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著者	KOKAZE Hidemasa
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The Political Space of Meiji 22 (1889): The Promulgation of the Constitution and the Birth of the Nation

KOKAZE Hidemasa

Ochanomizu University, Tokyo, Japan

The promulgation of the Meiji Constitution on 11 February 1889 was a realization of such Restoration ideals as “government by public discussion”; at the same time, it served to demonstrate to the Western powers that Japan was now a modern state. However, research into the Constitution has failed to take account of the fact that Japan’s political space was completely reimagined by the act of promulgation. The present article focuses on the entire year 1889 to underscore the point that it was an epochal making year, for reasons above and beyond the Constitution. The awareness amongst the Japanese leadership that the Constitution must mean the launch of a new Japan led to the hosting of multiple ritual performances during the course of that year. These performances, from the 11 February promulgation through to the 3 November investiture of the crown prince, were staged with the utmost attention to dynamics and detail. The succession of ritual moments in 1889 finally put an historical end to the political and social conflicts that had scarred the previous years: the Boshin war, the samurai rebellions and the freedom and popular rights movement. Social and political conflict now dissolved, giving way to an epochal new stage in Japan’s modern development. It was by means of this process that Japanese national awareness took root.

Keywords: Meiji Constitution 明治憲法, modern state 近代国家, international recognition 國際的承認, Edo revival 江戸の復権, crown prince 立太子, nationalism 国民主義, cultural independence 文化的自立

Introduction: The Formation of a Japanese Modernity

In this essay, I focus on the political and social changes that accompanied the promulgation of the Constitution in 1889, and ask what sort of effect they exerted on the formation of Japan’s understanding of the modern nation state.

Kōgi yoron 公議輿論, that is “public discussion,” and *bankoku taiji* 万国対峙, or “parity with the powers,” were the representative ideals of the state established with the Meiji Restoration of 1868. They came to fruition in the establishment of the Constitution and the revision of the treaties in the third decade of Meiji. The two political principles of leadership and membership embraced within the idea of *kōgi yoron* were realized in the Cabinet system and the Diet.

Japanese society had been rocked by three successive waves of social conflict: That of the Boshin civil war (戊辰戦争), in which the bakufu army fought with the court army; that of the samurai rebellions, which saw government forces line up against rebel armies, and finally, that of the freedom and popular rights movement (*jiyū minken undō* 自由民権運動), when the clique government took on advocates of liberty.

Within government, too, there were profound disagreements and splits: The 1873 incidents which saw conflict over policy towards Korea develop into disputes over despotism vis-à-vis representation politics; and the 1881 incident when Itō Hirobumi 伊藤博文 and Ōkuma Shigenobu 大隈重信 fell out over the direction the Constitution should take. Moreover, the tensions between government center and rural periphery were rendered infinitely more complex by their intimate links to internal government disputes. Two decades of political conflict was brought to an end by the Constitution.

Again, it was the completion of Japan's Western, modern legal system, pursued in parallel to the Constitution, that made possible the revision of the unequal treaties Japan had signed with the Western powers. This in turn meant the attainment of the goal of "parity with the foreign powers," since Japan was now internationally recognized as a modern state on equal terms. The realization of "public discussion" and "parity with the powers" was evidence that Japan's efforts to modernize had born fruit. They marked the end of the transition from the early modern to the modern and the creation, therefore, of the modern state.

However, the significance of the Meiji Constitution cannot be understood uniquely in these political terms. For it was also a demonstration to the nation (*kokumin* 国民) that the modernization processes launched with the Restoration were realized and the modern state was here to stay. In other words, the promulgation of the constitution played the historic role of embedding the idea of the nation (*kokumin*) as belonging to the state (*kokka* 国家).

This essay builds on these initial observations, and focuses attention on three social phenomena that were brought about by the Constitution. Firstly, the ceremonial accompanying the Constitution's promulgation placed before the people the role of the empress, and in so doing was an international demonstration of Western style royalty; at the same time, it emphasized Japan's "modernity." However, the stress here was not uniquely on Westernization, rather it was a display of the happy co-existence and merging of Western and Japanese characters, and this was rendered possible by traditional Japanese court ritual. Secondly, the promulgated Constitution was accommodated domestically, too, and the focus of debate quickly shifted from the Constitution's creation to matters of practice.

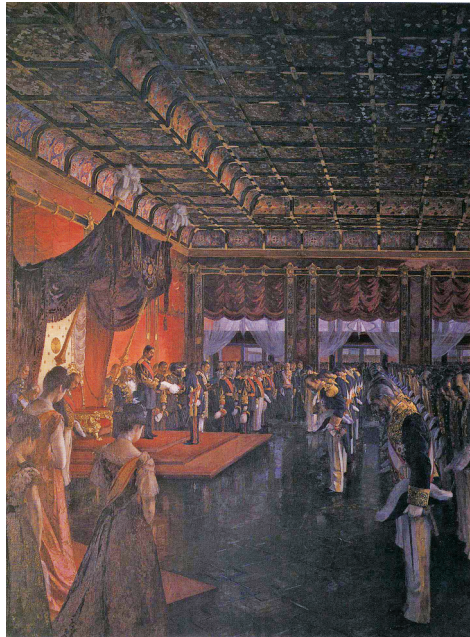


Figure 1. Kenpō happu shiki 憲法発布式.

The emperor passes the Constitution to PM Kuroda on 11 February, 1889 in the palace that was completed just one month before the event (Meiji Shrine; reproduced with permission).

This is a matter of legal-political history no doubt, but the question arises, then, as to why the Constitution was accepted by the people without political friction. Without clarifying this point, it is not possible to explain the third phenomenon, namely the Constitution as festival. This phenomenon has received next to no critical discussion: namely, the festivities that began on 11 February with State Foundation Day (Kigensetsu 紀元節) and climaxed on 3 November of the same year with the crown prince's investiture (*rittaishi shiki* 立太子式) held on the emperor's birthday (Tenchōsetsu 天長節). A magnificent festival program was produced and performed, and in the several processes of production and performance Japan discovered for itself a new national identity. 1889 was for Tokyo a festival year. It might well be argued that it was, in this regard, no less epochal a year than 1868 with the ritual of the imperial oath, the renaming of Edo as imperial capital (Tokyo), and the emperor's grand progress to his new capital.¹

It should be stressed from the outset that this essay is not intended to further understanding of ritual theory, and several of the events discussed here have been subjected to a more theoretical approach. It seems pertinent, therefore, to begin by clarifying where the difference in approach lies. For example, Takashi Fujitani has analyzed many of the Meiji emperor's pageants, arguing that they were modern creations.² However, in temporal and ritual terms, his strokes are too broad, and he fails to clarify the political or social meanings of imperial pageants, either in the process of Japan's modernization or at different historical moments; nor is he able to shed light on their epochal nature. That aside, Fujitani gives almost no space to those who celebrated, as opposed to those who were celebrated. As a result, we are none the wiser about the social significance of ceremonial in the construction of the modern nation state with its subjectivity in the people. For example, Fujitani writes of Tokyo being substantiated as capital city, when it became the stage for the performance of the state's public rites;³ but there could be no such substantiation without the acquiescence of Tokyo's citizens. Ceremony alone can only explain so much. Again, we should note Makihara Norio's assertion that it was with the performance of the Constitutional ceremonial that the first modern state rite was performed in Japan, with the capital of Tokyo as its core. As he writes, the event gave to Tokyo citizens a new pride in the imperial capital.⁴ However, as we shall see, there could have been none of the "unbridled merry making" to which he draws our attention without reconciliation between the citizens of Edo-Tokyo and the emperor.⁵

Here, it will be argued that the rites and ceremonies staged throughout 1889 held different meanings for different groups, but they operated with what one might call an "exquisite efficiency" to dissolve pre-existing political and social conflicts. In brief, the generation of a new consciousness of nation and capital cannot be understood by a focus on the events of 11 February alone.

1 For the basic argument proposed here, see also Kokaze 2011, 2009, 2004a, 2004b. For the ritual construction of early Meiji imperial power, see Breen 2011.

2 Fujitani 1994 and Fujitani 1996.

3 Fujitani 1994, p. 96.

4 Makihara 1998, p. 172.

5 *Ibid.*, p. 171.

1) The Constitution of the Empire of Japan: Promulgation as State Rite

On 11 February 1889, that is to say on the feast day (*kigensetsu*) held to commemorate the enthronement of the first emperor, Jinmu 神武, the Constitution of the Empire of Japan (Dai Nihon teikoku kenpō 大日本帝國憲法) was promulgated. At 9 a.m. on that day, the Meiji emperor crossed to the *kashiko dokoro* 賢所 shrine at the heart of the new imperial palace, made a formal declaration to his ancestress the Sun Goddess 天照大神 and his ancestor Emperor Jinmu, of the Constitution and the Imperial Household Law. He then venerated at the adjacent shrines to the imperial ancestors (*kōreiden* 皇靈殿) and the kami of heaven and earth (*shinden* 神殿). At these solemn events were present imperial princes, government ministers, imperial appointees, military commanders, prefectural governors, and chairmen of regional councils. Then at 10 a.m. the emperor, dressed now in formal Western garb, entered the palace's Hall for State Ceremonial (*seiden* 正殿). He stood beneath the canopy of his elevated dais, and handed the constitution to PM Kuroda Kiyotaka 黒田清隆. This was all conducted as an open Western style ceremonial in the presence of foreign diplomats and foreign employees of imperial status (*chokunin taigū* 勅任待遇). On the very same day, the Imperial Household Law was promulgated and imperial emissaries were dispatched to shrines and the mausoleums of loyal imperial servants to inform them of this momentous sequence of events.⁶ This was the first state ceremonial constructed with an initial Shinto style phase and a subsequent Western style phase.

On this day, the capital of Tokyo effervesced with celebrations to mark the Constitution. It was now for the first time in the Meiji period that the *sanja matsuri* 三社祭 was held. The *sanja matsuri* of course refers to the great festivals of the Asakusa, Hie and Kanda shrines; and now too that the early modern practice was resurrected of Hie Jinja 日枝神社 floats being carried into the grounds of the imperial palace (Edo castle as it used to be). The preparations by Tokyo citizens for the event were carried out scrupulously, but such preparation was not necessarily forced upon the populace.



Figure 2. *Kenpō happu Ueno buri* 憲法発布上野振.

The Tokyo authorities instructed the citizens of that city to prepare to celebrate the Constitution, but on that day the vast majority turned out of their own accord (Kensei Kinenkan; reproduced with permission).

⁶ *Meiji tennōki* 7, p. 209.

The German doctor, Erwin Baelz, has this to say about the celebrations in his diary entry of 11 February:

I had never seen so many pretty girls in Tokyo as today. Their fresh coloring, their radiant health, their pretty dresses, their excellent behavior, were all delightful. The streets were full of *dashi*, the processional cars which on festal occasions are drawn through the streets by men or oxen. They are wheeled platforms with complicated buildings on them, usually of several stories, or with great figures or groups of figures, and a sort of band in front making the most heathenish clamor. In front of some of these cars walked geishas in various sorts of fancy dress. The prettiest was a group of geishas masquerading as *ninsoku* (handicraftsmen).⁷

Thus far, he describes the scenes on the day of promulgation, which are fairly well known. However, the promulgation placed before the eyes of the populace another vital transformation. The empress appeared in the palace's Hall for State Ceremonial wearing a diamond crown on her head and clad in a rose-colored dress. There were few women present on this occasion, it is true, but their presence was nonetheless ceremonially essential. The other Japanese women who participated—Princesses Arisugawa no miya hi 有栖川宮妃, and Kitashirakawa no miya hi 北白川宮妃—were all dressed Western style. Their presence rendered the Constitution ceremonial truly Western since the sovereign and his most elevated subjects attended as husband and wife. The event thus stood comparison with any Western court ceremonial of its day.

Next, the empress broke with tradition and for the first time ever rode in the same carriage as the emperor, revealing to the nation husband and wife as partners together.⁸ Their destination: a military inspection in the parade ground. This was a development that was shocking on two accounts: 1) the empress appeared in public in the company of the emperor; 2) the empress appeared before the nation in Western outfit. Let me address the second of these points first. It was essential that the empress wear Western costume if she was to appear before the public alongside the emperor; acknowledgement of the empress's connection to Western clothing was the premise here. The emperor had appeared in Western dress for the first time in 1873, and the emperor would appear in Western dress alongside the empress who, till until 1886, had worn traditional Japanese court costume. On 23 June 1886, the government had published regulations on women's formal wear, directed at the wives of members of the imperial family, ministers, bureaucrats and the nobility. The regulations had the emperor's tacit approval.⁹

The empress first appeared in public wearing Western clothes on 30 July 1886, on her visit to the graduation ceremony at the Peeresses' School (Kazoku Jogakkō 華族女学校). The empress then appeared in formal Western dress at the New Year celebrations in 1887. Her outfit on this occasion was specially commissioned in Germany at the cost of 130,000 yen. The immense importance attached by the Meiji state to the empress's Western garb can be understood if we consider that the cost of building the Rokumeikan 鹿鳴館 in 1883 was

7 Baelz 1974, p. 82.

8 Wakakuwa 2001, p. 128.

9 *Meiji tennōki* 7, p. 197.

180,000 yen.¹⁰ Even accounting for the well known need of the Meiji state to promote the Westernization of court ceremonial as a means to seeking equal treatment from the Western powers, this was a staggering sum. This was the era in which the Japanese Prime Minister was on an annual salary of 10,000 yen; imperial princesses had an allowance of 10,000 yen, and government bureaucrats made do with 3500 yen. On 17 January 1887, the emperor issued an official encouragement for women to wear Western clothing. “It is apparent on consideration of Western women’s dress that it is suited not only to etiquette when standing, but also for the management of the body while in motion. It is only natural that these tailoring techniques be assimilated.”¹¹

Itō Hirobumi was the advocate of this change, as is evident from this entry in Baelz’s diary for 1 January 1904.

When a long while ago Ito informed me that European dress was to be introduced to the Japanese court, I earnestly advised against the step, on the ground that European clothing was unsuited to the Japanese bodily structure, and especially that the corset would be most unwholesome for Japanese women. Hygiene apart, I said, from the cultural and aesthetic standpoint, the proposed change was simply impossible. Ito smiled and replied: “My dear Baelz, you don’t in the least understand the requirements of high politics. All that you say may be perfectly sound, but so long as our ladies continue to appear in Japanese dress, they will be regarded as mere dolls or bric-a-bac.” This was the only occasion on which Ito ever rejected my advice or refused a request of mine.¹²

The empress’s Western clothing was, indeed, the symbol of Westernization; it was essential to demonstrating that court ceremonial in Japan was on a par with that in Western courts.¹³

Let me now address the second of the two points mentioned above: namely, the appearance in public of the emperor and empress as imperial couple. The empress’s attendance at the Constitution ceremony had the effect of rendering visible to the nation that the empress had a political role and was performing it. It was in court audiences for foreign dignitaries that the empress first assumed an active role in the modern monarchy. On 8 May 1888, she was allowed for the first time to grant audience to the wives of foreign dignitaries. On 20 November in that year, Western style protocol was introduced so that dignitaries would be received by the emperor in the Hō’ō no ma 鳳凰の間 chamber before being received by the empress in the new Kiri no ma 桐の間 chamber.

The wife of Ottmar von Mohl, who advised the court on Western protocol, had this to

10 Sakamoto 1991, p. 188.

11 *Meiji tenmōki* 6, p. 681.

12 Baelz 1974, p. 239.

13 Wakakuwa (p. 290) sees here the emergence of a twin-layered system of wear that affected men and women equally. It embraced Japanese style clothing as conservative, traditional culture, and Western clothing as modern progressive. The need to display Western style ceremony to a Japanese, and a more international audience, in a clearly visible fashion necessitated such a system of the imperial family. In other words, it helped facilitate the twin-layered ceremonial system that obtained in the modern Japanese imperial court. It was less a case of the co-existing of tradition and modernity than it was an attempt to stress the co-existence of two ritual styles, to assert Japan’s particularity in ritual terms.

say about the role of the empress:

The princesses of old Japan, just like ladies in general, did not show their faces in public places. After the Meiji Restoration, however, princesses were required to engage [with society] in the Western manner. It was therefore keenly expected of the sensitive empress herself that she too would perform her imperial role in Western fashion. The model for the empress was none other than Augusta, the German empress and Prussian princess. She engaged with national education; she cared for the sick; she became president of the Japanese Red Cross and entertained diplomats as well as the princesses of European courts who visited the Tokyo court with great frequency. She showed interest in all the spiritual trends of her day. These were the issues that mattered to the empress of Japan. What the empress desired to learn above all was this sort of work demanded of her as empress.¹⁴

Further, on 14 June 1889 the first official photographic portrait of the empress clad in Western garb was taken. This was a year later than the emperor's portrait. While the emperor's was famously a photo of a painting, in the empress's case a photograph was made, which was then touched up. The official photographic portraits of emperor and empress not only embodied the matrimonial harmony idealized in the Imperial Rescript on Education (*kyōiku chokugo* 教育勅語) of 1890, they were valued objects that demonstrated the Japanese imperial court was entirely of a kind with Western royal courts.

Japan's Westernization finds a ready symbol in the Rokumeikan, created at the insistence of Inoue Kaoru 井上馨 as Japan engaged in treaty revision with the foreign powers. The received wisdom is that Westernization took a back seat following the initial failure of treaty revision, and yielded space to ultra nationalism. But this is erroneous. Westernization was never absent from the Japanese consciousness at any stage of the modernization process. There is no better evidence for this than the empress alongside the emperor clad in her Western dress.

2) The Constitution as Epochal Event: Issues of Acceptance

The actual content of the Constitution of the Empire of Japan was only made public on the day. Baelz writes as follows in his diary for 9 February: "Tokyo is in a state of indescribable excitement over the preparations for the promulgation of the constitution on the 11th. Triumphant arches everywhere, plans for illumination and for processions. The great joke is that no one has the least idea of what the constitution will contain!"¹⁵ It was less that the content was kept under wraps for political considerations; rather that there was no way it could be published earlier since amendments were being made right up until the last minute in the rush to get it ready for 11 February. The point of 11 February was that it was the Kigensetsu feast day, which commemorates the enthronement of the first emperor, Jinmu; it was the most politically auspicious of days for the event. Deliberations on the Constitution

14 Von Mohl 1988, p. 54.

15 Baelz 1974, p. 81.

took place in the Privy Council (Sūmitsuin 枢密院), but even after their formal conclusion in December 1888, Itō postponed submission of the Constitution to the emperor in his search for perfection. The following four amendments were made during three days of discussions held from January 29. 1) The wording in Article 2 relating to imperial succession was changed from “imperial offspring” to “male imperial offspring”; 2) in Article 5, the key word was changed from *yokusan* 翼賛 to *kyōsan* 協賛. The essence of the change was that the emperor now needed the “consent” of the Diet rather than the “advice” of the Diet; 3) the revised Article 12 has the emperor not only determining the organization of the armed forces, but also what it calls their “peace standing,” thus eliminating the possibility of Diet interference; 4) Article 49, allowing both Houses of the Diet to present addresses to the emperor, was reinstated after it had earlier been removed.¹⁶

These are all important amendments that impinge on the very essence of the Constitution, but the first—and even more so the second—are of immense significance. The Diet was originally to give its “approval” (*shōnin* 承認), but this was changed to “advice” (*yokusan*) in deference to the view that “approval” gave to the Diet ultimate authority and “this would mean the destruction of the [emperor-centered] polity (*kokutai* 国体).” Itō Hirobumi’s view was that this was “not of a fit with the system of Constitutional government,” and so he changed it once more to “consent” (*kyōsan*). In other words, the emperor’s exercise of his sovereign powers required the sanction of the Diet, and thus the Diet’s powers were broadened. This amendment in turn embodied the very foundation of Japan’s constitutional government. It was a mere six days before the promulgation of the Constitution, on 5 February 1889, that the Constitution itself, the Imperial Household Law, the Parliamentary Law (*Giin hō* 議院法), the Lower House Election Law (*Shūgiin giin senkyo hō* 衆議院議員選挙法), and the House of Peers Law (*Kizokuin rei* 貴族院令) were all finally settled. Immediately thereafter, Itō Miyoji 伊東巳代治 set about producing an English translation. Itō Hirobumi made a speech on 15 February before an assembly of prefectural governors when he spoke fervently, and brimming with confidence, about the Constitution in a comparative context: “The extent of the rights which the Japanese nation inherits through this Constitution is broad in the extreme. One might even endeavor to suggest that, in the field of Constitutional studies, it approaches perfection.”¹⁷

The starting point for Itō’s Constitutional thinking was the observation of Lorenz von Stein, constitutional scholar and Itō’s Austrian mentor, that “in the most basic sense, almost all states have their own distinctive Constitution.”¹⁸ Itō wrote to Inoue Kaoru on 23 September 1882 after attending lectures by von Stein during his constitutional study tour to Austria. He reported on his own progress. “I think I know have a clear idea what is what when sovereignty and government authority come up against a popularly elected Diet. I think my understanding of what is involved in Diet structure, of election methods, of regional organization and of the limits of local autonomy, is now sound.”¹⁹ The freedom and popular rights movement mistakenly believes that “the writings of the English, American and French radical liberalists constitute a sort of gold standard. They have gathered such momentum as to be able to subvert the state. This is a fact of life in Japan today, but I have acquired the

16 *Meiji tenmōki* 7, p. 197.

17 Inada 1962, p. 923.

18 Takii 1999, p. 195.

19 Shunpōkō 1940, p. 318.

logic and the method to reclaim [the initiative].”²⁰ His confidence in creating a Constitution to suit Japan’s needs that was not a copy of European models was palpable in the speech he gave on 15 February.

The Constitution was published in the Government Gazette (Kanpō 官報), along with the Parliamentary Law, the Lower House Election Law, the House of Peers Law (Kizokuin rei 貴族院令) and the Public Accounting Act (Kaikai hō 會計法). Newspapers vied with one another to report the content. *Jiji shinpō* 時事新報 and *Mainichi shinbun* 毎日新聞 also published reports in English; and the English language press carried English translations. The fact of promulgation was reported throughout the world by telegraph, and its content was purveyed by mail. The Western world focused on what might be referred to as its excessively “progressive” content.

The London *Times* in a lengthy editorial on 23 March 1889 began: “There is something romantic about this deliberate establishment of a Parliamentary Constitution in an Eastern land. It is a tremendous experiment.” The editorial was approving of the Constitution’s content, too. “The Japanese are said to have gone mainly to German ideas for their inspiration; but their procedure seems in reality to have been that of a broad and catholic eclecticism, tempered by a purely native respect for the inalienable rights of the EMPEROR.” “The model [opined the *Times*] seems to be partly that of Germany, and partly that of the United States.” “The Diet is to discuss and vote the Budget annually, though its effective control over the national expenditure appears to be limited by several important exceptions. Its control legislation appears to be complete, however, subject only to the veto of the EMPEROR.” The *Times* refrained from unconditional praise, however, in its insistence that “the Japanese have shown themselves to be imitative and assimilative to a degree altogether unknown in other races of the East.”²¹ The US Secretary of State, James Gillespie Blaine, adopted a perspective less superior than that of the European press. He regarded the curbing of the sovereign’s powers as a masterstroke, and proposed that the idea of the emperor needing ministerial consent was Constitutional progress, and to that extent it marked an improvement on the Constitutions of Europe and the United States.²²

It is anyway of great interest that what are now regarded as the conservative aspects to the Meiji constitution were, at the time, evaluated as progressive. When Itō Hirobumi published an English translation of his *Kenpō gikai* 憲法義解 in June 1889, it garnered much praise. Stein who had been sent copies of the Constitution and Ito’s commentaries on it, believed the latter was a model of clarity, and evidence of how deeply Itō had understood the Constitutions of the West. He was also full of praise for the way in which he had not only distinguished between imperial rescripts on the one hand and the law on the other, but made those distinctions quite clear. This marked a development in constitutional law, since no Western constitutions made such a distinction. Here, believed Stein, was laid the foundation of Japanese state theory.²³ In any case, the Meiji Constitution was evidently attracting the attention of the British public; even by the standards of contemporary Europe,

20 Ibid., p. 296.

21 *The Times*, 23 March 1889.

22 Itō 1976, p. 31.

23 Inada 1962, pp. 950 – 57.

it merited esteem.²⁴ Of course, for this very reason, it encountered criticism from those who were negative about Constitutional government and the expansion of popular rights. When Itō Hirobumi toured Europe in 1882–3, Kaiser Wilhem I warned him that Constitutions were not promulgated with any pleasure; Itō was bewildered by the Kaiser’s unexpected despotic leanings.²⁵ And when Kaneko Kentarō toured Europe and the US introducing the Constitution, the reaction he encountered most frequently was: “We are at a loss as to understand why you created a Constitution. Why did you create a troublesome Constitutional system which causes so many problems in Europe?”²⁶

The English sociologist, Herbert Spencer, was highly critical. He wrote to Kaneko Kentarō in the following terms:

Probably you remember I told you that when Mr. Mori, the then Japanese Ambassador, submitted to me his draft for a Japanese Constitution, I gave him very conservative advice, contending that it was impossible that the Japanese hitherto accustomed to despotic rule, should, all at once, become capable of constitutional government. My advice was not, I fear, duly regarded, and so far as I gather from the recent reports of Japanese affairs, you are experiencing the evils arising from too large an installment of freedom.²⁷

The Japanese government was letting the people “gorge on freedom” despite his own warning of the need to build the constitution on gradualist, conservative foundations, taking full account of Japan’s historical traditions.²⁸

However, Itō had made his own position clear at the first meeting of the Privy Council in May 1888. “The original idea behind the creation of a Constitution is first to limit the powers of the sovereign, and second to protect the rights of the sovereign’s subjects. There is no need for a Constitution if all we do is commit to paper the responsibilities of the sovereign’s subjects, without specifying their rights.”²⁹ He insists here that the real point in creating constitutional government is to set forth popular rights. This is why Chapter 1, Article 4 limits imperial power by stipulating that the emperor exercises his sovereign rights “according to the provisions of the present Constitution.” As stated above, it is then spelt out in Article 5 that the emperor exercises legislative power with the “consent” (*kyōsan*) of the Imperial Diet. And the Rights and Duties of imperial subjects are set down in Chapter 2 before the stipulations on the Diet, which appear in Chapter 3. The breakdown of the Constitution is of this order: Chapter 1 “The emperor” has 17 articles, whereas Chapter 2 and 3 have fifteen and twenty two articles respectively; these are highly detailed Chapters

24 Toriumi Yasushi cites contemporary European views of the Constitution as a product of uniquely Japanese eclecticism, and takes issue with the prevailing wisdom that the Meiji Constitution was a “Germanic style monarchic Constitution.” Toriumi maintains that the differences between the Japanese and German or Prussian constitutions became quite apparent in their operation (Toriumi 2005, p. 135). There is of course a need to explore further whether eclecticism means what the *Times* implied by it—namely borrowing from far and wide—or whether it is not better understood, with Herbert Spencer, in terms of a gradualism and conservatism, based on native history and practises (Kaneko 1938, p. 253).

25 Watanabe 1958, p. 467.

26 Ibid., p. 468.

27 Duncan 1908, p. 319.

28 Yamashita 1983, p. 202.

29 Inada 1962, p. 629.

when compared to, say, the two articles relating to the Cabinet (in Chapter 4), or the five articles in Chapter 5 on the Judiciary. Itō explained that “legal freedom is the subjects’ right; it is the wellspring of their lives and of the development of their intellects.”³⁰

Itō was well aware of the populace gorging itself on freedom, which explains why, in contrast to the overseas reaction, freedom and popular rights activists in Japan were all well disposed towards the Constitution. The rights of the Diet were set more broadly than they had ever expected; and popular rights were also acknowledged. Takata Sanae 高田早苗, a leader of the Rikken Kaishintō 立憲改進黨 said it was a fine Constitution, “better than I had been lead to believe.” Koizuka Ryū 肥塚龍, another Rikken Kaishintō leader, *Tōkyō Mainichi shinbun* reporter, and member of the Diet elected eight times, was unstinting in his praise when he referred to it as a “Constitution indeed to be commended.”³¹ Praise aside, there was minimum negative response to the facts of the promulgation, and of Japan adopting constitutional politics. What is worthy of note, by way of comparison with Europe, is how Japanese society transformed from a condition of bitter conflict to one of acceptance in an entirely peaceful manner.

It is not the case that no criticism was leveled at the Constitution’s content, but government policy was to censor any who questioned the emperor’s gift of the Constitution. This no doubt helps account for the retreat of popular rights activists’ criticisms. One should not overlook the fact, though, that popular right activists were well aware of the Constitution’s historical significance. They knew that promulgation put an end to the controversy that had preceded it. It was essential to Japan’s future not to drag that controversy over into the post promulgation period. It was vital for Itō that the Meiji Constitution be “an unexpectedly good” one, that would meet with activists’ approval; it was essential that they did not start picking holes in it. Ueki Emori 植木枝盛, member of the liberal party (Jiyūtō 自由党) and representative advocate of popular rights, famously said that the Constitution was always going to be a gift from the emperor to the people (*kintei kenpō* 欽定憲法): “It was never going to be one determined by the people (*kokuyaku kenpō* 国約憲法). However, there is no doubt but that we have witnessed the birth of something called a Constitution. One must not lose sight of the fact that the Japanese people are now a people possessed of a Constitution.”³² Ueki’s appraisal is to be taken in this broader context.

The concerns of European observers focused on two points: Why did Japan need a Constitution at all, and was their Constitution not a mere European copy? The foreign gaze came to focus on the Japanese ability to make their Constitution work. The *Times* was quick to forecast conflict between government and Diet as here: “It is easy to see in this Japanese constitution that there is risk of a collision either between the two Houses of the Diet or between the Diet and the Emperor.”³³ It was indeed the case that Japan now confronted the new challenge of demonstrating that the constitutional system could be made to work.³⁴ Fukuzawa Yukichi 福沢諭吉 had this to say to an American magazine journalist:

30 Shunpōkō 1940, p. 52.

31 Inada 1962, pp. 915–917.

32 Ienaga 1960, p. 571.

33 *The Times*, 23 March 1889.

34 Toriumi 2002, p. 178.

I admire your free country. Here in Japan, we are not yet ripe for a republic, and therefore we have an emperor, but you can take it from me that we have already advanced so far that the emperor has nothing more to say in the political life of Japan than the king of England has to say in the political life of that country to the point where we might adopt a republican system. That is why the emperor is there. Please believe this: those political occasions on which the emperor has to be consulted are fewer than those when the British queen is consulted.³⁵

Fukuzawa stresses here that the Meiji Constitution is, to an extent, already up and running. This was typical of Fukuzawa who was deeply familiar with the political world and who, as Ōkuma's "brain" prior to the 1881 crisis, had dispatched many students from the Keiō Gijyū 慶應義塾 college in to the political arena. What needs to be stressed in this context is the Constitution was set to come into force on the day on which the Diet was scheduled to open. The Constitution was activated by the opening of the Diet.

The axis of political conflict now shifted. No longer did debate fix on what sort of Constitution might be realized; it was now rather how to make the Constitution function, and how to effect Constitutional politics. Kuga Katsunan 陸羯南 saw the significance of the Constitution in the fact that it marked the launch in Japan of "an enlightened way of politics."³⁶ "Let the Constitution live; do not let the Constitution perish. Such is my hope."³⁷ And this was Ōkuma Shigenobu's position: "The beauty of the Constitution will depend entirely on how it is made to work... There is no reason why we might not see a situation emerging similar to that in England, when once the political parties are up and running."³⁸ This was a new age, then, which saw a dramatic shift from suppression and resistance to battles over policy between government and political parties.

Finally, it needs to be pointed out that the Meiji Constitution led to a change in Japan's international standing. There was no denying the Constitution's advanced state of completeness. The stubborn opposition of the British to treaty revision sought justification in the backwardness of Japan's civil codes and its legal system. The argument was no longer tenable. On 20 February, just 9 days after the Constitution was promulgated, the Treaty of Commerce and Navigation between the United States and Japan (Nichibei tsūshō kōkai jōyaku 日米通商航海条約) was signed, and on 11 June of that year a revised treaty was signed with the Germans. On 8 August, the Russian Minister signed a revised treaty with Japan. All the major powers apart from Britain approved treaty revision and agreed to sign.

Japanese Foreign Minister Ōkuma Shigenobu had intended to effect treaty revision prior to the enactment of the Constitution (namely, to coincide with the opening of the Diet). However, the revisions he proposed included the appointment of foreign judges in cases involving foreign defendants in the judiciary, and offering a guarantee that the compendium of laws would be established and published. Ōkuma's proposals could hardly be called "equal," and they duly earned stern criticism not only in the country at large but within government too. At an imperial conference (*gozen kaigi* 御前会議) on 15 October

35 Baelz 1974, p. 115.

36 Kuga 1972, p. 143.

37 *Nihon*, 15 Feb. 1889.

38 *Meiji bunka zenshū seishi-hen ge*, p. 47.

1889 the pros and cons were debated, but the conference ended without conclusion. Three days later Ōkuma was wounded in an act of terror; PM Kuroda resigned on 24 October, and the Sanjō cabinet (Sanjō nai rinji kaku 三條内臨時閣) decided on 10 December to postpone discussion on treaty revision; Ōkuma who had remained in situ now resigned. The fact that Ōkuma's negotiations—yielding as they were towards the Western powers—were postponed served merely to strengthen resolve towards achieving complete equality.

The promulgation of the Constitution changed everything. The powers lost the legitimacy of their opposition to treaty revision, and were in disarray. The murderous attack on Ōkuma demonstrated the surge of popular feeling about the unequal treaties, and it was clear the issue would dominate the inaugural session of the Diet. The government could not afford to take a compromising position; the conditions for insisting on complete equality were now present and correct. On 10 December, the Sanjō cabinet not only approved a “diplomatic policy for the future” (*shōrai no gaikō no hōshin* 将来の外交の方針), which meant in brief that revision must lead to absolute equality—in all but the clause on import duties—or there would be no treaty signing at all. It was thought that it would be impossible to get British approval for absolute equality, given the difficulties already encountered with Ōkuma's compromise position. Nonetheless, this new position was adopted on the understanding that, faced with the overwhelming desire for parity with the powers on the part of public opinion, the proposed revisions had to be such as could unite popular opinion and win the consent of the Diet.

Possessed now of a Constitution and a Diet, Japan's assertion shifted thus from a gradualist approach to one of revision for absolute equality.³⁹ Generally, it is assumed that the revision of the unequal treaties and the removal of extra-territoriality were realized just before the outbreak of the Sino-Japanese war in 1894. This is true enough, but the major impetus here was the promulgation of the Constitution.

3) Tokyo's Political Space: A Season for Ceremony

Of the three phenomena identified at the start of this essay, what I wish to emphasize above all is the socio-political role of ceremonial. My argument is that 1889 was the year in which the post Restoration political conflicts dissolved in a cycle of political ceremonial, the pivot of which was the Constitutional promulgation itself.

The first political venture in this regard was the amnesty (*taisha rei* 大赦令). The government issued an amnesty to political prisoners to coincide with promulgation. The intent was to dissolve the conflict that had obtained between central government and local popular rights' activists.⁴⁰ This was an amnesty of a grand scale, affecting some 458 activists, 334 of whom had been convicted; 124 were awaiting verdicts. Prominent among them were Kawano Hironaka 河野広中 for his involvement in the Fukushima 福島 incident; Ōi Kentaro 大井憲太郎 and Kageyama Hide 景山英 for the Osaka incident; Kataoka Kenkichi 片岡健吉 for infringing the Public Security Regulations (Hoan jōrei 保安条例); Hoshi Tōru 星亨 for involvement in the so-called *himitsu shuppan jiken* 秘密出版事件; Ōishi Masami 大石正巳 for breaching the Newspaper Law (Shinbun jōrei 新聞条例). The amnesty was not

39 See Kokaze 2011.

40 Ienaga 1960, p. 572.

applied to charges of murder and robbery, so the Jiyūtō extremists who staged such incidents of violence as those at Kabasan 加波山, Nagoya 名古屋 and Shizuoka 静岡 were not released. Nonetheless, a large number of former freedom and popular rights movement activists began now to launch their own political movements targeted at the opening of the Diet in the following year; many subsequently participated in the Imperial Diet as Diet members.

The amnesty was extended to the likes of Saigō Takamori 西郷隆盛, who had led the Satsuma rebellion of 1879. He was posthumously reinstated; his title of “court enemy” (*chōteki* 朝敵) was wiped clean, and court rank was restored to him. At the same time, court rank was bestowed on such loyalists as Fujita Tōko 藤田東湖, Sakuma Shōzan 佐久間象山 and Yoshida Shōin 吉田松陰.⁴¹ This posthumous awarding of court rank has been interpreted as marking the achievements of Japan’s loyal subjects, but the posthumous reinstatement of Saigō was of quite a different order. Evident here was a political intention to restore the tear in the social fabric, caused by samurai rebellions such as that in Satsuma. But the greatest tear since the Restoration of 1868 was the Boshin 戊辰 civil war of 1868–9. Here, too, harmony was restored, namely by ten months of political ceremony on the stage of Japan’s capital Tokyo.

The first event of significance here was the completion of the new palace and the emperor’s move there on 11 January 1889. This was, as it were, the emperor’s second entry into Edo castle. The first had taken place on 13 October 1868 when he arrived on progress from Kyoto, and Edo castle was renamed Tokyo castle. On 5 May 1873, this building complex was burned to the ground along with the Dajōkan 太政官 and Kunaishō 宮内省 buildings, and Akasaka became the emperor’s “temporary palace” (*kari kōkyō* 仮皇居). The plan to rebuild the palace was determined as early as 1883, and the initial idea was set in Western style architecture. The plans were revised in favor of a Japanese style building to speed up the construction process, and ensure completion in time for the opening of the Diet. Work started in July 1884, and was completed in October 1888. The new structure was restyled *kyūjō* 宮城. The emperor’s progress to the new palace took place on 11 January 1889. Baelz noted that this was “much against his will, for he is averse from all change.”⁴² However, according to the *Meiji tennōki*, the entire capital was roused to welcome the emperor to his new abode:

On this day, the weather was bright, with the sky a blue canopy. The citizens rejoiced, as they all joined to celebrate this most auspicious event. The streets were lined with pupils from primary and other schools; there was singing of the *Kimi ga yo* 君が代 anthem; at Nijūbashi, there were fireworks. The welcoming citizens massed like clouds, and shouted *banzai*; they praised the emperor for his sacred virtue, and they filled the streets of the capital with harmony and good will.⁴³

According to Baelz, “The new palace is built of wood, outwardly in the Japanese style, but inside it is tastefully equipped partly in the Japanese and partly in the European fashion. Certainly I cannot remember having ever seen in Europe a finer hall than the throne-room

41 *Meiji tennōki* 7, p. 215.

42 Baelz 1974, p. 80.

43 *Meiji tennōki* 7, p. 183. Newspapers reported, however, that the citizens’ reaction was rather one of indifference.

in this palace.⁴⁴ The Constitution was promulgated in this Throne Room (Gyokuza no ma 玉座の間) immediately after the palace was completed.

The second event in terms of temporal sequence, after the amnesty, was the Constitution parade of 11 February 1889, but of greater historical import was the emperor's progress to Ueno on 12 February. This Ueno progress, following the parade of the previous day, was in response to specific requests from the citizens of Tokyo "to give the common people a chance to set eyes on the emperor's carriage."⁴⁵ Formally, the event was advertised as a progress to the Kazoku kaikan 華族会館, but Ueno had been the site of ferocious battles in the Boshin civil war. It goes without saying that, for the many Tokyo citizens who still relived the Boshin war, the emperor's actions would have been read as bringing repose to the souls of the fallen. For many Tokyo citizens, this progress was deeply significant. The streets were lined with Tokyo citizens, and with others too who had come in from outside the city, shouting their greetings to welcome the emperor.

On this Ueno progress, Katsu Kaishū 勝海舟 wrote to Itō Hirobumi in the following terms: "The emperor's beneficence has profoundly moved the hearts of the people. I witnessed many who were speechless with inner joy. The progress to Ueno was a magnificent event. The citizens of Tokyo appeared to be thrilled at this, their first opportunity to encounter the emperor's grace and blessings."⁴⁶ Katsu was, of course, the key player on the bakufu side, who had put a halt to the imperial force's mass assault on the city of Edo. In his diary for 5 May 1868 (慶応4年4月13日), he had written thus of the city occupied by the imperial forces:

The hearts of Edo citizens and bakufu troops are fear struck. Baseless rumor disables them. The samurai make as if plunder and murder are the true way of the samurai. Tokugawa law can exert no control over them. Merchants have shut their doors; the destitute produce nothing. The city streets at night are deserted. Is the mood of an age at its end? Is this anarchy? My despair knows no limits.⁴⁷

Twenty years on, Katsu is talking of the people encountering the emperor's grace and blessings for the first time. This is a very Katsu-like sentiment. The sentiment was not confined to him, however; it was most surely shared by former bakufu officials and, indeed, by the entire citizenry of Tokyo. The hosting of a third imperial progress within a month was intended to place the emperor before the citizens' eyes; it operated as a strategy to enable Tokyo's citizens to recognize the emperor as lord of their capital city in place of the Tokugawa. This might be understood as a ritual purging of the animosity created by the Meiji Restoration back in 1868.

The third event was the reinstatement of Edo and of the Tokugawa family. On 26 August 1889, celebrations were held to mark 300 years since the historic entry of Tokugawa Ieyasu 徳川家康 into Edo castle (Edo kaifu sanbyakunen sai 江戸開府三百年祭). The 1st day of the 8th month in the pre-modern lunar calendar was known as *bassaku* 八朔; it was a

44 Baelz 1974, p. 80.

45 *Meiji tennoki* 7, p. 218.

46 Inada 1962, p. 913.

47 *Kaishū nikki*, p. 57.

feast day to celebrate Ieyasu's entry into Edo. In the Edo period, it was hardly less important than New Year itself. In this year, 1889, former bakufu officials created the Edo Kai 江戸会 or Edo Association, with the specific purpose of researching the history of the entire Edo period. Participants included Maejima Hisoka 前島密, Kimura Kaishū 木村芥舟, and others from those domains which took the bakufu side in the Boshin wars; there were businessmen with links to Edo, and artists, too. The movement to resurrect the *hassaku* holiday gathered pace, and Enomoto Takeaki 榎本武揚 was elected president of what became known as the Sanbyakunen-sai Kai 三百年祭会.

On 26 August 1889 (1st day 8th month in the lunar calendar), there took place at the Ueno shrine dedicated to the spirit of the Tokugawa founder, Ieyasu (Ueno Tōshōgū 上野東照宮), celebrations to mark the foundation of the Tokugawa bakufu. The celebrant was none other than Matsudaira Katamori 松平容保, incumbent priest of the Tōshōgū and the former head of Aizu 会津 domain, the greatest of the court's foes in the Boshin war. The crowds shouted "Tōkyō banzai" 東京万歳, as the last shogun, Tokugawa Yoshinobu 徳川慶喜, did a circuit of the venue in the company of Tokyo governor, Takazaki Goroku 高崎五六 and Enomoto, who was host of the event. There were lanterns and flags displayed throughout Ueno. Massive flags stood crossed on the approaches to the three great Ueno bridges, Manse-bashi 万世橋, Nihonbashi 日本橋 and Kyōbashi 京橋. An arch was erected in Shinobazu no baba 不忍馬場. The entire area fizzed with the mood of celebration.

The event was attended by the emperor's third son, Prince Haru no miya Yoshihito 明宮嘉仁親王 (the future Taishō emperor, who became crown prince in November), and Prince Fushimi no miya 伏見宮, Finance Minister Matsukata Masayoshi 松方正義, Imperial Household Minister Hijikata Hisamoto 土方久元, members of the Tokugawa family, and diplomats from America, Italy and China. Prime Minister Kuroda Kiyotaka 黒田清隆 was fully intending to participate, but his progress was blocked by massive crowds and in despair he turned back. The emperor made a donation of 300 yen by way of celebrating with the Tokyo citizenry the resurrection of this Tokugawa day.⁴⁸ The *Chōya shinbun* wrote: "The flourishing of Tokyo that we see today is owing to the beneficence of Tokugawa Ieyasu in founding [Edo]. It is hardly inappropriate for the people of Tokyo to express their gratitude in this manner."⁴⁹

The investiture of the crown prince was in a sense the grand finale to these ceremonies. The investiture took place on 3 November 1889, the day of the emperor's birthday. The emperor's third son became crown prince at the age of 11 in accord with the stipulations of the Constitution and the Imperial Household Law. This was a celebratory event designed as the culmination of a full year of political ceremonial. The Meiji Constitution, which located sovereignty in the emperor, demanded the continuation of the imperial line. The determination of the emperor's successor was essential to the stability of imperial Japan's future flourishing. However, imperial succession was a matter not only for the state but also for the imperial family itself. In terms of the preservation of the bloodline, there were clear concerns at this time.

The principles of imperial succession set forth in the last minute amendments to Article 2 of the Constitution, and then stipulated in the Imperial Household Law, concerned

48 *Meiji tenmōki* 7, p. 339.

49 *Chōya shinbun*, 20 August 1889.

imperial male descendants. This marked a significant shift from former practice. The system of prioritizing the emperor's son over adopted children was set up with the birth of Prince Yoshihito, the Meiji Emperor's third son, but there were still a number of structural problems to be overcome, notably the possibility of female succession, and the problem of the relationship between sons born from the emperor's wife and those born from imperial concubines. *Kōshitsu seiki* 皇室制規 (March, April 1886), which is regarded as the earliest draft of the Imperial Household Law, stipulates that females may succeed in the event of no male successor, and that offspring of empresses are to take precedence over offspring from concubines. In the *Teishitsu tensoku* 帝室典則 of June of the same year, the reference to female succession is removed. This did not mark the end of debates on the matter, but the die was now cast.

The arguments for removing female succession were several, but the dominant logic held that, while there may be no problem with the bloodline of the empress herself, the blood of royal offspring would be adversely affected by the empress's spouse, and so render problematic the preservation of Article 1 with its reference to the unbroken line of emperors. Japan had of course had empresses, but typically they ascended the throne as wife to an emperor or imperial princess. As in the case of Gensei 元正 and Kōken 孝謙 in the Nara period and Meisei 明正 and Gosakuramachi 後桜町 in the Edo period, they were all unmarried. The imperial bloodline was inherited by the next generation. In Europe, there was intermarriage between royal families and so a queen or empress presented no particular difficulties, but in Japan, there was no possibility of an empress marrying a male royal of other families.

The inclination toward prioritizing the offspring of the empress over the offspring of an imperial concubine can be explained on two accounts: parity with European courts where the system of "one husband one spouse" obtained; and consistency with the domestic arguments now prevalent in Japan that idealized one husband one spouse for the emperor's subjects. The emperor himself could hardly be an exception to the rule. For these reasons then, the manner of imperial succession was transformed and, with one eye fixed on the practice in European courts, it was limited now to males descended from the emperor's wife. This limitation was a logical refinement in its endeavor to preserve the imperial bloodline, but it led to unease with regard to preserving the unbroken line of emperors. To promote the emperor's divine qualities in order to enhance his authority would invariably lead to questions about pedigree; the greater the stress placed on correct pedigree, the more difficult continuation of the line would become. It was one thing to establish new rules of succession, but they were meaningless if they were not effective in practice.

At this point in time, the only candidate for investiture as crown prince was the emperor's third son, who was not born of the empress. Prior to investiture, the issue of birth demanded attention. The Meiji emperor himself had been born of an imperial concubine, but the pretense was adopted that he was in fact the child of the empress. Following this precedent, Prince Haru no miya Yoshihito, the emperor's third child, born to Yanagiwara Naruko 柳原愛子, was declared the offspring of Empress Haruko 美子 on 31 August 1887. Concerns about imperial succession were not easily quelled. Only five of the Meiji emperor's fifteen children reached adulthood; and the health of the only male, Prince Yoshihito, was never good. Indeed, the preservation of his health was of critical import to the imperial succession, and work was begun on an official residence more suited to his weak disposition, far removed from the extreme heat and cold of Tokyo. As early as July 1888, the Tōgashima

detached palace (Tōgashima rikyū 塔ヶ島離宮) was built for him in Kanagawa, and the prince immediately removed there to escape the summer heat of the capital for eight days. According to the *Meiji tennōki*, the emperor did not approve the prince's escaping to Tōgashima, and matters were not easily resolved. The emperor was only won over when it was explained that it was essential for the prince's prognosis and appropriate to the preservation of his health.⁵⁰ This provided a temporary solution to the prince's health problems, and it was possible now to proceed with the investiture. This was duly carried out, as mentioned above, on the birthday of the Meiji emperor, 3 November 1889. It was now evident to all that the legacy of Meiji, that is to say, the modern constitutional state system, would be inherited by the next generation.

This investiture, it should be noted, was carried out in line with the new Imperial Household law. The emperor had Tominokōji Hironao 富小路敬直 represent him at the main birthday ceremonies on that day. He himself presided over an inspection of his troops at the Aoyama parade ground (Aoyama renpei jō 青山練兵場). He then issued a rescript announcing the investiture of Prince Yoshihito to an assembly of imperial princes, ministers and foreign diplomats. He then presided personally over the investiture ancient style. The rite of investiture did comprise a Western moment, which saw the prince appear before the emperor in the Hō'ō chamber clad in the military uniform of an army lieutenant, but this gave way to a Shinto style phase, which saw the investiture reported to the kami of the three palace shrines: Amaterasu the Sun goddess, the imperial ancestors and the kami of heaven and earth. A buffet in the Hana goten 花御殿 dining hall followed.⁵¹ The investiture drew on the myth of the unbroken line of emperors, as declared in Article 1 of the Meiji Constitution, which served to proclaim the legitimacy of imperial sovereignty. The investiture of the crown prince was the final phase, the finale it might be said, in a ritual cycle that unfolded around the Constitution. It was a superb *mise-en-scène*, and the investiture was the *pièce de résistance*.

It now became the practice for the crown prince to flee the capital in the summer heat and the cold of winter. In 1893, a succession of residences were constructed as resorts for the crown prince: in Numazu 沼津, Hayama 葉山, and Nikko 日光. The crown prince favored no place so much as Hayama where, in February 1893, he first spent time at the mansion of Prince Arisugawa 有栖川宮. It was decided to build a winter residence there for him in June of that year, and following its completion in January 1894 the prince visited that residence on some sixty six occasions, sixty four of which were during the reign of his father, Emperor Meiji. It was, indeed, here in this Hayama residence that the Taishō Emperor was to die in December 1926.

50 *Meiji tennōki* 7, p. 116.

51 *Ibid.*, pp. 405–7. F.R. Dickinson has also drawn attention to the relationship between the investiture of the crown prince and the modern state, pointing out that visual images of state events invariably feature emperor, empress and crown prince (Dickinson 2009, p. 9). Dickinson is, however, concerned principally with biographical detail of the crown prince, his marriage and his travels. He does not discuss the investiture in its social or political meanings. My position is that those visual images involving emperor and crown prince are a symbolic rendering of the durability of the imperial line, and so of modern Japan. The investiture was, in this sense, a political rite that proclaimed the continuity of the Meiji constitutional system.

Conclusion: The End of the Restoration and Modern Japanese Nationhood

The cycle of political ceremonial that began on 11 January and ended with the crown prince's investiture on 3 November was a proclamation directed at a domestic and an international audience, in Japanese and Western style, that the ideals of the Meiji Restoration and Japan's modernization had at last been achieved. At the same time, these ceremonies served to make the point to the citizens of Tokyo that the emperor was now master of the nation's capital, Tokyo. The timing of the Constitution and the investiture, coinciding as they did with the national imperial holidays to mark Kigensetsu and the emperor's birthday, was exquisite. The attendant ceremonies stressed the imperial nature of Japanese history, and impressed on the nation that the Japanese monarchy had come of age. The political space of Tokyo metamorphosed from the site of Restoration conflict to a place of national integration and state unification; what had been the Tokugawa power base was now reborn as the national capital.

The promulgation of the Constitution and the opening of the Diet marked a boundary between the fraught age of the freedom and popular rights movement and the stable period of Constitutional government. When the ideal of popular participation, proclaimed ever since the Restoration of 1868, was realized within the constitutional frame by means of the Cabinet and Diet, the popular insistence on "realizing the ideals of the Restoration" ceased to have meaning. The start of a new age generates new historical understanding. The settlement of the Restoration and expectations for a new "Restoration" saw *kokumin* or "nation" deployed as a new keyword.⁵² Nationalism that went in search of Japan's political and cultural independence hoped for a new type of modern state that differed from that in western societies.

Tokutomi Sohō 徳富蘇峰 was quick to espy the truth, namely that "the people are no longer the people of Restoration Japan; so how can the stage still be the Restoration stage?"⁵³ Meiji youth emerged now to shoulder the burden of the new age, and the elderly, those born in the 1840s who had run things till now, moved backstage. To talk of the Restoration was no longer to talk of the present; it had become a discourse about the past. When the Restoration was dismissed to the past, and removed from the yoke of politics, it reappeared before the nation as an historical space whose meanings could be freely debated. The Restoration was passing from politics into history. The Constitution rendered possible in the decade of the 1890s the overthrow of the historical understanding that sought to seal off the Edo period; there emerged now attempts to re-understand the past and re-understand Japan. Kuga Katsunan put it like this:

52 See on this Koyama 1990. Kuga Katsunan defined "nationality" (this is Kuga's English rendering of the Japanese *kokumin shugi* 国民主義) in his essay "Nihon bunmei no kiro" 日本文明の岐路 in June of 1888. The main arena for his arguments on *kokumin shugi* was the newspaper *Nihon*, founded on 11 February 1889. The date was, of course, no happy coincidence.

53 Tokutomi 1915, p. 7. This of course is an extract from his article "Sā, *Kokumin no tomo* umaretari" 嗟呼国民之友生れたり in the first issue of *Kokumin no tomo* 国民之友 of February 1887. In *Shōrai no Nihon* 将来の日本 which was published in October of the previous year, Tokutomi used the word *kokumin* as a translation for the title of the American journal *Nation*. It became one of the vogue words of the age, along with *seinen* or "youth" which had appeared in the title of Tokutomi's *Shin Nihon no seinen* 新日本之青年, revised and republished in March 1887. Makihara proposes that "in the final analysis, the freedom and popular rights movement opened the way for the Japanese people to become a Japanese nation" (Makihara 1998, p. 132), but there is scope for a reappraisal in light of the fact that the movement also laid the ground for the people's acceptance of the Constitution.

Just as I have no wish that Japan's national political life should be unified with that of any other nation, so I do not wish there to be an identity between Japan's cultural life and that of any other nation. I wish for political independence and, at the same time, cultural independence. This can only come about with a display of the Japanese nationalist ideal. Nationalist ideals demand independence; they will otherwise never endure and develop. If nationalist ideals were to wither and die, then our import of modern civilization and its use to further our own progress will end up thwarting our national independence.⁵⁴

Kuga does not settle for a dualistic East-West opposition of ultra-nationalism and Westernization; rather, he seeks the creation of a new culture somewhere in the tension between the two, and the establishment of a Japanese nationality (identity), the better to realize Japan's political and cultural independence. This was not tradition as such; this was an independent stand within the context of modern civilization of the sort that might bear the scrutiny of the US and European powers. The modernity of Japan, born in this way, was not the Westernization articulated till now as *datsu'a nyūō* 脱亜入欧 (leaving Asia to join the West). This had always involved the rejection of Japanese elements and the implantation of Western society. Having achieved European style modernization with the Constitution and treaty revision, Japan now sought something different: the creation of a national awareness that could continue its modernization even as it embraced the distinctive features of Japanese culture. This was not, contrary to the habits of the time, a shift from Westernization to ultra-nationalism; it was the welding rather of Westernization with national identity, or rather the insistence on Japanese national identity within the context of Westernization.

It has normally been understood that this historical period witnessed a reaction against Westernization, that it ushered in a period of ultra-nationalism, but the truth is that the reaction was not of an anti-modern nor an anti-Western order. Rather, in the sense that it sought a restoration of ethnic values, it had much in common with ethnic movements that loomed large in peripheral European states at this time; that is, it is best understood as part of a global phenomenon. The process whereby "native" turns



Figure 3. Kuga Katsunan 陸羯南. Kuga Katsunan was a political commentator whose influence was Tokutomi Sohō. He was an advocate of civic nationalism, and called for Japan's cultural independence (Diet Library; reproduced with permission).

54 *Nihon*, 7 January 1890.

“national” was a “relativisation” of the universal values of the nineteenth century West, of the sort that was manifest now in the European periphery. It was a restoration of the ethnic and the romantic; an attempt in brief to establish a Japanese nationalism.⁵⁵ This awareness bears fruit in an array of “Japan theories” published by Japanese intellectuals in English: Uchimura Kanzō’s 内村鑑三 *Daihyōteki Nihonjin* 代表的日本人 (1894), Nitobe Inazō’s 新渡戸稲造 *Bushidō* 武士道 (1899), Okakura Tenshin’s 岡倉天心 *Tōyō no mezame* 東洋の目覚め (1903), *Nihon no mezame* 日本の目覚め (1904), and *Cha no hon* 茶の本 (1906). These three authors all had personal experience of Western society, and their painful awareness of foreign ignorance of Japan, the bias and inadequacy of foreign understanding, drove them to put pen to paper. Against the background of the Sino-Japanese and Russo-Japanese wars, each of these works created a stir. Uchimura and Nitobe argued for Japan’s religiosity and ethics as they launched fierce criticisms of the reality of Christianity and European civilization; Okakura, by contrast, argued that the beauty and ideals of Eastern culture lay within a deep spirituality and universalism, and put the case for Japan’s role in Asia. The advent of this new Constitutional age meant, in other words, the end of Restoration Japan’s search for modernity. It meant the start of something new. In a real sense, it was only now that Japan’s modernization begins.

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55 See the several essays collated in Nishikawa 1999, and Osa 1998 who explores the nationalist enterprise in terms of national language.

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