

## THE INTRODUCTION OF WESTERN CONSTITUTIONAL THOUGHT TO JAPAN: KATO HIROYUKI'S *TONARIGUSA*

*Paul D. Scott\**

### Introduction

Kato Hiroyuki (1836-1916) represents a unique group in Japanese history. Kato was both a member of the traditional intelligentsia and at the same time also an accomplished scholar of Dutch Learning (*Rangaku*) and Western Studies (*Yogaku*). By being able to read foreign works on such subjects as geography, history and science he gained valuable knowledge about the West and therefore can be classified as a technical specialist. Therefore throughout this essay I will refer to Kato and his peer group as the technical-intelligentsia.

Kato Hiroyuki's first attempt at expository writing, *Tonarigusa* (Neighboring Vegetation), is a direct result of the knowledge he gained as a technical specialist. Written in 1861, seven years before the Meiji Restoration, it shows both the amount and quality of information about Western institutions available at the time. It also shows the ability of the Japanese intellectual to engage in sophisticated analysis of comparative political systems.

Kato's essay is central to our understanding of the development of what would later become the Meiji political system. *Tonarigusa* represents the reaction to and understanding of Western political theory by an individual who was receptive to both its theoretical and functional content. Kato, who was to have an illustrious career, said of this initial phase of his political life that:

When I wrote these works, [here referring to *Tonarigusa* and *Rikken Seitai Ryaku*]my scholarship was extremely shallow. This was reflected in my wanting immediately to imitate anything I saw somewhere else. I know now from historical experience as well as by direct observation of the actualities of

*\*Paul D. Scott received his B.A. from Seton Hall University in 1972, an M.A. from New York University in 1974, and an M.A. from the University of Virginia in 1982. He is presently working towards his Ph.D. in East Asian History at the University of Virginia.*

states, that it is not possible to be precipitate in establishing constitutional government. In short, my view that the Bakufu should establish a constitutional government was based on an utterly immature theory.<sup>1</sup>

When Kato made the above remark he had already turned his back on natural rights theory in favor of the more authoritarian German tradition which emphasized the supremacy of the state. *Tonarigusa* was written in 1861, when Kato was at the very fringes of power. His enthusiastic reaction to constitutionalism with its attributes of popular will and an elected assembly was an honest response to new ideas. The later refinements of Western political ideas and their adaptation to the Meiji scene is a fascinating story, but the initial reception of these ideas in the years immediately preceding the Restoration shows a spontaneous reflexive response which must also hold our interest.

Kato's *Tonarigusa* represents the first tentative step in the reconstruction of the Japanese political process. Kato's conclusion as to what the Japanese polity should be based on is a curious mix of Western political theory and the Confucian tradition. Japan's political system was for Kato to be a synthesis between a limited monarchy and the classical Chinese moral principle of *komei seidai* (fair and equal). Kato was neither ready nor able to cast off the Confucian tradition in its entirety nor to adopt Western liberalism in its totality. His reasoning throughout *Tonarigusa* for the adoption of a limited monarchy instead of the more radical democratic republic foreshadows the measured, calculated rationale of the political theorists of the Restoration.

*Tonarigusa* is indicative of both the amount of information available in Japan about Western political systems and the reaction to these systems by individuals who were receptive to its content. Kato literally had to invent terminology in order to translate Western political concepts. Terms like *kunshu seiji* (monarchy) and *kansai seiji* (republic), although no longer in current use, were innovative and helpful at the time.

The Japanese terms for "constitution" themselves have an interesting development in which Kato was intimately involved. Japanese political thinkers sought to coin fresh neologisms in order to convey the meaning of "constitution." Various Japanese compounds were employed. In 1843, Sugita Seikai used the term *kokuritsu* (national law); Kato used, among others, *seitai* (polity, political form) and *seitai ritsuryo* (laws of the state); however finally in 1873 Mitsukuri Rinsho opted for the term *kenpo*. The fact that the leaders of the Restoration employed this expression instead of a new and less familiar linguistic invention is an interesting point. The Seventeen Article Constitution promulgated by Prince Shotoku in 604 A.D. is rendered as *kenpo*. However in no way can this series of moral injunctions be equated with the Western democratic

1. David Abosch, "Kato Hiroyuki and the Introduction of German Political Thought in Modern Japan 1868-1883" (unpublished Ph.D. dissertation, University of California, Berkeley, 1964), p. 333.

constitutional form. We can only speculate, but perhaps the leaders of the Restoration felt more secure using a traditional and value-laden term like *kenpo* to make the political leap into limited representative government.

The technical intelligentsia of the late Tokugawa formed the future bureaucratic and administrative elite of the Meiji government. Between the arrival of Commodore Perry in the 1850s to the Imperial Rescript of Education in 1890, this talented group was able to successfully articulate, formulate and implement a wide range of institutional reforms which enabled Japan to escape the fate of a humiliated and partially dismembered China. Perhaps at no other time in Japanese history has such a capable, politically astute elite been assembled.

The overall smoothness of the transfer of power from the Tokugawa shogunate to the Meiji can, in part, be traced to the qualifications and attitudes of this unique transitional group. Because the technical-intelligentsia were socialized and politicized in the *baku-han* political system they were uniquely equipped to see its strengths and weaknesses. The technical-intelligentsia were therefore not a group of disgruntled office seekers but rather members of a functioning system who were examining the polity from the inside out.

The drive toward modernity and international respectability was directed by a group who employed rational bureaucratic methods in order to achieve an effective compromise between traditional Japanese power structures and values, and the demands of Western political ideology.

Some leaders of the Enlightenment (*Keimo*), however, sought a more thorough restructuring of both the Japanese polity and the intellectual tradition underlying it. The most extreme example of this attitude is that of Fukuzawa Yukiichi (1843-1901) who said in his autobiography published three years before his death that:

It is only that I hold little regard for the Chinese teaching, but have been endeavoring to drive its degenerate influences from my country. . . . The true reason for my opposing the Chinese teaching with such vigor is my belief that in this age of transition, if this retrogressive doctrine remains at all in our young men's minds, the new civilization cannot give its full benefit to this country. In my determination to save our coming generation, I am prepared to face singlehanded the Chinese scholars of the country as a whole.<sup>2</sup>

Fukuzawa's editorial entitled "Datsu-Aron" (Casting Off Asia), published in the 16 March 1885 issue of *Jiji Shinpo* (News of the Times), was an equally powerful indictment of the decline of Chinese influence and the seeming irrepressibility of Western civilization during the Meiji period.

2. Fukuzawa Yukiichi, *The Autobiography of Fukuzawa Yukiichi*, trans. Eiichi Kiyooka (rev. ed., Tokyo, 1960), p. 216.

Fukuzawa gives the mistaken impression that Japan had undergone a radical social and political transformation. However at the outset it must be stressed that the Restoration was not a revolution. Fukuzawa and others like him could feel self-assured that they were at the forefront of progressivism, but there is a difference between fad and substantial institutional and psychological change. Cultural legacies could not be swept away overnight under the simple slogans *bunmei* or *keimo*. There was a strong sense of continuity between the Tokugawa regime and the new Meiji state. Power had indeed shifted from the Tokugawa and their *fudai daimyo* supporters to the four large *tozama* han (baronial domains) of southwestern Japan, but the important symbol of authority, the Emperor, was initially invested with real political power. Fukuzawa and other future members of the Enlightenment would have found it virtually impossible to defend such an extreme anti-Confucian stance. Fukuzawa could feel smug after the Restoration had proven its worth, but one must question the true motives of his statements.

Perhaps the closest answer to the question of the role of traditional Chinese ethics and learning in a culturally different Japan can be found in a statement made by Yamazaki Ansai (1616-1682) who in a famous reply as to what he would do if Confucius and Mencius were generals at the head of an invading army, said: "I would put on armor and take up spear to fight and capture them alive in the service of my country."<sup>3</sup> Ansai's answer thus serves as an important object lesson for the intellectuals of the *bakumatsu* and Meiji periods because he was able to confront Chinese learning and utilize it to the best interests of the Japanese state. If Ansai could combine traditional Shinto beliefs with Confucian ethics, then it was equally possible for future intellectuals to combine Confucian ethics with Western political theory. Philosophical amalgamation was not outside the Japanese experience.

Yamazaki Ansai represents an interesting historical parallel with the intellectuals of the *bakumatsu* period. From the arrival of Perry in 1853, the Japanese were forced to deal with massive domestic and international problems. Although a variety of schemes were proposed to deal with these dilemmas, no one could seriously contemplate a radical break with traditional ethical values. At best an accommodation with the Western challenge was sought.

One of the earliest attempts at this intellectual synthesis between Western political ideas and Sino-Japanese ethical norms was the essay *Tonarigusa*. *Tonarigusa* is a transitional document. It deals with the problems of leadership and of alternative political forms, but it is strongly couched in Confucian terms. Kato was straddling cultures, but he was looking for a way in which Japan could leap into modernity. *Tonarigusa* was thus "the first systematic evaluation of this question of modernization, and using the traditional taxonomy of Western

3. Ryusaku Tsunoda et al. (comps.), *Sources of Japanese Tradition, Volume One* (New York: Columbia University Press, 1964), pp. 360-61.

political theory, Kato introduced a new dimension to Japanese thought about the state."<sup>4</sup> For these reasons, I have attempted the first full English translation of Kato's essay.

Kato Hiroyuki therefore provides us with an interesting case study of the technical-intelligentsia's response to the political problems of the day. Kato was a scholar of *Rangaku*, a Bakufu official, a staff member of the Bansho shirabe-sho (Institute for the Investigation of Alien Works), a charter member of the Meiji Six Society (*Meirokeisha*), father of German studies in Japan, and President of Tokyo University. His background and intellectual development provide important indicators of the step-by-step conceptual formation of his peer group. His essay *Tonarigusa* can be judged as the most advanced political document of his day. It provides a key to the level of political sophistication and awareness of the bureaucratic elite during the final years of the bakufu.

The writing of *Tonarigusa* took place in a volatile political environment. The role of the intellectual in the late Tokugawa was expanded into a more activist and politically sensitive position. Foreign experts began to formulate new schemes and structures which they hoped would stave off a national crisis. It is during these final years of Tokugawa rule that intense thinking about alternate political structures first appeared in Japan. *Tonarigusa*, by being the first work which systematized and analyzed Western political structures, is a remarkable document. It shows that the author, a foreign expert working for the bakufu, was not only well versed in Western political theory but also aware of the dangers of sudden change in the nature of the traditional Japanese polity. Iconoclasm could come later but in the years immediately preceding 1868, change would have to be incremental and clothed in symbols which were as non-threatening as possible. Kato thus seems to be painfully aware of the necessity striking an effective balance between the weight of tradition and the pressures of the enclosing future.

### *The Rationale of the Technical-Intelligentsia*

From 1639, when the Tokugawa bakufu issued its final series of edicts closing the country to the outside world, to 1853 when Commodore Matthew Perry successfully challenged this injuncton, *sakoku* (the policy of seclusion) was a way of life in Japan. This policy has been seen by historians as a major turning point for Japan. John Whitney Hall comments that:

The contrast between a Europe about to embark upon an era of important economic and scientific development and a Japan voluntarily closing its doors to the outside world, is quite dramatic. Moreover, fear of Christianity in Japan was such a severe censorship on the importation of books and other written

4. Abosch, "Kato," p. 325.

matter from the West. . . . Yet it is hard to predict what the consequences of a more open policy might have been, nor is there any assurance that Japan could have maintained free contact with the West and the Chinese without further debilitating domestic struggle. We do know, however, that closure insured peace and that in peace Tokugawa Japan had the opportunity to develop its political institutions and its economic and cultural resources.<sup>5</sup>

The purpose of this paper is not to debate the merits and demerits of *sakoku* but rather to examine how the Japanese first reacted to the exposure of new and fundamentally different political institutions after an absence of more than two centuries of critical objective analysis.

Japan was closed but not sealed during its *sakoku* period. When Perry steamed into Uruga Bay on 8 July 1853 the general population may have been shocked, but the leaders of the *bakufu* had not been caught completely off guard. Forewarned by the Dutch in Nagasaki, the government had been expecting Perry's arrival. The "Black Ships" may have been mysterious and unnatural devices to the uninformed, but there was a small group, at the fringes of power, who looked upon Perry and his two steamships as a confirmation of knowledge gained.

The group responsible for the study of foreign languages (especially Dutch) and the collation of foreign works were the technical-intelligentsia. After the arrival of Perry, this small group began to assume a larger and more important role within the elaborate *baku-han* political structure. It can be said that after Perry knowledge about the West could become a source of power; for those who desired a greater share of political authority, *Rangaku* and *Yogaku* could be important factors in overcoming social distinctions in what was a very class-conscious society.

Western learning first came to Japan during the end of the Warring States Period (1467-1568). At this critical historical juncture, Western style guns and cannons were first introduced. This utilitarian aspect of *Yogaku* set the tone for the introduction of Western knowledge into Japan until the nineteenth century. Needless to say, the Sengoku Daimyo (The Warring States Daimyo) could readily appreciate the practical benefit of Western learning. The contribution of Western thought in the early Tokugawa is best summed up by Takano Choei (1804-1850), who wrote in his compilation entitled *Bansha Soyaku Shoku* (A Short History of A Meeting in Misfortune) that:

The coming of the barbarian was to profit Japan in:

- 1) Castle construction. . . .
- 2) Astronomy and geography – until the coming of the Westerners this was extremely rough, it now began to be an exact study.

5. John Whitney Hall, *Japan: From Prehistory to Modern Times* (New York: Delacorte Press, 1968), p. 190.

3) The art of healing sickness. . . . Under the influence of the Westerners, a number of famous Japanese and foreign doctors were engaged, and their success in the healing of sickness and the efficacy of their surgical procedure was marked.

4) The manufacture of firearms – all manner of ordinance, gunpowder and related production is derived from the barbarian tradition.<sup>6</sup>

The overall appeal to be gained by the adoption of selected Western material techniques was obviously great. More importantly, besides this strong utilitarian bias toward Western learning, the receptivity of at least one aspect of non-Asian, non-traditional learning shows that the Japanese, as early as the sixteenth century, were not antagonistic to the idea of an alternative system of scholarship. It must be stressed that the Japanese were very selective in their adoption of Western scholarship before the arrival of Perry. *Rangaku's* slogan was "saicho hotan (fill gaps, overcome deficiencies)."<sup>7</sup> There was until the time of the arrival of Perry a distinctly non-professional quality to both the personnel involved in foreign studies and the role and direction which these studies took. With the arrival of Perry, the character of foreign studies changed dramatically. The individuals involved in studying the West became more professional and the scope and direction of research became more purposeful and pragmatic.

Kato Hiroyuki (1836-1916) typifies this new group of ambitious, upwardly mobile technical-specialists. His year of birth, 1836, is significant in light of his subsequent intellectual development; most members of the future Meiji bureaucratic elite were born at approximately the same period. Bernard Silberman, in his book *Ministers of Modernization*, compares two sample groups: one, born between the years 1800 and 1827; the second between 1827 and 1851. In comparing data, Silberman states:

The difference between these two generations is perhaps best illustrated by the different kinds of innovational behavior in which each generation was engaged. Those born before 1827 showed little propensity to acquire only Western education. Among those born after 1826 there was a marked increase in the acquisition of Western education and/or contact apart from non-traditional behavior. This difference suggests increasing specialization in innovational behavior perhaps corresponding to an increased demand for those with non-traditional education. To some extent this would support the thesis that deviant behavior tends to grow and expand until it becomes, as the acquisition of Western knowledge did after the 1840's, acceptable behavior although it is not institutionally approved.<sup>8</sup>

Although it is outside the scope of this study, the point that Silberman confirms is that over ninety percent of the highest levels of the Meiji bureaucracy were forty-one to forty-two years of age or less at the time of the Restora-

6. Kosaka Masaaki, *Japanese Thought in the Meiji Era*, trans. by David Abosch (Tokyo: Trans Pacific Press, 1958), p. 8.

tion (1868). The lengthy careers that these men had in policy-making posts is another reason for the success and continuity of the Meiji modernization program.<sup>9</sup>

Men like Kato might have purposely become technical-specialists because they had foresight and therefore saw Japan's eventual accommodation with the West. The way of the technical-specialist appeared to be the road to rapid advancement. Promotions were swift for those who possessed some technical and useful knowledge about the threatening barbarians. Before serving as an instructor at the Bansho shirabe-sho, Kato, at the age of twenty-five, was so poor that he later reminisced, "when I laundered my clothing, I had no change to put on."<sup>10</sup> However, by the age of twenty-seven, Kato's stipend at the Institute was raised to fifteen *ryo* (what was then classified as a salary sufficient to support twenty persons).<sup>11</sup> Kato further advanced in the Tokugawa bureaucracy and was made a retainer of the Shogunate in 1864. Before the Restoration he held the posts of *ometsuke* (a superintendent official who inspected feudal lords) and *kanjogashira* (an official in the finance office). It is therefore safe to say that by the early 1860s the staff of the Bansho had come to see their task as revolving around discovering, through careful compilation and translation, the nature of the West's institutional strength. They had evolved from being mere copiers of constitutions to being adaptors and synthesizers.<sup>12</sup>

The Bansho did present handicaps for the aspiring student. For example, Kato tells us that:

There were sufficient books but there were no teachers to explain what I did not understand. I read by myself and had to solve problems as they came up by myself. This was a laborious process. Today it could be done in a year – at that time, even four years wasn't enough.<sup>13</sup>

It would be harsh to call Kato and the other young lowly samurai of the bakumatsu period intellectual mercenaries, but they were ambitious, and they did realize that there was a greater chance for personal success within the realm of foreign studies than within the traditional bureaucratic infrastructure. During this period Edo was the center of Western learning in Japan. Not only did the han send its promising students and technicians (such as gunsmiths) to study, but anyone who was curious about the West would flock to the metropolis. It is

7. Abosch, "Kato," p. 107.

8. Bernard Silberman, *Ministers of Modernization* (Arizona: University of Arizona Press, 1964), p. 94.

9. Silberman, *Ministers*, p. 6.

10. Abosch, "Kato," p. 313.

11. Seichi Iwao, *Bibliographical Dictionary of Japanese History*, trans. by Burton Watson (Kodansha, 1978), p. 375.

12. Abosch, "Kato," p. 154.

13. Abosch, "Kato," p. 315.



important to re-state that *Rangaku* was not an anti-Tokugawa school of thought, rather it was from the beginning of the eighteenth century officially sanctioned. Therefore men like Kato who had some rudimentary knowledge of the West could go to Edo and feel certain that eventually their skills, when further defined, would be rewarded.

With the advent of increased foreign pressure an important shift in the range of research took place at the Institute for the Investigation of Alien Works. As Abosch states, "Nishi Amane, Tsuda Shindo, Kato Hiroyuki and Kanda Kohei redirected the Bansho by their inclination away from military science. Their random interest in the humanities was more than a translator's random selection of Western thought. The selection made by these men was purposeful: they thought that there might just be a connection between the superiority of the West in technology and its theories of governance. . . . These men were now beyond being mere translators and reporters of Western thought."<sup>14</sup>

Although the Bansho seemed to lack in staff, its library was surprisingly comprehensive. The reference book *Sakoku Nihonjin no Kaigai Chishiki* shows a list of the foreign works available in Japan before the Restoration. A Japanese scholar working in the Bansho library would have at his command a thorough collection of Western literature on geography, geology, astronomy, and encyclopedias in English, Dutch, French, and German. If Kato relates that the staff was sparse, then the quality of instruction and the enthusiasm of the students must have been high. This is borne out by the fact that the first Dutch physician to enter Japan in 1857 said that his lecture was understood by his Japanese audience and that questions were asked.<sup>15</sup> The audience's knowledge of Dutch is understandable considering that the first Dutch-Japanese dictionary was produced by Aoki Konyo in 1745 and that Sugita Gempaku (1733-1817) translated the Dutch medical text *Tafel Anatomia* thereby introducing Western medical techniques to Japan. But remembering that the character of foreign studies changed dramatically starting after Perry, we might reasonably infer that the Japanese were also making extensive headway in the understanding of Western political, economic, and social systems.

The samurai-intellectuals were the heirs to a diverse and sophisticated system of traditional thought. Dutch Learning represented only the fringe of scholarship during the Tokugawa. The predominant philosophical school was that of Neo-Confucianism. As Thomas Havens points out in his study of Nishi Amane, the samurai were obliged to "uphold the five ethics and five virtues (*gorin gojo*) that were regularly promoted by Tokugawa orthodoxy. But whereas

14. Abosch, "Kato," p. 154.

15. In the *Journal of the North China Branch of the Royal Asiatic Society*, Nov. 2, 1859, there is an article by Pompe van Meerdevoort entitled "On the Study of the Natural Sciences in Japan." Meerdevoort went to Japan and delivered, on Nov. 15, 1857, the first public instruction on Western medical practices.

the customary five virtues of Chinese Confucianism had consisted of benevolence, justice, etiquette, wisdom and fidelity, in Shushigaku they were re-defined to comprise loyalty, filiality, duty, service to one's master (*hoko*), and keeping one's station (*bugen*)."<sup>16</sup>

The samurai-intellectuals of the late Tokugawa were able to utilize a wide range of orthodox doctrine in order to try to solve the problems of their time. For example, the essence of Neo-Confucianism, as argued by Yamazaki Ansai (1618-1682), was that "the ethical nature of politics is conceivable only in the light of fixed, non-arbitrary norms outside of historical processes that make it possible for men to establish rules, rituals, and structure."<sup>17</sup> Yamazaki and other philosophers of the Chu Hsi school therefore sought to create a metaphysical, abstract principle based on ethical norms. For Ogyu Sorai (1666-1728), ethics were not fixed in an abstract ideal but rather were viewed as a man-made vehicle to be used with political intent. As Tetsuo Najita points out, Sorai reasoned that "history showed that the ancient kings and sages of China created political society, built hierarchies and regulated them with 'rituals' all to mediate relations between man and not to discover the ultimates of metaphysical principles."<sup>18</sup>

In the early thought of Kato Hiroyuki we see the concept of legal administrative structures acting in conjunction with traditional ethics to form a stable and just society. For Kato as well as Sorai, the loyalty given to a political structure depended on its ability to respond effectively to the needs of society. Kato therefore seems to have taken a more practical and socially purposeful view of Confucianism than the orthodox, metaphysical and idealist school. Moral cultivation had to be balanced with political and social institutions in order to create a harmonious society.

Kato reached intellectual maturity just at the time of the Western expansion into East Asia. This would have to be a major force in the shaping of his political perceptions. The failure of the shogunate to respond forcefully and effectively to the foreign crisis must have produced the impetus to look beyond traditional forms of governmental structures. The spirit of the technical-intelligentsia was therefore one of rationality and practicality (*jitsugaku*). The intellectuals of the day were looking for a formula for success, not just a patchwork solution. After the debacles of China, the only alternative political model available was that of the state systems of the West. The debate over opening the country (*kaikokuron*) was fierce enough to bring into question not only the values of leadership but also of the social order itself.

The technical-intelligentsia had been privately questioning the established norm for many years. Their roles as samurai, intellectuals and bureaucrats were

16. Thomas R. H. Havens, *Nishi Amane and Modern Japanese Thought* (Princeton: Princeton University Press, 1970), p. 10.

17. Tetsuo Najita, *Japan* (Englewood, N.J.: Prentice Hall, 1974), pp. 31-2.

18. Najita, *Japan*, pp. 35-6.

wide enough for them to draw in a broad theoretical and functional base. More importantly,

the transformation of the samurai from a warrior class to a bureaucratic elite was sufficient to trigger an intellectual process of self-reflection, research and expression about the meaning of "bureaucratic" and "loyal" action within the structures that are "fixed." The bureaucratic experience of the Tokugawa period, then, was not merely a record of mechanical and routinized performance, but a provocative and vigorous expansion in the political consciousness of the ruling class, and a good part of the rest of society of an "ideology" that bureaucratism became perceptive and critical, facilitating its transference as a mode of action from "feudal" structures into modern "constitutional" ones.<sup>19</sup>

The members of the technical-intelligentsia, who represented the most advanced political theoreticians during the bakumatsu period, could readily transfer their loyalty from what they perceived as an unfair and unpractical state system (the Tokugawa Shogunate) to a more progressive and socially useful one.

If we speak of the ethic of the technical-intelligentsia of the late Tokugawa, their overriding commitment was to effective, positive, rational action. As intellectuals, they were acutely aware of the values of Japanese tradition. As bureaucrats, they were committed to conservative, rational problem solving. The Restoration, unlike the latter Chinese Revolution, was not a movement which sought to touch men's souls, but rather an attempt to provide Japan with a government drawn from the best of a traditional native past with a moderate Western infusion of form.

Kato and the other members of the Bansho shirabe-sho were shogunal employees. Unlike the Chinese or Russian revolutionaries who saw some lack of spirit or national character in their respective peoples, the Japanese reformers were out to preserve the positive aspects of the national essence. The fascinating thing about Sakuma Shozan's (1811-1864) formula *toyo dotoku, seiyo gei* (Eastern ethics, Western technique) is that it does not uphold a position of irreconcilable differences between East and West. The key for Shozan was that Japan could respond dynamically and creatively to the Western challenge. Shozan, on this point, was in direct contrast to Aizawa Seishisai and the Mito School. In Aizawa's *Shinron* (New Proposals) written in 1825, he makes the following points:

Recently, there has appeared what is known as Dutch Studies. . . . It has been concerned primarily with the reading and writing of Dutch, and there is nothing harmful about it. However, these students, who make a living by passing on whatever they hear, have been taken in by the vaunted theories of the Western foreigners. They enthusiastically extol these theories, some going

19. Najita, *Japan*, p. 27.

so far as to publish books about them in the hope of transforming our civilized way of life into that of the barbarians. And the weakness of some for novel gadgets and rare medicines, which delight the eye and enthrall the heart, have led many to admire foreign ways. If someday the treacherous foreigner should take advantage of this situation and lure ignorant people to his ways, our people will adopt such practices as eating dogs and sheep and wearing woolen clothing. And no one will be able to stop it. We must not allow the frost to turn to hard ice. We must become fully aware of its harmful and weakening effects and make an effort to check it. . . . If confusion reigns in the country, the depravity and obsequiousness among the people, could this land still be called the Central Kingdom.<sup>20</sup>

Aizawa clearly argues from a position of weakness. He seems to have faith in the strength of the Japanese tradition. The cognitive leap from the eating of dogs and sheep to confusion reigning in the country is just too wide to be taken seriously. Aizawa is fearful of the new while Shozan and others see it as a positive and constructive force. Shozan was confident of Japan's inherent strength so much so that he "rejected both the excessive Chinese reliance on ethical superiority and the dependence upon the military bravado in the Japanese military tradition."<sup>21</sup>

Shozan's *toyo dotoku, seiyo gei* formula was a creative response to the challenge of Western science and institutions. Although at first glance it seems almost identical to Chang Chih-tung's (1837-1909) famous *Chung-hsueh wei-t'i, hsi hsueh wei yung* (Chinese learning for substance, Western learning for function) formula postulated during the abortive 1898 Reform Movement, it is not. Shozan posited a universal *ri* (principle) which was able to accommodate both the teachings of the ancient sage-kings and the tenets of Western science and government. Shozan universalistic concepts are best expressed by Tetsuo Najita who relates that, for Shozan, "cultural essence was particular to national history, while science, the study of natural principles, was universal and therefore everywhere applicable regardless of the specific character of the cultural experience."<sup>22</sup> This formula for the gathering of knowledge was realized in the Charter Oath (*Gokajo no Goseimon*) of 1868, which among other principles stated: "Knowledge shall be sought throughout the world in order that the welfare of the empire may be promoted."<sup>23</sup>

Kato Hiroyuki was a student of Sakuma Shozan for a short period of time. The exact relationship between the two is unclear. Kato himself said: "My stay there was somewhat over a year. And while at that time I was still young, I yet

20. R. Tsunoda, *Sources of Japanese Tradition, Volume Two* (New York: Columbia University Press, 1964), p. 94.

21. H. D. Harootunian, *Toward Restoration* (Berkeley: University of California Press, 1970), p. 160.

22. Najita, *Japan*, p. 72.

23. Ryosuke Ishii, *A History of Political Institutions in Japan* (Tokyo: University of Tokyo Press, 1980), p. 98.

understood that Master Sakuma was an unusual person. I heard many tales about him which deeply impressed me."<sup>24</sup> What "tales" Kato is talking about we cannot be certain.

Shozan's advocacy of Western military techniques, his ability to cast cannon and small weapons, and his belief that government should employ men of talent must have had great appeal for the youthful Kato. On a more personal level, both Kato and Shozan were practitioners of the *Koshu* style of military art.<sup>25</sup> In Japan, this type of association through a mutual group can have a tremendous importance in forging ties of loyalty. We cannot be certain, but it is likely that Shozan embodied, for Kato, all of the heroic qualities of the *shishi* (samurai activists of the late Tokugawa). One can be certain that at a young age Kato was surrounded by and familiar with the most active and progressive minds of the time. On an intellectual plane, he was imbued with a strong sense of the utility of social function in achieving political harmony.

In 1861 (the year *Tonarigusa* was written), Kato had completed a traditional Confucian education, been exposed to activist thinkers and had a thorough knowledge of *Rangaku*. In 1860, he was appointed as an instructor at the Bansho shirabe-sho. Kato's background thus pointed toward activism. *Tonarigusa* can be viewed as a reaction of this activist-positivist impulse. It is therefore important to view the major themes of Kato's *Tonarigusa* within the development of constitutional thought in the *bakumatsu* period.

### *A Short History of Constitutional Thought in Japan*

The Tokugawa political system was managed and directed, ostensibly in the name of the emperor and the Kyoto court, by the Tokugawa shogun. Living in Edo, the hereditary shogun was able to check the power of the 250 *han* by a variety of economic and personal constraints. The shogun was not an absolute ruler but rather governed through an elaborate bureaucracy. At the apex of this bureaucratic pyramid were the senior councilors (*roju*). These *roju* were selected from a group of some 150 vassal daimyo families called *fudai*. Subordinate to the *roju* were a variety of officials also selected from among the *fudai*. Interestingly, the important offices relating to city administration (*machi bugyo*), financial affairs (*kanjo bugyo*), and foreign affairs (*gaikoku bugyo*) were held by lesser ranked vassals. The most important factor in the organization of the Tokugawa state was that the majority of the daimyo were excluded from the decision-making process.

It was not until the arrival of Perry (1853) that a departure from this narrow-based political process was attempted. In an effort to diffuse responsibil-

24. Abosch, "Kato," p. 308.

25. The *Koshu* military technique originated with Takeda Shingen (1521-1573), a famous Sengoku daimyo.

ity for dealing with the demands of the West, the Bakufu relinquished some of its traditional prerogatives of power. Abe Masahiro (1818-1857), the Senior Councilor (*tairo*), not only reported the crisis to Kyoto but also solicited the opinions of the various daimyo. The political process was thus opened. This can be seen as the beginning of what can be said to be political consensus in Japan. Matsumoto Kaoru points out that "it was during this troublous and confused period that the idea of a representative assembly first made its appearance."<sup>26</sup>

The bakufu from this point on was no longer in a position to issue unilateral decrees; it had shown that it was ill-prepared to deal with national problems. Various groups began to vie for incorporation into the decision-making process. It was during this precarious time that Western studies took on added significance. Both formally and informally, alternate plans of government were being discussed throughout Japan.

Kato Hiroyuki appeared on the political scene exactly at this time when activists and intellectuals were searching for a new institutional form to solve the political chaos of the day. *Tonarigusa*, written in 1861, was neither a detailed plan for the future nor a call for forceful action. It was an explanation of Western political systems, and thus served as a base for functional alternatives. Writing at a time of intense debate over the continuation of seclusionist policy, as well as shogunal succession, Kato was searching for a way which would insure more enlightened rule within a framework of wider political participation.

Alternative models of government were being studied by the technical-intelligensia in ever increasing number. In 1843, Sugita Seikai translated the first Western (in this case Dutch) constitution. Both Nishi Amane and Tsuda Shindo (Mamichi) spent three years in Holland studying law with Simon Vessering. Immediately upon their return to Japan (1865), they lectured at the *Kaisei-jo* (the forerunner of Tokyo Imperial University).<sup>27</sup> They introduced the latest Western scholarship in the fields of public law, natural law, international law, economics and statistics. Nishi's book *Bankoku Koho* (International Law) and Tsuda's text entitled *Taisei Kokuho-ron* (Western Public Law) became the definitive research guides for the study of Western legal systems in Japan.

Japanese understanding of Western legal theory had become very sophisticated by the time of the Restoration. There was no shortage of vitality in the parliamentary plans submitted to the shogunate in the *bakumatsu* period. Both Nishi and Tsuda wrote draft constitutions. The last major constitutional plan submitted before the Restoration was the *Tosa han-ron* (Tosa View). Presented to the Shogun Keiki by Goto Shojiro in the last months of 1867, this plan contained the following points:

26. Abosch, "Kato," p. 36.

27. The Bansho shirabe-sho went through many reorganizations and name changes. Between 1863 and 1869 it was known as the Kaisei-jo.

- 1) Full power to administer the country lies in the Imperial Court;
- 2) All matters, including the organization and laws of Japan must come from the legislature (*gisei-sho*) in Kyoto;
- 3) The legislature is to be divided into an upper and lower house;
- 4) As for the legislators, upright and uncorrupted men from the Court nobles down to the vassals and the common people are to be elected.<sup>28</sup>

The *Tosa han-ron* embodies almost all of the recommendations made by Kato six years previously in *Tonarigusa*. In 1861, Kato could only describe and briefly comment on the various parliamentary systems of the West. By 1868, men like Goto and Nishi Amane were submitting these designs for consideration.

### *The Meaning and Method of Tonarigusa*

The form of *Tonarigusa* is Confucian in style. An educated and inquisitive guest asks the reluctant but sagacious master leading questions about the affairs of the world. The master, in this case Kato, then goes into lengthy exposition. Kato's own description of *Tonarigusa* is as follows:

The number of pages ran to some 40 leaves. . . . The subject treated was the constitutional polity. In the West, where the polity existed, neither kings nor prime ministers monopolized political power. There was instead a system whereby parliaments comprised of Upper and Lower Houses deliberated and determined the laws and finances of the state. This polity was possible because in the West the rights with which Heaven had endowed men were respected. A constitutional polity was, in short, synonymous with the harmonization of mankind. Outside the West, kings or governments monopolized power on the basis of doctrines which were in clear violation of reason. I could not however say such things openly. I could not write that Japan was evil and could improve its governance by imitating the West and by adopting a Western style government. Instead, I wrote as though of China. China had once been a good country, I said, but today its administration was neither good nor equitable. China, now was no longer good and had on this account utterly declined. Were it to model itself on the West, it had perforce to adopt a constitutional polity. Since I was ostensibly writing about the affairs and conditions of Japan's neighbor, I called the work *Tonarigusa*.<sup>29</sup>

The basic point made in the above description of *Tonarigusa* is that

28. Nobutaka Ike, *The Beginnings of Political Democracy in Japan* (Baltimore: John Hopkins Press, 1950), p. 32.

29. Abosch, "Kato," p. 325.

monopolization of political power by governments of kings violated reason. The absolute certainty of the righteousness of constitutional government is evident throughout *Tonarigusa*. Kato seems to have discovered an absolute truth and will not be dissuaded in his belief. The West is not to be looked upon with contempt but with envy because they had found the key to good government. Good government (constitutional government) will create social harmony (*jinwa*) which is the fundamental principle (*taihon*) necessary for the spirit of military preparations to be successful. In this regard, Kato is very advanced for his time. The influence of Sakuma Shozan's *toyo dotoku, seiyo gei* formula is evident. Kato was able to look beyond mere external forms (*gaikei*) of the Western success and see that the heart of the matter lies in attitudinal and institutional reform. The polity itself, whether democratic republic or absolute monarchy, was nothing more than an inanimate form. It was up to man to breathe life into these objects to give them the necessary spirit. Kato's use of the proverb: "You can make an image of Buddha but if you do not invest it with a Buddha spirit (then it will be useless)," stresses this point.

The ideological strategy used by Kato seems to have been exactly the same as the one used by Yoshida Shoin (1830-1859). Both Shoin in his *Kyumin yonjo* (Four Urgent Tasks) and Kato's *Tonarigusa* sought to legitimize unorthodox proposals by linking them to both Chinese and Japanese classics. Thomas Huber, in his book *The Revolutionary Origins of Modern Japan*, calls this "scriptural charisma."<sup>30</sup> Shoin, in his memorial mentioned above, cited the *Book of History, Mencius*, the seventh emperor of the former Han, and the second and third emperors of the T'ang. Kato, on the other hand, also adds an "historico-mythical" dimension to his essay by invoking the emperors Shih Tsung and Kao Tsung of the Ch'ing and also the sage kings Yao and Shun. The following quote by the Han Dynasty Confucian scholar Chung-chang T'ung is so reminiscent of the language used in Kato's *Tonarigusa* that it deserves to be quoted. Taken from his text entitled *Ch'ang Yen* (Straight Talk), it deals in part with the administrative functions of the ruler and the causes of dynastic prosperity and decline. It states:

When a mighty leader assumes the Mandate [by dint of sheer ability], he does not at first have legitimate claim to the empire. Because he lacks such claim, competing claimants rise to contest his position in war. At such a juncture all of them pretending to have received heaven's authorization, assemble armed forces, occupy various parts of the realm, and match their wit, cunning, daring, or military strength with his. . . . [Eventually], when those who compete with cunning all become exhausted and those who struggle with force have suffered defeat – when it is no longer feasible for them to resist him – then and only then will they, heads bending and necks leashed, submit to his halter and harness. . . . Then, during the reign of his successor, the people's

30. Thomas Huber, *The Revolutionary Origins of Modern Japan* (Stanford: Stanford University Press, 1980), p. 59.



hearts and minds will settle. Throughout the empire all depend on him for life and livelihood, and receive from him the means to wealth and high station . . . . Impulses of would-be mighty leaders will all have been stilled; ambitions of scholars and commoners will remain in proper bounds. Noble status will reside in certain clans; supreme dignity will inhere in one person [the ruler]. At this time, should even a person of the lowest and dullest talents occupy the throne, he could still be a fount of grace equal to heaven and earth, and would be clothed in awesome majesty matching that of spirits and deities.

Subsequently [however], a stupid ruler seeing that no one in the empire dare challenge him, regards himself as being perpetual, like heaven and earth. He thereupon indulges in his private passions and rushes to vent his base desires. He abandons all aspects of governing to utter neglect, relegating men and things to destruction. . . . His trusted and cherished appointees are all specious talkers, flatterers, sycophants; those he favors with noble status and great riches are all members of his empresses' and harem women's clans. . . . Eventually he will have decocted the wealth [literally, the fat and grease] of the whole empire – extracting [figuratively speaking] the people's marrow by smashing their bones while they are still alive. Resentment and hatred will give rise to despair. Unrest and disorder will spread everywhere. The Central Realm will be in turmoil; the barbarians on the four sides will rebel and invade. The entire scene will disintegrate and, one morning, all will be lost. Those who until recently were nourished as sons and grandsons at his breast, now all will have become implacable enemies seeking his blood. Is this not proof that wealth and high status engender unkindliness, and that deeply ingrained habits lead to blind foolishness? Thus [dynasties] rise and fall, one after another; order and chaos from now on will move in recurring cycles. This is the constant great design of heaven's Way.<sup>31</sup>

The above analysis of the causes of dynastic rise and decline was familiar to all educated Japanese.

Kato, we must presume, purposely evoked the same images and language in order to create the appropriate setting for his own prescriptive formula as to how to make government more responsive. His use of terms such as social harmony, the relationship between superior and inferior, foolish rulers, benevolent kings and the will of heaven shows that in his explanations of social and political order, Kato relied on non-Western terminology.

The role of heaven as used by Kato in *Tonarigusa* seems contradictory to the principles of democratic rule. Heaven assumes, in true Mencian fashion, the role of judge and political arbiter. It becomes a universal moral principle where men, and especially rulers, find their guidance. Through a finely tuned law of vertical reciprocity, the king receives his mandate to rule. Henceforth his responsibility is to please Heaven by acting in accordance with the way of the sages. In what can be interpreted as popular will, there is always the possibility that Heaven can show its displeasure which would then give the people the right to rebel and establish a new regime.

31. Kung-chuan Hsia, *A History of Chinese Political Thought, Volume One: From the Beginnings to the Sixth Century A.D.*, trans. by F. W. Mote (Princeton: Princeton University Press, 1979), pp. 545-46.

The question of using an active, judgmental, independently rational vehicle of Heaven to act in the public domain somehow misses the point of popular sovereignty. The triad of heaven, earth and man still has not been democratically flattened. Although it is true that democratic theory abounds in the idea of Creator endowing people with inalienable rights, the Deist stance does not raise the position of the ruler to the level of a divinity. However, in the classical Chinese position, the ruler is expected to transcend the mundane world and, in the eyes of the people, be a visible link with the ultimate. It is relatively easy to imagine the role of heaven embellishing a theory of enlightened despotism.

For Kato the two principles of government which tyrants and foolish rulers violate are: arbitrary rule and rule not in accordance with the best interests of the people. Of all the forms of government in the world (according to Kato's typology in *Tonarigusa*) only the republican form of government can insure fair and equal (*komei seidai*) treatment.

*Komei-seidai* was a traditional expression of a Confucian value first found in the *Spring and Autumn Annals*. Its literal translation is fair and equitable. Although in the classically Chinese fashion *komei seidai* does represent a fair application of just principles by the ruler, it does not espouse an application of English or American positive law. Kato is expanding a traditional Chinese concept to fit into Western constitutional theory.

The striking aspect of *Tonarigusa* is that Kato was writing, in effect, a reform proposal. His conclusion that arbitrary government was unfair and that leadership had degenerated into groups of mere wicked ministers and foolish kings is a powerful indictment of both the structure and practice of politics in the *bakumatsu* period. Kato's analysis that *komei seidai* could be best achieved by the establishment of a limited monarchy (*kunmin doji*) shows his concern for traditional Japanese values.

Kato explains his early reasoning in the following manner:

I found that I was greatly influenced by an idea that Westerners had developed which today [1899] may seem trite. This was the idea that men are by nature equal, that they are endowed by Heaven with certain Natural Rights. This startling idea had never existed in China or Japan. I thought this unusually strange and yet I felt this idea to be Truth itself. Moved by this new (to me) concept, I began to produce various books. The first of these I called *Tonarigusa*.<sup>32</sup>

Kato Hiroyuki's *Tonarigusa* bears a resemblance in both form and content to Ogyu Sorai's (1666-1728) treatise *Seidan* (Political Proposals). Both Kato and Sorai are deeply concerned with the promotion of benevolent government. Both see one of the solutions for this concern as resting in the employment of men of talent. Both see hereditary rule as resulting in arbitrary and inferior rule. Sorai, on this matter, states:

32. Abosch, "Kato," p. 324.

... they occupy their superior position by reason of their birth, and since they undergo no hardships at all they have no opportunity of developing intelligence. In their high positions they are separated from their social inferiors and are unable to understand their feelings. They are reared in the midst of praise and adulation of their household retainers, so that they become conceited in a wisdom they do not possess. They receive respect on account of their birth, and believing that this is merely what is due them, are not disposed to be deeply grateful for the benefits which their superiors have conferred upon them, while in personal conduct they act in arbitrary fashion and think of their social inferiors as so much vermin.

This is characteristic of human nature and it is only natural that this should come about, for these faults which anyone in a superior social position can scarcely avoid even if he should be endowed with natural intelligence. Even the clever men who may happen to be among the upper classes are separated from the common people by such an unbridgeable gulf that they are unable to grasp their feelings. They are used to coming into contact with them only in the roles of superior and inferior and in formal situations. It is impossible for them to become really familiar with their inferiors in this way, for they get a very distant view of them by applying their faculties of intelligence and observation to intercourse of this kind. The result is that they become all the more convinced of their own superiority in intelligence.<sup>33</sup>

*Tonarigusa* suggests that Kato was strongly influenced by Sorai's thinking. Kato and Sorai saw the evils of government as existing within the same theoretical framework. Both viewed the inferior-superior relationship as a key to benevolent government and both regarded the practice of *seikan* (hereditary rule) as a cause of governmental abuse. Kato saw the electoral process as the natural way to obtain worthy leaders. Kato thus advanced Sorai's concept of government by men of talent into the realm of modern political application.

Kato skillfully handled the question of whether a feudal system or a system of prefectures and counties is the best. This is a question which had been debated in China since the Han Dynasty. Lien-Sheng Yang in his essay entitled "Ming Local Administration" states that:

In Chinese usage, the term normally rendered "feudal system" (*feng-chien* [Jpn. *hoken*]) refers to the monarch's establishment or recognition of feudal states in which the position of the state ruler is hereditary. In contrast, the "prefectural system" (*chun-hsien* [Jpn. *gunken*]) refers to division of the empire into prefectures and districts, to which the central government appoints prefects and district magistrates as governors, each for a limited period of time. In simplified terms, the former system corresponds to a federation of feudal states, and the latter to a consolidated empire.<sup>34</sup>

33. David John Lu, *Sources of Japanese History, Volume One* (New York: McGraw Hill, 1974), pp. 242-43.

34. Lien Sheng Yang, "Ming Local Administration," in *Chinese Government in Ming Times*, ed. by Charles O. Hucker (New York: Columbia University Press, 1969), p. 1.

Kato's answer to the question as to which system would be the best for Japan, argues that either system would be effective if the ruler is willing to allow the people to engage in national affairs through a public assembly. Social harmony is thus again intricately linked to the constitutional system. Monopolization of power, in Kato's thinking, can only lead to disaster.

*Tonarigusa*, as a reform proposal, serves as a bridge between classical ideas and modern political institutions. By advocating a limited monarchy, Kato was not seeking to drive out all of the members of the old ruling class but was rather attempting to create a forum whereby men of talent would not be hampered in carrying out effective governmental policy. Kato, in this early stage of his career, offers a plan which entails a blend of Confucian precepts, institutional force, and Western democratic theory.

*Tonarigusa – Neighboring Vegetation  
or View From the Fence*

One day on the occasion when a friend came to visit me, I was also at ease, and we drank tea and then talked about the various events of the day. By chance, we touched upon the affairs in China and moved on to talk with indignation [about the events in the Ch'ing]. Even though those discourses were unskilled and tediously long, those question and answer sessions continued, and my friend regarded that my comments were correct and urged me to record them and show them to our friends everywhere. Although I repeatedly refused, I was again encouraged. It was difficult for me not to say anything for he had gone on so in encouraging me. Here I set them down just as I discoursed on them (in conversation). However, since it is from the outset an inexperienced student's clumsy argument, I am not of a mind to be so bold as to submit this for all to see. It is only that I did not (wish to) break my friend's trust (that compels me to publish).

The First Year of Bunkyu [1861]  
December 7th  
Kato Masayuki

*The visitor says:* The news recently received here is that the ruler of the Ch'ing has fled from the capital to Manchuria and has not yet been able to return to Peking. [The Hsien-feng Emperor (I-chu) fled to Jehol, Manchuria, where he subsequently died on 22 August 1861.] It is beyond my belief that the power of the English and French has become so threatening, and what is more, that the long-haired pirates have taken advantage of the situation and have also gradually become aggressive and have gobbled up lands in the Southern regions. Not only this but it has been reported that other traitors in various places are rising in

rebellion, and wreaking havoc and disorder again and again. One is, in fact, very affected by these lamentable conditions. However, that these things have reached these conditions is primarily because there had been a long uninterrupted period of peace during the Ch'ing. Military preparations gradually declined and martial spirit gradually weakened. Soldiers and high officials all lolled in idleness and made ease their objective, were self-satisfied and spoke of the Central Flowery (Empire) and of the Central Kingdom and looked on people of other nations as barbarians and beasts lacking in wisdom and shallow of thought. They did not understand that China was not the China of old and the barbarians were not the barbarians of old. The Western countries had become highly skilled and enlightened. Through the study of astronomy and geography they were able to master the natural world. They became precise in countless techniques. Especially in military strategy and armaments the Western countries were able to far surpass the Ch'ing. Since (the Chinese) did not know (how far behind they were), they were unprepared for any emergency and finally, as a result, China was held in contempt by the Western nations. This resulted in the Manchus several times suffering defeats, having been attacked by the English and French whom they had regarded with contempt as barbarians and beasts not even worth worrying about, lacking in wisdom and shallow of thought (as they were). However if (the Chinese) had understood that they were far from equal to the Western nations, and modeling on Western ways, built cannons and warships and the like, and, also taking their [Western nations] methods as a model, carried out military training and education, military preparedness would be revived and martial spirit would be emboldened. Then even if (China) had not yet reached (a point of) defending itself against the scorn of Westerners, (at least) it would not be as bad as the present lamentable state of affairs.

Chiefly, they [the Chinese] regard the West as the principal object of their contemptuous contemplation, and do not have any intention of taking up these [Western] military strategies and weapons, etc. As they have solely pursued a policy of idle temporizing, (now) they have run off with their most revered Son of Heaven to a remote village, abandoning their capital city. The whole world and posterity laughs at this legacy which has been achieved. Is it not in fact extremely regrettable?

*I (Kato) speak:* What you say is not without reason. In fact as a result of the long continued peace of the Ch'ing, military preparations gradually declined and fighting spirit weakened. Scholars and soldiers lapsed into effeminacy and made idleness the most important concern (for themselves), and (they) were completely held in contempt by the Western nations. Since they have suffered these frequent attacks and things have, as a result, reached such conditions as now, if they [the Chinese] had from the outset understood where they fell short and instead, adopted Western ways and built battleships and cannons and had diligently trained and educated, and so forth, then military preparations would have

gradually been restored and a fighting spirit would have gradually become brave and resolute. But truly for the purpose of restoring military preparedness and emboldening the fighting spirit, it would by no means have been enough to build cannons and battleships, and the like, and to carry on training and education, et cetera. Of course, making battleships and performing training (exercises) cannot be omitted in order to prepare the military, but these things are extremely peripheral and are not what we must call the basic principle of putting military preparations in order.

*The questioner speaks:* In that case, what is it that is called the basic principle of putting (military) preparations in order. I desire to listen to your opinion.

*I reply:* I consider the building of battleships and the training of the military in strategy, and so forth, as only the external form of military preparedness. In these things the spirit of military preparations has not yet been attained. It is the same as what is expressed in the proverb: "You can make an image of Buddha but if you do not invest it with a Buddha spirit (then it will be useless)." Therefore if one does not at first seek out this spirit, in the external form by itself, there will be no benefit.

Well, when we talk about the spirit of military preparations, although it is very strange, there is nothing that (constitutes) the spirit of military preparations more than what is called social harmony; even if one makes ready a thousand myriad cannon and battleships and carries on training and education without distinction as to day and night, the principle whereby to put military preparations in order will not be at all present. For this reason, if we want to defend against the insults of foreign nations and make military preparations strong, then there is no measure that is as good as taking the achievement of social harmony and making it the fundamental principle. Generally in all nations, since the founding ruler and two or three generations after him are, of course, usually sage lords and wise rulers, they govern those below with benevolence and righteousness alone. They employ the wise and appoint the able and because they devotedly study matters of government, the masses [common people] all admire their superiors. The feelings between superior and inferior are readily brought into harmony like the father's and son's. All the peoples of the world feel warmly toward each other and they are no different than brothers, and because of this, we speak of the realm being governed in peace.

However after four or five generations, when sovereigns are born deep within the palace and grow up in women's hands, therefore from their infancy (these rulers) do not undergo hardship and do not learn of the world's (real) social conditions or what true [or in this case, honest] human emotions are. Therefore although wise and sagacious men exist, they [the rulers] do not know (how) to employ them. Because the rulers make idleness their primary concern,

wicked, sycophantic ministers take advantage of this opportunity and by applying flattery seize the day. They [the sycophantic and wicked ministers] repeatedly indulge their passions; the ruler is completely unaware of it. Rather because he [the ruler] regards this rabble [the greedy officials] as loyal ministers and wise officials and entrusts the government completely to them, therefore the wicked subjects gradually fill up the court, and the wise officials are gradually hidden among the common people, and in the end the government utterly declines. Therefore the sympathy between inferiors and superiors is closed. The superiors make the inferiors suffer; inferiors deceive their superiors. Everyone becomes base and shallow and the cunning gradually gain in their ambition. The feelings between (inferior and superior) become like bitter enemies. This is because the ruler forgets that he is like the mother and father to his people, and has since lost the will to try government by cultivating good parental qualities. The blame for this is the ruler's alone. In the case of the Ch'ing Dynasty also, the founders and rulers until Shih Tsung [Yin-chen, reign title Yung-chen, 1678-1735] and Kao Tsung [Hung-li, reign title Ch'ien-lung, 1711-1799] did not forget that they were the fathers and mothers of their people. Especially Kao Tsung was a famous and brilliant sovereign because he combined brave martial qualities and (thereby) conquered Bactria, Soghdia and made Tibet his possession. But from Jen Tsung [Yung-yen, reign title Chia-ching, 1760-1820] to Hsuan Tsung [Hsuan Tsung was the temple name for the Tao-kuang emperor, reigned 1821-1851] (rulers) forgot their obligations to be the shepherds of their people. The will to seek good government through careful cultivation was lost. Therefore wise people became rare, and wicked subjects were able to seize the day and the government greatly declined. There was no harmonious cooperation between inferiors and superiors. The harmony of the people was broken. For this reason, finally (China) came to be regarded disdainfully by foreign nations, and (therefore) frequently suffered their attacks. Above all the present emperor [here Kato is again talking about the Hsien-feng Emperor, whose reign, 1851-1861, was a time when China suffered from internal rebellion, foreign invasion and economic collapse], forgot his responsibility as shepherd of the people. (The present emperor), devoting himself to idleness and pleasure, delegated all (governmental) affairs to wicked ministers and evil officials. As a result, the dynasty became thoroughly like a den of wicked ministers and treacherous officials. The government declined and therefore the English and French took this opportunity to attack China frequently, and nothing could be done about it. The long-haired rebels caused trouble [lit., they suffered the rebellion of the long-hairs] and many counties in the south were pillaged. Finally when this internal and external suffering was no longer possible to endure, they abandoned their capital and ran off to Manchuria. This shame will spread out of the realm and onto latter generations.

In fact, this is all something that occurred because (the sovereign) forgot that he is the father and mother of the people and did not use his heart in

governance. The blame lies with the emperor. Therefore those who talk about the Anglo-Chinese War are apt to say that the English win every time and the Chinese lose every time because the armaments and strategy of the English are far superior to that of the Chinese: they do not comprehend that the fundamental principles of victory and defeat in reality lie in whether or not social harmony has been achieved. They should be laughed at. Even if they employ all kinds of strategy and weapons, since they do not have social harmony, there is no reason they should obtain victory. Truly, as I stated previously, since social harmony is the soul of military preparations, in really making ready military preparedness, if one does not first obtain social harmony, then it will all be to no avail.

*The questioner speaks:* Truly, I was impressed by your sound argument. But it is very difficult to obtain social harmony if at the top there is no wise emperor who wants to wholly administer righteous policy and below him loyal and good ministers who assist in these (matters).

*I answer:* In fact, as you stated, it is extremely difficult to achieve social harmony when there is no benevolent policy. But there is one technique which makes a benevolent policy easy to implement and also makes social harmony easy to achieve. This one technique the Chinese have not yet been able to understand. But we acknowledge [lit., say] that (this) is truly the good technique which cannot be lacking in governing the realm. But, though it may be (the case that) although this technique has been used, when the ruler is benighted and his ministers are sycophantic and wicked, there will be no use [lit., benefit]. (I submit that) when this good method is employed the benighted ruler will naturally [spontaneously] become wise, and the sycophantic, wicked ministers will naturally lose their influence [lit., lose the day]. What is regrettable (is that) in the last twenty years, from about the time of the Opium War, if the art of good government had been in use, then they [the Chinese] would not have reached such a situation as now. In fact, it is regrettable that lacking the will to recover from this weakened policy, they have carried out only a strategy of comfort.

*The questioner speaks:* What is this thing which you have said is a good technique that the Chinese have not yet understood? I desire to listen to your comments.

*I answer:* What I call good technique is not strange at all. It is merely reforming the present system of governance and erecting a (new) type of system. This polity is a fair and equal one which truly makes benevolence and righteousness its principles. This is what the Chinese have not yet once understood.



*My guest answers:* As you said earlier, the recent government of the previous kings made a principle of righteousness and the polity was fair and equal. If we revive the political form of the previous kings, then the reform should be superior [to the present polity]. I think it is very strange that you have said that the best course is erecting a fair and equal polity (such as) the Chinese have never known. Assuredly it seems that you think the previous kings never made a principle of righteousness or understood the building of a fair and equal political form. But no matter what kind of political form exists, you think there is none which is superior to the previous kings. Your explanation almost certainly must be wrong, but as for this thing that is called a fair and equal polity, what is it? I would like to hear your explanation.

*I speak:* Although what I am saying is not at all that (the political form of the previous kings) was not a fair and equal polity in which they made an important principle of benevolence, according to my (way of) thinking, the building of the political form of the previous kings was never satisfactorily attained. But even if there were points where the past kings did not attain (this polity) when we talk about the politics of the previous kings, although it gave rise to no evil at all, when a later generation of foolish kings became manifest, finally this evil appears and it is easy to lose what is fair and equal. Therefore because the previous kings did not satisfactorily attain a fair and equal polity, then later generations were made to suffer. For instance, though (some) standard is almost useless for good artisans, for the clumsy worker it is something which is indispensable. When the ruler is sagacious, even if (his) way of establishing the polity is not attained, we can say that no harm has arisen. However in some later age when a foolish king appears, then it is inevitable that (this) harm will instantly arise. Therefore a criterion must not be lacking in order to make a clumsy worker turn out fine work, which is not inferior to that of fine artisans. Likewise, as for the satisfactory achievement of building a polity, a criterion must not be lacking in order to make a foolish ruler desire to carry out benevolent and righteous rule that is not inferior to (that of) a sage ruler or wise sovereign.

*The questioner speaks:* In fact, since your explanation is, in principle correct, in that case what about the establishing of these political forms that you make reference to? I desire to listen to your comments.

*I speak:* First of all, in desiring to talk about this political form, since the reasons why this political form is superior to all others will not be clear unless we explain the political forms of all the nations of the world, we must first explain [at least] roughly the polities of nations. Broadly, although the world is wide and the (ways of) building nations are numberless, when we discuss political forms there are none which are outside the two types of the monarchy and the republic.

In what we call the monarchy, the whole country is ruled by the king who is above the people. In what we call the republican form, there is no king over the people but rather government officials discuss the making of politics.

However, these two types of polities are each divided again into the political forms of: absolute monarchy, aristocratic republic [or oligarchy], limited or constitutional monarchy, and democratic republic. There are two types of republican governments: the democratic republic and the constitutional monarchy. This therefore is the precise distinction between the four types of polities.

In what we call absolute monarchy, the king is over the people. All policies proceed from the king's will. Only ministers and prime ministers, and so forth, assist the king [in formulating policies]. In Asia, outside the Ch'ing court, and in Europe the countries of Russia, Austria, Turkey plus two or three others have this political form.

As for the political form of constitutional monarchy, although the king is over all the people and controls it [i.e., the polity], (the members of this polity) establish fixed laws, and create a public assembly (which) eliminates the power of the king, it is said. This form is prevalent in all of the countries of Western Europe with the exception of the two or three cited above. The establishment of law is the basis [foundation] of these [democratic] countries. Moreover, the important thing about these polities is that having formed a public assembly, they always discuss important matters of state or urgent affairs.

Each nation chooses a different name for its public assembly. Among those chosen are parliament, states general, Standen, and Cortes. In short, the people discuss national matters instead of the king. Most countries divide the public assembly into two parts. One part is called the upper chamber and the other is called the lower house. But each country has a different name for these. In the case of the upper house, either the House of Lords or Senate is used. In the case of the lower house, either the House of Commons or the Chamber of Deputies is used.

Each country also has different ways of choosing people to enter the upper house. Either the nobles of the country enter by heredity, or members enter the upper house for life by the king's appointment, or members enter having been chosen the most popular and superior in abilities and knowledge from among the common people by a public meeting of the people without receiving [the sanction of] the king.

The method to enter the upper house is not the same for each country, and nations differ in the numbers of members in the houses and the terms of office. For example, in England, the 430 members who enter the House are nobles or learned men who succeed to office hereditarily; in France, the 150 members are chosen by the king who limits the entry to one generation; in Belgium, the law is that in each province several members are chosen by the people from among themselves for an eight-year term of office. There are fifty-four members. The law is that those not over forty years of age are not chosen

and people who are not over twenty-five years of age cannot participate in the meeting for selection. Other nations' methods of selecting for the public assembly are all different and not uniform. Moreover, as for the method of selecting for the lower house, in each nation, without their receiving the selection of the king, it is the law that the people from each province meet and discuss and then choose the most virtuous, capable and intelligent for a term of office. The number of seats [in the lower chamber] and the term of office are also different for each nation. In England, there are 658 members of this chamber who have a seven-year term of office. In France, people who are over twenty-one years of age assemble and choose from among them. There is a ten-year term of office. For every 35,000 people there is one legislator who represents them. Therefore there are some small differences in the total house membership from time to time. Every nation values its own electoral method as being the most fair. When the people assemble they are afraid that in the assembly the most cunning or authoritarian people, with their independent power, insist on their own opinions and neglect the opinions of the less capable and powerless people. Therefore, in each country, in the assembly, voters write down the name of the person they want to choose and put it on a ballot [lit., sealed envelope], and then in a place, open the ballot. After all the ballots are read, the person who is elected [by the people] is the one who receives the majority of the votes. This is the [fixed] rule.

For example, if the public assembly consists of one hundred members, and fifty want to choose person "A," and thirty members want to choose member "C," then the person "A" should be elected because he is the most popular. Well, as I said before, because they submit ballots in sealed envelopes, the cunning and authoritative are not able to assert their opinions as they please by way of intimidation. Moreover, the stupid or weak person need never be afraid and can express his opinions as he pleases. This is, in fact, why we call this selection process fair and equal. Thus having established public assemblies by law, they fix the number of times they meet every year, and have the members assemble in the capital and discuss how they can exclude the old evils [that is, the conservative, antiquated, old school], and how they can establish virtuous law. But if unexpectedly a large matter occurs, or if an emergency arises which is difficult to dispose of by law, a special [extraordinary] session is called, and the matter is decided. The assembly is always divided into an upper and lower house at each session. Each house assembles its members and either votes on bills by submitting closed ballots, or each person gives an oral presentation before the house. After a bill has first been passed in one house, the vote occurring after every member has had his say, then the will of the house is written down and sent to the other house. In the other house the same process is repeated. After all members express their opinions, they write down the particulars and then submit the opinion of the legislature to the king. Only when the king adopts this is it implemented into governmental policy. However there are instances when

both houses have passed on some matter, but the king decides that it is not right, and although it is by no means the case that there are no matters which are not to be adopted [i.e., that it is a matter which must be accepted by the king again; that the king is legally bound to accept whatever the legislature passes], most things that have been passed by both houses will be adopted [lit., cannot not be adopted], even though the king has legal sovereignty.

In what we call the political form of aristocratic republic, there is no king who is above the people. Only those who are called hereditary nobles hold the assembly and make policy. In such countries there is no lower house so to speak. The nobles have sovereignty and the common people have little voice in the establishment of a political form. Presently Mexico in North America and two or three other states have this political form.

What we call democratic-republic is chiefly in the United States of America in North America, and in Europe in Switzerland, in the German states of Lubeck, Frankfurt, Bremen and Hamburg and in two or three other nations. Moreover, in countries with this political form they do not set up a monarch nor do they make a distinction between noble and base, plebian and aristocrat. The rights of the people are all the same. From among the people the person who is the most popular and wise is chosen as the president, for a [specified] term of office. He is made the shepherd of the people. Moreover, as in the form of a constitutional monarchy, the public assembly has two houses whose purpose is to make liberal [broad-minded] government policy. These assemblies have different names in different countries. Moreover, there is a disparity in both the term of office and the election method of people entering office for the two houses. They assemble one or two times a year and discuss national matters.

Recently the political form employed in America in North America was tied to that of England. The English government officials came to America to perform administrative functions. But since about the 1750s and 1760s, our years of Horeki and Meiwa, the English king stiffened his policies and the people were made to suffer cruel treatment. The people [of America] could no longer endure the suffering. At last in 1774, the Third year of An-ei, America raised troops and revolted against the English. The man who was called Washington was very anxious to save the people from suffering. He was unusually strong and brave. The people supported him and made him a general, and made war with the English for several years. The English were not able to achieve victory. In 1783, the Third year of Tenmei, with the intermediation of the French, in a place called Versailles, they concluded a peace with the Americans. The American people at last became free and independent from the English.

The American people respected and admired Washington's goodness and therefore wanted to support him and make him king. But Washington was a fair and just man and was not willing to take advantage of the situation. He thought that although he greatly contributed to the nation, he should not succeed to the throne and voided this for his descendents. In order to make the

nation forever tranquil [lit., public peace] the thirteen states that had escaped the jurisdiction of the English were federated, and thereby they established a democratic republic.

If we summarize democracy now, in the nation each state has one small representative body, each with a governor, which establishes a public body with two houses. Within each state, political affairs [administrative business] are carried out by this small representative body without interference from the other states. However, in the matters of the federal assembly, the large representative body is established in Washington to discuss national affairs. Popularity is largely responsible for electing a person to the four-year term of president. Because of this, the people are vested with authority.

Unless people are over 35 years of age, they cannot be elected to the assembly. At the time of the election, the people write down the name of the person they want and place it [the ballot] into a ballot box. After everyone finishes turning in the ballots, then the ballot box is opened and the person with the majority is taken as the elected. Furthermore, the large assembly [congress] is the same as the constitutional monarchy form of government. It is divided into two houses. The upper house is called the senate and the lower house is called the deliberative house of the people's representatives. The method of choosing for the upper-house members is that the state government holds an assembly and elects a wise and talented man from among its number and dispatches him to the national government. [Note what Kato is describing is the method of electing U.S. Senators before the enactment of the XVII Amendment to the Constitution which provided for their direct election.] Those members eligible for selection must be over thirty years of age. As for the lower house, (the people) choose (members) at (electoral) meetings of the common people in each state, (selecting) from among the people for a two year term, and send them to the national government. Those over twenty-five years of age can, by all means, be elected. It is the rule that they send one member for each 70,680 people.

As for the congress, the two houses of the national assembly meet two or three times throughout the year in order to make laws. They meet in the capital [Washington] in order to discuss national affairs. However in an emergency, or if something arises which is difficult to deal with according to law, then a special assembly meets to discuss this matter. Generally, being concerned with the matter of a fair and equal polity, the majority rules and the President is not able to break this. Moreover, if the rabble enter the two houses then the national politics will be mischievous, I think. If they are not afraid they can write a petition to the political chambers, or they can write a memorial and submit it to the world. The court is not able to forbid it. This then is the main explanation of the political form of the democratic-republic.

Well, as I stated above, the four countries, Switzerland and the states of Germany, have all these four political forms. The public assembly is, of course,

in America and is not strange. As for these countries, they have accomplished many things. These are the four political forms of the world. I have finished giving a general summary.

*The questioner speaks:* Because of your comments, I began to understand the political forms of every country for the first time. Well, when we think about these four types, we should say that monarchy and aristocracy are two types which we need not consider because they are unfair. But a constitutional monarchy and a democratic-republic are fair and equal and moreover conform to Providence, and are in accordance with the people's feelings. In order to reform the political form of the Ch'ing Dynasty, which is right? I desire to listen to your discourse.

*I speak:* To my way of thinking, to reform the Ch'ing now it would be well to adopt some system of constitutional monarchy. Of course the democratic-republic(an) form is the fairest of all because it elevates the man of virtue and ability and subordinates the ignorant to his rule. Throughout the entire country the difference between the ruler and ruled, aristocrat and plebian is not maintained. Though nothing is so fair and equal as this political form, it is not possible to establish such a system like this at the present.

It is then urgent for the Ch'ing Dynasty to reform speedily by adopting a constitutional monarchy, and in this way replace the evils of the past with good government. Since China is a nation in which the benevolent sages appeared successively, the Chinese should not be analyzed in the same way as other monarchies. Furthermore, since their system of laws is all based on the precedents of these deceased rulers, the present political evils of other nations have become inappropriate. In fact, the restoration of benevolent government can be said to be the Ch'ing Dynasty's most pressing need.

During the halcyon days of the Emperors Yao and Shun, and during the Hsia, Shang and Chou, public assemblies were not established. Therefore in latter generations when foolish kings and tyrants appeared, political authority was stolen by wicked and greedy officials, or sometimes the ruler alone monopolized authority, and then in the end the nation easily succumbed. As I said before, the rulers of the Ch'ing Dynasty, up to Kao Tsung, had been intelligent and as a result the wicked and greedy officials could not steal political power nor did the king alone monopolize authority. However, since Jen Tsung, foolish rulers occurred in succession and they did not look back upon how Tzu Tsung had caused the country to suffer by governing badly. They did not understand what real human feelings were like but valued only revelry and idleness, and therefore flattering ministers took the opportunity to seize the day and deceive the foolish kings. The specious ministers chased away the wise officials and stole political authority. Because of this, the feelings between inferior and superior were separ-

ated from each other, and kindness and social harmony were utterly destroyed. As a result, the present lamentable circumstances have come about. This is particularly due to the fact that they have not established a public assembly. If an assembly were formed, then even the foolish king would always hear the opinions of the people, and since he was acquainted with the feelings of the people, then the conditions of the common people would be transmitted to the ruler. It would be possible for him to change naturally into a perspicacious ruler. Even if wicked officials wanted to steal political authority, the people in the assembly would not allow them to obtain their ambitions. The formation of a public assembly is far superior even to the censorial drum created by Yao or the admonition box set up by Shun. The public assembly should be the foundation for governing the country. When there is no such assembly, then there is no benefit to any law. Therefore, in my opinion, if a compromise can be arranged between the Ch'ing Dynasty and the English and French, and if the Ch'ing ruler can return to the capital again, then a constitutional monarchy should quickly be formed and a fair and equal policy made. In this case then the people will be impressed by the righteousness of the ruler, and then the true feelings between inferior and superior will be harmonious and the social harmony of the world would be equal and not distrustful. At this time the spirit of military preparations could be made complete and the country become strong and influential. Then not only the long-haired pirates but also the English and French would not be enough to afflict the nation. Therefore if a constitutional monarchy, the same as in Western countries, were established then a system of laws and a public assembly, and so forth, would also be formed. There would then be a difference between good and bad, rough and delicate. Therefore the legal systems and public assemblies of each country should be well examined and the best chosen. Since the wrong method of forming an assembly would cause great national harm, the process should be done with great care.

The English constitutional monarchy was established 600 years ago, that is in our age of Kocho Bunmei which was the 1260s, which was during the time of Henry the Third. Recently the election process for the lower house had lost its fairness. The area where the majority of people lived had a long time before decreased, but they [the district] still sent a majority of representatives to the lower house. [Kato is describing the "rotten borough," which was finally abolished by the Election Reform Bill of 1832. He proceeds to describe this piece of legislation.] Moreover, the wealthy gentry caused harm by dominating the lower house. Therefore the people were anxious about this situation and made an effort to stop this abuse and establish a system of correct laws. From about 1760 to 1770 this ambition was not easily achieved. Finally in 1832, they succeeded in reforming the situation. Now the number of representatives to the lower house is fixed according to the population in the area. They also established a law which prevented the rich from acting as they pleased. This is said to be the English Assembly Reform.

The assembly, which is the foundation for governing the country, would cause great harm if the election process were not fair. Therefore if the Ch'ing Dynasty wants to establish a constitutional monarchy now, then first of all, the political forms of each nation should be examined carefully. The way of the West should be adopted by neglecting the bad and embracing the good. The supreme good should be searched for. However, previously the wicked and greedy officials defrauded the king and caused suffering which naturally lost the day. The people looked with envy on their superiors and admired virtuous government and the inferior-superior relationship was like that of a father's. Without doubt, all men were brothers. At this time, training and education has a practical use and the attaining of complete military preparations should be made. Education and training combined with the spirit of military preparedness should be furnished together with the external form(s). It is not the intention to make political affairs by the further governmental form of absolute monarchy. If the Ch'ing ruler can again return to Peking, then the continuing protection of peace is a necessity. Consequently, the intention of the present Ch'ing ruler should not be to make a government of an absolute monarchy. The people of the Ch'ing have gradually become well informed about the external forms of the West. Knowing the reasons why the government is magnanimous has caused discontent in the government of the Ch'ing. As a result the whole nation may decide to rebel.

In the Western country of Prussia, in the beginning, the political form of absolute monarchy was not fair and equal, and as a result the common people were resentful and frequent rebellions ensued. Finally, last year the government collapsed, and Frederick Wilhelm IV, in Kaiei, 1, 1848, abolished the political form of absolute monarchy and established a constitutional monarchy. From their previous decline the government gradually was restored and made great. Other countries where constitutional monarchy has been established are Sardinia, Denmark, and Sweden. Also, as was previously stated, the Western countries of Russia, Turkey and Austria, etc., are presently absolute monarchies, but in a few decades it cannot be doubted that they will become polities which have constitutional monarchies. Since all is consonant with the will of heaven and in accord with popular feelings, it is the natural tendency for the politics of all the nations of the world eventually to become either constitutional monarchies of democratic-republics, and even when one desires by artificial means [lit., by human force] to prevent this, it simply cannot be done. By decisive action the ruler of the Ch'ing can realize this and reform the polity so that the nations should be forever peaceful and the court safe . . . .

*The questioner speaks:* In fact I admire your explanation. But I have this one doubt. According to what you have set forth, even in Europe, Russia, Austria and Turkey, etc., are absolute monarchies. In these cases the politics are not fair and equal. Russia especially, being the largest country in the world, is a nation



with power nearly sufficient to stand up to the English and French. Moreover, even among the countries which have constitutional monarchies, some nations do not prosper, and within these countries frequent rebellions occur. Such countries are rather inferior to nations which are absolute monarchies. Especially America in North America, as you stated in your previous paragraph, has the political form of democratic-republic, and so the polity should be fair and equal, but recently a civil war has occurred where the various thirty states have divided between North and South. I hear that this recent rebellion has still not been suppressed. If what you said is right, there is no reason why such a rebellion should occur in America. Why then is the absolute monarchy inferior to America's [form of government]? I desire to listen to your comments.

*I answer:* Your question misses the point. The reason is, as in the above argument, establishing the political form of constitutional monarchy is just like the clumsy worker being inferior to the skilled artisan and, therefore, when the level of precision is used up, then a standard [criterion] must be made. From the beginning, this political form is aimed at making the tyrants and foolish kings appear to be sagacious. But from the outset, the political form by itself is inanimate [lit., a dead thing], if the living do not employ it. The same thing can be said about a standard. However precise a standard there is, it is inanimate if it is not used by a craftsman. Therefore what I meant before is not that the state would be governed peacefully regardless of whether the ruler is wise or stupid but only if the political form is fair. From the outset, it is a matter of course that the ruler should be sagacious, but as I said before, in the political form of absolute monarchy, politics tend to decline when a stupid ruler appears, whereas in a constitutional monarchy it does not decline so easily. Therefore if latter generations afflict the wise ruler with harm, then the constitutional monarchy is a necessity. Therefore the difference between the absolute monarchy and the constitutional monarchy is that when a tyrant or a stupid ruler appears, the one political form declines and the other does not. But this does not mean that a constitutional monarchy never declines. As you said, even in countries with constitutional monarchies the nation is frequently disturbed and the politics gradually decline because a stupid ruler who cannot understand this fair and equal form appears, and sovereignty is stolen by wicked officials, or tyrants appear and monopolize power.

During the last sixty years, the French have been in upheaval many times. In our fifth year of Kansei, 1793, Louis XVI was killed by rebels; in the first year of Tempo, about the sixth month, 1830, Charles X was overthrown and forced to flee. These things were caused by the fact that the policies were not fair and equal. Therefore, however good a political form is, it is useless if a ruler does not use it correctly. Again, as you said, the reason why Russia ranks on the same level of national strength as England and France, though it is a monarchy, is that the politics are fair and equal. It is not necessary for me to tell you anything

about the reforms of Peter the Great because his sagacity is well known. Alexander the First is known as a wise ruler whose government was fair and equal. In 1810, he established laws and based his policies on these laws so that the strength of the nation increased so that it could be, in fact, ranked with England and France. This is proof that even in an absolute monarchy the polity does not decline when a ruler is wise and does not monopolize the government. However because there is no assembly there are many parts that are not fair and equal. Recently, the people desired to establish a constitutional monarchy and public assembly. There is no doubt that this country [Russia] will adopt a constitutional monarchy within a few decades. Therefore I think that a public assembly is indispensable if you want to build a safe polity. If there is an assembly a tyrant cannot do so much harm in the country as in an absolute monarchy. This is the reason why an assembly is indispensable and I think that a revolution in a constitutional monarchy is better than the peace of an absolute monarchy. The reason is that in a country with an absolute monarchy a ruler alone has sovereignty and the authority, so it is easy for the dynasty to control the people. Therefore however hard a tyrant or wicked official treats the people, the people cannot say anything against him. The person who argues with the authority of the realm is punished severely without regard as to whether it is right or wrong, and so the person, being afraid of authority, tries to observe the order of the realm. This is the reason why the country with this political form [absolute monarchy] is stable. However being peaceful because of (the fear of authority) is not true tranquillity. This in fact divides the feelings of superior and inferior. This is the cause of the breakdown of social harmony which leads to the complete decline of the nation. As a result of the deep-seated resentment, they plot to dethrone the ruler and take his power. Moreover in a constitutional monarchy, the authority of the realm is not arbitrary. The people always understand how to enter the public assembly but if the assembly is not included, then the rabble will therefore end up commenting on the merits and demerits of public and private affairs. Naturally the government will not be able to forbid the free assertion of this in a petition. If the tyrants and wicked ministers, etc., exist above the court, then the power and influence of the realm will be very severe. The common people will be directly forced to decree for reform and a public assembly. If the common people chastise the government, more and more will they be able to instantly rout the ruling family and overthrow the regime. Rebellions often arise when the people cannot use what they attain from the courts. Therefore the prestige of the court is not to be arbitrarily governed and must be reformed. The examples of ancient and modern times are not small in number. Therefore the nation naturally declines and becomes weak and has difficulty. The barbarians then show their great contempt. Generally, in the countries with an absolute monarchy everything the state does is imposed on the people. By means of this difference in the public and private sectors, the two types of political forms are known.

In America the democratic-republic(an) form of government has produced an actual split between North and South. Therefore the quelling of the war is very strange because the political form of the opposing sides is the same democratic-republic(an) form. Originally, the cause of the present condition is to be found in the position of Lincoln, who has been elected President and who is said to be a good and fair man who is prejudiced against the practice of buying slaves in the Southern states of America. To enslave is severe and is rejected by Providence. Later this thing was strictly forbidden, and it can be said that this explains the present conditions which have occurred. In the Southern part of America the people bought many slaves and always used them. They refused Lincoln's fair principle and would not accept it because it would deprive them of their livelihood. Then the Southern states produced disharmony with the North and finally war resulted. On this occasion, heaven has decided to defeat the greedy ambition of the Southerners. The opinion of Lincoln is that he is a fair and just man.

In a recent newspaper I read that the slaves detest the unrighteousness of the Southerners. They mainly yearn for the benevolence of Lincoln and stand by the North. It is clear that the sought-after independence of the South can never be. Therefore, according to my way of thinking, over the years the North will recover and the South will surrender. As in the beginning, all sections will assemble, and it is hoped that suspicion will cease. The ambition for independence is clearly not able to be accomplished, and the suffering of slavery must be abolished. Therefore in countries with a democratic-republic(an) form there is cause for upheaval. Moreover, for this purpose the policies of the government are fair in principle. In this regard, in absolute monarchies the authority of the court's power is strict, and the power of the people is stolen.

Therefore if the ruler of the Ch'ing returns to Peking, immediately an assembly should be established. There is no doubt that by administering a fair and equal policy the people will look upon the court as a father and mother. The whole world will be as brothers and social relations will be equal. If this is attained, then the spirit of military preparation, cannons and battleships, will from the start be real things, and training and education will have real purpose. Then neither external pirates nor internal disturbances will be enough to disrupt because the nation will be eternally at peace and the Imperial Throne safe. If you dislike the making of guns and battleships, and want to divide the night from the day and not train or educate, it will therefore not be strange that when making the Buddha, the spirit does not enter.

*The guest speaks:* Your exposition truly must be called an irrefutable argument. I have been deeply impressed.

*I speak:* But solely with what I have argued here the reason why constitutional monarchy is superior to absolute monarchy is not clear enough. I must argue in

detail at some future time the reasons for the fairness and justice of the political form.

*Tonarigusa* — the end

### Conclusion

Kato Hiroyuki's *Tonarigusa* can be counted as an important work of the *bakumatsu* period and the early Meiji period because it presented not only the first systematic evaluation of Western political systems but also a philosophical justification for representative government which would be understandable to all educated Japanese. Kato thus presented Western political ideology in a less threatening way and helped pave the way for thoughtful debate.

Kato was not writing a political manifesto calling for the radicalization of the Japanese polity. His thoughtful solution lies in the idea that Japan should adopt a limited monarchy. Although viewing the democratic-republic (*banin doken*) as the most egalitarian and democratic form of politics, his discounting of this form for Japan shows his pragmatic bent. He realized at first exposure that Western political systems could not be simply grafted on to the Japanese experience.

What is also important in the analysis of *Tonarigusa* as a polemical tract is that Kato does not seem shocked by any political theory. His analysis of republican forms of government is dispassionate and straightforward. Considering that Kato was only twenty-five years old at the time, and that Western constitutions had only begun to be translated in Japan, the reaction is curiously void of exuberance, shock or displeasure.

Given Kato's background, what made him so receptive to the idea of representative government? Why should he be so convinced that a popularly elected assembly was a key to benevolent government? Why did he, a samurai, have such faith in the wisdom of the people to choose men of talent to elected positions? Kato's reaction to Western political systems can be seen as indicative of a strong reaction against the narrow-based polity of the Tokugawa. Not only those traditionally outside the decision-making process (i.e., the *tozama daimyo*) but also the *fudai daimyo* realized that Tokugawa rule was obsolete.<sup>35</sup> The merchant, who had created a thriving culture in the towns and cities, had fashioned a symbiotic relationship with the samurai. Society, although legally stratified, had undergone profound shifts. Incorporation into the political

35. By 1864 a fundamental shift took place between the *fudai daimyo* and the *bakufu*. Feudal autonomy could no longer be protected and the *fudai daimyo* were ready to disassociate themselves from high *bakufu* office. Harold Bolitho examines the question of *fudai-bakufu* relations in detail in his book *Treasures Among Men: The Fudai Daimyo in Tokugawa Japan* (New Haven: Yale University Press, 1974).

system was sought by an ever-expanding group. Western political theory, if properly adjusted to the Japanese character, thus provided a model for those seeking a voice in government.

Politics thus became, in the period after Perry, the domain of the nation. A threat to the nation made the discussion of politics a concern for everyone since everyone suddenly had a stake in its outcome. Perry's arrival and the stationing of foreign missions on Japanese soil were visible and irritating manifestations of the failure of Japanese politics. The political movements associated with the times (i.e., *sonno-joi*, *kaikoku*) forced politics out into the public domain. The political debates which took place during the 1850s and 1860s were not narrow-ranged and exclusive but rather wide enough so that they included many disparate groups.

Kato Hiroyuki's *Tonarigusa* indicates the type of thinking that was circulating among the most advanced political theorists of the bakumatsu period. Kato viewed the future Japanese polity as existing within a constitutional structure. Authoritarian, absolutist regimes whose rulers were blind to popular concern were seen by Kato as being the least desirable and most harmful political forms. Kato not only was able to enunciate clearly the types of political options open to Japan but was also intelligent enough to tie Japan's future with constitutionalism.