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366

The Rule of the Dead.

40 pt. mi.

It should now be evident to the reader that the ethics of Shinto were all comprised in the doctrine of unqualified obedience to customs originating, directly or indirectly, in the family cult. Ethics were not different from religion; religion was not different from government; and the very word for government signified "matters-of-religion". All government ceremonies were preceded by prayer and sacrifice; and from the highest rank of society to the lowest every person was subject to the law of tradition. To obey was piety; to disobey was impious; and the rule of obedience was enforced upon each individual by the will of the community to which he belonged.

Ancient morality consisted in the minute observance of rules of conduct regarding the household, the community, and the higher authority.

But these rules of behaviour mostly represented the outcome of social experience; and it was scarcely possible to obey them faithfully, and yet to remain a bad man.

They commanded reverence towards the Unseen, respect for authority, affection to parents, tenderness to wife and children, kindness to neighbours, kindness to dependents, diligence and exactitude in labour, thrift and cleanliness in habit.

Though at first morality signified

no more than obedience to tradition, tradition itself gradually became identified with true morality.

To imagine the consequent social condition is, of course, somewhat difficult for the modern mind. Among ourselves, religious ethics and social ethics have long been practically dissociated; and the latter have become, with the gradual weakening of faith, more imperative and important than the former. Most of us learn, sooner or later in life that it is not enough to keep the ten commandments, and that it is much less dangerous to break most of the commandments, in a quiet way, than to violate social custom. But in Old Japan there was no distinction tolerated between ethics

and custom, — between moral requirements and social obligations : convention identified both, and a conceal a breach of either was impossible, — as privacy did not exist. Moreover the unwritten commandments were not limited to ten ; — they were numbered by hundreds, and the least infraction was punishable, not merely as a blunder, but as a sin. Neither in his own home nor anywhere else could the ordinary person do as he pleased ; and the extraordinary person was under the surveillance of zealous dependants whose constant duty was to reprove any breach of usage. The religion capable

of regulating every act of existence
by the force of common opinion,
requires no calculation.

~~People~~ ^{#1 in} Early moral custom
must be coercive custom. But
as many habits, at first
painfully formed under compul-
-sion only, become easy through
constant repetition, and at last
automatic, so the conduct
compelled through many genera-
-tions by religious and civil
authorities, tends eventually to
become almost instinctive. Much
depends, no doubt, upon the
degree to which religious com-
-pulsion is hindered by exter-
-ior causes, — by long protracted
war, for example; — and in Ota

Japan, there was in difference extraordinary. Nevertheless, the influence of Shintō accomplished wonderful things, - evolved a national type of character worthy, in many ways, of earnest admiration. The ethical sentiment developed in that character differed widely from our own; but it was exactly adapted to the social requirements. For this national type of moral character was invented the name Yamato-damashi (or Yamato-gokoro), - the Soul of Yamato. (or Heart of Yamato); - the appellation of the old province of Yamato, seat of the early emperors, being figuratively used for the entire country. We

might correctly, though less liberally,
interpret the expression Yamato-
-damashi as, "The Soul of Old
Japan".

It was in reference to
this "Soul of Old Japan" that
the great Shintō scholars of the
eighteenth and nineteenth centuries
put forth their bold assertion
that conscience alone was a suffi-
-cient ethical guide. They de-
-clared the high quality of the
Japanese Conscience a proof of the
divine origin of the race. "Human
beings," wrote Motowari, "having
been produced by the spirits of
the two Creative Principles, are
naturally endowed with the know-
-ledge of what they ought to do,
and of what they ought to refrain
from doing. It is unnecessary,

for them to trouble their minds with systems of morality. If a system of morals were necessary, men would be inferior to animals, — all of whom are endowed with the knowledge of what they ought to do, only in an inferior degree to men..."* Mabuchi, at an earlier day, had made a comparison between Japanese and Chinese morality, greatly to the disadvantage of the latter. "In ancient times," said Mabuchi, "when men's dispositions were straightforward, a complicated system of morals was unnecessary. It would naturally happen that bad actions might be occasionally committed; but the straightforwardness of men's dispositions would prevent the evil from being concealed and so growing in extent." So in those days it was unnecessary to have a doctrine

* All of these extracts are noted from Satō's great essay on the Shintō revival.

of right and wrong. But the Chinese, being bad at heart, in spite of the teaching which they got, were good only on the outside; and their bad acts became of such magnitude that society was thrown into disorder. The Japanese, being straightforward, could do without teaching." Motowori repeated these ideas in a slightly different way: — "It is because the Japanese were truly moral in their practice that they required no theory of morals; and the fuss made by the Chinese about theoretical morals is owing to their laxity in practice.... To have learned that there is no Way [ethical system] to be learned + practiced, is really to have learned to practice the Way of the Gods". At a later day Hirata wrote: — "Learn to stand in awe of the Unseen, and that will prevent you from doing wrong. Cultivate the conscience implanted in you: then you will never wander from the Way."

~~Nagla~~
 Though the sociologist may smile at these declarations of moral superiority, (especially as based on the assumption that the race had been better in primeval times, when yet fresh from the hands of the gods) there was in them a grain of truth. When Macbride and Motowari wrote, the nation had been long subjected to a discipline of almost incredible minuteness in detail, and of extraordinary rigour in application.

And this discipline had actually brought into existence a wonderful average of character, — a character of surprising patience, unselfishness, honesty, kindness, and docility combined with high courage. But only the evolutionist E can imagine what the cost of developing that character must have been.

4 1/2 in 7

Purpose

It is necessary here to observe that the discipline to which the nation had been subjected up to the age of the great Shinto writers, seems to have had a curious evolutionary history of its own. In primitive times it had been much less uniform, less complex, less minutely organized, though not less implacable; and it had continued to develop and elaborate more and more with the growth and consolidation of society, until, under the Tokugawa Shogunate the possible maximum of regulation was reached. In other words, the yoke had been made heavier and heavier in proportion to the growth of the national strength, - in proportion to the power of the people to bear it. ... We have seen that, from the beginning of this civilization, the whole life of the citizen was

ordered for him : his occupation, his marriage, his rights of fatherhood, his rights to hold or to dispose of property, — all these matters were settled by religious custom. We have also seen that outside as well as inside of his home, his actions were under supervision, and that a single grave breach of usage might cause his social ruin, — in which case he would be given to understand that he was not merely a social, but also a religious offender ; that the communal god was angry with him ; and that to pardon his fault might provoke the divine vengeance against the entire settlement. But it yet remains to be seen what rights were left him by the central authority ruling his district, — which authority represented a third form of religious ^{despotism} authority from which there was no appeal in

ordinary cases.

$\frac{1}{2}$ line

Material for the study of the old laws and customs have not yet been collected in sufficient quantity & yield no full information as to the conditions of all classes before Meiji. But a great deal of precious work has been accomplished in this direction by American scholars; and the labours of Professor Wigmore, and of the late Dr. Simmons have furnished documentary evidence from which much can be learned about the legal status of the masses during the Tokugawa period. This, as I have said, was the period of the most elaborated

regulation. The extent to which the people were controlled can be best inferred from the nature and number of the sumptuary laws to which they were subjected. Sumptuary laws in Old Japan probably exceeded in multitude and numberless anything of which Western legal history yields record. Rigidly as the family-cult dictated behaviour in the home, strictly as the commune enforced its standards of communal duty, — just so rigidly and strictly did the rulers of the nation dictate how the individual — man, woman, or child — should dress, walk, sit, speak, work, eat, drink. Amusements were not less unmercifully regulated than were labours.

Every class of Japanese society was under sumptuary regulation, — the degree of the regulation varying

in different centuries; and this kind of legislation appears to have been established at an early period. It is recorded that, in the year 681 A.D., the Emperor Temmu regulated the costumes of all classes,—"from the Prince of the Blood down to the common people, - and the wearing of headresses, girdles, as well as of all kinds of coloured stuffs, - according to a scale."* The costumes and the colours to be worn by priests and nuns had been already fixed, by an edict issued in 679 A.D. Afterwards these regulations were greatly multiplied and detailed. But it was under the Tokugawa rulers, a thousand years later, that sumptuary laws obtained their most remarkable development; and the nature of them is best indicated by the regulations applying to the peasantry. Every detail of

* See *Nihongi*, Asien's translation, Vol II., pp. 343, 348, 350.

The farmer's existence was prescribed for by law, — from the size, form, and cost of his dwelling, down even to such trifling matters as the number and the quality of the dishes to be served to him at meal-times.

A farmer with an income of 100 koku of rice — (let us say £ 90 to £ 100 per annum) — might build a house 60 feet long, but no longer: he was forbidden to construct it with a room containing an alcove; and he was not allowed — except by special permission — to roof it with tiles.

None of his family were permitted to wear silk; and in case of the marriage of his daughter to a person legally entitled to wear silk, the bridegroom was to be requested not

I was sick at the wedding. Three kinds of viands only were to be served at the wedding of such a farmer's daughter or son; and the quality as well as the quantity of the soup, fish, or sweetmeats offered to the wedding-guests, were legally fixed. So likewise the number of the wedding-gifts: even the cost of the presents of rice-wine and dried fish was prescribed, and the quality of the single fan which it was permissible to offer the bride. At no time was a farmer allowed to make any valuable presents to his friends. At a funeral he might serve the guests with certain kinds of plain food; but butyric-wine were served, it was not to be served in wine-cups,

— only in soup-cups! [The latter regulation probably referred to Shin^{to} funerals in especial.]
On the occasion of a child's birth, the grandparents were allowed to make only four presents (according to custom), — including "one cotton baby-dress"; and the values of the presents were fixed.
On the occasion of the Boys' Festival, the presents to be given to the child by the whole family, including grandparents, were limited by law to "one paper-flag," and "two dog-spears..." A farmer

whose property was assessed at 50 koku was forbidden to build a house more than 45 feet long. At the wedding of his daughter the gift-girdle was not to exceed 50 sen in value; and it was forbidden to serve more than one kind of soup at the wedding feast. . . .

A farmer with a property assessed at 20 koku was not allowed to build a house more than 36 feet long, or to use in building it such superior qualities of wood as Keyaki or hinoki.

The roof of his house was to be made of bamboo-thatch or straw; and he was strictly forbidden the comfort of floor-mats.

On the occasion of the wedding of his daughter he was forbidden to have fish or any roasted food served at the wedding-feast.

The women of his family were not allowed to wear leather sandals: they might wear only

straw-sandals or wooden clogs; and the
 thongs of the sandals or the clogs
 were to be made of cotton. The
 women were further forbidden to
 wear hair-bindings of silk, or hair-
 ornaments of tortoise-shell; but
 they might wear wooden combs and
 combs of bone — not ivory. The men
 were forbidden to wear stockings,
 and their sandals were to be made
 of bamboo.* They were also forbidden
 to use sun-shades — hi-gasa, — or
 paper-umbrellas. . . . A farmer
 assessed at 10 Koku was forbidden
 to build a house more than 30 feet
 long. The women of his family were
 required to wear sandals with thongs
 of bamboo-grass. At the wedding of
 his son or daughter one present only
 was allowed — a quilt-chest. At
 the birth of his child one present only
 was to be made: namely, one toy-
 spear, in the case of a boy; or one
 paper-doll, or one "mud-doll" in the
 case of a girl. . . . As for

* There are sandals or clogs made of bamboo-wood, but the meaning here is bamboo-
 grass.

the more unfortunate class of farmers, having no land of their own, and officially termed mizunomi, or "water-drinkers", it is scarcely necessary to remark that these were still more severely restricted in regard to food, apparel, etc. They were not even allowed, for example, to have a quilt-sheet as a wedding-present. But a fair idea of the complexity of these humiliating restrictions can only be obtained by reading the documents published by Professor Ingham, which chiefly consist of paragraphs like these:—

Rafin

"The collar and the sleeve-ends of the clothes may be ornamented with silk, and an obi (sash) of silk or crepe-silk may be worn — but not in public..."

"A family ranking less than 20 koku must use the Takeda-wan (Takeda rice-bowl), and the Nikkō-zen (Nikkō tray)..."

[These were the utensils of the cheapest kind of lacquer-ware].

"Large farmers or chiefs of kumi may use umbrellas; but small farmers and farm-labourers must use only mino, straw-rain-coats, and broad straw-hats..."

Smaller type

Small

These documents published by Professor
Wigmore contain only the regulations issued
for the daimiate of Maizuru; but
regulations equally minute and vexatious
appear to have been enforced throughout
the whole country. In Izumo I found
that, prior to Meiji, there were
sumptuary laws prescribing not only
the material of the dresses to be
worn by the various classes, but
even the colours of them, and the
designs of the patterns. The size
of rooms, as well as the size
of houses, was fixed there by law
— also the height of buildings and
of fences, the number of windows,
the material of construction. . . It is
difficult for the Western mind to
understand how human beings
could patiently submit to laws
that regulated not only the size of
one's dwelling, and the cost of its
furniture, but even the substance
and character of clothing, — not only the

expense of a wedding outfit, but the quality
 of the marriage-feast, and the quality of the
 vessels in which the food was to be served, —
 — not only the kind of ornaments to be
 worn in a woman's hair, but the
 material of the thongs of her sandals
 , — not only the price of presents to
 be made to friends, but the character
 and the cost of the cheapest toy to
 be given to a child. And the
 peculiar constitution of society
 made it possible to enforce this
 sumptuary legislation by communal
 will; — the people were obliged
 to coerce themselves! Each community,
 as we have seen, had been organized in
 groups of five or more households, called
kumi; and the heads of the households
 forming a kumi elected one of their
 number as kumi-gashira, or group-chief,
 directly responsible to higher authority.
 The kumi was accountable for the
 conduct of each and all of its mem-
 bers; and each member was in some
 sort responsible for the rest. "Every

member of a kumi," declares one of the documents above mentioned, "must carefully watch the conduct of his fellow-members. If any one violates these regulations, without due excuse, he is to be punished; and his kumi will also be held responsible."

Responsible even for the serious offense of giving more than one paper-doll to a child! . . . But we should remember that in early Greek and Roman cities there was much legislation of a similar kind. The laws of Sparta regulated the way in which a woman should dress her hair; the laws of Athens fixed the number of her robes. At Rome, in early times, women were forbidden to drink wine; and a similar law existed in the Greek cities of Miletus and Massilon. In Rhodes and Byzantium the citizen was forbidden to shave; - in Sparta he was forbidden to wear a monochrome.

(I need scarcely refer to the later Roman laws regulating the cost of marriage-feasts, and the number of guests that might be invited to a banquet; - for this legislation was directed chiefly against luxury.) The astonishment evoked by Japanese sumptuary laws, particularly as inflicted upon the peasantry, is justified less by their general character than by their unprincipled minuteness, - their ferocity of detail...

line >

Where a man's life was legally ordered even to the least particulars, - even to the quality of his footgear and head-gear, the cost of his wife's hair-pins, and the price of his child's doll, - one could hardly suppose that freedom of speech

would have been tolerated. It did not exist; and the degree to which speech became regulated ^{and} could be imagined by no one who never attempted to study the spoken tongue. The hierarchical organization of society was faithfully reflected in the conventional organization of language, — in the ordination of pronouns, nouns, and verbs, — in the grades conferred upon adjectives by prefixes or suffixes. With the same merciless exactitude which prescribed rules for dress, diet, and manner of life, all utterance was regulated both negatively and positively — but positively much more than negatively. There was little insistence upon what was not to be said; but rules innumerable decided exactly what should be

said, — the word to be chosen, the phrase to be used. Early training enforced caution in this regard: everybody had to learn that only certain verbs and nouns and pronouns were lawful when addressing superiors, and other words permissible only when speaking to equals or to inferiors. Even the uneducated were obliged to learn something about this. But education cultivated a system of verbal etiquette so multifarious that only the training of years could enable anyone to master it. Among the higher classes this etiquette developed almost inconceivable complexity. Grammatical modifications of language which, by implication, exalted the person addressed or humbly depreciated the person addressing, must have come into

general use at some very early period; but under subsequent Chinese influence these forms of propitiatory speech multiplied exceedingly. From the Mikado himself — who still makes use of personal pronouns, or at least pronominal expressions, forbidden to any other mortal — down through all the grades of society, each class had an "I" peculiarly its own. Of terms corresponding to "you" or "thou" there are still sixteen in use; but formerly there were many more. There are yet some different forms of the second person singular used only in addressing children, pupils, or servants. * Honorific or

* The sociologist will of course understand that these facts are not by any means inconsistent with that very sparing use of pronouns so admirably and amusingly discussed in Percival Lowell's "Soul of the Far East". In societies where subjection is extreme there is an avoidance of the use of personal pronouns, though, as Herbert Spencer points out in illustrating this law, it is just among such societies that the most elaborate distinctions in pronominal forms of address are established to be found.

or humble forms of nouns indicating relationships were similarly multiplied and graded: there are still in use nine terms signifying "father", nine terms signifying "mother", eleven terms for "wife", eleven terms for "son", nine terms for "daughters", and seven terms for "husband". The forms of the verb, above all, were complicated by the exigencies of etiquette to a degree of which no idea can be given in any brief statement... At nineteen or twenty years of age a person carefully trained from childhood might have learned all the necessary verbal usages of respectable society; but for a

mastery of the etiquette of superior converse
 many more years of study and experience
 were required. With the increasing
 multiplication of ranks and classes
 there came into existence a correspond-
 -ing variety of forms of language :
 it was possible to ascertain to what
 class a man or a woman belonged
 by listening to his or to her conver-
 -sation. The written, like the
 spoken tongue, was regulated by
 strict convention : the forms
 used by women were not those
 used by men ; and those differences
 in verbal etiquette arising from
 the different training of the sexes
 resulted in the creation of a
 special epistolary style, — a "woman's
 language," which remains in use.
 And this sex-differentiation of
 language was not confined to

letter-writing : there was a woman's language also of converse, varying according to class. Even today, in ordinary conversation, an educated woman makes use of words and phrases not employed by men. Samurai women especially had their particular forms of expression in former times ; and it is still possible to decide, from the speech of any woman brought up according to the old home-training, whether she belongs to a samurai family.

#1 line

~~Pope~~ Of course the matter as well as the manner of converse was restricted ; and the nature of the restraints upon free speech can be inferred from the nature

of the restraints upon freedom of demeanour. Demeanour was most elaborately and mercilessly regulated, — not merely as to obeisances, of which there were countless grades, varying according to sex as well as class, — but even in regard to facial expression, the manner of smiling, the conduct of the breath, the way of sitting, standing, walking, rising.

Every body was trained from early infancy in this etiquette of expression and deportment. At what period it first became a mark of disrespect to betray, by look or gesture, any feeling of grief or pain in the presence of a superior, we cannot know; — there is reason to believe that the most perfect self-control in this regard was enforced from prehistoric times.

But there was gradually developed — partly, perhaps, under Chinese teaching — a most elaborate code of deportment which exacted very much more than impassiveness. It required not only that any sense of anger or pain should be denied all outward expression, but that the sufferer's face and manner should indicate the contrary feeling. Duller submission was an offense; mere impassive obedience inadequate: the proper degree of submission should manifest itself by a pleasant smile, and by a soft and happy tone of voice. The smile, however, was also regulated.

One had to be careful about the quality of the smile: it was a mortal offense, for example, so to smile in addressing a superior, that the back-teeth could be seen. In the military class especially this code of demeanour was ruthlessly enforced. Samurai women were required, like the women of Sparta, to show signs of joy on hearing that their husbands or sons had fallen in battle: to betray any natural feeling under the circumstances was a grave breach of decorum. And in all classes demeanour was regulated so severely that even today the manners of the people everywhere still reveal the nature of the old discipline. The strangest

fact is that the old-fashioned manners appear natural rather than acquired, instinctive rather than made by training. The bow, — the sibilant in drawing of the breath which accompanies the prostration, and is practised also in praying to the gods, — the position of the hands upon the floor in the moment of greeting or of farewell, — the way of sitting or rising or walking in the presence of a guest, — the manner of receiving or presenting anything, — all these ordinary actions have a charm of seeming naturalness that mere teaching seems incapable of producing. And this is still more true of the higher etiquette, — the exquisite etiquette of the old-time training in

more cultivated classes,—particularly
as displayed by women. We must
suppose that the capacity to acquire
such manners depends considerably
upon inheritance,—that it could
only have been formed by the
past experience of the race under
discipline.

~~O'Leary~~

What such discipline, as
regards politeness, must have
signified for the mass of the
people, may be inferred from
the enactment of Iyeyasu
authorizing a samurai to kill
any person of the three inferior
classes guilty of rudeness. Be
it observed that Iyeyasu was
careful to qualify the meaning
of "rude": he said that the
Japanese term for a rude fellow
signified "an other-than-expected

person" — so that I commit an offense
worthy of death it was only necessary
I act in an "unexpected manner";
that is I say, contrary to prescribed
etiquette: —

3.4 /

— "The Daimurai are the masters
of the four classes. Agriculturists,
artisans, and merchants may not
behave in a rude manner towards
Daimurai. The term for a rude
man is 'other-than-expected
fellow'; and a Daimurai is
not to be imperious with
cutting down a fellow who has
behaved to him in a manner
other than is expected. The
Daimurai are grouped into
direct retainers, secondary
retainers, and nobles or retainers
of high and low grade; but
the same line of conduct is
equally allowable to them all
towards an other-than-expected
fellow." — [Art. 46.]

3.4

Daimurai type - 1000

But there is little reason
 to suppose that Dyéyasu created
 any new privilege of slaughter
 : he probably did no more
 than confirm by enactment
 certain long-established mili-
 -tary rights. Stern rules about
 the conduct of inferiors to su-
 -periors would seem to have
 been pitilessly enforced long
 before the rise of the military
 power. We read that the
 Emperor Yūriaku, in the
 latter part of the fifth cen-
 -tury, killed a steward for
 the misdemeanor of remaining
 silent, through fear, when spoken
 to : we also find it recorded
 that he struck down a maid-of-
 -honour who had brought him a cup

of wine, and that he would have cut off her head but for the extraordinary presence of mind which enabled her to improvise a poetical appeal for mercy. Her only fault had been that, in carrying the wine-cups, she failed to notice that a leaf had fallen into it, — probably because court-custom obliged her to carry the cup in such a way as not to breathe upon it; for emperors and high nobles were served after the manner of gods. It is true that Yūriaku was in the habit of killing people for little mistakes; but it is evident that in the cases cited such mistakes were regarded as breaches of long-established decorum.

$\frac{1}{11} \frac{1}{2}$ lin

Probably before as well as after the introduction of the Chinese penal codes — the so-called Ming and Tsing codes, by which the country was ruled under the Shoguns, — the bulk of the nation was literally under the rod. Common folk were punished by cruel whippings for the most trifling offenses. For serious offenses, death by torture was an ordinary penalty; and there were extraordinary penalties as savage, or almost as savage, as those established during our own medieval period, — burnings and crucifixions and quarterings and boiling alive in oil. The documents regulating the life of village-folk do not contain any indication of the severity of legal discipline: the Kumichō declares — "That such and such conduct shall be punished" suggest nothing terrible to the reader who has not made himself familiar with the

ancient codes. As a matter of fact the term "punishment" in a Japanese legal document might signify anything from a trifling fine up to burning alive. . . . Some evidence of the severity used to repress quarreling, even as late as the time of Iyeyasu, may be found in a curious letter of Captain Saris, who visited Japan in 1613. "The first of July," wrote the Captain, "two of our Company happened to quarrell the one with the other, and were very likely to have gone into the field [i.e., to have fought a duel] to the endangering of us all. For it is a custom here that whosoever is a custom here that whosoever draws a weapon in anger, although he do no harm therewith, he is presently cut in pieces; - and doing but small hurt, not only themselves are so executed, but

Please follow
the
spelling

follow
spelling

their whole generation"... The liberal
meaning of "cut in pieces" he
explains later on, when recommending
in the same letter, an execution
that came under his observation:—

2nd lot — "The eighth, three ^{but} Laponians
were executed, viz., two men
and one woman: the cause
this, — the woman, none of
the household (her husband
being travelled from home)
had appointed these two
their several hours to repair
unto her. The latter man,
not knowing of the former,
and coming in before she had
appointed, found the first
man, and enraged thereat, he
whipped out his cattan [katana]
and wounded both of them
very sorely, — having very
nearly hewn the chine of
the man's back in two.

follow
misspelling
small type
— lead.

But as well as he might be
 cleared himself, and recovering
 his cattan, wounded the
 other. The street, passing
 notice of the fray, forthwith
 seized upon them, led them
 aside, and acquainted the
 King Foyne therewith,
 and sent to know his
 pleasure, (for according
 to his will, the party
 is executed), who presently
 gave order that they
 should cut off their heads:
 which done, other men
 that listed (as very many
 did) came to try the
 sharpness of their
 cattans upon the corps,
 so that, before they left
 off; they had hewed them

follow
 spelling

type - level

44 416

follow
old
Spelling

available Type — lead.

all three in 2 pieces as small
as a man's hand, — and
yet notwithstanding, did
not then give over, but,
placing the pieces one
upon another, would try
how many of them they
could strike through at
a blow ; — and the
pieces are left to the
fowles to devour."

3 eas

Evidently the execution was in this case ordered for cause more serious than the offense of fighting; but it is true that quarrels were strictly forbidden and rigorously punished.

Though privileged to cut down "other-than-expected" people of inferior rank, the military class itself had to endure a discipline even more severe than that which it maintained. The penalty for a word or a look that displeased, or for a trifling mistake in performance of duty, might be death. In most cases the samurai was permitted to be his own executioner; and the right of self-destruction was deemed a privilege;—but the obli-

-gation & thrust a dagger deeply into
 one's belly on the left side, and
 then draw the blade slowly and
 steadily across to the right
 side, so as to sever all the
 entrails, was certainly not less
 cruel than the vulgar punish-
 -ment of crucifixion, or rather,
 double-transfixion.

#1 line

Just as all matters relating to the manner of the individual's life were regulated by law, so were all matters relating to his death, — the quality of his coffin, the expenses of his interment, the order of his funeral, the form of his tomb. In the seventh century laws were passed to the effect that no one should be buried with unseemly expense; and these laws fixed the cost of funerals according to rank and grade. Subsequent edicts defined the dimensions ^{and material} of coffins, and the size of graves. In the eighth century every detail of funerals, for all classes of persons from prince to peasant, was fixed by decree. Other laws, and modifications of laws, were

made upon the subject in later centuries ; - but there appears to have always been a general tendency to extravagance in the matter of funerals, - a tendency so strong that, in spite of centuries of sumptuary legislation, it remains today as strong as ever. This can easily be understood if we remember the beliefs regarding duty to the dead, and the consequent desire to honour and to please the spirit even at the risk of family impoverishment.

(lin)

Bynder

- Most of the legislation to which reference has already been made must appear to modern minds tyrannical ; and some of

The regulations seem to us strangely cruel. There was, moreover, no way of evading or shirking these obligations of law and custom: whoever failed to fulfil them was doomed to perish or to become an outcast; — implicit obedience was the condition of survival. The tendency of such regulation was necessarily to suppress all mental and moral differentiation, to quench personality, to establish one uniform and unchanging type of character; — and such was the actual result. To this day every Japanese mind reveals the lines of that antique mould by which the ancestral mind was compressed and limited. It is impossible to

understand Japanese psychology without knowing something of the laws that helped to form it, — or, rather to crystallize it under pressure.

Yet, on the other hand, the ethical effects of this iron discipline were unquestionably excellent. It compelled each succeeding generation to practice the frugality of the forefathers; and that compulsion was partly justified by the great poverty of the nation. It reduced the cost of living to a figure far below our Western comprehension of the necessary; it cultivated sobriety, simplicity, economy; it enforced cleanliness, courtesy, and hardihood. And — strange as the fact

may seem — it did not make the people miserable : They found the world beautiful in spite of all their trouble ; and the happiness of the old life was reflected in the old Japanese art, much as the joyousness of Greek life yet laughs to us from the vase-designs of forgotten painters.

And the explanation is not difficult. We must remember that the coercion was not exercised only from without : it was really maintained from within. The discipline of the race was self-imposed. The people had gradually created their own social conditions, and

Therefore the legislation conserving
those conditions ; and they
believed that legislation the best
possible. They believed it to
be the best possible for the
excellent reason that it had
been founded upon their own
moral experience ; and they
could greatly endure because
they had great faith. Only
religion could have enabled any
people to bear such discipline
without degenerating into mopes
and cowards ; and the Japanese
never so degenerated : the
traditions that compelled self-
denial and obedience, also

cultivation, courage, and insisted upon cheerfulness. The power of the ruler was unlimited because the power of all the dead supported him. "Laws," says Herbert Spencer, "whether written or unwritten, formulate the rule of the dead over the living. In addition to that power which past generations exercise over present generations, by transmitting their natures, — bodily and mental, — and in addition to the power they exercise over them by bequeathing habits and modes of life, — there is the power they exercise through their regulations for public conduct, handed down orally, or in writing. . . I emphasize

these truths," he adds, — "for the
 purpose of showing that they
 imply a tacit ancestor wor-
 -ship." . . . Of no other laws in
 the history of human civiliza-
 -tion are these observations
 more true than of the laws of
 Old Japan. Most strikingly
 did they "formulate the rule
 of the dead over the living".
 And the hand of the dead
 was heavy: it is heavy upon
 the living even today. The
 new Japan, like the old, is
 governed by the dead.
