 6.5] in *SIMM*, v. 2, p. 993.

<sup>455</sup> Doc.365 [1859; Ansei 6.6] in *SIMM*, v. 2, p. 994.

Though brief, this exchange of letters between Saraike and Henomatsu provides a clear picture of the status of beef production under Tokugawa law. As some of the incidents discussed in Chapter 4 demonstrate, cattle slaughter was clearly illegal during the Tokugawa period. On more than one occasion, the *kawata* of Saraike were arrested by officers from the Osaka city magistrate's office and imprisoned in Osaka. But so long as the meat was acquired from an animal that died of natural causes, there was nothing illegal. Seiemon of Saraike freely admitted to Tetsusaburō that *kawata* from his village carried beef. Moreover, the Sakai city authorities were not concerned about beef production, but whether or not Saraike *kawata* had carried beef into Izumi Province.

In one of his letters to Seiemon, Tetsusaburō claimed that Saraike *kawata* were slaughtering live cattle in their village. While this was likely true, it was a serious charge, and Tetsusaburō could not present any evidence of his claim. So, when he petitioned the Sakai city magistrate, he limited his accusations to two complaints: that Saraike *kawata* were dismembering animals by reservoirs and dikes, and that they were taking beef into Izumi province.

Interestingly, the Sakai City Magistrate only took up the latter issue. The discomfort of peasants was not illegal, and *kawata* had customarily dismembered dead animals at flaying grounds outside of peasant villages. Indeed, closer inspection reveals that this was likely a dispute over access to markets, not over carrying beef itself.

At the end of 1872, Sakai Prefecture – now the regional authority under the new Meiji government – issued a report on the population of the Prefecture as well as various industries located within.<sup>456</sup> At that time, there were two slaughterhouses in operation: one in Saraike, and another in Shioana. These were far from the only two former *kawata* villages in Sakai

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<sup>456</sup> Doc.3 [1872; Meiji 5.12] in *Sakai Shishi*, v. 3, p. 208.

Prefecture, and as we have already seen with Saraike, the existence of a slaughterhouse was not just due to the presence of a former *kawata* community, but a long history of cattle slaughter. For that reason, it is more likely that the opposition to Saraike *kawata* bringing beef into Izumi Province in 1860 had less to do with the legality of the object itself, and more to do with the Saraike *kawata* infringing on the territory of the Shioana *kawata*'s beef selling operation.

Further supporting the view that this dispute was over trade rights is how the conflict between Saraike and Shioana continued. One year after the exchange of letters discussed above, a group of Saraike *kawata* were travelling to Minami-Ōji Village when they were waylaid by Shioana *kawata*.<sup>457</sup> The Shioana villagers claimed that the Saraike *kawata* were again bringing beef into their territory, then confiscated their goods at the threat of violence. After returning to Saraike, the *kawata* requested the intervention of their headman, who contacted the headman of Henomatsu Village. The Saraike headman claimed that his *kawata* were not carrying beef, but only glue to sell in Minami-Ōji. We have no way to verify the claims of either side, but this case does reveal the lengths the Shioana *kawata* were willing to go to stop the Saraike *kawata* from bringing beef into Izumi province, part of their territory.

This case also shows how the principle of rule by status dictated beef production. The shogunal authorities were only concerned with trade disputes; issues like food safety were of no concern, or dealt with at the village level, through the village leadership as an intermediary. Moreover, despite the subordination of the *kawata* to their peasant village headman, they were clearly allowed a great deal of autonomy in matters of selling beef. According to Seiemon's first reply to Tetsusaburō, his "investigation" into wrongdoing by the *kawata* under his administration

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<sup>457</sup> Doc.358 [ca. 1860] in *SIMM*, v. 2, p. 989.

consisted of interviewing the *kawata* village leadership. Any measures put forward to ensure the *kawata* ceased any illegal activity would have been carried out by this same village leadership.

The incident between Henomatsu and Saraike provides no indication as to whom the beef was sold. Contemporary accounts provide some suggestions as to who consumed this beef, however. In his autobiography, the Meiji era intellectual Fukuzawa Yukichi discusses eating at beef restaurants in Osaka in the late 1850s: “Still oftener we went to the cheapest place – the beef-stand. There were only two places where they served beef; one was near Naniwa Bridge, and the other near the prostitute quarters of Shinmachi – the lowest sort of eating places... Where the meat came from and whether it was of a cow that was killed or that had died, we did not care.”<sup>458</sup> Fukuzawa surmised – quite correctly – that the meat he was eating was just as likely from an already-dead animal as it was from a healthy ox that was slaughtered. When the same group responsible for producing beef also disposed of dead cattle, there was certain to be a mixing of safe and unsafe meat. Beef consumption may not have been illegal under the Tokugawa, but it was certainly distained by most of the populace.

It is important to remember that the beef sold by the *kawata* in the late Tokugawa period was coming from draft animals. These were not cattle that had been raised to be slaughtered for food, but animals that had reached the end of their productive lifespans – living fixed capital whose value had passed entirely into circulation. This was because the *kawata* were not slaughtering cattle for beef, but for skins. If profit could be made from selling the meat of cattle, the *kawata* would of course sell this too; however, it was not what motivated them to slaughter cattle. Beef production grew out of the *kawata*'s established operations for acquiring cattle skins, and until the Meiji period was never separated from that operation. The same individuals carried

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<sup>458</sup> Fukuzawa 2007, pp. 58-59.

out the processing of dead cattle for skins and the slaughter of healthy cattle for meat, and in the same place.

This mixing of healthy and unhealthy meat was not as acute in eastern Japan. In the Kanto region, horses, not cattle, were the favored beast of burden for agricultural production.<sup>459</sup> It is unclear if the *kawata* of the east began to slaughter these animals in the nineteenth century, or if they ate the meat of dead horses acquired from peasants. However, given the popular aversion to horse meat in the western consciousness, meat production was not as entangled with rendering in eastern *kawata* villages. For this reason, when beef eating became popular in the early Meiji period, regulating the safety of beef for human consumption was a much larger problem in the Kinai. In this way, the regional differences of *kawata* villages during the Tokugawa period had implications for how those villages experienced the dismantling of the status-system in the Meiji-era.

### **Beef Production in the Early Meiji Period**

The end of the Tokugawa shogunate in 1868 also brought the end of prohibitions on cattle slaughter. As mentioned above, beef in the late Tokugawa was far from a luxury item. But as beef eating became seen as a sign of westernization and progress following the Meiji Restoration, its consumption became increasingly popular.<sup>460</sup> Moreover, the ever-growing population of Americans and Europeans in cities like Kobe and Yokohama demanded a commensurate supply of beef to meet their dietary preferences.<sup>461</sup> This popularity made beef a

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<sup>459</sup> Sakai 1977, pp. 1-6.

<sup>460</sup> Cwierka 2006, pp. 24-31.

<sup>461</sup> Botsman 2014.

potential source of wealth, and so the Meiji government sought to encourage domestic production of beef.

The first government efforts to promote beef production were made through the Tsūshōshi, a semi-public, semi-private organization attached to the Finance Ministry (Ōkurashō). Established in 1869, its goal was managing foreign trade at a time when the Meiji government coexisted with several daimyo domains.<sup>462</sup> Tsūshōshi affiliates were permitted to buy and sell goods across domain lines, thus avoiding the various restrictions and customs particular to each domain. Private households interested in starting a venture managed by the Tsūshōshi submitted a plan for their business and provided a cash fee. If this plan was accepted, the applicant and their operation received affiliation with the Tsūshōshi and official government sanction. The Tsūshōshi was ultimately be short-lived: the abolition of daimyo domains and beginning of the prefectural system in July 1871 removed the need for a government institution whose authority extended across different domains. However, its brief tenure provides an illuminating episode for the history of beef production.

In mid-1870, the Osaka prefectural government promulgated a decree aimed at promoting beef production.<sup>463</sup> Any parties interested in opening a slaughterhouse were to submit a plan to the Osaka branch of the Tsūshōshi and an unspecified fee. For those wanting to operate slaughterhouses, Tsūshōshi affiliation would facilitate the acquisition of livestock from cattle producing areas and the recruitment of foreign specialists trained in slaughterhouse operations. However, the broad mission statement of the Tsūshōshi combined with a lack of oversight produced results not entirely in line with the goal of promoting beef production.

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<sup>462</sup> “Tsūshōkyoku no setcchi” 通商局ノ設置 [1869; Meiji 2.8.10] in *Ōsaka-fu furei shū*, v. 1, p. 188.

<sup>463</sup> “Gyūba shōsha kaigyō no shutsugan” 牛馬商社開業ノ出願 [1870; Meiji 3.7.4] in *Ōsaka-fu furei shū*, v. 1, p. 283.

One individual who took up the Tsūshōshi's call was Mine Kijūrō, a former priest from Dōmyōji.<sup>464</sup> Dōmyōji, a temple five miles east of Saraike, maintained several oxen for religious purposes.<sup>465</sup> As a former priest at Dōmyōji, Mine likely had connections with cattle traders that allowed him to acquire cattle for beef production. The Tsūshōshi granted Mine's request sometime in the fall of 1870, giving his operations official sanction and allowing him to wear a sword (*naga-wakizashi*) and *haori* as a symbol of his affiliation. Mine's authority was a curious combination of old and new, public and private. The sword and *haori* were longstanding symbols of public authority during the Tokugawa period, while Tsūshōshi affiliation represented a new kind of nation state authority that sought to transcend all other boundaries within the country.

Whether or not Mine ever had any intention of starting a slaughterhouse is unclear, because the record of what happened next comes from the perspective of the *kawata*. In late December 1870, the Mukaino village *kawata* were informed that an ox had died in Koyama village.<sup>466</sup> Koyama Village was in their *kusaba* territory, so men were dispatched to retrieve the carcass. When they arrived in Koyama village, however, they were told that the ox was the former property of something called "the branch office for livestock affairs" (*maki o-yakusho shutchō sho*) in Dōmyōji. The Mukaino *kawata* headed to Dōmyōji, where they met with the officer in charge of the office for livestock affairs, Mine Kijūrō. When the *kawata* asked Mine to turn over the carcass from Koyama Village, he responded that the ox was the official property of his office for livestock affairs, and as government property, Mine was not required to turn over

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<sup>464</sup> Doc.348 [1870; Meiji 3.11] and Doc.351 [ca. 1870] in *SIMM*, v. 2, pp. 975-6, 981-5.

<sup>465</sup> Doc.18 [ca. 1830-1844] in *Fujiidera Shishi*, vol. 6, p. 424.

<sup>466</sup> In 1868, the peasant headman of Mukaino Village died unexpectedly, leaving behind an underage heir. Because Mukaino was also part of the territory of the Akimoto house, the domain ordered the headman of Saraike Village to assume administrative authority over the Mukaino Village *kawata* until the headman of Mukaino came of age. For that reason, documents concerning the Mukaino *kawata* like the dispute with Mine Kijūrō. Doc.265 [1868; Meiji 1.11] in *SIMM*, v. 2, p. 796.

the carcass to the *kawata*. If the Mukaino *kawata* wanted the carcass, they were told that they could place a bid like any other buyer.

The Mukaino *kawata* protested Mine's demand that they pay for the carcass – their status-based property – but after it became clear that he would not relent, the *kawata* returned to their village to consult with the village leadership. They returned to Dōmyōji after two days to again bargain with Mine, but were told upon arriving that the carcass had already been sold to a *kawata* villager from nearby Yamato Province. It soon became clear that Mine Kijūrō was using his title in cooperation with local peasant cattle traders. These cattle traders paid Mine a fee, and in return he designated their animals as “official property” of his Tsūshōshi affiliate. As he was nominally raising cattle to be slaughtered for beef, Mine's animal property had to be exempt from the requirements of the *kusaba* system. But local cattle traders could use this designation to achieve their goal of circumventing the *kusaba* system, which was still in place at that time.

The dispute between the *kawata* and Mine occurred only a few months after the cattle traders of central Kawachi unsuccessfully petitioned to end the *kusaba* system, and the *kawata* were quick to petition Sakai prefecture once again to protect their *kusaba* property rights. But if the regional authorities took any meaningful steps to resolve the conflict between Mine and the *kawata*, it is not attested to in the archive.<sup>467</sup> Ultimately, it did not matter, as *kusaba* rights were abolished by order of the Meiji government only a few months later. But the dispute between Mine Kijūrō and the *kawata* of central Kawachi is more than an interesting anecdote. We see that

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<sup>467</sup> Two months after the dispute with Mine began, Kishiwada domain (fourteen miles south of Saraike) issued an order to the villages under its control, part of which stated that “Until now, dead cattle and horses have been turned over to the *kawata*. Recently, something called “the branch office for livestock affairs” has been established, and we hear that this has created a number of disputes. Regarding the handling of draft animal carcasses, this should be handled as it was before.” This order suggests that the problems created by Mine's scheme extended far beyond the confines of Dōmyōji, and that some domain authorities sought to intervene on behalf of the *kawata*. Doc.179 [1871; Meiji 4.1] in *Ōsaka no burakushi*, v. 4, p. 438.



the status system and status-based property were not just a barrier to modern property, but a lingering remnant of the inextricable connection between the political and the social.

In 1870, the Meiji government still recognized *kawata* property rights over carcasses. These rights were received in exchange for the service the *kawata* provided to their local communities, and because handling carcasses maintained the barrier between *kawata* and commoners. The *kusaba* territory within which a *kawata* community exercised this right represented the kind of territorial boundary that the Tsūshōshi was supposed to circumvent, due to its association with the Meiji state. Yet the continuing legality of the *kusaba* territory itself also came from state sanction. The collection of carcasses by the *kawata* was, at least nominally, a public function performed by (semi)private individuals.

Managing beef production and regulation was difficult while the public and private were not yet separate. Mine Kijūrō, a private individual, was effectively deputized by the Meiji government, through the Tsūshōshi, to produce beef. Mine carried the authority of the state, which was supposed to be sovereign and transcend all other territorial boundaries, such as those of daimyo domains. But Mine clearly had other interests in mind, and the lack of oversight entailed by the nature of Tsūshōshi affiliation ensured little could be done to counter his collaboration with peasant cattle traders.

The *kusaba* system in its original carnation depended on the existence of the Tokugawa and daimyo domains as the “public authority” (*kōgi*). *Kusaba* was an extension of this authority. *Kawata* lived a directly political existence, and collected carcasses for the realm, under the aegis of the public authority. The collection of carcasses by the *kawata* depended on the recognition of *kōgi* by the *kawata* and by those who turned over their dead property with no compensation. Thus, the collection of carcasses by the *kawata* was not only a “social” matter, but a political one

as well. If the Meiji state was determined to concentrate all sovereignty within itself, the *kusaba* system could not exist.

### Regulating Carcasses

Following the end of the *kusaba* system in early 1871, farmers and cattle traders alike were free to sell their dead property to whomever they wished. In practice, carcasses continued to be handled by the same *kawata* communities, as few other people knew how to dismantle dead animals, and even fewer were willing to learn. Thus, the immediate effects of the end of the *kusaba* system was a loss of capital for former *kawata* communities, as former owners could now demand payment for their dead property. But it also marked an end to what little regulation had existed over the trade in livestock carcasses. Where only a handful of *kawata* villagers were permitted to purchase and sell carcasses under the status system, anyone with the means and knowledge to dismantle a carcass could participate in this trade after *kawata* status was abolished. The Meiji government was quickly forced to confront the implications of such an unrestricted trade for public health, specifically in regard to meat eating.<sup>468</sup>

The earliest regulations that deal with food safety were targeted at slaughterhouses. The edict was issued in Tokyo in mid-September 1871 (Meiji 4.8) and promulgated in the Kansai a few months later.<sup>469</sup> The edict stated that only healthy cattle could be handled at slaughterhouses, specifically prohibiting the meat of sick or dead cattle. Slaughterhouses were also to be built away from residential areas, though the edict did not specify how far. Finally, all those engaged in the slaughterhouse industry (*togyū tosei no mono*) were required to apply for a license

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<sup>468</sup> “Byōshi niku no baibai kinshi” 病死肉ノ賣買禁止 [1872; Meiji 5.2.20] in *Ōsaka-fu furei shū*, v. 1, p. 462 and Fujimoto 1977, pp. 26-7.

<sup>469</sup> Doc.38 [1871; Meiji 4.8] in *Hōrei zenshū*, pp. 507-8 and “Togyūsho no torishimari” [1871; Meiji 4.11.3] in *Ōsaka-fu furei shū*, v. 1, p. 410. See also Fujimoto 1977, p. 26 and Yokoyama, 2006, pp. 55-56.

(*kansatsu*). However, enforcement of these regulations and the issuing of licenses was left to the prefectures and local municipalities.

The 1871 edict targeted slaughterhouses. But aside from stipulating that dead cattle were not to be handled at slaughterhouses, the Meiji government said nothing about the disposal and rendering of carcasses. This was not a large problem in the Kanto region, and the leather industry developed apart from the beef industry.<sup>470</sup> First, horses, not cattle, had long been the preferred draft animal of the east. Second, former *kawata* were not in charge of managing slaughterhouses or slaughterhouse regulations. Instead, this was handled by former samurai or commoner entrepreneurs.<sup>471</sup>

In the Kansai, further steps were necessary to ensure food safety. Unlike Tokyo, the butchers of the Osaka region had honed their skills during the Tokugawa period. In 1871, the rendering of dead cattle for hides and the slaughter of “live” cattle for food was performed in the same location, usually by the same individuals. Moreover, the wealth of some former *kawata* communities, unbalanced as it was, nevertheless allowed some former *kawata* to become their own proprietors. Sakai Prefecture (today southern Osaka Prefecture and Nara Prefecture), which after 1871 was home to several former *kawata* communities, set out to separate the rendering and butchering industries. It did so with three regulations, separating cattle trading, beef production, and rendering. In *kawata* communities like Saraike, these were all handled by the same organization, which constituted an obstacle to establishing effective health regulations.

Sakai Prefecture issued its new regulations in October 1872 (Meiji 5.9).<sup>472</sup> Of these three, the regulations for rendering facilities (*shigyūba atsukai-sho*) was the most significant and will

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<sup>470</sup> Yokoyama 2006, p. 57.

<sup>471</sup> Ibid, pp. 56-63.

<sup>472</sup> Doc.236-238 [1872; Meiji 5.9] in *Sakai-ken hōrei shū*, v. 1, pp. 392-5.

be dealt with below. The slaughterhouse regulations were essentially the same as those promulgated by the Meiji government the previous year, but with added emphasis that the slaughter of live animals could not take place at the same location where dead animals were rendered. But there are two points that deserve mention. First, all three trades were regulated directly by the state, not by institutions like the Tennōji cattle market. Cattle traders, butchers, and renderers were all licensed and regulated by the state as individual households, not as members of a status group. Taxes were paid as a group, directly to the prefecture, not through the mediation of the village headman. Second, while Sakai Prefecture stated that there would eventually be only two rendering facilities for all of Kawachi and Izumi provinces, there was no limit on the number of slaughterhouses. Clearly, the prefecture was aware of how most former-*kawata* acquired cattle hides by this point.

The regulations were targeted at both the owners of carcasses and the individuals who processed them (see Appendix B for a full list). For the owners, the most significant regulation placed restrictions on who was able to buy carcasses. Dead cattle could now only be sold to an individual who held a government rendering license (*shigyūba toriatsukai kansatsu*). If anyone could purchase a carcass, it made tracking the illegal sale of meat nearly impossible. A government license was now required to purchase and sell the carcasses, though crucially, not to actually handle them. The regulations also specified that only dead animals could be processed at a rendering facility; live cattle were only to be processed at slaughterhouses. Exceptions would be made if the animal was very old or near death, but it was assumed that most carcasses would be taken to the rendering facility by the renderers. This points to the continuation of Tokugawa period practices of disposing of dead cattle, when a former owner would place his dead property

near a riverbed or vacant lot outside of the village proper, then notify the local *kawata* community.

The last four regulations were targeted at those who handled dead livestock. Though rendering licenses were open to all regardless of social background, it is clear that former *kawata* were the target of the regulations. For example, those licensed renderers were admonished to pay the appropriate price for a carcass. In other words, they could no longer demand the carcass without providing compensation to the former owner. Additionally, the regulations stated that carcasses could be processed for oil or fertilizer, but selling the meat for human consumption was strictly prohibited. The unstated assumption was that the most valuable commodity taken from the animals was their hide; this had been the key to daily survival for many former *kawata* villagers.

The final article required renderers to report on the number of carcasses processed each month, and to pay a tax commensurate with the reported figures. In this way, control over dead livestock transitioned from a privilege bestowed in exchange for feudal duty to a trade contingent on government regulation and tax payments. Licenses were acquired directly from the prefectural government and in theory open to anyone. At the same time, the prefecture realized that the disposal of dead livestock was still being handled by the same men who performed it during the Tokugawa period – i.e., former *kawata*. After all, this trade had been closed off to any non-*kawata* for over 250 years, and very few former peasants possessed the necessary technical knowledge required to dismember dead oxen. Nor would most former peasants want to engage in this debasing trade. Still, these regulations would mean nothing in practice if they were not enforced.

## Regulating Carcasses at the Village Level

Two days before the Sakai Prefectural authorities issued the regulations for rendering plants, the headman of Saraike village received an inquiry from the prefecture regarding the number of butchers in the village.<sup>473</sup> The Saraike headman identified twenty-one men, all former *kawata*, who handled around three thousand carcasses annually.<sup>474</sup> After receiving this information, the prefectural authorities announced their intention to investigate the village's rendering operation. The officer dispatched to conduct the investigation was a police official, indicating that the prefecture already suspected that the former *kawata* of Saraike had yet to separate rendering from butchering.

The officer arrived three days after the Saraike headman issued his reply, and summoned for interrogation all those who processed dead livestock. According to the headman's account, the officer limited this demand to former *kawata*.<sup>475</sup> The officer determined that thirty-one villagers were guilty of selling illegal beef (that is, meat from diseased animals). Of those, seventeen villagers were arrested and held in the Sakai city jail for two weeks and the other fourteen were sentenced to house arrest. The different punishments were based on the severity of each group's respective crimes. Those placed in jail were the renderers, and thus responsible for ensuring that the meat of diseased animals was not sold for human consumption. Meanwhile,

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<sup>473</sup> Doc.143 [1872; Meiji 5/8/28] in *SIMM*, vol. 2, p. 589-90.

<sup>474</sup> However, this number likely referred to the number of cattle, live and dead, that the former *kawata* handled. The key issue is the use of the character 屠, which the Saraike headman used to describe the "butchers" in the village (*togyū tosei no mono*). In modern Japanese, 屠 refers to the slaughter of live animals, but in the nineteenth century 屠 could also mean "to dismember" or "take apart." For example, when Sakai Prefecture issued its regulation on rendering facilities, it used 屠 in reference to those who dismember dead animals (*shigyūba o hofuri baibai no mono*). Moreover, there was not yet a conceptual distinction in the former *kawata* villages between the slaughter of live cattle for beef and the disposal of dead cattle for industrial purposes. Both were simply different means of acquiring the same raw material.

<sup>475</sup> *Ibid*, pp. 590-91.

those placed under house arrest had purchased the meat, skins, and other parts from the first group, then sold them outside the village.

After the investigation, the Saraike villagers were prohibited from handling carcasses until they received government licenses, prompting seven Saraike villagers to petition Sakai Prefecture.<sup>476</sup> In their petition, these seven villagers – all former *kawata* – promised to abide by the new regulations and to construct a new facility for processing dead cattle. They requested permission to build this facility in the village, where they were accustomed to handling carcasses. While the seven petitioners were granted licenses, the request to build a rendering facility within Saraike village was denied. Instead, the petitioners were told to combine their operations with that of Jōrenji Village, just two miles north of Saraike and home to the cattle trader Genshirō. The object was clear: former *kawata* would continue to handle dead livestock, but only with state licenses, and no longer on a village-by-village basis.

The impetus behind the regulations promulgated by Sakai Prefecture was public health. They sought to regulate and tax the rendering and beef industries without relying on the old status groups, while also recognizing the continuity of local practices. It was assumed that local farmers would continue to hand their dead livestock to local *kawata* communities. Yet because *kawata* status was now abolished along with the status system, the government needed to find a new means to regulate the handling of dead animals. This was achieved by mandating that only those in possession of a government license could purchase dead livestock. These license holders were registered and taxed, and responsible for ensuring that health regulations were obeyed. At the same time, the number of rendering facilities was substantially reduced as the operations of various former *kawata* communities were consolidated. At this point, the *kawata* village as the

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<sup>476</sup> Ibid, pp. 591-92.

commune no longer existed as a corporate unit that mediated between individual households and the state.

Of the seven petitioners of Saraike, only one was listed as a renderer in the headman's earlier report. The other six were members of the village's *kawata* cattle trader organization.<sup>477</sup> In effect, the majority of those Saraike villagers who received renderer licenses did not actually handle the carcasses, but instead managed the acquisition of carcasses. Recall that, under Sakai Prefecture's new regulations, renderer licenses only determined who could legally purchase livestock carcasses; the regulations said nothing about those who actually worked in the rendering facility. As licensed renderers, the cattle traders would continue to facilitate the purchase and sale of carcasses and the products obtained from them, only now they were also responsible for enforcing the regulations promulgated by Sakai Prefecture. This did not simply put the cattle traders in the position once occupied by those who held *kusaba* rights. Instead, the law now recognized what had been practice for decades and sought to establish proper regulations. Carcasses were the legal property of their former owners, but health and pollution concerns dictated that they be disposed of properly.

The knacker licenses appear to be Meiji-period equivalent of the *kabu* of the Tokugawa period, as in both cases the purchase and sale of carcasses was limited to the license holder. But while skimmers in the late Tokugawa *kawata* village did not possess *kusaba kabu* and thus had no direct access to the profits generated from the sale of hides, they nevertheless confronted the carcasses they handled as the property of their social group. With the abolition of status groups and the new licensing system of the Meiji government, even this façade was gone. The object of labor that the skimmers in 1872 confronted was alien property. Former cattle

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<sup>477</sup> Ibid, pp. 578-579.



traders, who did not skin carcasses but did facilitate the circulation of hides, now claimed possession of the ox carcass and any commodities produced from it as their own private property. This property was acquired through cash purchase with the consent of the owner, and under the regulation of the state. In many ways all the same elements present in 1594 were still there in 1872 – (now former) *kawata* still skinned and disposed of the same objects. But the social relations surrounding this process had completely changed.

However, this new arrangement in the skinning process did not mean that all segments of the former *kawata* village were now subject to capitalist social relations. As the Meiji state disentangled rendering from butchering, the former moved outside of Saraike Village while the latter moved to the forefront. The butchers and cattle drivers who honed their skills as butchers in the shadows of the late Tokugawa period could now turn their accumulated skill into a lucrative profession.

The abolition of *kawata* rights to dead livestock and the establishment of new regulations marked the final victory for the *kawata* cattle traders and their mode of carcass circulation. During the Tokugawa period, the *kawata* cattle traders of Saraike existed outside and in opposition to the official channel for processing dead livestock. In the Meiji period, these same men were now the licensed individuals responsible for ensuring compliance with governmental health codes. Where once the cattle traders had operated outside the bounds of Tokugawa law, they were now at the center of village life. The final victory of the cattle traders not only helped to finish the conceptual separation of the rendering and butchering trades, but also effected their spatial separation. After the Saraike knacker operations were moved to Tonda Shinden, the collection and disposal of dead livestock in the village ceased. In its place came the beef industry, which remained a source of employment for many in Saraike well into the twentieth

century. Beef production, a once marginal activity that emerged out of the economic transformation described in Chapter 4, now displaced the trade that had given rise to it in the first place.

### **Property, Occupational Groups, and The Social**

The formal abolition of status categories like *kawata* was accompanied by other measures to dismantle the social system of the Tokugawa period. In 1871, the government introduced the *koseki* system, whereby individual households were registered by place of residence, not sect. With the exception of a few aristocrats and former *samurai*, all such households were equal under the law. In 1872, the structure of the corporate village was altered as village leadership positions from the Tokugawa period like headman (*shōya*) and village elder (*mura toshiyori*) were abolished. These were replaced by the new offices of mayor (*kochō*) and vice-mayor (*fuku kochō*). In many villages – including Saraike – the position of mayor was filled by the same household that had served as headman. But even if it was the same individual, mayors were not headmen by another name. The power they held was that of a government functionary, not leader of a status-group.

In his 2005 book, historian Tōjō Yukihiro discusses the unique features of modern Japanese society.<sup>478</sup> First, the emancipated individual of capitalist Europe did not exist in Japan. Instead, civil society was composed of households, which formed the relevant unit for contracts or other aspects of civil life. Second was the persistence of social groups that mediated between the individual (household) and the state. Tōjō called these *dōshoku shūdan*, or occupational

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<sup>478</sup> Tōjō 2005.

groups. These were groups of laborers, skilled and unskilled, that worked in one trade and were led by a labor boss (*shoku-chō*).<sup>479</sup>

In the case of the Saraike *kawata*, we see how the form of these occupational groups arose out of the Tokugawa period. The butchers, renderers, those who acquired cattle, and those who sold cattle hides, bones, etc., emerged as concrete divisions of labor within the late Tokugawa *kawata* cattle trader organization. After the abolition of the status system and the new regulations issued by Sakai Prefecture, these various elements of the beef industry contained within the former *kawata* village were conceptually separated and licensed. In place of the directly political status groups was a civil society composed of individual households, with many organized into different occupational groups.<sup>480</sup>

These occupational groups assumed some of the characteristics of the status groups of the Tokugawa period. This is especially evident in how they mediated between individual member households and outside institutions. As mentioned above, the butchers of Saraike paid taxes collectively. Moreover, a representative was chosen from among their numbers to speak for the group when necessary.<sup>481</sup> Yet as the regulations for renderers and butchers discussed above demonstrate, these social groups did not constitute the directly political status groups of the

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<sup>479</sup> For most workers in such occupational groups, the goal was not to stay and work in one location for their lives, but instead to acquire skills as a part of the group, then set out on their own to operate their own facility. From the perspective of management, these occupational groups were quite advantageous as the boss of each organization took responsibility for disciplining labor.

<sup>480</sup> In *Capital*, v. 3, in one of the few sections where Marx discusses the transition from capitalism to socialism, he points out how joint-stock companies bring about the centralization of means of production through the concentration of many otherwise individual capitals. “Capital, which is inherently based on a social mode of production and presuppose a social concentration of means of production and labor power, now receives the form of social capital in contrast to private capital, and its enterprises appear as social enterprises as opposed to private ones. This is the abolition of capital as private property within the confines of the capitalist mode of production itself.” Marx 1981, p. 567. In a similar way, the social forms that emerged in the Meiji period were incubated in the late Tokugawa. As we saw in Chapter 5, the occupational groups of the Meiji period existed in some form in the Tokugawa period, and so did not emerge only with the abolition of the status system. However, the abolition of status was a necessary step in removing the directly political nature of *kawata* villagers and placing their activities in the realm of the “social,” which could now be directly taxed and regulated.

<sup>481</sup> Doc.277 [1883; Meiji 16.8] in *SIMM*, v. 2, pp. 851-68.

Tokugawa period. Occupational groups were private institutions that could be policed and regulated. Rather than leaving the regulation of the beef trade up to a self-governing status group like the *kawata*, the organs of government enforced the laws, which all households were expected to follow, regardless of social status.

### **The Saraike Slaughterhouse**

After the seven Saraike villagers received knacker licenses, they drop of out the historical record. It is unclear how long the rendering plant in Tonda Shinden remained active, and no other documents in the Tanaka Family collection make mention of it. But while the handling of dead cattle in Saraike came to an end in 1872, the beef industry only expanded. Saraike villagers established a slaughterhouse sometime before the end of 1872, and this industry would remain in Saraike, in one form or another, until the late twentieth century.

When Sakai Prefecture issued its regulations on rendering facilities, it also detailed regulations for slaughterhouses and cattle traders. These specified that only healthy, live cattle could be slaughtered at a slaughterhouse; those discovered rendering dead cattle would be punished. Like rendering facilities, slaughterhouses were required to pay a monthly tax based on the number of cattle handled at the facility. But crucially, the conditions for establishing a slaughterhouse were more lax than those for rendering facilities. While Sakai Prefecture hoped to consolidate all rendering activity in two facilities for all of Izumi and Kawachi Provinces, slaughterhouses could be built anywhere, so long as they were built away from human habitation. This was likely a recognition by Sakai Prefecture that in the territory it governed, more cattle were slaughtered than died natural deaths. These regulations were the final step in the separation of knacker from butchering.

The first mention of the Saraike slaughterhouse comes from a Sakai Prefecture report of 1872. This list, among other things, provides the number and location of slaughterhouses in Sakai, of which were two: one in Saraike, the other in Shioana, another former *kawata* community roughly five miles southwest of Saraike. A tax receipt from July 1876 (Meiji 9) lists fifty-six cattle slaughtered in that month, taxed at a rate of twenty-five *sen* per ox, for a tax of 13.5 yen.<sup>482</sup> This high tax rate appears to be an outlier; in 1883 (Meiji 16), the Saraike butchers calculated that they slaughtered an average of 1200 cattle per year for a tax of twenty-four yen, at a rate of two *sen* per head.<sup>483</sup> For several years, the Saraike slaughterhouse was the most productive in the region – according to a later report by Osaka Prefecture, the Saraike butchers processed 1,862 head of cattle in 1879. This represented seventy-six percent of all beef produced in Osaka Prefecture that year.<sup>484</sup>

The first western-style slaughterhouse was established in Saraike in the early 1880s by Nishida Shinkichi after he returned from Kobe.<sup>485</sup> Nishida was one of the villagers listed as a renderer/butcher in the headman's 1872 report, and had several cattle traders as relatives. Unlike in Tokyo, it was not a former samurai or rich peasant who owned the slaughterhouse, but a former *kawata*. There is not much information about this early slaughterhouse, but we do know a little about the process of production. According to the butchers, they received a receipt listing the number of live cattle purchased from a cattle owner (*chiku-nushi*).<sup>486</sup> After the animals were slaughtered, an inspector checked that the number of animals purchased matched the number slaughtered, then affixed his seal to the original receipt. The butchers collected the tax payment

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<sup>482</sup> Doc.95 [1877; Meiji 10] in *Ōsaka no burakushi*, v. 4, pp. 142-143.

<sup>483</sup> Doc.277 [1883; Meiji 16.8] in *SIMM*, v. 2, pp. 854-5.

<sup>484</sup> *Matsubara-shi shi*, v. 2, pp. 760-61.

<sup>485</sup> *Matsubara-shi shi*, v. 2, p. 762.

<sup>486</sup> Doc.277 [1883; Meiji 16.8] in *SIMM*, v. 2, pp. 856-7.

before slaughtering the animals, indicating that they knew ahead of time the number of animals they would process each month. Contrast this predictable, streamlined process with the haphazard style of production that was the *kusaba* system.<sup>487</sup>

### **The End of Saraike Village**

The existence of two different sections of Saraike Village came to end in late 1871, when the lands of Tatebayashi Domain (briefly Tatebayashi Prefecture) in the Kinai were incorporated into Sakai Prefecture. Saraike remained in Sakai Prefecture until Sakai was incorporated into Osaka Prefecture in 1881. Administration at the village level was revolutionized in early 1872 when the position of village headman was abolished and replaced by that of mayor. In Saraike, the Tanaka Family stepped effortlessly into this new leadership position, but serving alongside them as vice-mayor was Fujimoto Tōgorō, former leader of the shogunal portion of the Saraike *kawata* village.

Saraike Village remained a unit of administration until 1889, when the Meiji government merged the tens of thousands of villages and towns into a smaller number of larger village units. Saraike Village, along with nearby Takagai, Higashi-Dai, Shimizu, and Mukai villages, became Nunose Village. The Tanaka family remained important figures in local society, but because their role in local politics ends in 1889, so does the archive.

The most recent surviving document in the Tanaka Family archive was produced as a result of this merger. Specifically, it recorded the opposition of the four other villages to a

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<sup>487</sup> “We see then: the means of production and of exchange, on whose foundation the bourgeoisie built itself up, were generated in feudal society. At a certain stage in the development of these means of production and of exchange, the conditions under which feudal society produced and exchanged, the feudal organization of agriculture and manufacturing industry, in one word, the feudal relations of property became no longer compatible with the already developed productive forces; they became so many fetters. They had to be burst asunder; they were burst asunder.” From “The Communist Manifesto.” Tucker, ed., 1978, pp. 477-478.

merger that would include them in the same village unit as the former *kawata* of Saraike.<sup>488</sup> Of course, the petitioners could not frame their opposition in this way; instead, they claimed that the customs, habits, and occupation of the southern portion of Saraike (the former *kawata*) were different from theirs, making any merger distasteful. Perhaps more worrisome to the petitioners was the population discrepancy. The former *kawata* numbered around 1,400 individuals, while the other four villages combined only came to 1,100. In a merger with the former *kawata*, these former peasants would find themselves in the minority. Despite pleas to the contrary, however, the merger proceeded with the former-*kawata* included in Nunose Village. And any fears of an outcast takeover were dismissed when Terada Komazō, former headman of Takagi Village, was selected as the first mayor.

In a way, Saraike Village was now back to where it was in 1594 prior to the breakup of the *sōson* super-villages by Toyotomi Hideyoshi, once again in a union called “Nunose Village” whose borders almost exactly matched that of its late medieval predecessor. Ironically, the name “Saraike” would live on, but only in reference to the “*buraku*” (hamlet) of Saraike inhabited by the descendants of the *kawata*. During the Tokugawa period, “Saraike Village” had referred to the peasant community. The *kawata*, who did not have an independent village, were the “*kawata* within Saraike Village” (*Saraike mura ryōnai kawata*). Only after Saraike disappeared as an independent unit were the former-*kawata* given claim to the space they inhabited.

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<sup>488</sup> Doc.279 [December 1888; Meiji 21.12] in *SIMM*, v. 2, pp. 873-6.

## CONCLUSION

A 1903 gazetteer from Osaka Prefecture contains a list of the names and locations of every slaughterhouse in the prefecture.<sup>489</sup> There were only two slaughterhouses in all of South Kawachi County: Nunose (Saraike), and Mukaino – the only two *kawata* villages with significant cattle trader operations in the area. It is worth considering how Saraike Village reached this point. In the late sixteenth century, communities of skinners and knackers emerged as the *kawata* status group because of their ability to dispose of dead draft animals. First Hideyoshi, then the Tokugawa, recognized their corporate status and status-based privileges – no land tax and control over carcasses. In return, the *kawata* were required to act as executioners, produce rawhide, and provide other services to their local communities. By the early eighteenth century, property rights over carcasses were conceptually separated from the work of skinning carcasses. In the boundary disputes from the 1720s, the Osaka City Magistrate privileged a certain conception of *kusaba* as property based on precedent and peasant convenience, rather than a view of territory based on service. While the *kawata* continued to perform various religious services, these were disconnected from the status of *kusaba* as property.

The social order of rural society was further altered by the commercialization of the Japanese economy in the late eighteenth century. New industries and commercialized agriculture created more opportunity for peasant and *kawata* labor alike, leading to greater mobility of village plebeian society. The disruption caused by the Tenmei famine in particular revealed this segment of village society to be a concern of rural elites and potential threat to the social order. By the turn of the nineteenth century, these lower-class *kawata* were deeply involved in the expanding leather trade. *Setta* manufacture provided sustenance for some, while others sought

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<sup>489</sup> Doc.125 [1903] in *Ōsaka no burakushi*, v. 4, pp. 191-200.



greater personal profit by slaughtering cattle and selling the hides. Though these early butchers operated outside of Tokugawa law, they did not necessarily threaten the social order of the *kawata* village, because they could only sell their illegal carcasses to other *kawata* villagers.

The partnership between lower-class *kawata* and cattle traders began the process of undermining *kusaba* rights. The cattle traders, as men dependent on their living property for sustenance, were eager to tap into the profits of the leather trade. Lower class *kawata* were eager to sell more hides, and had little investment in maintaining the old village order. *Kawata* cattle traders stepped in to mediate the sale of carcasses from cattle trader to *kawata*, and in the process established a new method for circulating carcasses that did not directly rely on hereditary privilege.

Beef production was not an inevitable outcome of *kawata* status. During the Tokugawa period, cattle slaughter was illegal, while the status-based rights of *kawata* were based on the control of already dead cattle. This right was given to ensure the most efficient use and disposal of carcasses. However, due to the process outlined in the preceding chapters, Saraike Village had a sizeable group of butchers by the Meiji Restoration. When beef eating became popular after the Restoration and the Meiji Government was trying to promote beef production, the former *kawata* of Saraike were already prepared to meet the demands of a new market. Nishida Shinkichi, the founder of Saraike's first western-style slaughterhouse, was the nephew of two cattle traders and the brother of another butcher. During the Tokugawa period, he and his relatives operated on the margins of Tokugawa law. But in the Meiji period, Nishida was an entrepreneur at the heart of village life.

Machida Tetsu's innovative study of rural villages in Tokugawa Japan focused on a group of communities around the Shinoda Hillock.<sup>490</sup> His goal was to use a close-up local history of one region to elucidate details on all Tokugawa villages. He called his approach "*kotaisei*," that is, the investigation of the characteristics that made a Tokugawa village unique (*koyūsei*) and those that it shared with all other villages (*fuhensei*). In the preceding chapters, I have followed this approach in the study of the *kawata* from 1600 to 1890. Saraike Village was, in many ways, the typical *kawata* village. It was subordinated to the administration of a nearby peasant community, relied heavily on trades involving dead draft animals, and experienced consistent population growth during the Tokugawa period, just to name a few characteristics. But at the same time, this relatively tiny community in the middle of Kawachi Province became, by the 1870s, a major center of beef production despite its distance from any treaty port where demand for beef was high. This was due to Saraike Village's unique historical trajectory that made it distinct from other *kawata* villages.

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<sup>490</sup> Machida 2004.

## APPENDIX A: REGULATIONS FOR THE *KAWATA* VILLAGE, 1796

Item: Regulations handed down from the shogunate, as well as the codes on our signboard (*kosatsu*) are to be strictly observed. Henceforth, should any new regulations be handed down, those too are to be strictly followed.

Item: Whereas reservoirs are for both villages, the soil of dikes is not to be recklessly taken. Addendum: Do not allow villagers to tamper with the sluices. In the event that this occurs, harshly admonish the offenders. Report those who disobey to me [the headman].

Item: There have been incidents where those who go out to catch small fish obstruct the flow of water or cause damage to the soil around paddies. Henceforth, consult the kawata villagers regarding this matter so that it does not occur. Report those who do not observe this regulation to me.

Item: Consult with those who head to Osaka or other regions in order to repair *setta* or to transport goods, and admonish them to not treat others they meet on road rudely. Ensure that when they meet others on the road, they are to withdraw to the left, and do not cause fights and arguments. Also order these individuals to stay on good terms with one another. Report any who do not respect this to me.

Item: With regards to villagers who put up, place in rental housing, or aid in the sale of stolen goods of individuals stricken from the village register or who have fled, after you have investigated them, report them to me. Following my investigation, they will be punished.

Item: Should there be any man or woman from another place who gets lost on the road and comes to the village, be sure to give them the way. Of course, children as well should not be looked down upon. Report any who do not follow this to me.

Item: Any instance of children making mischief around the fields and paddies, or by the dikes around the reservoirs should be stopped immediately. Regarding children found doing this, they themselves are not important, but their parents should be quickly admonished. Quickly report any those who do not observe this regulation.

Item: Lately, there has been instances when individuals who have been summoned for some duty either by the village leadership or by an officer of the daimyo, fail to appear, and their head of household appears in their stead. Or, when they appear, they do not take off their footwear or head wraps, and also remain standing while speaking. Henceforth, you must admonish any who do this.

Addendum: When encountering men from other areas, so long as the kawata remove their head coverings, it is not necessary to say anything. Additionally, any disrespectful behavior or outrageous speech towards the *kimoiri* or *soemetsuke* is strictly prohibited.

Item: When events like *kanjin no*, *aytsuri*, *sumo*, *yoruri*, or *bon-odori* are held either in the village or nearby, large groups of villagers gathering to go as spectators are to be swiftly stopped. Should any villages be discovered going to these events in secret, swiftly admonish them.

Item: Remain alert for villagers damaging the dikes along the river or removing the stakes keeping the dikes in place when there are heavy rains [in order to spare their own fields from flood damage]. You should see anyone engaged in this activity or carrying stakes back to the village, confiscate them and investigate this individual immediately.

Item: Remain alert for any mention or rumors of villagers engaged in gambling or other games of chance, which have been prohibited since time immemorial. Should you discover any secret gambling, immediately report them to me without altering the perpetrators. Upon interrogating them, they will be punished/fined.

Item: Should there be any instances of unlicensed individuals (*kabu-naki mono* 株なきもの) purchasing weak cattle or horses and bringing them into the village at night by back roads, report this to me as soon as you see it without alerting the perpetrator.

Addendum: Because there have been instances of individuals stealing [and killing] cats and dogs in this village and others, henceforth, should you see this action or hear of it, apprehend the perpetrator immediately and report him to me.

Item: Whereas there are those in the village that have been maintain oxen, recently there was an illegal incident [involving oxen], so I placed a temporary ban on these activities. However, because I heard repeated lamentations of the hardships caused by this order, henceforth I have revised my policy, and allowed five pack oxen to operate. However, these must be handled by their owners; should you encounter another on the road, take the animal by the nose and retreat to the left. You must not engage in any improper behavior. Additionally, when leaving the village, lead the ox along the reservoir embankment, head along the Koya Road and leave using the village's main road. Using backroads or the paths between paddy fields is strictly prohibited. Addendum: Allowing anyone under the age of twenty *sai* to handle oxen is strictly prohibited. Additionally, regarding the matter of cattle feed, anyone caught taking crops from fields or rice paddies is to have this confiscated. When taking grass for cattle, follow the old regulations, and only gather it from areas where it will not cause problems.

Item: Should young people, or anyone else, gather in groups of more than four or five and engage in long conversation, immediately summon their parents or head of household and investigate them.

Item: In all matters, the three *kawata* community leaders (*kimoiri*) and the *soemetsuke* should show no preferential treatment. Should this occur, bring the matter to me in private.

## APPENDIX B: REGULATIONS FOR RENDERING FACILITIES, 1872

Lately, in the territory of Sakai prefecture, there have been incidents of individuals processing already-dead cattle and selling the meat. Because this is a threat to the health of the people, regulations were passed banning this practice. Henceforth, should an ox or horse die, the regulations set forth in the attached document must be followed. In order to ensure full compliance with the regulations, this is to be disseminated amongst all who keep livestock in the villages.

Item: There will be two rendering facilities established for Kawachi and Izumi provinces. There will also be branch offices established to handle administrative tasks.

Addendum: However, the information regarding these knackereries will be disseminated after their locations have been decided.”

Item: Regarding the matter of the disposal of dead livestock, we have already issued licenses to the relevant villages. Dead livestock must be sold to a licensed individual. However, those who wish to bury their animals may do so, provided they use a plot that will not cause obstruction and report the matter to the prefecture.

Item: If dead cattle are brought to the rendering facility, bring them with all due speed and do not make trouble for the workers. If circumstances dictate that the animal needs to be slaughtered at that location, this is not an issue.

Item: Slaughtering healthy cattle at a rendering facility under false pretenses is strictly prohibited.”

Item: While dead livestock may be used in the production of oil or fertilizer, the sale of their meat for human consumption is strictly prohibited. Those caught in violation of this rule will be swiftly punished.

Item: Dead livestock are to be purchased at the appropriate price.

Item: The number of workers at a rendering facility and the number of carcasses processed must be reported each month according to the model provided below; the number for the previous month must be submitted by the fifth of the next month.

Addendum: When submitting the above information, a tax at a rate of three *shu* per horse and one *shu* per oxen must be paid.

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## GLOSSARY

### Terms

*aikyū* 相給

*ato shokunin* 跡職人

*bakufu* 幕府

*bakuhan taisei* 幕藩体制

*bakurō* 馬喰・博勞

*buke no tōryō* 武家の棟梁

*bunke* 分家

*buraku* 部落

*burakushi* 部落史

*chiku-nushi* 畜主

*chiikishi* 地域史

*chōri* 長吏

*daikan* 代官

*dajōkan* 太政官

*danna-ba* 旦那場

*eta* 穢多

*Enpō kenchi* 延宝検地

*fuku-kochō* 副戸長

*gesaku* 下作

*goisshin tari tomo* 御一新たり共

*hakuraku* 白樂

*haori* 羽織

*heigyūba shori* 斃牛馬処理

*heinō bunri* 兵農分離

*Hikiiri sōrō setsu kaikiri wa kakubetsu, ire umaya to mōshi, bakurō yori azukari oki sōrō ushi mo gozasōrō. Ikki, niki tagayashi sōrō ue, aioi no chingin nado aitai no ue aiwatashi sōrō gi mo gozasōredomo kōsen nado dashi sōrō gi goza naku sōrō.* 牽入候節買切ハ格別、入れむまやと号、博勞方預り置候牛も御座候、一季・二季耕し候上、相応之賃銀才相对之上相渡し候儀も御座候へ共、口錢才出シ候儀無御座候

*hikiuke nin* 引請人

*hinin* 非人

*hiyatoi* 日雇

*hoka kata* 外方

*hōken* 封建

*hōkōnin* 奉公人

*hyakushō dai* 百姓代

*irikumi* 入組

*irisaku* 入作

*jige uke* 地下請

*jikata yakusho* 地方役所

*jin'ya* 陣屋

*jūsō to fukugō* 重層と複合

*jū naguri* 重殴

*kabu* 株

*kabu nakama* 株仲間

*kaichō* 開帳

*kan* 貫

*kanjin sumō* 勧進相撲

*kanpaku* 関白

*Kawachiya Tōbei shita Seigorō* 河内屋藤兵衛下清五郎

*kawaramono* 河原者

*kawata* 皮多・河田・皮田

*kawa tonya* 皮問屋

*kawa-za* 革座

*kimoiri* 肝煎

*kochō* 戸長

*kōgi* 公儀

*komae* 小前

*kosaku* 小作

*koseki* 戸籍

*kōsen or kuchizeni* 口銭

*kotaisei* 個性

*kusaba* 草場

*kusaba kabumochi* 草場株持

*kusaba sōdai* 草場惣代

*koto segare kimoiri* こと倅肝煎

*maki o-yakusho shutchō sho* 牧御役所出張所

*Matsubayashi* 松林

*meisaichō* 明細帳

*mibun* 身分

*mibun shakai* 身分社会

*mibunteki shūen* 身分的周縁

*monme* 匁

*mukabu* 無株

*muraukesei mura* 村請制村

*mura toshiyori* 村年寄

*mura yakunin* 村役人

*mushuku* 無宿

*nakagai* 仲買

*nakashi* 仲仕

*nanushi* 名主

*nekotori* 猫取

*nengu* 年貢

*ninbetsuchō* 人別帳

*niushi* 荷牛

*ōjōya* 大庄屋

*o-kōgi sama* 御公儀様

*ōko jindai yori* 往古神代方

*onna no mibun ni gozasōraedomo* 女之身分  
ニ御座候へ共

*Ōsaka jōdai* 大坂城代

*Ōsaka machibugyō* 大坂町奉行

*ryō* 両

*ryōnai tori* 領内取

*ryōji* 療治

*sabaki jōya* 捌庄屋

*saka no mono* 坂のもの

*sangun ushi bakurō* 三郡牛博勞

*Saraike-mura ryōnai kawata* 更池村領内皮  
多

*senso* 先訴

*setta* 雪駄

*shichi-chi* 質地

*shigyūba o hofuri baibai no mono* 死牛馬屠  
り売買ノ者

*shigyūba toriatsukai* 死牛馬取扱

*shigyūba toriatsukai kansatsu* 死牛馬取扱  
鑑札

*shigyūba toriatsukai sho* 死牛馬取扱所



*shima* 嶋

*shinki bakurō* 新規博勞

*shinrui sōdai* 親類惣代

*shindai kagiri* 身躰限

*shizoku* 士族

*shōya* 庄屋

*shoyaku* 諸役

*shūgi* 祝儀

*shūmon aratame chō* 宗門改帳

*shussaku* 出作

*sōdai* 惣代

*sōson* 惣村

*tachiai* 立会

*taikō* 太閤

*taikō kenchi* 太閤検地

*tōdori* 頭取

*togyū tosei no mono* 屠牛渡世之者

*tōson eta kore naku sōrō, tadashi shigyūba  
gozasōraeba Tonda Shinden to Saraike  
mura sōhō no eta e katte ni tsukawashi*

*mōshi sōrō* 当村穢多無之候、但し死牛馬御座候へハ富田新田と更池村双方之穢多へ勝手ニ遣申候

*ton'ya* 問屋

*toriuchi sōdai* 取内惣代

*Tsunadai to mōsu gin san monme zutsu, maido hikiiri sōrō setsu aiwatashi mōshi sōrō. Kore made soto e uri sōrō gi korenaku, oiushi ni makarinari, tagayashi no ma ni ai mōsazu sōreba oigin o dashi, migi bakurō yori hiki tukawashi mōshi sōrō* つな代と申銀三匁宛、毎度牽入候節相渡し申候、是迄外へ売候儀無之、老牛ニ罷成、耕之間ニ合不申候節ハをい銀を出し、右博勞方牽遣申候

*Tsūshōshi* 通商司

*ukesho* 請書・受書

*ushi byōki no setsu zuibun yōjō itasase mōsu beku sōrō, mochiron wazurai ori mōshi sōrō ushi o kesshite baibai tsukamatsuru majiku sōrō* 牛病氣之節随分為致養生可申候、勿論煩居申候牛を決而売買仕間敷候

*ushi hagi-ba* 牛剥場

*ushi kata* 牛方

*ushi mekiki* 牛目利

*yaku* 役

*yoshi* 由

## **Place Names**

Dōmyōji Village 道明寺村

Fukuoka Domain 福岡藩

Funadō Village 船堂村

Kareki Village 枯木村

Kawachi Province 河内国

Kawagoe Domain 川越藩

Kawai Village 河合村

Harima Province 播磨国

Hayashi Village 林村

Henomatsu Village 舳松村

Higashi-Dai Village 東代村

Higashi Sakamochi Village 東坂持村

Izumi Province 和泉国

Ikeuchi Village 池内村

Jōrenji Village 城連寺村

Kashii Village 榎井村

Kinai 畿内

Komagatani Village 駒ヶ谷村

Manzai Village 万才村

Matsubara City 松原市

Minami-Ōji Village 南王子村

Miyake Village 三宅村

Mukai Village 向井村

Mukaino Village 向野村

Nagasone Village 長曾根村

Nunose-gō 布忍郷

Nunose Village 布忍村

Ōji Village 王子村

Ōmi Province 近江国

Ōsaka 大坂

Sakai Prefecture 堺県

Saraike Village 更池村

Settsu Province 摂津国

Shioana Village 塩穴村

Shōmyōji 称名寺

Shindō Village 新堂村

Shinmachi Village 新町村

Takagi Village 高木村	Heiji 平治
Tanabe Domain 田辺藩	Ishibashi-ke 石橋家
Tanba Province 丹波国	Izumoya Rokuemon 出雲屋六右衛門
Tanboku District 丹北郡	Kawachiya Tōbei 河内屋藤兵衛
Tannan District 丹南郡	Koide Kazue 小出主計
Tatebayashi Domain 館林藩	Koto こと
Tennōji Ushiichi 天王寺牛市	Mine Kijūrō 三根喜十郎
Tokushima Domain 徳島藩	Monjirō 紋二郎
Tondabayashi Village 富田林村	Nishida Shinkichi 西田真吉
Tsushima 津島	Rihachi 利八
Watanabe Village 渡辺村	Shōnosuke 庄之助
Yakami-gō 八上郷	Sōemon 宗右衛門
Yakami District 八上郡	Sōkichi 惣吉
Yamato Province 大和国	Sueyoshi Kanbei 末吉勘兵衛
<b><u>Personal Names</u></b>	Taikoya Matabei 太鼓屋又兵衛
Akimoto 秋元	Tanaka-ke 田中家
Danzemon 弾左衛門	Wakamatsu 若松
Ebiya Zen'emon 海老屋善右衛門	Washū 和州
Genzaburō 源三郎	Yosōemon 与三右衛門